

## Legislation Text

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**File #:** 22-767, **Version:** 1

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**PRESENTER:**

Applicant: HMT Engineering & Surveying; Chris Van Heerde, P.E.

Owner: Charles R. Wiggins

**SUBJECT:**

REP22-0241 Public hearing and consideration of a Replat Establishing Lot 1A, Block 1, Landa Park Estates.

**DEPARTMENT:** Planning and Development Services

**COUNCIL DISTRICTS IMPACTED:** 3

**BACKGROUND INFORMATION:**

Case #: REP22-0241

Owner: Charles R. Wiggins  
890 Edgewater Terrace  
New Braunfels, TX. 78130

Engineer: Chris Van Heerde, P.E.  
HMT Engineering & Surveying  
290 S Castell Ave, Ste 100  
New Braunfels, TX 78130  
(830) 625-8555      chrisv@hmtnb.com

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

Description: A 0.894-acre final replat establishing one residential lot.

The subject property is situated along the eastern edge of the Comal Springs and is more specifically located on the westside of Edgewater Terrace at the western termination of Elizabeth Avenue.

**ISSUE:**

The purpose of this replat is to combine two existing single-family lots and a 0.133 acre portion of vacated Elizabeth Street ROW into one single-family residential lot.

**Transportation Plan:**

This replat is in compliance with the City's Regional Transportation Master Plan. No additional right-of-way is required for dedication with this replat.

**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. No drainage improvements are necessary with the plat.

**Utilities:**

All utilities are existing and provided by NBU.

**Hike and Bike:**

The plat has been evaluated for compliance with the City's Hike and Bike Trails Plan. No off-street hike and bike trails are required for construction with this replat.

**Sidewalks**

No sidewalks currently existing within this subdivision. No additional lots are being created with this replat. Sidewalks do not exist along the roadway frontage of the subject property; however, sidewalks will be required to be constructed upon redevelopment.

**Roadway Impact Fees:**

The subdivision is in Roadway Impact Fee Service Area 2 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 if a change in land use occurs.

**Parkland Dedication and Development:**

This replat is exempt from parkland dedication and development requirements, as no additional lots or residential units are being developed.

**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. Add a note detailing the requirement for sidewalk construction along Elizabeth Avenue and Edgewater Terrace. (NBCO 118-49(a))
2. Provide the missing subdivision information for the lots located to the east of the subject property. (NBCO 118-24)
3. Provide a 10-foot-wide utility easement on the front of the property for the existing single phase electric line. (NBCO 118-48(a))
4. Adjust or remove the dark line located outside of the plat boundary. (NBCO 118-24)
5. Include the appropriate block number on the plat. (NBCO 118-24)
6. Include known and/or added monuments at each corner of the plat boundary. (NBCO 118-24)
7. Provide a detailed "purpose for replat" statement which describes exactly what has been changed on the plat since the original (or previous) plat was approved by the city and filed at the county. (NBCO 118-34)

8. Revise the title of the replat in accordance with requirements as follows (NBCO 118-34):

*A "Final Plat" of the " \_\_\_\_\_ Addition, Block \_\_\_\_\_, Lot(s) \_\_\_\_\_, being a Replat of Block \_\_\_\_\_, Lot(s) \_\_\_\_\_ of the \_\_\_\_\_ Addition, an addition to the City of New Braunfels, Texas, as recorded in Volume \_\_\_\_\_, Page \_\_\_\_\_ of the Plat Records of \_\_\_\_\_ County, Texas".*

**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.

*Mailed notification:*

A public hearing notice was sent to the owners of 8 properties within 200 feet and within the original subdivision. We have received three responses representing four properties (#1, 4, 7 & 8) in favor of the proposed replat.