

July 5, 2022

Planning Division
City of New Braunfels
550 Landa Street
New Braunfels TX 78130

RE: Waiver Request – Villas at Barbarosa
Section 118-46(y)9c – Request to Escrow Barbarosa Rd/Alves Ln Right Turn Lane

To Whom It May Concern:

Per approved Villas at Barbarosa Traffic Impact Analysis Report traffic mitigation recommendation #1, a right turn lane must be installed at the intersection of Barbarosa Rd on to Alves Ln. Section 118-46(y)9c requires the applicant to show all reasonable efforts have been made to implement turn lanes required by TIA. It is our engineering judgement that existing conditions at this intersection do not support installation of a safe right turn lane. Per Section 118-46(y)5d, the proposed development will be denied unless the developer agrees to escrow with the city an amount equivalent to the cost of the proposed improvement. We respectfully request to escrow traffic mitigation recommendation #1 per the TIA report. Justification for this request is further explained in the following paragraphs. The code sections referenced above are pasted below. Furthermore, a right turn lane exhibit and TIA worksheet from the approved TIA report is attached to this letter.

Section 118-46(y)9c:

“The construction of turn lanes may be limited due to topographic conditions or need to obtain right-of-way from adjacent property owners. The applicant must show that all reasonable efforts have been made to implement turn lanes required by the TIA or this chapter. This may include relocating driveways or streets to allow for the construction of turn lanes or alternate design options.”

Section 118-46(y)5d:

“*Mitigation.* If the TIA's determination for roadways and intersections indicates that the proposed development would cause a reduction in the level of service for any roadway or intersection within the impact area that would cause the roadway to fall below the level of service C, the proposed development will be denied unless the developer agrees to one of the following conditions:

- d. Escrow with the city an amount equivalent to the cost of the improvements necessary to mitigate the adverse traffic impact.”

We believe the right turn lane construction at the intersection of Barbarosa Ln and Alves to be unreasonable for the following reasons:

1. A sidewalk would encroach on to the previously platted Vier Steigen property at the Northwest corner of the intersection, requiring ROW acquisition.
2. The proposed right turn lane edge extends to ~1ft away from the corner property line at its worst-case instance. This would create an unsafe buffer at the private property from the public traffic using the right turn lane.
3. The overhead electric along Barbarosa Rd would need to be relocated within an easement offset from the proposed right turn lane. This required easement does not exist at the private property located adjacent to the Barbarosa Rd/Alves Ln intersection and would need to be acquired.

With the previous statements taken in to consideration, we respectfully request approval for the right turn lane at the intersection of Barbarosa Rd and Alves Ln improvements to be escrowed in-lieu of construction. If approved, the valuation for the escrow will be coordinated with City staff at a later date. Please contact me if you have any questions or concerns.

Thank you,



Chris Van Heerde, PE
Managing Partner
HMT Engineering & Surveying



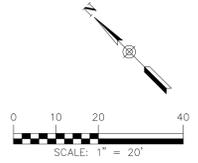
7/5/22

Drawing Name: N:_Projects\185 - Kiplon Management Company\002 - Villas at Barbarosa\Cds (Site)\Driveway\385.002_EXHIBIT.dwg User: hawk-rippen Jul 01, 2022 - 3:14pm



VIER STEIGEN INVESTMENTS, LLC
 LOT 2
 CLARENCE TIMMERMANN SUBDIVISION
 VOL. 7, PG. 81
 M.P.R.C.C.T.

- LEGEND**
- 700 --- EXISTING CONTOURS
 - 700 --- PROPOSED CONTOURS
 - B.L. BUILDING SETBACK LINE
 - U.E. UTILITY EASEMENT
 - D.E. DRAINAGE EASEMENT



290 S. CASTELL AVE., STE. 100
 NEW BRAUNFELS, TX 78130
 TBPE FIRM F-10961
 TBPLS FIRM 1053600



THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF CHRISTOPHER P. VAN HEERDE P.E. # 93047 ON 07/17/22. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.

BARBAROSA-ALVES INTERSECTION EXHIBIT
 VILLAS AT BARBAROSA PUBLIC IMPROVEMENTS

NO.	REVISION DESCRIPTION	REVISION DATE

DATE: July 2022
 DRAWN BY: PMM
 DESIGNED BY:
 REVIEWED BY: CVH
 HMT PROJECT NO.: 385.002

SHEET EX A

CITY OF NEW BRAUNFELS TRAFFIC IMPACT ANALYSIS (TIA) WORKSHEET

Complete this worksheet as a requirement for zoning, master plan, plat and permit as specified in City of New Braunfels Code of Ordinances Sections 114-99 and 118-46.
 Note: The Code provides the minimum information for a TIA report and it is recommended that a scoping meeting be scheduled with the Engineering Division.

Section 1: General Information

Project Name: Villas at Barbarosa				Date: 06/16/2022			
Subdivision Plat Name: Villas at Barbarosa				Project Address/Location: Barbarosa Road approximately 1,050 northwest of Alves Lane			
Location? <input type="checkbox"/> City of New Braunfels		<input checked="" type="checkbox"/> New Braunfels ETJ		<input checked="" type="checkbox"/> Comal County		<input type="checkbox"/> Guadalupe County	
Owner Name: Kaplan Acquisitions, LLC				Owner Email: KLUU@KapCorp.com			
Owner Address: 777 Post Oak Blvd, Ste 850, Houston, TX 77056				Owner Phone: (713) 977-5699			
Preparer Company: Lee Engineering, LLC							
Preparer Name: James Robertson, PhD, PE, PTOE, RSP2IB				Preparer Email: jrobertson@lee-eng.com			
Preparer Address: 8122 Datapoint Drive Suite 1005, San Antonio, TX 78229				Preparer Phone: (210) 561-5411			
TIA scoping meeting with City Engineering Division staff? (required for reports) <input checked="" type="checkbox"/> Yes. Date: 12/12/2021				TIA Worksheet/Report approved with previous zoning, plan, plat or permit? <input checked="" type="checkbox"/> No. Complete Page 1 only.			
<input type="checkbox"/> No.				<input type="checkbox"/> Yes. Complete Pages 1 and 2.			
Application Type or Reason for TIA Worksheet/Report							
<input type="checkbox"/> Zoning/Concept Plan/Detail Plan		<input type="checkbox"/> Master Plan		<input type="checkbox"/> Preliminary Plat		<input checked="" type="checkbox"/> Final Plat	
						<input type="checkbox"/> Permit	
						<input type="checkbox"/> Other	
TIA Submittal Type (A TIA Worksheet is required with all zoning, plan, plat and permit applications)							
<input type="checkbox"/> TIA Worksheet Only (100 peak hour trips or less)				<input checked="" type="checkbox"/> Level 1 TIA Report (101-500 peak hour trips)			
<input type="checkbox"/> TIA Worksheet Only – Previous TIA Report Approved				<input type="checkbox"/> Level 2 TIA Report (501-1,000 peak hour trips)			
<input type="checkbox"/> TIA Worksheet Only – Previous TIA Report not required (supporting documentation may be required)				<input type="checkbox"/> Level 3 TIA Report (1,001 or more peak hour trips)			

Section 2: Proposed Land Use and Trip Information for Application

Unit	Land Use	ITE Code ¹	ITE Unit ²	Est. Project Units	Critical Peak Hour	AM Peak Hour Rate	PM Peak Hour Rate	WKND Peak Hour Rate	Daily Trip Rate	AM Peak Hour Trips	PM Peak Hour Trips	WKND Peak Hour Trips	Daily Trips
1	Single-Family Detached Housing	210	Dwelling Units	200	PM	0.74	0.99	0.93	9.44	148	198	186	1,888
<i>Total from additional tabulation sheet (if necessary):</i>													
Total:										148	198	186	1,888

¹Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition or most recent; ²E.g., Dwelling Units, Acres, Employees, KSF, etc.

Internal Use Only	Reviewed by:			Date:		
	<input type="checkbox"/> TIA Worksheet is acceptable.	<input type="checkbox"/> TIA Worksheet requires corrections.	<input type="checkbox"/> TIA Report required.	<input type="checkbox"/> TIA Report not required.		



PUBLIC WORKS

LETTER OF CERTIFICATION

July 1, 2022

Final Plat (Public Improvements Not Required)
Villas at Barbarosa
LOC22-0005

Owner: Vier Steigen Investments LLC
Applicant: Khoi Luu
Licensed Engineer: HMT Eng. & Surveying

The Engineering Division reviewed the Letter of Certification (LOC) application and associated documents for the referenced subdivision. The LOC is hereby issued with approval of the following documents:

Table with 4 columns: Document Name, Date, Date, Date. Rows include Preliminary Drainage Report, Preliminary Street and Utility Drawings, Traffic Impact Analysis Worksheet, and Traffic Impact Analysis Report.

Conditions of Approval:

- 1. The eastbound right-turn lane on Barbarosa Ln at Alves Ln is required to be constructed by the developer. Sec. 118-46(y)9c of the City code states that all reasonable efforts must be made to provide the required mitigation.

Note: Drainage review will continue in greater detail at time of permit.

Planning

The following Planning notes do not constitute a comprehensive review and are only intended to help the applicant before plat submittal. They do not affect the Letter of Certification approval.

- 1. The numbering of the plat notes are duplicated (items 10 & 11 are listed twice), there should be 17 plat notes.

Note that the applicant shall submit the subdivision plat or master plan to the Planning and Development Services Department. The subdivision plat or master plan shall be accompanied by a separate application, application fee and associated documents required on the application checklists including approved LOCs.



ONE CITY, ONE TEAM

ENGINEERING DIVISION | 830.221.4020 | 550 LANDA STREET, NEW BRAUNFELS, TX 78130 | NBTEXAS.ORG



PUBLIC WORKS

Scope of Issuance: An LOC does not authorize the development or subdivision of land nor does it approve items not specified and reviewed by other entities. An LOC shall remain valid for one (1) year from the date of issuance. After that time period, a new LOC shall be required to apply for a subdivision plat or master plan.

Amendments: An LOC may be amended prior to submitting an application for subdivision plat or master plan if the proposed amendment: does not change the boundary of the subdivision; does not change the peak hour trips by more than 10 percent or traffic impact analysis submittal type; or does not change the drainage area, development discharge location or floodplain/floodway boundary.

Recording Procedures: LOCs are not recorded. An LOC shall be maintained by the owner or applicant and presented with the application for subdivision plat or master plan to the Planning and Development Services Department.

Please contact the Engineering Division at (830) 221-4020 if you have any questions or need any additional information.

Respectfully,

A handwritten signature in black ink, appearing to read "JP", followed by a long horizontal flourish.

Jessica Perry, E.I.T.
Graduate Engineer

JP /cs