



290 S. Castell Avenue, Ste 100  
New Braunfels, TX 78130  
TBPE-FIRM F-10961  
TBPLS FIRM 10153600

September 7, 2021

Mr. Garry Ford, P.E.  
City of New Braunfels  
550 Landa Street  
New Braunfels TX 78130

RE: Waiver Request - Town Creek Phase 4  
Section 118-43(b) – Request for Fredericksburg ROW Pavement Section Held Back from Property Line

Dear Garry,

Fredericksburg Right-of-Way located within Town Creek Phase 4 Plat is required by Section 118-43(b) to stub the pavement section to the adjacent property owned by a railroad. A section of the code is pasted below for reference. I am writing this letter to request the Fredericksburg pavement and sidewalks be held back from the Railroad property line. The Fredericksburg Right-of-Way would still be dedicated to the Railroad property line. Justification for this request is further explained in the following paragraphs.

“Wherever, the subject property adjoins undeveloped land, or wherever required by the city to serve the public good, utilities and drainage systems shall be extended to adjacent property lines to allow connection of these utilities and drainage systems by adjacent property owners when such adjacent property is platted and/or developed.”

Should a railroad crossing be pursued in the future, we are left with three options:

1. Overpass: This option would require removing almost the entire length of Fredericksburg pavement section back to N. Academy Ave to allow for bridge construction. This option would also remove proposed driveway aprons along Fredericksburg Ave.
2. Underpass: This option would require removing the entire length of Fredericksburg pavement back to N. Academy for the underpass construction, causing the same conflict with proposed driveway aprons as option 1.
3. At-Grade Crossing: This option would require a railroad crossing agreement with Union-Pacific Railroad and could be pursued in the future as a viable option. However, to gain this road as an at-grade crossing, the removal of other more hazardous crossings in New Braunfels would be required. We believe this to be the best option available and are designing the proposed roadway to accept an at-grade crossing.

The exhibit attached in this application package depicts our proposed at-grade crossing design. If the pavement and sidewalk stub at property line, a dead-end would be stubbed 3.5 ft above surrounding grade. This would block opportunity of a smooth connection of a proposed walking path running along the northern perimeter of Block 5 in Phase 3 and Block 16 in Phase 4. In support of connecting the Town Creek subdivision with the Dry Comal Creek trail system and no current plans of connecting Fredericksburg at the railroad crossing, we believe stubbing the pavement to the property line does not serve the best interest of the public or Town Creek residents. It is our opinion holding this stub back from the property line will generate better pedestrian fluidity to the Town Creek Subdivision and avoid a dead-end condition 3.5 ft above surrounding grades. Additionally, we believe this dead-end street would come to be used as a parking area that could cause enforcement issues for the City.

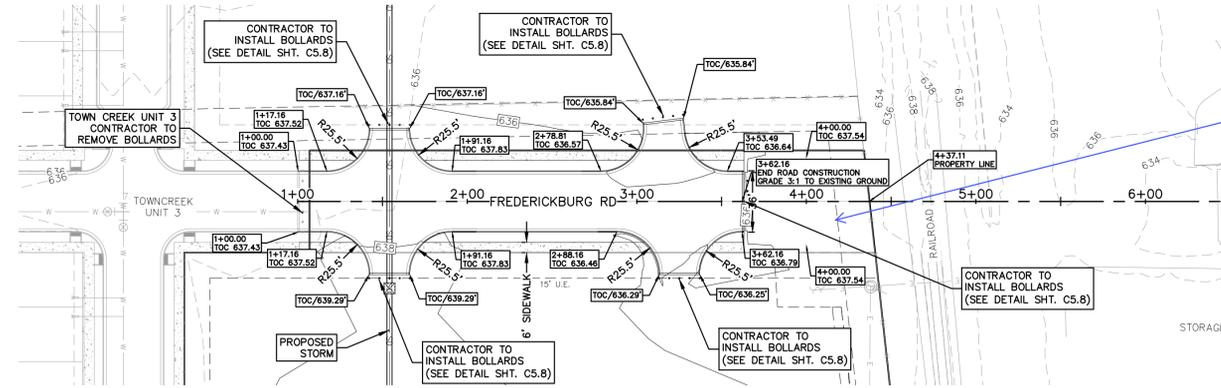
We respectfully request an approval for the Fredericksburg pavement section to be held back as the attached exhibit shows. Please contact me if you have any questions or concerns.

Thank you,

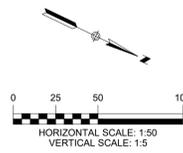
A handwritten signature in blue ink that reads "Chris Van Heerde, PE". The signature is written in a cursive style with a large initial 'C' and 'H'.

Chris Van Heerde, PE  
Managing Partner  
HMT Engineering & Surveying

Drawing Name: N:\projects\130 - town creek phase 4\CD\130.014\_SHEET.dwg User: hank-rippen Jul 01, 2021 - 9:52am



HMT proposes to hold back roadway and sidewalk 75 ft from property line to allow for ease of connection for a future railroad at-grade crossing. Should an overpass or underpass option be carried out in this location, Fredericksburg would need to be demolished at a minimum of 300ft back from property line. Overpass and underpass schematics can be referenced on pages 3 and 4 of this pdf.



- LEGEND**
- 700 — EXISTING CONTOURS
  - 700 — PROPOSED CONTOURS
  - B.L. BUILDING SETBACK LINE
  - U.E. UTILITY EASEMENT
  - D.E. DRAINAGE EASEMENT
  - A.A.A. RAMP (CITY OF NEW BRAUNFELS DETAIL ST 019)
  - FLOW ARROW
  - SPILL CURB
  - PROPOSED GROUND CENTER (PR TC)
  - ACCESSIBLE CROSSING AREA CONTRACTOR TO ENSURE MAX 2% CROSS SLOPE IN THESE AREAS
  - SIDEWALK TO BE CONSTRUCTED BY SITE DEVELOPMENT CONTRACTOR
  - WASHOUT

- NOTES**
1. STREETS WERE DESIGNED TO POSTED SPEED LIMIT OF 25 MPH.
  2. IN WASHOUT CROWN AREAS, THE CURB ON THE HIGH SIDE OF THE STREET SHOULD BE SPILL CURB AS DESIGNATED ON THE PLANS.
  3. CONTRACTOR TO CONSTRUCT SIDEWALK RAMPS WITH STREETS.
  4. CONTRACTOR TO ENSURE POSITIVE DRAINAGE AWAY FROM STREET STUB OUT ENDS SO THAT NO "PONDING" OF WATER OCCURS.

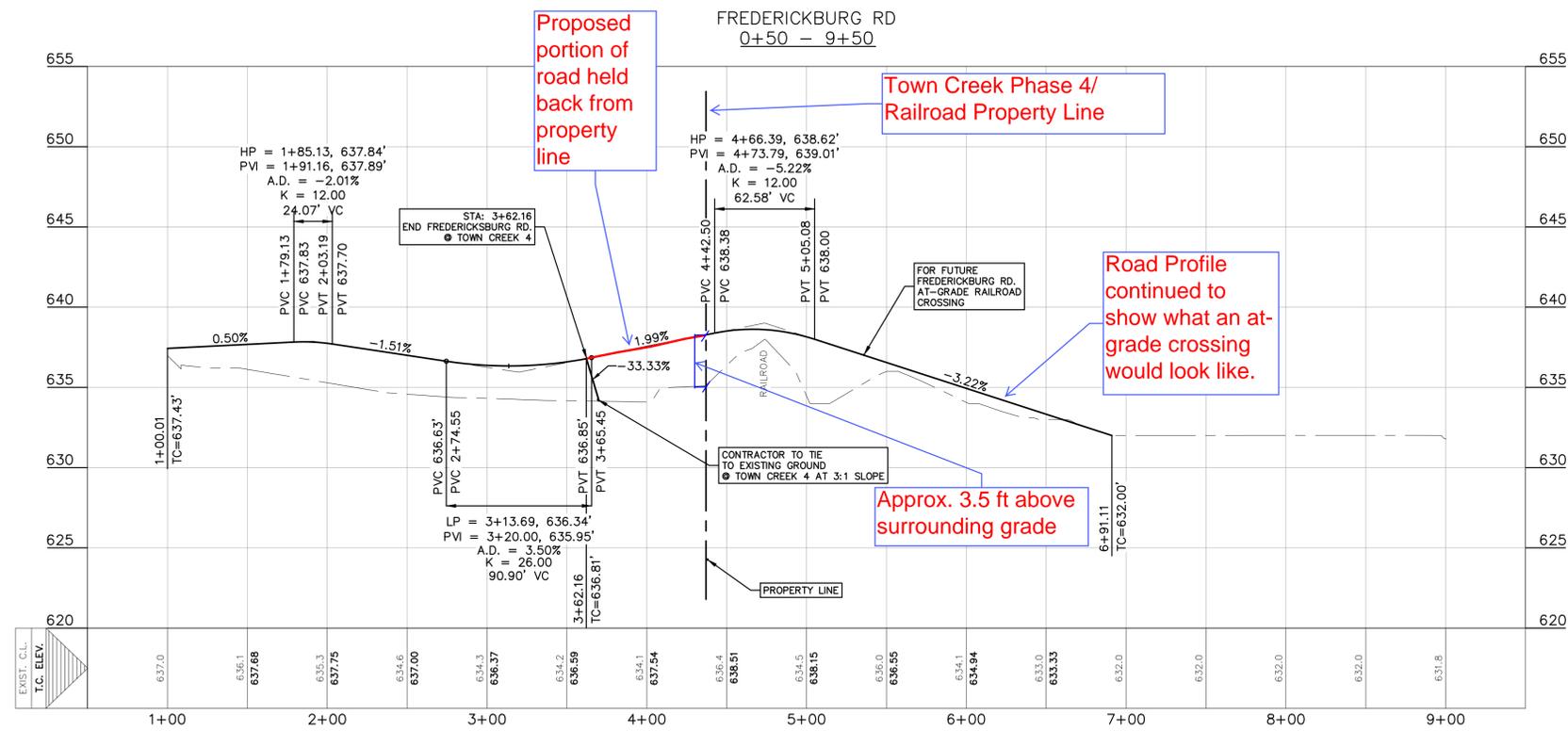
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 TBPE FIRM F-10961  
 TBPLS FIRM 1053600

**HMT**  
 ENGINEERING & SURVEYING



6/30/2021

**FREDERICKSBURG RD  
 PLAN AND PROFILE  
 TOWN CREEK SUBDIVISION  
 PHASE 4**



THE LOCATION OF ALL EXISTING UNDERGROUND UTILITIES ARE SHOWN IN APPROXIMATE LOCATIONS ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR WILL AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE INCURRED BY THEIR FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES, STRUCTURES OR FACILITIES. CONTRACTOR SHALL NOTIFY ENGINEER OF ANY DISCREPANCIES 24-HOURS PRIOR TO COMMENCING CONSTRUCTION.

NO.	REVISION DESCRIPTION	REVISION DATE

DATE: JUNE 2021  
 DRAWN BY: LB  
 DESIGNED BY: HC  
 REVIEWED BY: SWH/CVH

HMT PROJECT NO.: 130.014

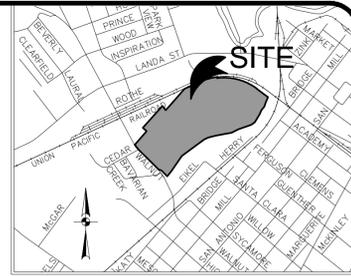
**SHEET  
 C5.5**

# REVISED MASTER PLAN FOR TOWN CREEK PLANNED DEVELOPMENT DISTRICT

TOWN CREEK SUBDIVISION, A PLANNED DEVELOPMENT COMPRISED OF A 65,919 ACRE TRACT OF LAND SITUATED IN THE CITY OF NEW BRAUNFELS, COMAL COUNTY, TEXAS AND BEING OUT OF THE J.M. VERAMENDI SURVEY NO. 1, ABSTRACT NO. 2 AND CONSISTING OF A 1,249 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 200606044377 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, A 30,755 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 460660 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS AND A 33,960 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 200706014304 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS.

**LEGEND:**  
 U.E. = UTILITY EASEMENT  
 D.E. = DRAINAGE EASEMENT  
 R.O.W. = RIGHT-OF-WAY  
 M.P.R.C.C.T. = MAP AND PLAT RECORDS, COMAL COUNTY, TEXAS  
 O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS

SCALE: 1"=100'



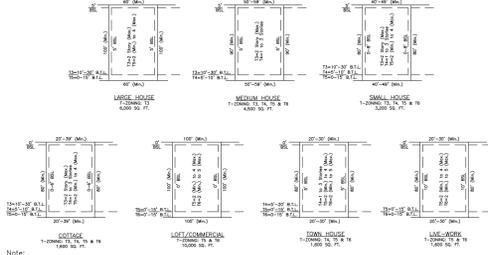
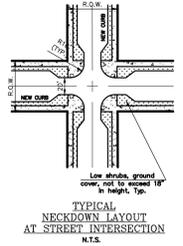
LOCATION MAP

- NOTES:**
- ALL LOTS WITHIN THIS SUBDIVISION WILL BE PROVIDED WATER AND SEWER SERVICE BY NEW BRAUNFELS UTILITIES. ELECTRIC SERVICES FOR THIS SUBDIVISION WILL BE PROVIDED BY AT&T COMMUNICATIONS AND/OR SPECTRUM.
  - THIS SUBDIVISION IS NOT WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.
  - THIS SUBDIVISION IS WITHIN THE CITY LIMITS OF NEW BRAUNFELS, TEXAS.
  - THIS SUBDIVISION IS WITHIN THE NEW BRAUNFELS INDEPENDENT SCHOOL DISTRICT.
  - CONTOUR LINES SHOWN HEREON WERE DERIVED FROM SPOT ELEVATIONS SURVEYED ON THE GROUND JANUARY 14, 2015 BY HMT ENGINEERING AND SURVEYING, AND GIS CONTOURS.
  - FUTURE DEVELOPMENT WITHIN THIS PLAT IS SUBJECT TO CHAPTER 114 (STREETS, SIDEWALKS AND OTHER PUBLIC SPACES) AS WELL AS THE REQUIREMENTS SPECIFIED IN THE TOWN CREEK PLANNED DEVELOPMENT DISTRICT PLAN AND DEVELOPMENT STANDARDS AS SPECIFIED IN CITY OF NEW BRAUNFELS ORDINANCE 2017-41. ALL OTHER ORDINANCES NOT AMENDED OR REPEALED BY ORDINANCE 2017-41 REMAIN IN FULL FORCE AND EFFECT. (ANY STANDARDS NOT SPECIFICALLY ADDRESSED BY THE PDD WILL BE GOVERNED BY CITY ORDINANCES).
  - ALL LOTS MEET THE REQUIRED MINIMUM SQUARE FOOTAGE PER TOWN CREEK PDD.
  - ALL ALLEYS SHALL BE OWNED AND MAINTAINED BY THE TOWN CREEK SUBDIVISION HOME OWNERS ASSOCIATION, THEIR SUCCESSORS AND/OR ASSIGNS.
- NEW BRAUNFELS UTILITIES NOTES:**
- MAINTENANCE OF DEDICATED UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. ANY USE OF AN EASEMENT, OR ANY PORTION OF IT, INCLUDING LANDSCAPING OR DRAINAGE FEATURES, IS SUBJECT TO AND SHALL NOT CONFLICT WITH THE TERMS AND CONDITIONS IN THE EASEMENT, MUST NOT ENDANGER OR INTERFERE WITH THE RIGHTS GRANTED BY THE EASEMENT TO NEW BRAUNFELS UTILITIES, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE SUBJECT TO APPLICABLE PERMIT REQUIREMENTS OF THE CITY OF NEW BRAUNFELS OR ANY OTHER GOVERNING BODY. THE PROPERTY OWNER MUST OBTAIN, IN ADVANCE, WRITTEN AGREEMENT WITH THE UTILITIES TO UTILIZE THE EASEMENT, OR ANY PART OF IT.
  - UTILITIES WILL POSSESS A 5' WIDE SERVICE EASEMENT TO THE DWELLING ALONG THE SERVICE LINE TO THE SERVICE ENTRANCE. THIS EASEMENT WILL VARY DEPENDING UPON LOCATION OF DWELLING AND SERVICE.
  - UTILITIES SHALL HAVE ACCESS TO THE METER LOCATIONS FROM THE FRONT YARD AND METER LOCATIONS SHALL NOT BE LOCATED WITHIN A FENCED AREA.
  - EACH LOT MUST HAVE ITS OWN WATER AND SEWER SERVICE AT THE OWNER'S/DEVELOPER'S EXPENSE.
  - DO NOT COMBINE ANY NEW UTILITY EASEMENTS (U.E.) WITH DRAINAGE EASEMENTS (D.E.) OR MAKE CHANGES IN GRADE WITHIN THE UTILITY EASEMENTS (U.E.) WITHOUT WRITTEN APPROVAL FROM NEW BRAUNFELS UTILITIES.
  - NEBU IS NOT RESPONSIBLE FOR DAMAGES TO PROPERTY IMPROVEMENTS (I.E. LANDSCAPING, TREES, PAVEMENT, SIGNS, DRAINAGE STRUCTURES, PRIVATE UTILITIES, ETC.) THAT ARE PLACED IN ANY TYPE OF UTILITY EASEMENT. TO ENSURE NO CONFLICTS EXIST WITH UTILITY INFRASTRUCTURE IN THE EASEMENT, ALL SUCH IMPROVEMENTS PLACED IN ANY TYPE OF UTILITY EASEMENT MUST BE REVIEWED AND APPROVED THROUGH THE NEBU EASEMENT ENCROACHMENT PROCESS. NEBU DEVELOPMENT SERVICES FACILITATES THE EASEMENT ENCROACHMENT APPLICATION PROCESS.

**T-ZONING AREAS & MAXIMUM DENSITY (PER ZONING)**  
 T1= 8.69 ACRES, 0 UNITS/ACRE  
 T4= 3.69 ACRES, 30 UNITS/ACRE  
 T5= 8.16 ACRES, 40 UNITS/ACRE  
 T6= 16.72 ACRES, 60 UNITS/ACRE  
 ROADWAY = 6.56 ACRES

PHASE	ACREAGE	# OF LOTS
PHASE 1	16.15	77
PHASE 2	7.80	36
PHASE 3	16.62	61
PHASE 4	23.31	64
<b>TOTAL ACREAGE/LOTS</b>	<b>65.88</b>	<b>238</b>

LOT DENSITY = 3.61 LOTS PER ACRE  
 BLOCK 5 AND BLOCK 16 ARE REQUIRED TO HAVE A SUM TOTAL 3.74 ACRES OF PARK/OPEN SPACE. BLOCK 19 IS PROVIDING 0.125 ACRES OF PARK/OPEN SPACE.  
 BLOCK 5 AND BLOCK 16 DENSITIES MUST ADHERE TO T5 (40 UNITS/ACRE) AND T6 (60 UNITS/ACRE) TRANSECT ZONE DENSITIES AS DEFINED IN THE PLANNED DEVELOPMENT DOCUMENT.  
 THE TOTAL NUMBER OF DWELLING UNITS SHALL NOT EXCEED 1,500.  
 TOTAL PARK/OPEN SPACE SHALL BE NO LESS THAN 6.5 ACRES, EXCLUDING THE LAND DEDICATION FOR THE DRY COMAL CREEK TRAIL (MINIMUM OF 9 ACRES).

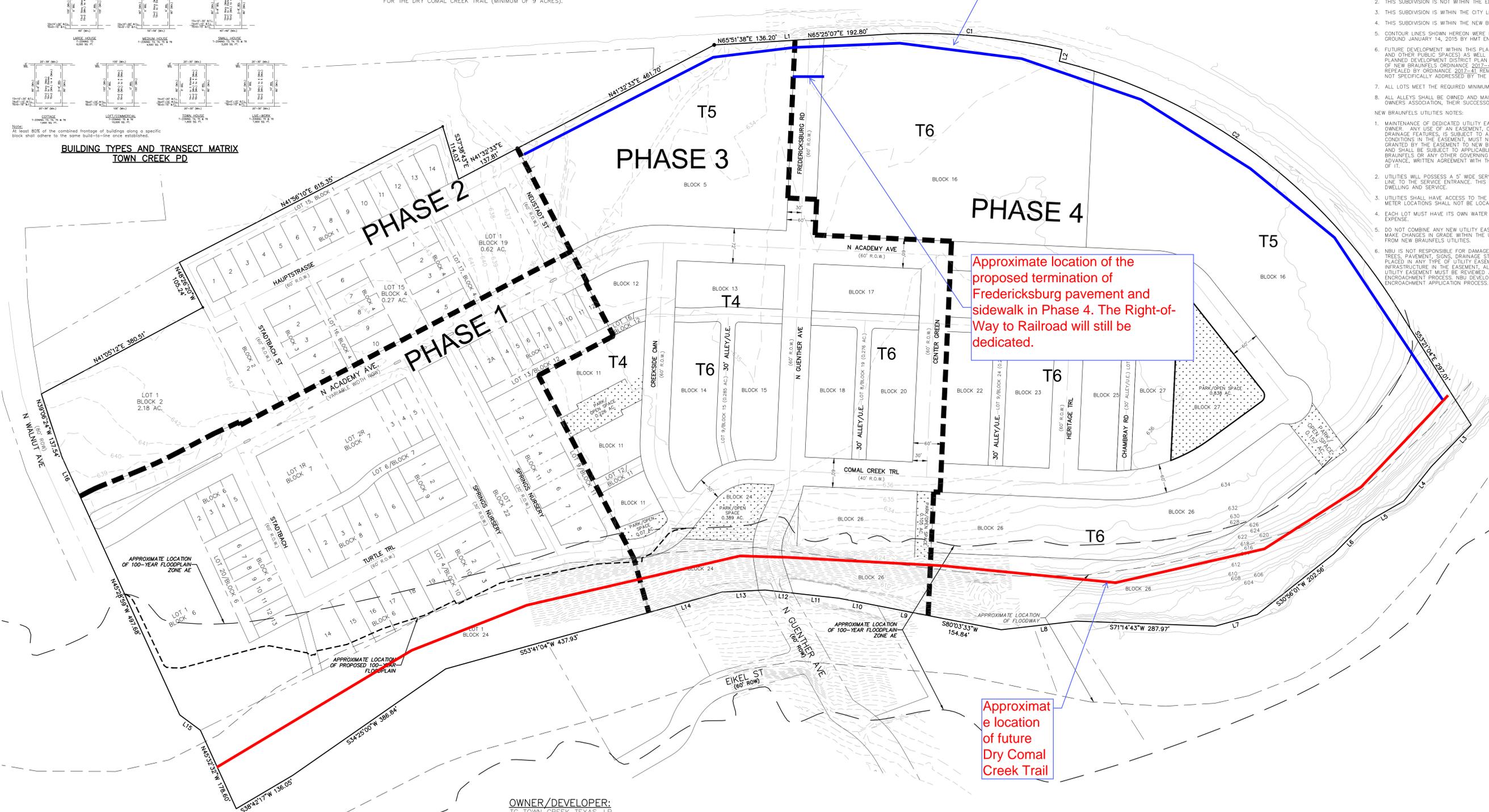


BUILDING TYPES AND TRANSECT MATRIX TOWN CREEK PD

Future development proposes a walking path to connect from Town Creek Phase 3, Block 5, through Phase 4 Block 16, and connect to future Dry Comal Creek trail system. Holding back the Fredericksburg roadway would allow for pedestrian traffic flow that would not traverse large grade changes. This trail will be dedicated as Parkland in future development.

Approximate location of the proposed termination of Fredericksburg pavement and sidewalk in Phase 4. The Right-of-Way to Railroad will still be dedicated.

Approximate location of future Dry Comal Creek Trail



**LINE TABLE**

LINE #	LENGTH	DIRECTION
L16	89.24'	N45°30'05"W
L15	53.47'	N74°23'37"W
L14	158.87'	S53°41'00"W
L13	88.80'	S66°29'00"W
L12	58.48'	S75°29'05"W
L11	96.39'	S75°29'09"W
L10	96.42'	S80°3'42"W
L9	91.94'	S80°6'00"W
L8	157.73'	S62°37'56"W
L7	90.55'	S53°46'02"W
L6	85.39'	S23°45'38"W
L5	98.69'	S39°28'20"W
L4	91.52'	S17°48'44"W
L3	119.60'	S23°07'18"W
L2	25.00'	S08°04'42"E
L1	32.08'	N65°25'12"E

**CURVE TABLE**

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD LENGTH	CHORD BEARING
C1	365.00'	1350.12'	015°29'22"	183.62'	363.89'	N74°10'37"E
C2	879.90'	1153.00'	043°43'29"	462.62'	858.71'	S75°05'33"E

MASTER PLAN REVISED JUNE 7, 2021  
 MASTER PLAN REVISED JUNE 1, 2021  
 MASTER PLAN REVISED JUNE 20, 2017  
 MASTER PLAN REVISED APRIL 26, 2017  
 MASTER PLAN PREPARED JUNE 23, 2015

**HMT** ENGINEERING & SURVEYING  
 290 S. CASTELL AVE., STE. 100  
 NEW BRAUNFELS, TX 78130  
 TBPE FIRM F-10961  
 TBPLS FIRM 10153600

**OWNER/DEVELOPER:**  
 TC TOWN CREEK TEXAS, LP  
 P.O. BOX 303115  
 AUSTIN, TEXAS 78703

**ENGINEER/SURVEYOR:**  
 HMT ENGINEERING AND SURVEYING  
 290 S. CASTELL AVE. SUITE 100  
 NEW BRAUNFELS, TX 78130  
 PH: (830) 625-8555

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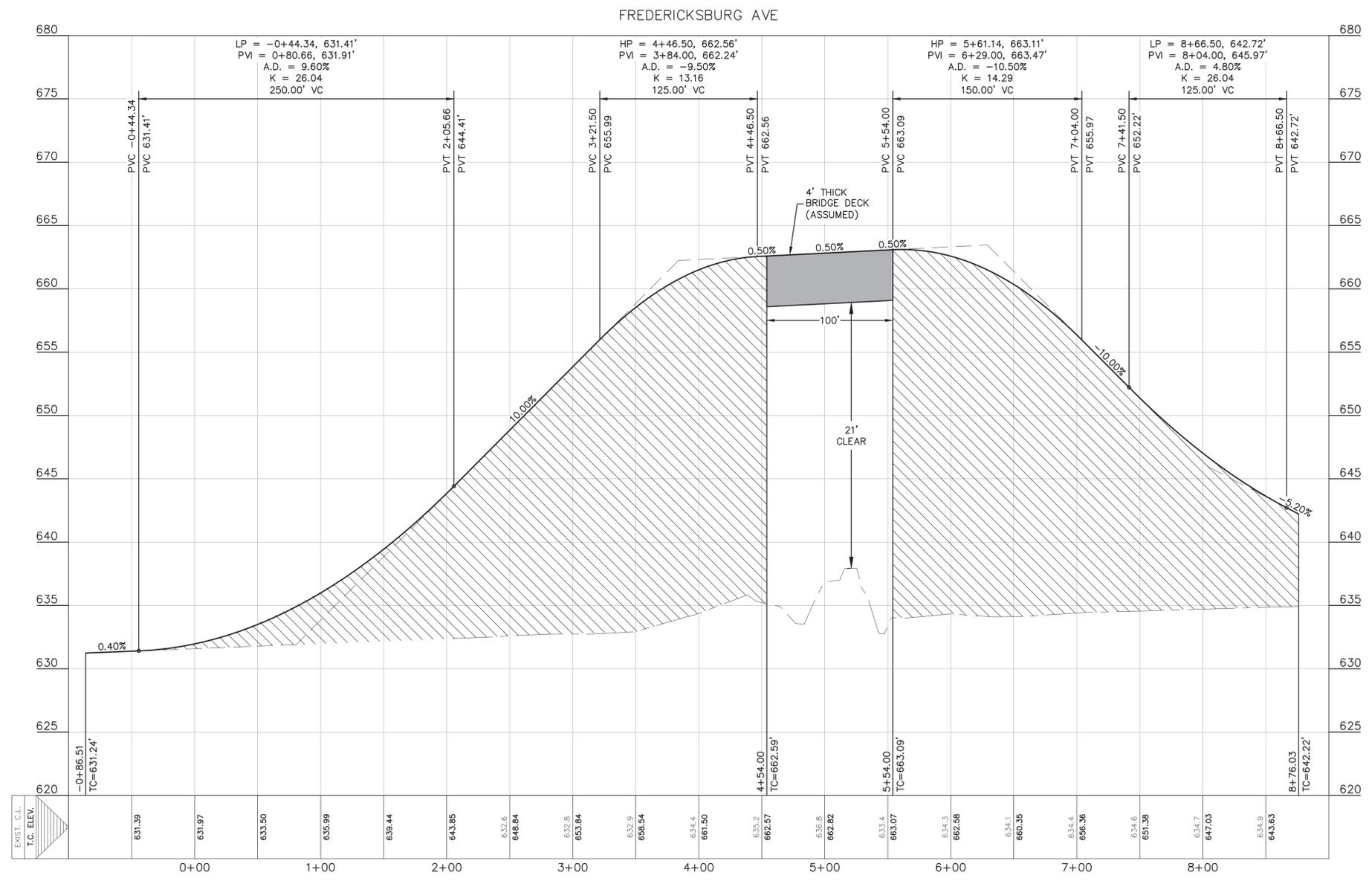


**LEGEND**

- 700 --- EXISTING CONTOURS
- 700 --- PROPOSED CONTOURS
- B.L. BUILDING SETBACK LINE
- U.E. UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- FLOW ARROW
- ▬ A.D.A. RAMP
- EXISTING GROUND LEFT (EG LT)
- EXISTING GROUND RIGHT (EG RT)
- EXISTING GROUND CENTER (EG CTR)
- PROPOSED TOP OF CURB (PR TC)

SCALE: 1" = 20' HORIZ.  
SCALE: 1" = 2' VERT.

DESIGN SPEED = 25 MPH



Bridge Exhibits are included as a visual reference for Options 1 and 2 described in the letter of explanation. The roadway shown is an outdated version of Fredericksburg and N. Academy intersection.

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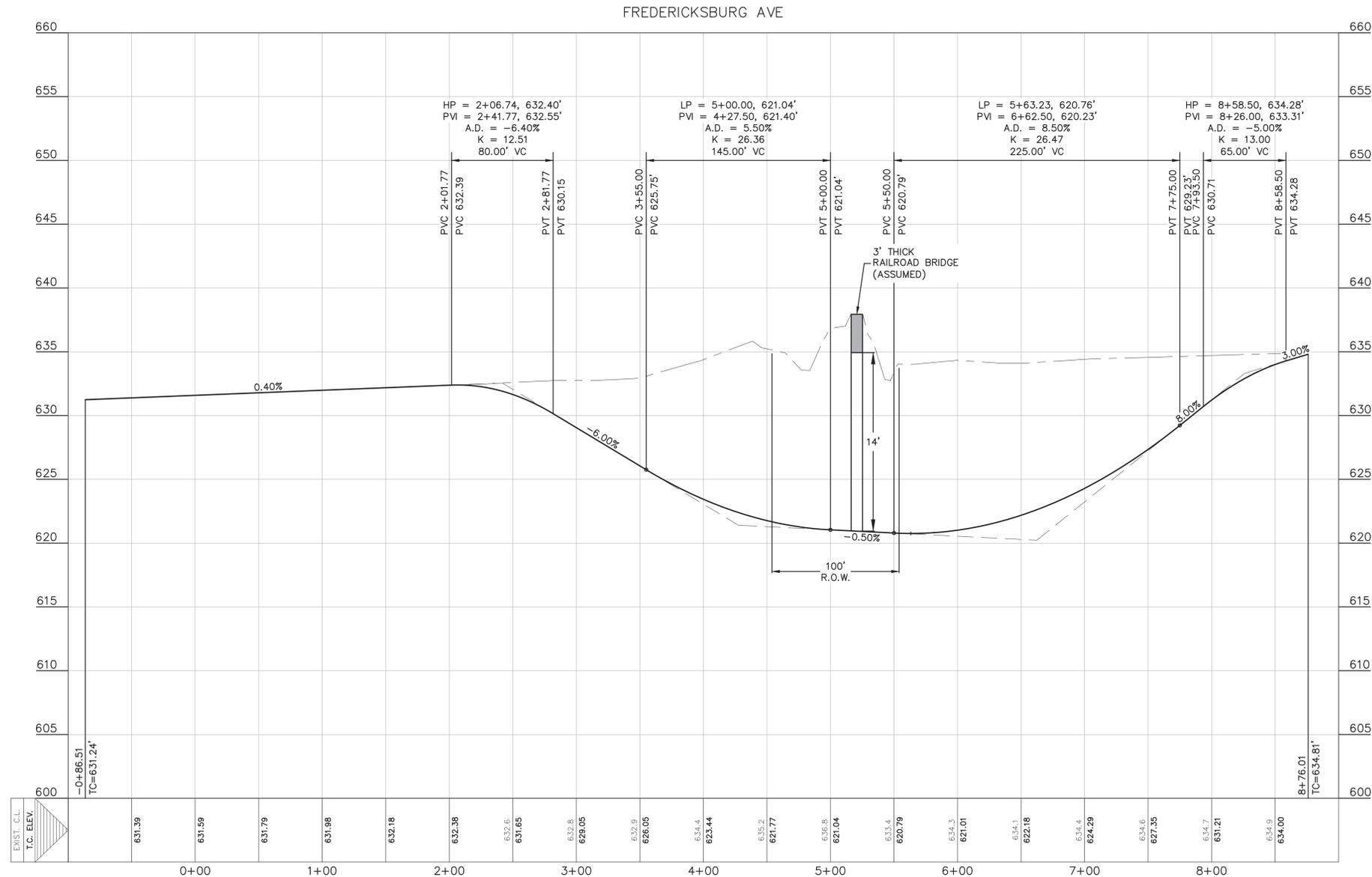
DRAFT

FREDERICKSBURG  
BRIDGE EXHIBIT  
CIVIL SITE CONSTRUCTION PLANS

TOWNCREEK-PHASE 3A IMPROVEMENTS  
CIVIL SITE CONSTRUCTION PLANS

TC TEXAS GP, LLC  
979 N. ACADEMY  
NEW BRAUNFELS, TEXAS 78130

DATE: MAY 2015	DRAWN BY: KRK	DESIGNED BY: GAM	CHECKED BY: CVH	REVIEWED BY: SWH
PROJECT NO.: 130.003.103				



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FBPE FIRM F-10961

**HMT**  
ENGINEERING & SURVEYING

DRAFT

FREDERICKSBURG  
UNDERPASS EXHIBIT

TOWNCREEK-PHASE 3A IMPROVEMENTS  
CIVIL SITE CONSTRUCTION PLANS

TC TEXAS GP, LLC  
979 N. ACADEMY  
NEW BRAUNFELS, TEXAS 78130

DATE: MAY 2015  
DRAWN BY: KRK  
DESIGNED BY: GAM  
CHECKED BY: CVH  
REVIEWED BY: SWH  
PROJECT NO.: 130.003.103

SHEET  
**X**  
OF 20

CIVIL SITE CONSTRUCTION PLANS