

Legislation Details (With Text)

File #: 22-925 **Name:**
Type: Plat **Status:** Consent Item Ready
File created: 7/21/2022 **In control:** Planning Commission
On agenda: 8/2/2022 **Final action:**
Title: FP22-0301 Approval of a final plat establishing The Devereaux, with conditions.
Sponsors:
Indexes:
Code sections:
Attachments: 1. Aerial Exhibit, 2. The Devereaux final plat

Date	Ver.	Action By	Action	Result
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PRESENTER:

Applicant: LJA Engineering, Inc.; Nathan Chamberlain, P.E.

Owner: Westpoint Apartments, LTD; Tim Marroquin

SUBJECT:

FP22-0301 Approval of a final plat establishing The Devereaux, with conditions.

DEPARTMENT: Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** 3**BACKGROUND INFORMATION:**

Case #: FP22-0301

Owner: Tim Marroquin
Westpoint Apartments, LTD
2000 Stepping Stone,
New Braunfels, Texas 78130
(713) 622-4040 timarroquin@swbell.net

Engineer: Nathan Chamberlain, P.E.
LJA Engineering, Inc.
1100 NE Loop 410, Ste. 850
San Antonio, TX 78230
(210) 503-2700 nchamberlain@lja.com

Case Manager: Matthew Simmont
(830) 221-4058 msimmont@nbtexas.org

Description: A 8.63-acre final plat establishing one (1) lot for commercial use.

The subject property is located on the west side of Independence Drive generally located north of Loop 337 and east of State Hwy 46

ISSUE:

The purpose of this final plat is to establish one lot for commercial (multifamily) development. The subject property is undeveloped. The property is part of the Oak Run Master Plan.

Drainage:

The Public Works Department reviewed project drainage with the Letter of Certification process as required by Section 118-51(e)r of the Platting Ordinance and in accordance with the requirements of Chapter 143 Municipal Drainage Utility Systems and the Drainage and Erosion Control Design Manual. Drainage improvements will be constructed at the time of lot development.

Utilities:

Water, wastewater and electric utilities will be provided by New Braunfels Utilities (NBU). Utility easements will be provided as required by NBU. Utilities are existing and accessible to this property.

Transportation:

The proposed plat is in compliance with the City's Regional Transportation Plan (RTP). Independence Drive along the norther portion of the property is identified as a 90-foot wide Collector; 15-feet of additional right-of-way will be dedicated with the proposed plat.

Sidewalks:

Six (6) foot wide sidewalk will be constructed by the developer along the Independence Drive frontage at time of site development.

Hike and Bike:

This proposed plat is in compliance with the City's Hike and Bike Trails Plan. No hike or bike trails are required to be dedicated with this final plat.

Roadway Impact Fees:

The subdivision is located in Roadway Impact Fee Service Area 1 and fees are hereby assessed with the approval of this plat. Impact Fees will be calculated and payable at the time of building permit based on land use at the then current rate.

Parkland Dedication and Development:

This subdivision is subject to the 2018 Parkland Dedication and Development Ordinance. The developer intends to pay fees-in-lieu of park land dedication and development with the intent to construct a private park for credit. As fiscal security, the developer is required to pay parkland dedication and development fees for the proposed residential development prior to building permit issuance. Since a private park is proposed, only a portion of the park development fees may be eligible for reimbursement. Eligibility for reimbursement will be determined when amenities are complete. Since the proposed dwelling units are multifamily, Since the plat indicates up to 240 dwelling units will be constructed on the proposed lot, park fees in the amount of \$2,246 per dwelling unit may be paid prior to plat recordation but must be paid prior to building permit issuance.

FISCAL IMPACT:

N/A

RECOMMENDATION:

To meet the requirements of the Subdivision Platting Ordinance and other adopted codes, the applicant's

proposed final plat must comply with the conditions noted below. Staff recommends approval of the applicant's proposed final plat with the following Conditions of Approval:

1. Revise the plat title to include "Final Plat Establishing..." prior to the subdivision name. (NBCO 118-29)
2. Replace "adjacent" with "along" in the first sentence of general plat note #8. (NBCO 118-49)
3. Remove the second sentence from general plat note #8. (NBCO 118-49) Be advised that any referenced easements that are created by separate instrument must be recorded with document numbers added to the plat prior to recordation. (NBCO 118-29(2))
4. The proposed 20-foot-wide utility easement (hexagon I) cannot specify underground only. If 100% assurance is desired for no above-ground conductor in easement, conduit for underground bulk feeder must be installed at owner's expense. NBU has no intention of building above-ground in specified utility easement now or in capital plan, but limitation is not acceptable. (NBCO 118-48)
5. Be advised final acceptance or performance bond for utility construction is required prior to plat approval. (NBCO 118-31(a))
6. Be advised that water and wastewater capacity is not reserved until construction documents and plat approval. (NBCO 118-31(a))

Approval Compliance:

To obtain final approval of the plat, the applicant must submit to the City a revised plat and written response that satisfies each condition of approval prior to the expiration of the plat (Sec. 118-32(b)). In accordance with chapter 212, Texas Local Government Code, the City will determine the plat approved if the response adequately addresses each Condition of Approval.