

Legislation Details (With Text)

File #: 22-926 **Name:**

Type: Plat **Status:** Individual Item Ready

File created: 7/21/2022 **In control:** Planning Commission

On agenda: 8/2/2022 **Final action:**

Title: FP22-0302 Approval of a final plat establishing Independence Commercial, with conditions.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Aerial Exhibit, 2. Independence Commercial final plat

Date	Ver.	Action By	Action	Result
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PRESENTER:

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

Owner: BakerSmithCo Independence, LLC; Matt Strange

SUBJECT:

FP22-0302 Approval of a final plat establishing Independence Commercial, with conditions.

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

Case #: FP22-0302

Owner: Matt Strange
BakerSmithCo Independence, LLC
1400 Post Oak Blvd, Ste. 900
Houston, TX 77056
(713) 622-4040 matt@smithcodevelopment.com

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 3.299-acre final plat establishing two (2) lots for commercial use.

The subject property is situated on the north side of Loop 337 on the east side of State Hwy 46.

ISSUE:

The purpose of this final plat is to establish two lots for commercial 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 are 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 subject property is a collector roadway. No additional right-of-way is required along Independence Drive or Loop 337.

Sidewalks:

Six (6) foot wide sidewalk will be constructed by the developer at time of building permit along the Independence Drive and Loop 337 frontages.

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 intended development of the property is for non-residential use and the plat is not proposing parkland dedication or improvements. Should the property be developed with residential units, the owners of the property will be required to comply with the ordinance prior to building permit issuance through the payment of park land dedication and development fees for each dwelling unit.

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 118-24 (15))

2. Replace “adjacent” with “along” in the first sentence of general plat note #8. (NBCO 118-24(15))
3. Add “and Independence Drive” to the end of the first sentence of general plat note #8. (NBCO 118-24(15))
4. Remove the second sentence from general plat note #8. (NBCO 118-24(15))
5. Provide the exact dimensions for Independence Drive right-of-way width. (NBCO 118-27(b))
6. Dedicate sufficient right-of-way to ensure Independence Drive has a minimum 60 feet of right-of-way width. (NBCO 118-46(t))
7. Adjust access easement K to ensure that when combined with existing access easement E, the driveway onto Independence Drive does not exceed the maximum allowed by Chapter 114. (NBCO 118-46(m))
8. 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))
9. Be advised if any right-of-way dedication/reservation is ultimately required additional easement is required outside of ROW dedication/reservation. (NBCO 118-48)
10. Be advised final acceptance or performance bond for utility construction is required prior to plat approval. (NBCO 118-31(a))
11. 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.