

## Legislation Text

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**File #:** 21-438, **Version:** 1

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**PRESENTER:**

Applicant/Owner: Moeller & Associates (James Ingalls, P.E.)

**SUBJECT:**

FP21-0132 Approval of the final plat for Simon Street Subdivision.

**DEPARTMENT:** Planning and Development Services

**COUNCIL DISTRICTS IMPACTED:** Council District 5

**BACKGROUND INFORMATION:**

**Applicant:** Moeller & Associates (James Ingalls, P.E.)  
2021 SH 46W, Ste. 105  
New Braunfels, TX 78132

**Owner:** Steve D. Taylor Self-Directed IRA LLC  
C/O Steve Taylor  
268 Comal Ave.  
New Braunfels, TX 78130

**Staff Contact:** Matt Greene  
(8300 221-4053      [mgreene@nbtexas.org](mailto:mgreene@nbtexas.org))

*Description:* Platting a 0.336 tract of land into 2 single-family residential lots

**ISSUE:**

The subject property is located at the northeast intersection of Simon Avenue and Comanche Drive and is developed with a single-family dwelling. The applicant is requesting approval of the plat to subdivide the property into two single-family residential lots.

*Drainage:*

The Public Works Department reviewed preliminary drainage with the Letter of Certification process as required by Section 118-51e of the Subdivision Platting Ordinance and in accordance with Chapter 143 Municipal Drainage Utility Systems and the Drainage and Erosion Control and Design Manual.

No portion of this subdivision is located within the 100-year floodplain.

*Utilities:*

Electric, water and wastewater services will be provided by New Braunfels Utilities (NBU). Water and

wastewater services are existing and no extension of public utilities will be required with this subdivision.

*Transportation:*

Regional Transportation Plan

This project is not proposing any streets within the subdivision and is not adjacent to any proposed thoroughfares as indicated on the City's Regional Transportation Plan. The proposed subdivision is adjacent to Simon Avenue and Comanche Drive. Both are Local Streets and no additional right-of-way dedication is required.

Hike and Bike

The applicant is not proposing trails with the subdivision. The City of New Braunfels's Hike and Bike Trail Plan does not indicate any proposed trails within or adjacent to the subdivision.

Sidewalks

Four-foot wide public sidewalks will be constructed per City standards along Simon Avenue and Comanche Drive at the time of building construction.

*Roadway Impact Fees:*

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

*Parkland Dedication and Development:*

This subdivision is subject to the 2018 Parkland Dedication and Development Ordinance. In lieu fees of \$2,038 will be paid prior to recording the final plat.

**FISCAL IMPACT:**

Parkland dedication and development fees and Roadway Impact Fees will be collected by the City.

**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 street name label "Comanche Street" to "Comanche Dr." and "Simon Street" to "Simon Ave." on the plat. *(118-29(b)(2))*
2. Revise the street name "Simon Street" to "Simon Ave." in plat note number 17. *(NBCO 118-30(h))*
3. Add "According to the adopted flood maps of the City of New Braunfels" in plat note number 13. *(NBCO 118-30)*
4. Revise plat note #13 to read "No portion of any lot on this plat is within an indicated special flood hazard zone according to the adopted flood maps of the City of New Braunfels as defined by the Comal County, Texas, Flood Insurance Rate Map Number 48091C0455F, Effective date September 2, 2009 as prepared by the Federal Emergency Management Agency." *(NBCO 118-30(j))*
5. Provide a minimum 10-foot wide Utility Easement adjacent to Comanche Dr. *(118-51(a))*

6. Revise plat note #8 to indicate the subdivision is subject to the “2018” City of New Braunfels Park Land and Dedication Ordinance rather than “2006”. (118-24(15))

*Approval Compliance:*

To obtain approval of the final plat the applicant must submit to the City a written response that satisfies each condition of approval prior to expiration of the final plat (Section 118-32(k)). 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:*

Aerial Map

Final Plat