

## Legislation Text

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**File #:** 22-916, **Version:** 1

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**PRESENTER:**

Applicant: Kimley-Horn; Jordan Schaefer, P.E.

Owner: Estate of Mary Ann Lehmann; Kevin Lehmann

**SUBJECT:**

FP22-0287 Approval of a final plat establishing Keystone at New Braunfels Subdivision, with conditions.

**DEPARTMENT:** Planning and Development Services

**COUNCIL DISTRICTS IMPACTED:** 4

**BACKGROUND INFORMATION:**

Case #: FP22-0287

Owner: Kevin Lehmann  
Estate of Mary Ann Lehmann  
1934 Pieper Road  
New Braunfels, TX 78130  
(830) 620-5063 lehmannfarms@yahoo.com

Engineer: Jordan Schaefer, P.E.  
Kimley-Horn  
10101 Reunion Place, Ste. 400  
San Antonio, TX 78216  
(210) 321-3423 jordan.schaefer@kimley-horn.com

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

**Description:** A 27.411-acre final plat establishing 1 lot for townhouse style residential development.

The Keystone at New Braunfels Subdivision is a townhouse style residential development located on the northeast side of Goodwin Lane approximately across from the intersection of Goodwin Lane and Aspen Waters. The property is zoned C-1A with a Special Use Permit (SUP21-383) that allows for the development of multiple dwelling units (estimated 320) in a townhouse style configuration but without the individual lots for each unit.

**ISSUE:**

This final plat is approximately 27-acres and proposes the establishment of 1 lot with the dedication of right-of-way along Goodwin Lane.

**Drainage:**

The Public Works Department reviewed project drainage with the Letter of Certification process as required by

Section 118-51(e) 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 site 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 will be extended as part of this plat in accordance with the approved construction plans.

**Transportation:**

The proposed plat is in compliance with the City's Regional Transportation Plan (RTP). This final plat will be dedicating approximately 18 feet of right-of-way for Goodwin Lane that has been determined to be a 90-foot-wide Minor Arterial.

**Sidewalks:**

Six (6) foot wide sidewalks will be constructed by the city at the time of street construction, with the expansion of Goodwin Lane.

**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 4 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 plat indicates up to 320 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. Add a block number (NBCO 118-24(13))
2. Revise the surveyor signature certificate in accordance with NBCO 118-30(a).

3. Add the Planning Commission chair signature line in accordance with NBCO 118-30(a).
4. Remove the Land Use designation that is listed under Subdivision information as land use is not determined by the plat. (NBCO 118-24(15))
5. Revise the sidewalk note as follows (NBCO 118-49): *Six (6) foot wide sidewalks will be constructed per city standards by the city as part of the city's street improvement project at the time of street construction along: A. Goodwin Lane*
6. Be advised if underground distribution is requested, Goodwin Lane will have to be crossed underground as well to reach three-phase overhead. (NBCO 118-31(a))
7. Be advised that water and wastewater capacity is not reserved until construction documents and plat approval. (NBCO 118-31(a))
8. Be advised that capital improvement projects addressing capacity issues as noted on Letters of Certification for utilities may be required to be completed prior to plat approval. (NBCO 118-21(d))
9. Be advised final acceptance or performance bond for utility construction is required prior to 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.