

## Legislation Text

---

**File #:** 21-205, **Version:** 1

---

Presenter/Contact

*Applicant: D.A. Mawyer Land Surveying (Drew A. Mawyer); Owners: Steve Hardin & Juli Leaverton  
(830) 730-4449 / drewm@dam-tx.com*

**SUBJECT:**

REP21-059 Public Hearing and consideration of the replat of Lots 9-12, New City Block 5025, establishing Leaverton Square.

**Plat Information:**

**Case #:** REP21-059

**Owners:** Steve Hardin  
468 South Central Ave.  
New Braunfels, TX 78130

Juli Leaverton  
189 E. Zink St.  
New Braunfels, TX 78130

**Applicant:** Drew A. Mawyer  
D.A. Mawyer Land Surveying  
5151 State Highway 46  
New Braunfels, TX 78132  
(830) 730-4449  
drewm@dam-tx.com

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

**Description:** A replat to create three residential lots

**Background:**

The subject property is located at the northeast intersection of South Central Avenue and East Mather Street. The proposed replat will create three lots by adjusting historic internal lot lines with the intention of maintaining the existing residential development.

**Drainage:**

The City's Public Works Department reviewed project drainage with the approved letter of certification as required by Section 118-51.e of the Subdivision Platting Ordinance and in accordance with Chapter 143 Municipal Drainage Utility Systems, and the Drainage and Erosion Control and

Design Manual (DECDM).

No portion of the property is located within the 1% annual chance floodplain.

**Utilities:**

Electric, water and wastewater services are currently provided by New Braunfels Utilities (NBU). The existing services have been evaluated and approved by NBU through a letter of certification, no extension of main lines is required.

**Transportation:**

**Regional Transportation Plan:**

The proposed replat complies with the Regional Transportation Plan. S. Central Ave. and E. Mather Street are indicated as Local Streets and adequate right-of-way exists.

**Hike and Bike Trail Plan:**

There are no trails identified on the City's Hike and Bike Trails Plan within or adjacent to the subject site. Therefore, the proposed replat is in compliance with the plan.

**Sidewalks:**

Construction of four-foot wide sidewalks will be required along S. Central Ave. and E. Mather Street at the time of new or re-development on each lot.

**Roadway Impact Fees:**

This subdivision is subject to Roadway Impact Fees and is hereby assessed the fees for Service Area 2 with the approval of this replat. The Impact Fees will be collected at the time of building permit as indicated in the then current fee schedule for the intended use.

**Parkland Dedication and Development:**

This subdivision is subject to the City's 2018 Parkland Dedication and Development Ordinance. Because there is an existing residence on each proposed lot, no park fees are required at this time. If additional dwelling units are added, park fees for the new dwelling units will be required to be paid at the time of building permit.

**Notification:**

Public hearing notices were sent to 20 owners of property within 200 feet of the request. The City has received no responses.

**Staff Recommendation:**

To meet the requirements of the City's Subdivision Platting Ordinance and other adopted codes, the applicant's final plat must comply with the conditions noted below. Staff recommends approval of the proposed replat with the waiver and the following Conditions of Approval:

1. Revise the title of the plat to begin "Final plat establishing Leaverton Square, being a replat of..." (NBCO 118-34(g)).
2. Add a date of preparation to the plat (NBCO Sec. 118-24(9)).
3. Add a "purpose for replat" statement (NBCO 118-34(i)).
4. Add a block number to the plat (NBCO Sec. 118-24(13)).
5. Revise note #14 as follows "This subdivision is subject to the 2018 City of New Braunfels Park Land Dedication and Development Ordinance. This plat is approved for 1 dwelling unit per

buildable lot with a maximum of 3 buildable lots. At such time that additional dwelling units are constructed; the owner of the lot shall contact the City and comply with the ordinance for each dwelling unit.

6. Revise the Planning Commission signature line as follows “Approved this the \_\_\_\_ day of \_\_\_\_, 2021, by the Planning Commission of the City of New Braunfels, Texas.” Include Chairman signature line (NBCO 118-30(d)).
7. Include a 20-foot wide utility easement fronting S. Central Ave. and E. Mather Street.
8. State and Label the grid state plane coordinates (two decimals places) that are the farthest from each other on two corners of the outer boundary (Ord. 118-21(c)).
9. A final digital plat must be submitted when proceeding with recordation, format must be in: (NBCO Sec. 118-21(c))
  - a. NAD 1983 State Plane Texas South Central FIPS 4204 (US Survey feet).
  - b. Grid scale.
  - c. All x-referenced files must not be in blocks.
  - d. Dwg format 2013 version or later.

**Approval Compliance:**

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

**Attachments:**

1. Aerial Map
2. Proposed Replat
3. Notification List and Map