



**CITY OF NEW BRAUNFELS, TEXAS
CITY COUNCIL - SPECIAL MEETING**



**550 LANDA STREET - COUNCIL CHAMBERS
550 LANDA ST.**

MONDAY, AUGUST 21, 2023 at 6:00 PM

Neal Linnartz, Mayor
Andres Campos, Councilmember (District 1)
Christopher Willis, Councilmember (District 2)
Harry Bowers, Mayor Pro-Tem (District 3)
Lawrence Spradley, Councilmember (District 4)
Mary Ann Labowski, Councilmember (District 5)
April Ryan, Councilmember (District 6)
Robert Camareno, City Manager

MISSION STATEMENT

***The City of New Braunfels will add value to our community
by planning for the future, providing quality services, encouraging
community involvement and being responsive to those we serve.***

AGENDA - AMENDED 08-18-2023

CALL TO ORDER

CALL OF ROLL: CITY SECRETARY

INVOCATION: COUNCILMEMBER WILLIS

PLEDGE OF ALLEGIANCE & SALUTE TO THE TEXAS FLAG

1. WORKSHOP

- A) Presentation and recommendation to Council on [23-1035](#)
decreasing the membership of the Partnership
Committee and to allow for an updated process to
remove delinquent members.

Gayle Wilkinson, City Secretary

- B) Presentation and possible direction to amend the city [23-1038](#)
ordinance regarding outdoor audio and outside music
regulations.

Christopher J. Looney, AICP, Director, Planning and Development Services Department

- C) Presentation and possible direction on amendments to [23-1048](#)
Chapter 118 (Subdivision Platting) and Chapter 144
(Zoning) of the City's Code of Ordinances regarding the
process and authority for plat approval, the Planning
Commission recommendations vs. final decision-making
authority, additional early-out code amendments, and
codification of staff interpretations.

Jean Manning Drew, AICP, CNU-A, Planning and Development Services Assistant

Director

- D) Presentation and possible direction on the Transit [23-1059](#) Development Plan and New Braunfels Small Urban Area Transit Funding.

Garry Ford, Transportation & Capital Improvements Director

- E) Presentation and possible direction on the realignment [23-1078](#) and right-of-way requirements for the Parkway identified in the City of New Braunfels Regional Transportation Plan from State Highway 46 to Interstate Highway 35.

Garry Ford, Transportation and Capital Improvements Director

- F) Presentation and possible direction on the West Alligator [23-1079](#) Creek Trail Project.

Garry Ford, Transportation and Capital Improvements Director

2. EXECUTIVE SESSION

In accordance with the Open Meetings Act, Texas Government Code, Ch. 551, the City Council may convene in a closed session to discuss any of the items listed on this agenda. Any final action or vote on any executive session item will be taken in open session.

3. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.

4. ADJOURNMENT

CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at the New Braunfels City Hall.

Gayle Wilkinson, City Secretary

NOTE: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at 221-4010 at least two (2) work days prior to the meeting so that appropriate arrangements can be made.

8/21/2023

Agenda Item No. A)

PRESENTER:

Gayle Wilkinson, City Secretary

SUBJECT:

Presentation and recommendation to Council on decreasing the membership of the Partnership Committee and to allow for an updated process to remove delinquent members.

DEPARTMENT: City Secretary**COUNCIL DISTRICTS IMPACTED:** Citywide**BACKGROUND INFORMATION:**

The purpose of the Committee is to create and strengthen partnerships between the City of New Braunfels and its citizens and Braunfels, Germany, and its citizens, and any other city and its citizens outside the United States approved by the City Council as a "sister city" of New Braunfels in an effort to foster and promote cultural, economic, recreational and educational understanding between the cities and its citizens.

The Committee is composed of fifteen (15) citizens residing within the City or the extraterritorial jurisdiction of the City serving staggered three-year terms. The Mayor shall nominate individuals to the Committee and the City Council shall approve such nominations. The nominations and appointments of Committee members shall be on a rotating basis so that five (5) members shall be appointed each year. When nominating individuals to the Committee, the Mayor shall attempt to assure that Wurstfest, the German American Society, and a representative from the Historic Museums Association are represented on the Committee.

ISSUE:

The Partnership Committee is made up of fifteen (15) Committee members, making it difficult to establish a quorum. The Partnership Committee is recommending a reduction of the number of members on their Committee from fifteen (15) to eleven (11) to avoid this problem. The Partnership Committee is recommending this change become effective December 1, 2024. This gives the Committee time to let members know what constitutes members being removed from the board and addresses concerns brought up regarding that a majority of the five members whose terms are up this Fall are among the most active members of the Committee.

FISCAL IMPACT:

None

8/21/2023

Agenda Item No. B)

PRESENTER:

Christopher J. Looney, AICP, Director, Planning and Development Services Department

SUBJECT:

Presentation and possible direction to amend the city ordinance regarding outdoor audio and outside music regulations.

DEPARTMENT: Planning & Development Services**COUNCIL DISTRICTS IMPACTED:** All**BACKGROUND INFORMATION:**

Due to the emergence of various issues, the Planning and Development Services Department is reviewing the regulations set forth in Section 144-5.3-4, Additional Residential Buffering Requirements, adopted with Ordinance No. 2012-49, on September 10, 2012. The ordinance states the following, regarding outdoor audio and outside music:

- (b) Where a non-residential building or a multifamily development is adjacent to residential uses or residential zoning outdoor audio or speakers are prohibited unless being used to provide ADA access at fuel pumps.*
- (c) Where a non-residential building or a multifamily development is adjacent to residential uses or residential zoning outside music is prohibited.*

The term “adjacent” in this section is interpreted as referring to a separation of uses by a right-of-way, drainage easement, or alley and is different from the term “abutting” which refers to tracts immediately next to each other sharing a common boundary/lot line.

Since 2012, three additional ordinances related to noise, outside audio, and outdoor music have been adopted/updated by City Council:

- Section 82-9, Noise Regulations, also known as the “Noise Ordinance”, was adopted with Ordinance 2015-43 on August 24, 2015. The noise ordinance sets forth maximum permissible sound levels (decibels) for residential districts and nonresidential property, as well as distance requirements and hours of operation. This is the ordinance that is used by the Police Department when responding to noise complaints and issuing citations for noise violations.
- Section 144-5.17, Short Term Rental or Occupancy, was last updated with Ordinance 2020-20, on March 9, 2020. This ordinance reiterates that occupants and guests of a short-term rental must comply with the Noise Ordinance as set forth in Chapter 82.
- Section 91.3, related to special events, was adopted in the Zoning Ordinance but recently relocated to its own Chapter (91) with Ordinance 2023-07 on February 27, 2023. This ordinance states that music or

sound for special events, amplified or otherwise, may not be any closer than 200 feet from residential uses and zoning; must be oriented away from residential; and reiterates required compliance with the Noise Ordinance.

ISSUE:

- The subject Zoning Ordinance sections were added to address specific issues of concern in 2012, prior to adoption of typical municipal noise/sound ordinances that address such issues.
- These two sections create redundancy in plan review and code enforcement, and have impacted some development opportunities over the years.
- The reference in these sections to “residential uses or residential zoning” speaks specifically to the “stacked” or cumulative/pyramidal zoning concept within the current ordinance, since there are legally nonconforming residences still within the manufacturing, industrial and commercial zoning districts.
- Including these prohibitions when “adjacent” results in inconsistent limitations at varying distances, i.e. one music-related use might be farther from residential than another, however both would be prohibited.
- The reference to ADA allowances at fuel pumps is outdated in consideration of modern screens and audio at fuel pumps and other kiosk type uses. And it is unnecessary as any requirements of the Americans with Disabilities Act will always trump any local ordinances. Including it here could lead someone to the inaccurate conclusion that fuel pumps are the only types of uses that have ADA exceptions to local ordinances.
- Finally, our Land Development Ordinance (LDO) consultants assisted by researching other cities: they were unable to find other cities with similar such audio, speaker or music prohibitions; most cities address sound/music nuisances through fully researched and vetted noise ordinances based on decibel level limits.

FISCAL IMPACT:

N/A

RECOMMENDATION:

If City Council is inclined to consider amending the Zoning Ordinance as it relates to outdoor audio and outside music, the Planning and Development Services Department has identified a variety of options for discussion below. Any one or more of these, or other alternatives, could be considered:

- 1) Add distance requirements from residential zoning instead of the adjacency rule
- 2) Change “adjacent” to “abutting”
- 3) Eliminate “residential uses or” to focus on the zoning district rather than including residences in non-residential zoning districts
- 4) Add hours of operation of sound equipment
- 5) Add sound-mitigating design requirements
- 6) Create special permit requirements for music or audio/speaker uses
- 7) Remove the ADA reference

8) Create noise thresholds (dB level) specific to music, to include low frequencies

9) Delete (b) and (c) from Section 144-5.3-4 and rely on the current Noise Ordinance

With City Council direction, staff will develop specific ordinance language to present to the Planning Commission for their review and recommendation. Afterward, it would be scheduled for City Council consideration.

Chapter 144

5.3-4. Additional residential buffering requirements.

(a) Residential setback. Where a non-residential building or a multifamily development of more than three units abuts a one- or two-family use or zoning district, the setback from the one- or two-family property line shall be at least 20 feet plus one foot for each foot of building height over 20 feet.

(b) Where a non-residential building or a multifamily development is adjacent to residential uses or residential zoning outdoor audio or speakers are prohibited unless being used to provide ADA access at fuel pumps.

(c) Where a non-residential building or a multifamily development is adjacent to residential uses or residential zoning outside music is prohibited.

(d) Where a non-residential building or a multifamily development is adjacent to residential uses or residential zoning an additional 30-foot setback buffer will be required as separation between the residential property and any fuel pumps or fuel tanks.

(Ord. No. 2012-49, § 1(Exh. A), 9-10-12; Ord. No. 2014-24, § 1, 3-24-14; Ord. No. 2015-53, §§ 1, 2, 10-26-15; Ord. No. 2015-56, §§ 1, 2, 10-26-15; Ord. No. 2018-21, § 2, 3-26-18; Ord. No. 2018-76, § 2, 11-12-18; Ord. No. 2020-19, § 1, 3-9-20; Ord. No. 2020-33, § 1, 4-27-20; Ord. No. 2023-06, § 7, 2-27-23)

8/21/2023

Agenda Item No. C)

PRESENTER:

Jean Manning Drew, AICP, CNU-A, Planning and Development Services Assistant Director

SUBJECT:

Presentation and possible direction on amendments to Chapter 118 (Subdivision Platting) and Chapter 144 (Zoning) of the City's Code of Ordinances regarding the process and authority for plat approval, the Planning Commission recommendations vs. final decision-making authority, additional early-out code amendments, and codification of staff interpretations.

DEPARTMENT: Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** ALL**BACKGROUND INFORMATION:**

The Texas Local Government Code (LGC) requires home-rule municipalities that wish to adopt zoning regulations to establish a Zoning Commission* for the purposes of recommending zoning boundaries and regulations, and to provide reports on such to the City Council. (*The statute authorizes cities to allow the Planning Commission to serve as the Zoning Commission, but this is not required.) The LGC further stated that if a municipality establishes a Planning Commission, this commission is responsible for approving subdivision plats (the physical process of subdividing land into legal lots and blocks). However, in the recent 2023 Texas State Legislative session, the state statute regarding the approval of plats was revised by HB 3699, which beginning September 1st allows for staff approval of all subdivision plats.

The LGC also further authorizes the City Council to establish and delegate associate administrative procedures, which can include options for plat waivers or variances*. (*Zoning variances are mandated to be heard and decided by a different board; the Zoning Board of Adjustment.) In addition to rezoning request reports and plat approvals, New Braunfels Subdivision Platting and Zoning Ordinances include the assignment of various appeal, waiver, and approval processes to the Planning Commission. Some examples of waivers include, but are not limited to:

- Sidewalk requirements and escrow
- Block length requirements
- Street width requirements
- Designation of the floodplain as an easement
- Flood study requirements
- Traffic Impact Analysis requirements
- Private street subdivision entrance standards

The Land Development Ordinance (LDO) project is progressing with public review and editing of the draft development standards module via public workshops in October. The LDO will merge the development-related ordinances, and implement goals, strategies, and actions of Envision New Braunfels and other adopted plans and policies, regarding the built environment. To more quickly advance some of the goals in those plans, staff has been bringing forward, with City Council concurrence, several minor but impactful amendments ahead of the LDO project completion.

When the language of the Zoning Ordinance is ambiguous, or when a requested use is not included in the list of uses defined by the zoning districts, City staff has authority to interpret the code to determine, for example, in which district that use is allowed. Staff uses national resources and legal advice when needed. Staff then creates an official written interpretation and publishes it on the City's website for the benefit of both the public and the development community. Typically annually, but as needed, staff brings forward these interpretations to City Council for codification. Routinely codifying formal interpretations issued over the past year addresses emerging trends regarding popular business and new uses and clarifies code sections that are vaguely written.

ISSUE:

In an effort by the Legislature to continue to modify platting statutes to expedite local platting processes, House Bill 3699 (23rd legislative session) amended the state statutes governing the approval of plats. This new law, going into effect on September 1st of this year, allows municipal staff to approve with or without conditions all types of plats. Previously, the LGC allowed staff authority only to approve amending plats, minor plats, or replats of four or fewer lots where no new street is created, or replats with no new street created and no extension of municipal facilities; all other plat approvals required action by the Planning Commission. This new allowance will shorten the time it takes for subdivision approval by removing at least 2 weeks from the process which is currently consumed with agenda preparation for plats that are ultimately *required* to be approved. And it will increase the efficiency of Planning Commission meetings by removing items from their agendas where state statutes allow staff approval, freeing up time for other matters for Planning Commission recommendation. Amendments to the Subdivision Platting Ordinance are needed to comply with this new state law.

Municipal city councils often delegate various administrative decisions to boards and commissions as allowed by law. Some decisions can have more of a fiscal impact on the community than others. City Council may wish to revise some of these procedures and final decision-making authority depending on fiscal or other impact to their constituents. Amendments to the Subdivision Platting and/or Zoning ordinances would be needed to change any approval authority that may currently be codified.

Due to the complex nature of New Braunfels' existing "stacked" or cumulative/pyramidal zoning districts, which allow not only the uses from each district but also includes the uses from each "less intense" zoning district (in the pre-1987 districts, multifamily zoning also allows for single-family use, commercial zoning also allows for multifamily and single-family uses, etc...), revisions are needed to apply the recently revised duplex standards consistently throughout all districts. Additionally, amendments to the parking standards to allow the option of a parking study to help determine the number of required parking spaces can be brought forward for City Council consideration, as well as clarifications to the Downtown Parking Exemption as it relates to building expansion.

Five formally adopted interpretations will be brought forward for consideration of codification, including:

- APD and Short-term rentals

-
- Lot Width and depth requirements as they relate to lot size.
 - Parking space requirements for fuel stations
 - Districts allowing Vehicle Storage Facilities

FISCAL IMPACT:

If City Council directs amendments be brought forward for consideration, each one will be examined for the impact it may have.

RECOMMENDATION:

Staff recommends:

- consideration and approval of revisions to the Subdivision Platting Ordinance to comply with recent changes in state law;
- examination of the Subdivision Platting and Zoning Ordinances to identify and consider various approval alternatives of different processes;
- consideration of changes to the Zoning Ordinance which are in concert with public input received thus far for the Land Development Ordinance, and will advance goals in the Comprehensive Plan, Envision New Braunfels;
- consideration and codification of this year's formal interpretations and to improve the consistency and clarity of our codes for improved customer service.

AN ACT

relating to municipal regulation of subdivisions and approval of subdivision plans or plats.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 212.001(2) and (3), Local Government Code, are amended to read as follows:

(2) ~~["Plan" means a subdivision development plan, including a subdivision plan, subdivision construction plan, site plan, land development application, and site development plan.~~

~~[(3)]~~ "Plat" includes a preliminary plat, ~~[general plan,]~~ final plat, and replat.

SECTION 2. Subchapter A, Chapter 212, Local Government Code, is amended by adding Section 212.0015 to read as follows:

Sec. 212.0015. CONSTRUCTION OF SUBCHAPTER. This subchapter may not be construed to restrict a municipality from establishing a submittal calendar to be used by an applicant to facilitate compliance with the approval process described by Sections 212.009, 212.0091, 212.0093, and 212.0095.

SECTION 3. Subchapter A, Chapter 212, Local Government Code, is amended by adding Section 212.0021 to read as follows:

Sec. 212.0021. SUBDIVISION REQUIREMENTS. The governing body of a municipality, by ordinance and after notice is published in a newspaper of general circulation in the municipality, may:

(1) adopt, based on the amount and kind of travel over each street or road in a subdivision, reasonable specifications relating to the construction of each street or road; and

(2) adopt reasonable specifications to provide adequate drainage for each street or road in a subdivision in accordance with standard engineering practices.

SECTION 4. Section 212.004, Local Government Code, is amended by amending Subsections (a) and (b) and adding Subsections (f) and (g) to read as follows:

(a) The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out a subdivision of the tract, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended by the owner of the tract to be dedicated to public use ~~[or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts]~~ must have a plat of the subdivision prepared. A division of a tract under this subsection includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method. A division of land under this subsection does not include a division of land into parts greater than five acres, where each part has access and no public improvement is being dedicated.

(b) To be recorded, the plat must:

(1) describe the subdivision by metes and bounds;

(2) locate the subdivision with respect to a corner of the survey or tract or an original corner of the original survey of which it is a part; and

(3) state the dimensions of the subdivision and of each street, alley, square, park, or other part of the tract intended by the owner of the tract to be dedicated to public use ~~[or for the use of purchasers or owners of lots fronting on or adjacent~~

~~to the street, alley, square, park, or other part].~~

(f) A plat is considered filed on the date the applicant submits the plat, along with a completed plat application and the application fees and other requirements prescribed by or under this subchapter, to:

(1) the governing body of the municipality; or

(2) the municipal authority responsible for approving plats.

(g) The governing body of a municipality or the municipal authority responsible for approving plats may not require an analysis, study, document, agreement, or similar requirement to be included in or as part of an application for a plat, development permit, or subdivision of land that is not explicitly allowed by state law.

SECTION 5. Section 212.005, Local Government Code, is amended to read as follows:

Sec. 212.005. APPROVAL BY MUNICIPALITY REQUIRED. (a) The municipal authority responsible for approving plats must approve a plat or replat that is required to be prepared under this subchapter and that satisfies the requirements of this subchapter ~~[all applicable regulations].~~

(b) This subchapter may not be construed to convey any authority to a municipality regarding the completeness of an application or the approval of a plat or replat that is not explicitly granted by this subchapter.

SECTION 6. Sections 212.0065(a) and (c), Local Government Code, are amended to read as follows:

(a) The governing body of a municipality or the municipal planning commission may delegate to one or more officers or employees of the municipality or of a utility owned or operated by the municipality the ability to approve, approve with conditions, or disapprove a plat ~~[÷~~

~~[(1) amending plats described by Section 212.016;~~

~~[(2) minor plats or replats involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities; or~~

~~[(3) a replat under Section 212.0145 that does not require the creation of any new street or the extension of municipal facilities].~~

(c) An applicant has the right to appeal to the governing body of the municipality or the municipal planning commission if the designated [The] person disapproves a [or persons shall not disapprove the] plat [and shall be required to refer any plat which the person or persons refuse to approve to the municipal authority responsible for approving plats within the time period specified in Section 212.009].

SECTION 7. Subchapter A, Chapter 212, Local Government Code, is amended by adding Section 212.0081 to read as follows:

Sec. 212.0081. REQUIRED APPLICATION MATERIALS. (a) Each municipality to which this subchapter applies shall adopt and make available to the public a complete, written list of all documentation and other information that the municipality requires to be submitted with a plat application. The required documentation and other information must be related to a requirement authorized under this subchapter.

(b) An application submitted to the municipal authority responsible for approving plats that contains all documents and other information on the list provided under Subsection (a) is considered complete.

(c) A municipality that operates an Internet website shall publish and continuously maintain the list described by Subsection (a) on the Internet website not later than the 30th day after the date the municipality adopts or amends the list.

(d) A municipality that does not operate an Internet website shall publish the list described by Subsection (a) on adoption of

the list or an amendment to the list in:

(1) a newspaper of general circulation in the municipality; and

(2) a public place in the location in which the governing body of the municipality meets.

SECTION 8. Sections 212.009(a), (b), (b-2), (c), and (d), Local Government Code, are amended to read as follows:

(a) The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a ~~[plan or]~~ plat within 30 days after the date the ~~[plan or]~~ plat is filed. A ~~[plan or]~~ plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091.

(b) If an ordinance requires that a ~~[plan or]~~ plat be approved by the governing body of the municipality in addition to the planning commission, the governing body shall approve, approve with conditions, or disapprove the ~~[plan or]~~ plat within 30 days after the date the ~~[plan or]~~ plat is approved by the planning commission or is approved by the inaction of the commission. A ~~[plan or]~~ plat is approved by the governing body unless it is disapproved within that period and in accordance with Section 212.0091.

(b-2) Notwithstanding Subsection (a) or (b), the parties ~~shall~~ ~~[may]~~ extend the 30-day period described by those subsections for one or more periods, each ~~[a period]~~ not to exceed 30 days if:

(1) both:

(A) the applicant requests the extension in writing to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable; and

(B) ~~[-2-]~~ the municipal authority or governing body, as applicable, approves the extension request; or

(2) Chapter 2007, Government Code, requires the municipality to perform a takings impact assessment in connection with the plan or plat.

(c) If a ~~[plan or]~~ plat is approved, the municipal authority giving the approval shall endorse the ~~[plan or]~~ plat with a certificate indicating the approval. The certificate must be signed by:

(1) the authority's presiding officer and attested by the authority's secretary; or

(2) a majority of the members of the authority.

(d) If the municipal authority responsible for approving plats fails to approve, approve with conditions, or disapprove a ~~[plan or]~~ plat within the prescribed period, the authority on the applicant's request shall issue a certificate stating the date the ~~[plan or]~~ plat was filed and that the authority failed to act on the ~~[plan or]~~ plat within the period. The certificate is effective in place of the endorsement required by Subsection (c).

SECTION 9. Section 212.0091(a), Local Government Code, is amended to read as follows:

(a) A municipal authority or governing body that conditionally approves or disapproves a ~~[plan or]~~ plat under this subchapter shall provide the applicant a written statement of the conditions for the conditional approval or reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval.

SECTION 10. Sections 212.0093, 212.0095, and 212.0096, Local Government Code, are amended to read as follows:

Sec. 212.0093. APPROVAL PROCEDURE: APPLICANT RESPONSE TO CONDITIONAL APPROVAL OR DISAPPROVAL. After the conditional approval or disapproval of a ~~[plan or]~~ plat under Section 212.0091, the applicant may submit to the municipal authority or governing body that conditionally approved or disapproved the ~~[plan or]~~ plat a written response that satisfies each condition for the conditional approval or remedies each reason for disapproval

provided. The municipal authority or governing body may not establish a deadline for an applicant to submit the response.

Sec. 212.0095. APPROVAL PROCEDURE: APPROVAL OR DISAPPROVAL OF RESPONSE. (a) A municipal authority or governing body that receives a response under Section 212.0093 shall determine whether to approve or disapprove the applicant's previously conditionally approved or disapproved ~~[plan or]~~ plat not later than the 15th day after the date the response was submitted.

(b) A municipal authority or governing body that conditionally approves or disapproves a ~~[plan or]~~ plat following the submission of a response under Section 212.0093:

(1) must comply with Section 212.0091; and

(2) may disapprove the ~~[plan or]~~ plat only for a specific condition or reason provided to the applicant under Section 212.0091.

(c) A municipal authority or governing body that receives a response under Section 212.0093 shall approve a previously conditionally approved or disapproved ~~[plan or]~~ plat if the response adequately addresses each condition of the conditional approval or each reason for the disapproval.

(d) A previously conditionally approved or disapproved ~~[plan or]~~ plat is approved if:

(1) the applicant filed a response that meets the requirements of Subsection (c); and

(2) the municipal authority or governing body that received the response does not disapprove the ~~[plan or]~~ plat on or before the date required by Subsection (a) and in accordance with Section 212.0091.

Sec. 212.0096. APPROVAL PROCEDURE: ALTERNATIVE APPROVAL PROCESS. (a) Notwithstanding Sections 212.009, 212.0091, 212.0093, and 212.0095, an applicant may elect at any time to seek approval for a ~~[plan or]~~ plat under an alternative approval process adopted by a municipality if the process allows for a shorter approval period than the approval process described by Sections 212.009, 212.0091, 212.0093, and 212.0095.

(b) An applicant that elects to seek approval under the alternative approval process described by Subsection (a) is not:

(1) required to satisfy the requirements of Sections 212.009, 212.0091, 212.0093, and 212.0095 before bringing an action challenging a disapproval of a ~~[plan or]~~ plat under this subchapter; and

(2) prejudiced in any manner in bringing the action described by Subdivision (1), including satisfying a requirement to exhaust any and all remedies.

SECTION 11. Section 212.0099, Local Government Code, is amended to read as follows:

Sec. 212.0099. JUDICIAL REVIEW OF DISAPPROVAL. In a legal action challenging a disapproval of a ~~[plan or]~~ plat under this subchapter, the municipality has the burden of proving by clear and convincing evidence that the disapproval meets the requirements of this subchapter or any applicable case law. The court may not use a deferential standard.

SECTION 12. Section 212.010, Local Government Code, is amended by adding Subsections (c), (d), and (e) to read as follows:

(c) The municipal authority responsible for approving plats may not require the dedication of land within a subdivision for a future street or alley that is:

(1) not intended by the owner of the tract; and

(2) not included, funded, and approved in:

(A) a capital improvement plan adopted by the municipality; or

(B) a similar plan adopted by a county in which the municipality is located or the state.

(d) A municipal authority responsible for approving plats may not refuse to review a plat or to approve a plat for recordation

for failure to identify a corridor, as defined by Section 201.619, Transportation Code, unless the corridor is part of an agreement between the Texas Department of Transportation and a county in which the municipality is located under that section.

(e) If a municipal authority responsible for approving plats fails or refuses to approve a plat that meets the requirements of this subchapter, the owner of the tract that is the subject of the plat may bring an action in a district court in a county in which the tract is located for a writ of mandamus to compel the municipal authority to approve the plat by issuing to the owner applicable approval documentation. The applicant shall recover reasonable attorney's fees and court costs in the action if the applicant prevails. The municipality may recover reasonable attorney's fees and court costs in the action if the municipality prevails and the court finds the action is frivolous.

SECTION 13. As soon as practicable after the effective date of this Act but not later than January 1, 2024, each municipality shall adopt and publish the list described by Section 212.0081, Local Government Code, as added by this Act.

SECTION 14. The changes in law made by this Act apply only to an application submitted on or after the effective date of this Act. An application submitted before the effective date of this Act is governed by the law applicable to the application immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 15. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 3699 was passed by the House on May 9, 2023, by the following vote: Yeas 130, Nays 12, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 3699 on May 25, 2023, and requested the appointment of a conference committee to consider the differences between the two houses; that the House adopted the conference committee report on H.B. No. 3699 on May 28, 2023, by the following vote: Yeas 139, Nays 3, 1 present, not voting; and that the House adopted H.C.R. No. 126 authorizing certain corrections in H.B. No. 3699 on May 28, 2023, by the following vote: Yeas 142, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3699 was passed by the Senate, with amendments, on May 21, 2023, by the following vote: Yeas 22, Nays 9; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; that the Senate adopted the conference committee report on H.B. No. 3699 on May 28, 2023, by the following vote: Yeas 20, Nays 11; and that the Senate adopted H.C.R. No. 126 authorizing certain corrections in H.B. No. 3699 on May 28, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____
Date

Governor

8/21/2023

Agenda Item No. D)

PRESENTER:

Garry Ford, Transportation & Capital Improvements Director

SUBJECT:

Presentation and possible direction on the Transit Development Plan and New Braunfels Small Urban Area Transit Funding.

DEPARTMENT: Transportation & Capital Improvements**COUNCIL DISTRICTS IMPACTED:** All**BACKGROUND INFORMATION:**

The New Braunfels community identified the need for improved public transit in the comprehensive plan, Envision New Braunfels, and through community surveys and feedback. The City worked with the Alamo Area Metropolitan Planning Organization (AAMPO) to fund a planning study to evaluate public transportation service options in the City of New Braunfels. The study, completed in 2021, introduces alternatives and strategies to guide the development of a New Braunfels public transportation system.

The City is continuing the planning process and exploring public transportation options within the city limits as part of a Transit Development Plan. The Transit Development Plan will help shape the future of transportation in New Braunfels and provide a framework for implanting improved public transit. The plan was initiated in February and is expected to be completed this fall.

In addition to the transit planning activities, the Federal Transit Agency (FTA) informed the City in March of the new Small Urban Area designation associated with the 2020 Census and eligibility to receive federal transit funds directly. New Braunfels was previously in the San Antonio Large Urban Area, with VIA Metropolitan Transit receiving federal funds and maintaining the Alamo Area Council of Governments (AACOG) Alamo Regional Transit (ART) demand response service in New Braunfels. The City can be a direct recipient of federal and state transit funds or designate AACOG ART as the direct recipient for the New Braunfels UZA.

This presentation provides an update on transit-related items:

- Update on the Transit Development Plan.
- Direct Recipient activities, options, and next steps.

ISSUE:

Create a self-sustaining public transit system.

FISCAL IMPACT:

The City of New Braunfels is now eligible for state and federal transit funding, including 5307 Urbanized Area Formula Funds.

RECOMMENDATION:

N/A

8/21/2023

Agenda Item No. E)

PRESENTER:

Garry Ford, Transportation and Capital Improvements Director

SUBJECT:

Presentation and possible direction on the realignment and right-of-way requirements for the Parkway identified in the City of New Braunfels Regional Transportation Plan from State Highway 46 to Interstate Highway 35.

DEPARTMENT: Transportation and Capital Improvements**COUNCIL DISTRICTS IMPACTED:** ETJ**BACKGROUND INFORMATION:**

Comal County requested City Council reconsider the realignment and right-of-way requirements for the Parkway in the adopted Regional Transportation Plan from State Highway 46 to Interstate Highway (IH) 35. The proposed realignment was presented to the City Council for approval on December 12, 2022; however, no action was taken based on a lack of a motion. City and Comal County staff will provide additional information on the request. The background information from December 12, 2022 is provided below and attached.

The City of New Braunfels received an application from the Comal County Engineer's Office for a Regional Transportation Plan (RTP) Amendment, requesting realignment of the proposed Parkway identified as "West Connector Parkway" from FM 1863 to State Highway 46 and right-of-way ranging from 200 to 250 feet. This is the northern portion of the West Connector Parkway that will extend from State Highway 46 to IH 35. On August 4, 2022, the Comal County Commissioners Court approved a recommendation to the City of New Braunfels to amend the RTP to cohere with the County's approved alignment for the northern segment.

The West Connector Parkway represents a transportation corridor from State Highway 46 to IH 35, following segments of Word Ranch Road at FM 1863 and Schwab Road at IH 35. The Parkway was established in 2012 from portions of the New Braunfels "Outer Loop" represented in earlier thoroughfare plans. The 2012 RTP update reclassified the Loop to a Parkway, and the segment from FM 1863 to State Highway 46 was realigned from Krueger Canyon Road to Word Ranch Road and terminated at State Highway 46. The current right-of-way dedication requirement for a Parkway is 200 feet, and the developer may be required to construct two lanes if supported by a traffic impact analysis (TIA). Parkways are intended to provide access through sensitive areas near the floodplain and include features such as vegetated buffers, stormwater management, and separated bicycle paths.

The RTP is the City's adopted plan for guiding thoroughfare system improvements, including the existing and planned extension of city streets and highways. The thoroughfare system is comprised of existing and planned interstates, expressways, parkways, arterials, and collectors which require wider or new rights-of-way. The primary objective of the RTP is to ensure the dedication of adequate right-of-way on appropriate alignments

and of enough width to serve existing and future transportation needs. The Texas Local Government Code allows the City to require development plans and subdivision plats to conform to the general plan for current and future roadways.

The proposed West Connector Parkway connects with Principal Arterials FM 1863 and State Highway 46 at both ends. Additionally, the proposed "Countryside" Minor Collector ties in from the west, and the proposed "Collector K" Minor Collector ties in from the east. The County intends to realign Collector K to support this realignment.

With limited Texas Department of Transportation (TxDOT) funding for new alignment studies, local agencies have been increasingly responsible for planning and developing regional transportation projects. The projects are necessary to address the region's unprecedented existing and anticipated growth and impact on the transportation system. Comal County initiated an \$817,000 transportation needs study and conceptual design to determine the need, alignment, and right of way of the Parkway segment between State Highway 46 and IH 35. The effort is necessary to determine the alignment and right-of-way necessary to construct a potential transportation project, and provide clarity for dedication requirements when the property develops. Note that there is no funding or timeline for a future roadway project, including design, right-of-way acquisition, and construction.

Comal County has provided an engineering report used to determine the West Connector Parkway alignment and right of way that best accommodates slopes and floodplains in the area. The resulting alignment conforms with the 1200-foot curve radius required by the City and considers the locations of existing subdivisions. A four-lane divided Parkway was recommended to accommodate future traffic volumes of 22,000 AADT. The alignment was chosen to achieve a near-perpendicular angle with FM 1863 and State Highway 46.

City Staff submitted the request to its third-party transportation planning reviewer. The resulting memo confirms that the new alignment meets all standards for design specifications, environmental constraints, property impact, and utility allocation.

Public notices were sent to property owners within 200 feet of the existing and proposed alignments. Staff received three responses opposed and no responses in favor. Property owners attended the Planning Commission hearing and gave feedback that the proposed alignment will bisect properties and cut through residences. In response, the County adjusted and resubmitted the alignment to curve around existing homes near State Highway 46.

Due to its adherence to design standards and consistency with community feedback, staff recommends approval of the realignment of the West Connector Parkway from FM 1863 to State Highway 46 with right-of-way ranging from 200 to 250 feet.

ISSUE:

The Regional Transportation Plan classifies the West Connector Parkway segment from FM 1863 to State Highway 46 as a proposed Parkway requiring 200 feet of right-of-way. Comal County has requested a realignment and expansion to 250 feet to accommodate future growth.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval of the request for the realignment of the Parkway identified in the City of New Braunfels Regional Transportation Plan from FM 1863 to State Highway 46, establishing right-of-way at 200 feet from FM 1863 to 850 feet north of FM 1863 and 250 feet from 850 feet north of FM 1863 to State Highway 46.

The Planning Commission held a public hearing on November 1, 2022, resulting in a split vote to recommend approval to City Council (4-4, Commissioner Nolte absent).

MEMO

TO: Thomas Hornseth, P.E.
County Engineer
Comal County
195 David Jonas Drive
New Braunfels, TX 78132

DATE: July 27, 2022

FROM: Jason Scheppers, P.E.

PROJECT NO.: 12357-01

cc: David Vollbrecht, P.E. and Robert Boyd, PE, Comal County Engineering

RE: Proposed Recommendation for Modifying the City of New Braunfels Regional Transportation Plan for the Segment Between FM 1863 and SH 46.

Introduction

Pape-Dawson Engineers, Inc. has been retained to conduct a feasibility study for a roadway “West Connector” from SH 46 to I-35, approximately seven miles west of downtown New Braunfels, Texas. See **Figure 1** below for general location map. Comal County has requested a thoroughfare recommendation for the Segment 2 section from FM 1863 to SH 46. This memo provides supporting documentation for the proposed recommendation.

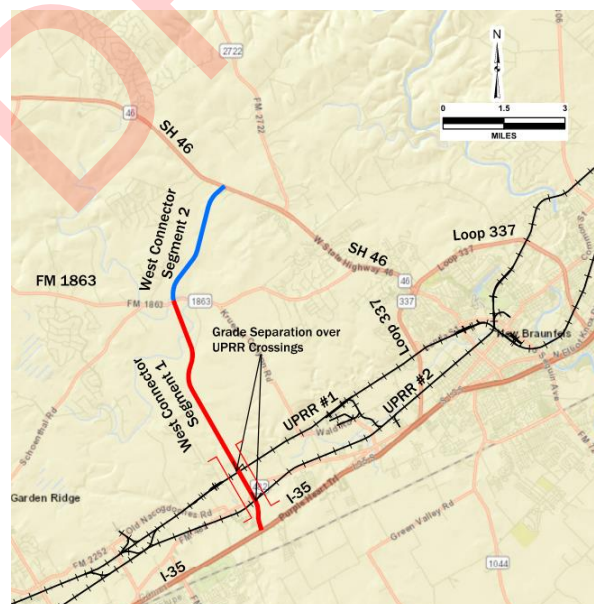


Figure 1 – Project Limit & West Connector

MEMO

West Connector Thoroughfare
FM 1863 to SH 46
July 2022
Page 2 of 3

West Connector Traffic Projection

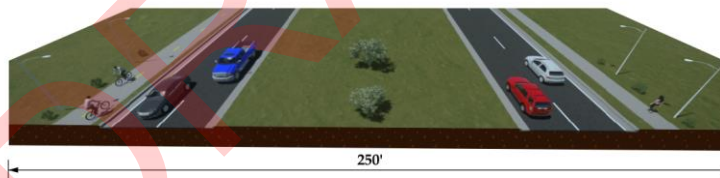
The Traffic Projection Methodology Memo (**Appendix A**) details the expected traffic on the West Connector. We divided the project into two segments, as shown in **Figure 1**, and project that in 2050, the design year, there will be 26,500 vehicles per day from I-35 to FM 1863 and 22,000 vehicles per day from FM 1863 to SH 46.

Facility Sizing for Design Year 2050

The traffic projections show 26,500 Annual Average Daily Traffic (AADT) in 2050. A 4-lane divided arterial roadway can accommodate that volume of traffic.¹

The City of New Braunfels shows in the Regional Transportation plan and in their Thoroughfare Plan a Parkway Arterial section in this location. This section is 200' or greater. Our recommendation is to follow the 200' or greater ROW. Two-hundred-foot ROW width should be used north of FM 1863 within the Master Development Plan of the Porter Tract (see **Appendix C**). Two hundred fifty feet ROW width should apply to the north of the Porter Tract to SH 46.

1. Recommended Section - 200-250 feet of West Connector ROW as a 4-lane divided roadway with bike and pedestrian facilities.



2. **Figure 2 – West connector 250 Feet ROW Typical Section**

Environmental Constraints

The Location of the thoroughfare is adjusted from the City of New Braunfels Regional Thoroughfare Map to be outside the FEMA floodplain and to the greatest extent possible to be outside the steep slopes in the area. The crossing of the tributary of the Dry Comal River is made as perpendicular as possible. Potential for Golden Check Warbler habitat and Karst features are equally as likely on any options. No other environmental constraints were identified to influence the proposed route.

¹ Simplified Highway Capacity Calculation Method for the Highway Performance Monitoring System, 2019, FHWA

MEMO

West Connector Thoroughfare
FM 1863 to SH 46
July 2022
Page 3 of 3

Geometric Constraints

The design is such that.

- a 5-degree from a perpendicular angle is maintained with SH 46.
- All horizontal curves meet the 1200' minimum radius specified in the City of New Braunfels UDC. (Most curves are planned at 1500' or greater to allow future flexibility.)
- The thoroughfare location is consistent with the proposed ROW dedication made just north of FM 1863 through platting.
- The crossing of the Dry Comal Tributary allows collector access with only one bridge crossing by the collector road to the development and providing proper intersection sight distance with the West Connector.
- Number of parcels impacted was minimized with no acquisition from the New Braunfels ISD parcel.
- The location matches West Connectors' position relative to Comal County Maintenance Facility and existing subdivisions.

Conclusion and Recommendations

See Appendix B for the proposed location for the thoroughfare. Considering the traffic projections of 22,000 AADT, we recommend the West Connector be designated as 200 feet to 250 feet 4-lane divided Parkway.

END MEMO

Appendices

- A – Traffic Projection Report
- B – Recommended Revision to the City of New Braunfels Regional Transportation Plan.
- C – Porter Tract Master Development Plan

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APPENDICES

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APPENDIX A

Traffic Projection Report

WEST CONNECTOR

Comal County

Corridor Study

July 2022



Transportation | Water Resources | Land Development | Surveying | Environmental

WEST CONNECTOR

Comal County

Corridor Study



Jason P. Scheppers 7/27/22
July 2022

WEST CONNECTOR

Comal County

Corridor Study


DRAFT

July 2022

MEMO

TO: Thomas Hornseth, P.E.
County Engineer
Comal County
195 David Jonas Drive
New Braunfels, TX 78132

DATE: October 07, 2021

FROM: Jason Scheppers, P.E. 

PROJECT NO.: 12357-01

cc: David Vollbrecht, P.E. and Robert Boyd, PE, Comal County Engineering

RE: West Connector Traffic Projections Methodology.

Interim Review not intended for permit, bidding or Construction issued by Jason P. Scheppers, PE 80675

Pape-Dawson Engineers, Inc. has been retained to conduct a feasibility study for a roadway "West Connector" from SH 46 to I-35, approximately seven miles west of downtown New Braunfels, Texas. This memo defines the procedures used to forecast traffic volumes for use in the operational analysis and pavement design. The following is a summary of the data used for historic growth rate projection and how it was applied to the future conditions to determine the future growth rates, daily volumes, and projected turning counts for the West corridor.

Study Area

The project is located in Comal County, Texas within the TxDOT San Antonio District and the Alamo Area Metropolitan Planning Organization (AAMPO) boundaries. The project is a new corridor 6 to 8 miles west of New Braunfels, Texas. The project connects SH 46 on the west side of New Braunfels to I-35 south of New Braunfels. The proposed connector is approximately eight miles in length. The Base Year, i.e. the proposed opening year, is 2030, the forecasted 20-year is 2050, and the pavement design forecasted 30-year is 2060. The project limits are shown in **Figure 1**.

MEMO

West Connector
October 07, 2021
Page 2 of 15

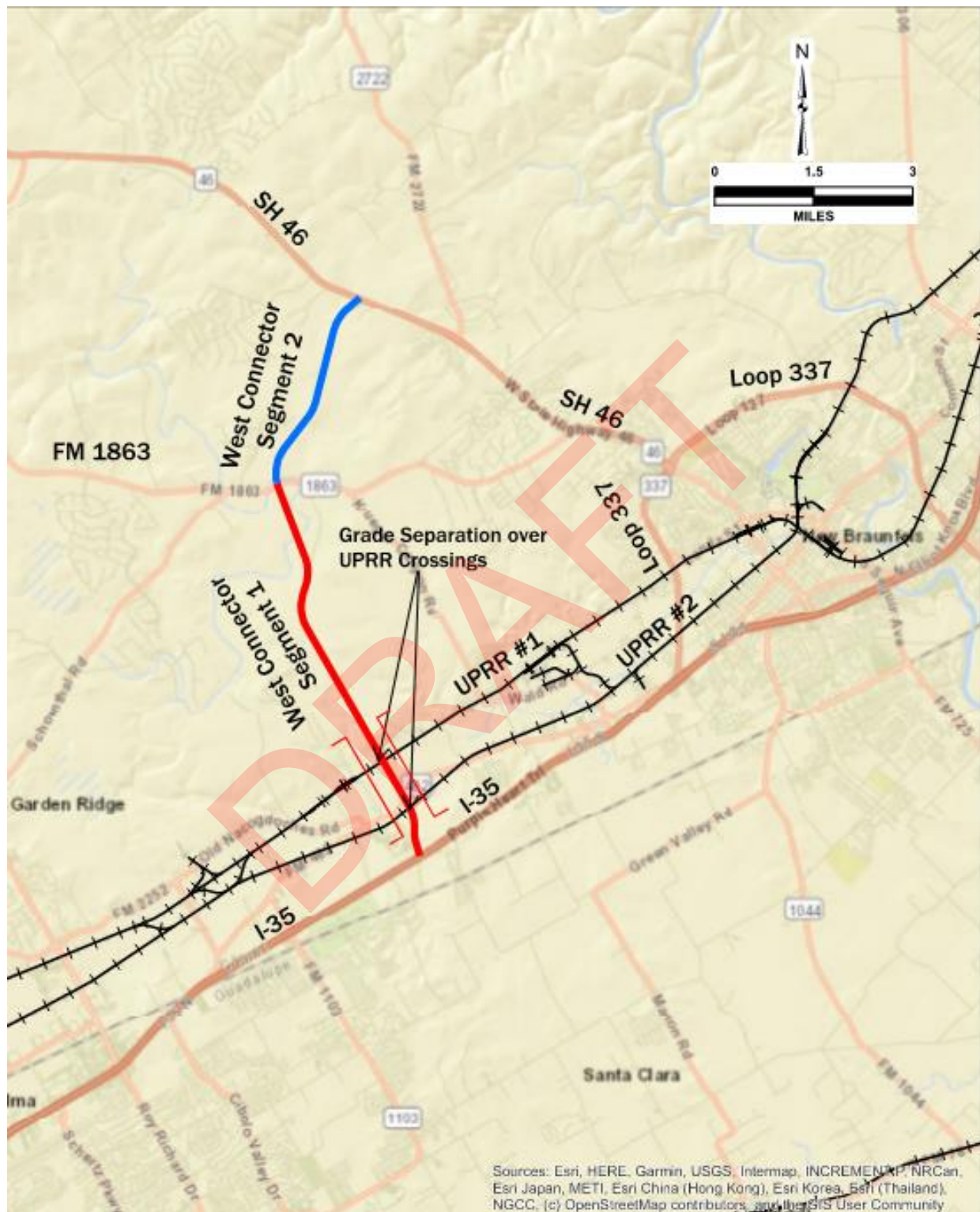


Figure 1 – Project Limit & West Connector

MEMO

West Connector
October 07, 2021
Page 3 of 15

Methodology

The following process will be used to develop the traffic projection growth rate:

1. Segment the Corridor
2. Historical Data and Growth Rate Calculations
3. Assessment of Travel Demand Model from AAMPO
4. Review of Demographic Data comparing known/planned developments versus AAMPO projections.
5. Review of Comal County, City of New Braunfels, and City of Schertz approved plats in project area.
6. Review of recent Traffic Impact Assessments (TIA) and past traffic studies in the corridor area.
7. Assess origin and destination trips to determine projected traffic moving to the new corridor.
8. Model traffic in AAMPO TransCAD Model to assess projected traffic volumes.
9. Summarize the comparisons of the available data.
10. Recommend Growth Rate
11. Recommend K and D factors
12. Forecast traffic volumes based on approved rates

Project Segmentation

Segment 1 is currently in a rural setting with projected traffic volumes above 26,500 AADT and a design speed of 55 mph. Segment 2 has the same design criteria but has a projected traffic volume of 22,000 AADT or more. See **Figure 1** for project segmentation. **Table 1** shows the West Connector segmentation locations and their lengths.

Table 1 – West Connector Segment

West Connector Segment	Limits	Length
Segment 1	I-35 to FM 1863	5.3 mile
Segment 2	FM 1863 to SH 46	2.7 mile

Data Sources of Existing and Projected Volumes for Study Area

Historic traffic data was obtained from the Statewide Traffic Analysis and Reporting System database (STARS II) based on the TxDOT Traffic Count Data System (TCDS). The existing Origin-Destination data was obtained from Streetlight Data and the growth rate projections were calculated from the AAMPO population projections for the years 2030 and 2050. The AAMPO TransCAD data was used to understand the traffic distribution on proposed West Connector for the design year.

MEMO

West Connector
 October 07, 2021
 Page 4 of 15

Historic Data

Relevant historic count data was obtained from the TCDS to calculate adjacent growth rates. Since the project is not an existing corridor there are not counts on the corridor. The historic rates for the study corridor have been taken from the following three stations:

- 46H43A – SH 46 West – East of Herbelin Rd
- 46H33 – FM 1863 – West of Word Ranch Road
- 46H31 – SH 46 – West of Loop 337

Relevant adjacent historic count data was obtained from the STARS II database in accordance with the Transportation Planning and Programming Corridor Analysis Standard Operations Procedure (SOP). See **Table 2** below for the TCDS count data for each of the three stations.

Table 2 – TCDS Data

Year	46H43A (SH 46 East of Herbelin Rd)	46H33(FM 1863 West of Word Ranch Rd)	46H31 (SH 46 West of Loop 337)	Average Annual Growth Rate
1999	5,300	2,100	17,400	2.9%
2000	4,700	2,000	18,400	
2001	5,000	2,100	21,000	
2002	4,900	2,100	22,000	
2003	4,700	2,000	18,100	
2004	4,500	2,200	22,000	
2005	4,480	2,220	23,510	
2006	4,700	2,800	26,000	
2007	5,600	2,500	26,000	
2008	4,200	2,700	25,000	
2009	5,300	2,900	22,000	
2010	5,100	3,200	20,000	
2011	5,800	3,100	25,000	
2012	6,000	3,300	24,000	
2013	5,997	3,646	24,120	
2014	7,309	4,126	27,172	
2015	7,050	4,093	30,855	
2016	7,717	4,378	30,320	
2017	9,334	4,395	34,958	
2018	9,334	5,159	33,720	
2019	11,754	5,876	39,812	

MEMO

West Connector
October 07, 2021
Page 5 of 15

Historic Count Growth Rates

Historic traffic growth on the adjacent corridors over the 20-year period is 2.9%. Recent growth from 2013 to 2019 has shown a growth rate of 7.0%, however, we assume a 4.0% growth rate for the surrounding roadways. This reflects the recent higher growth rate but recognizes that recent 7% growth was preceded by seven-year period with no growth. Therefore the 4.0% growth rate represents a balance between the 20-year trend and recent accelerated growth.

The West Connector will serve as a North-South route within a suburbanized area of Comal County in the Extraterritorial Jurisdictions of the City of New Braunfels and the City of Schertz. This corridor will serve an area that grew rapidly from 2013 to 2019 but still has significant capacity for additional growth development.

Figure 2 shows the Traffic Analysis Zones (TAZ's) in the vicinity of the proposed West Connector which are likely to have a direct traffic impact through development of the underlying land. **Figure 3** shows the location of the West Connector in the Extraterritorial Jurisdictions of the City of New Braunfels and the City of Schertz.

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MEMO

West Connector
October 07, 2021
Page 6 of 15

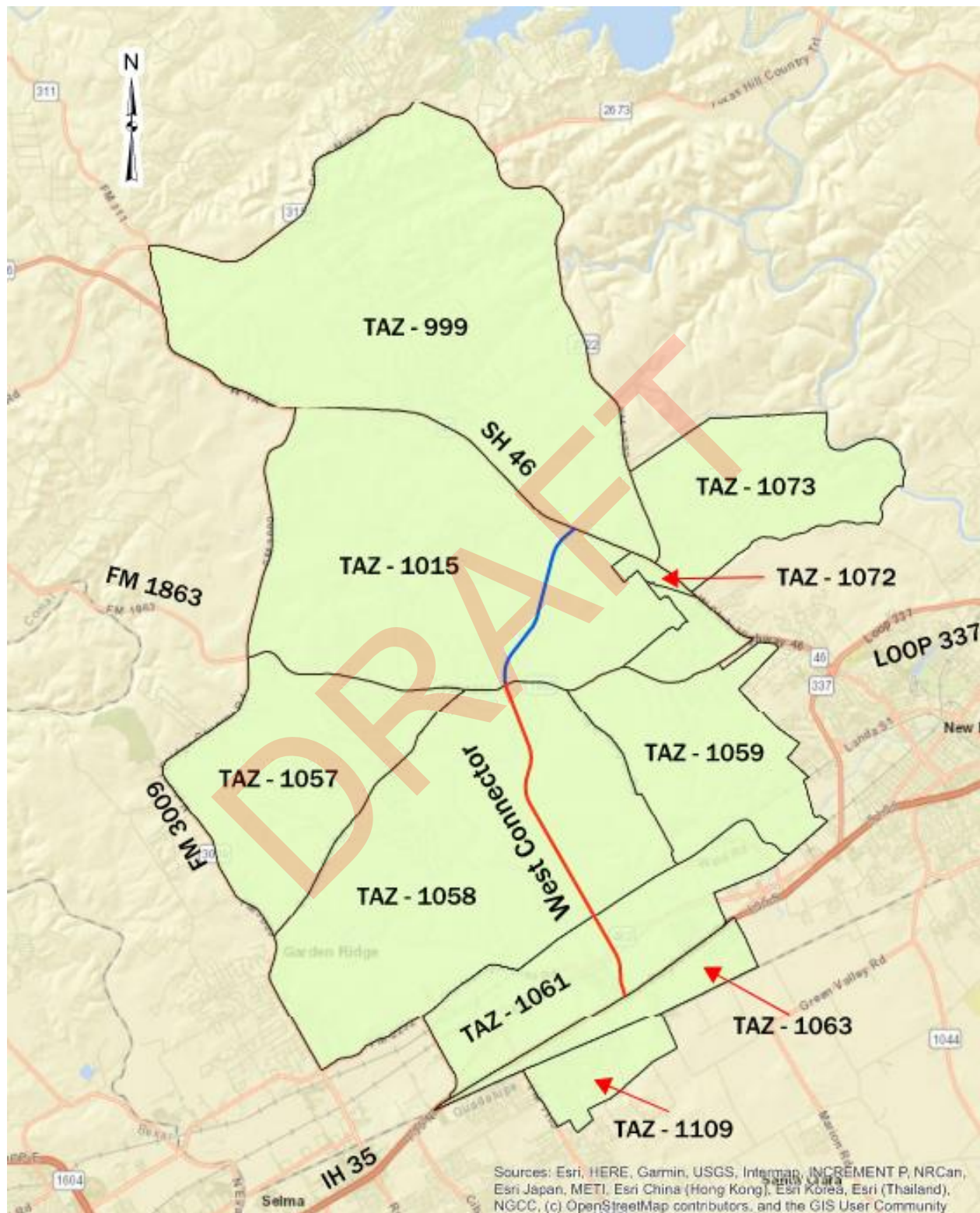


Figure 2 – Traffic Analysis Zone (TAZ) Alamo Area MPO

MEMO

West Connector
October 07, 2021
Page 7 of 15

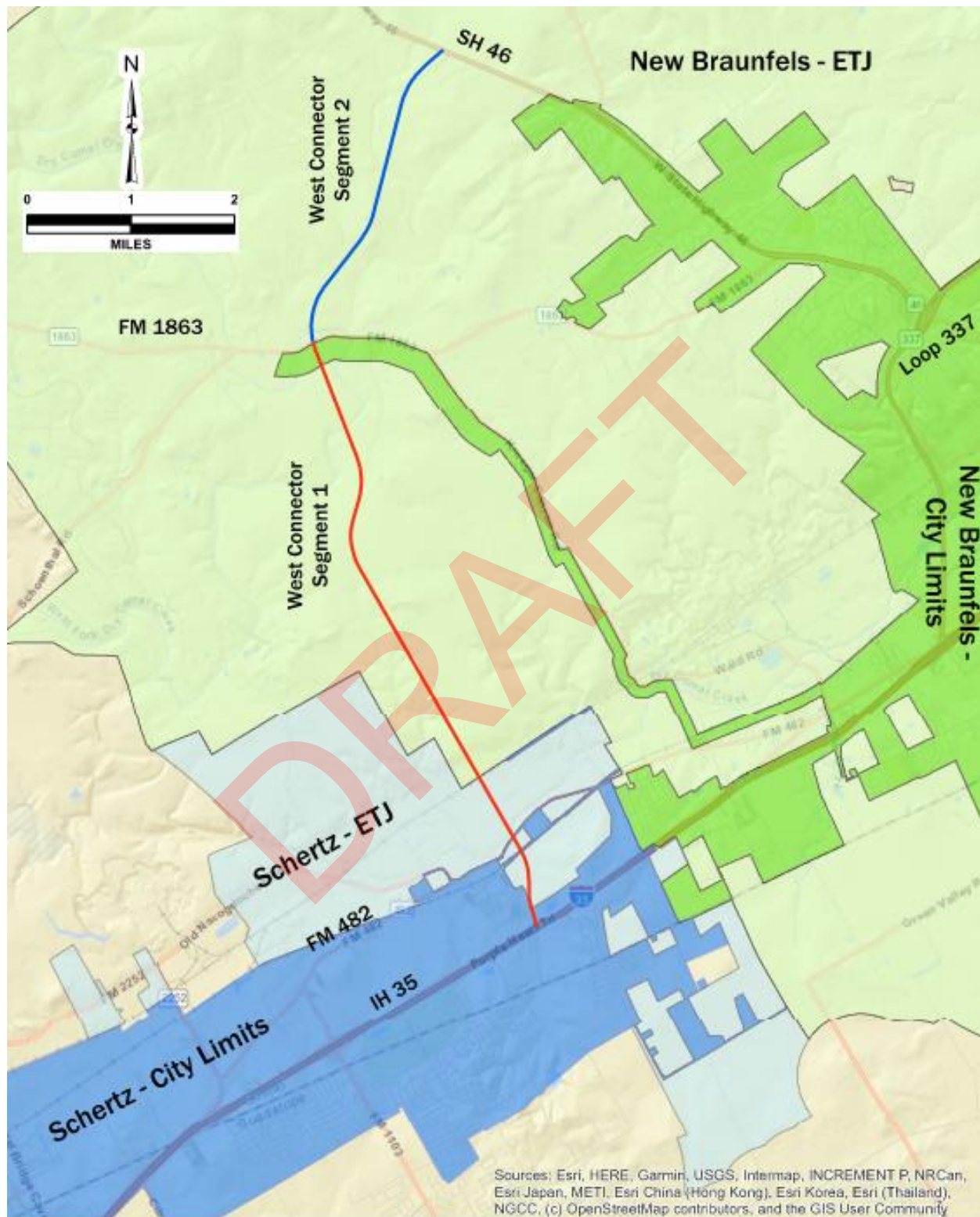


Figure 3 – City of New Braunfels & City of Schertz City Limits/ETJ

MEMO

West Connector
October 07, 2021
Page 8 of 15

Existing Conditions

Currently, in the study corridor the closest arterial roads connecting SH 46 with Loop 337 and FM 3009 are approximately nine miles apart. There are minor roads such as Kruger Canyon and Schoenthal Road that partially or circuitously connect SH 46 and I-35. **Figure 4** shows the map with the existing roadways in the study area.

DRAFT

MEMO

West Connector
October 07, 2021
Page 9 of 15



Figure 4 – Existing Roadways in the Study Area

MEMO

West Connector
October 07, 2021
Page 10 of 15

These minor roads currently have narrow pavement, and minimal ROW and clear zones, though they see significant traffic volumes. Trips west of New Braunfels will often use these roads to bypass Loop 337 in order to access I-35 from SH 46, and vice versa.

Traffic Projection

The traffic projections for the opening and design year were calculated to understand the traffic movements on West Connector. Pape-Dawson carried out two methods for this:

1. Traffic projections using Origin-Destination Matrix Data
2. Traffic projections using AAMPO TransCAD Model

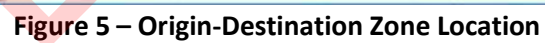
Projected Traffic Volumes

The existing traffic data and the traffic behavior were obtained in the form of an Origin-Destination Matrix (O-D Matrix) from StreetLight Data. StreetLight Data is a platform that provides the vehicular movements from certain origin zones to destinations zones defined by the user. StreetLight uses big data sources such as location-based services (like Google Maps, Apple Directions and Waze) and GPS.

For the West Connector project, the origin and destination zones were defined on the following existing roadways:

SH 46 West, FM 2722, Hueco Springs Loop Rd, Kruger Canyon, I-35 South, FM 1103, SH 46 East, I-35 North, FM 1102, FM 306, FM 482, FM 1863, Schoenthal Rd, East#1, East#2, East#3, and East#4. The zone locations are shown in **Figure 5**.

West Connector
October 07, 2021
Page 11 of 15



MEMO

West Connector
October 07, 2021
Page 12 of 15

O-D Matrix traffic data was obtained from the simulation on the StreetLight platform. The results obtained explains the traffic behavior on the existing roadways. Results were obtained for the time period from March 2019 - February 2020 to avoid the drastic change in traffic movements during COVID-19 traveling restrictions. StreetLight Data records the vehicular movements for GPS and map enabled vehicles.

The results were adjusted to Average Annual Daily Traffic (AADT) on the road studies. Historic traffic data for 2019 was obtained from the TxDOT count stations. An adjustment factor was created that scaled up the StreetLight monitored vehicles to match the measured TxDOT count station volumes. The adjustment factor was applied to the StreetLight 2019 O-D Matrix to create a 2019 AADT O-D Matrix. It has been observed from the results that the increase in congestion on SH 46 and Loop 337 causes the traffic to move to minor roadways like Kruger Canyon, Schoenthal Road, and Coyote Run to avoid the congestion and find faster access to I-35. **Appendix A** shows the O-D StreetLight Matrix and the 2019 AADT O-D Matrix.

Traffic Growth

Traffic volumes in the AADT O-D Matrix on existing roads were analyzed considering a 4.0% growth rate, grown from the base year (2019) to the opening year (2030) and the design year (2050). West Connector trips were assigned to all O-D routes where the West Connector would provide the fastest access.

AAMPO SAMM TransCAD Model (TransCAD) comparison with O-D Matrix Traffic Projection

As a secondary method, we compared the projections using AAMPO data and methods against the O-D Matrix assignment method. The TransCAD model was used to simulate the growth and the future conditions with the West Connector added into the model as a 4-lane arterial roadway with at grade connections to SH 46, FM 1863, FM 482, and I-35.

The TransCAD model takes into consideration additional parameters in determining the trip assignment from which the algorithm dictates how trips are assigned. With the available AAMPO data, the AADT for West Connector was obtained for the year 2045. The result was then grown to the design year of 2050. **Appendix B** shows the AAMPO 2050 population and employment data. TransCAD uses the gravity model to distribute trips along the West Connector which takes into consideration total trip ends and distance travelled.

The results obtained for the existing roadway without the West Connector improvements in 2050 would over saturate SH 46 and Loop 337. With the construction of West Connector, traffic would be diverted to it, easing the congestion on SH 46 and Loop 337. However, even with the diversion, SH 46 and Loop 337 will reach capacity by 2050.

The 2050 TransCAD AADT for West Connector Segment 1 is 67% of the O-D Matrix method (26,500 versus 18,000) and 86% for Segment 2 (22,000 versus 19,000). The comparison shows that the projected AADT calculated with the O-D Matrix methods are similar in order of magnitude to the TransCAD AADT. The recommended growth rate of 4.0% on existing roadway drives the growth higher in the O-D Matrix

MEMO

West Connector
October 07, 2021
Page 13 of 15

method. Considering the potential for higher growth, especially with the 7% traffic growth that has occurred over the recent past, the O-D Matrix method is used for the traffic projections.

Figure 6 and **Table 3** shows the recommended growth rates and factors that will be used for the analysis along West Connector. Note that the growth rate 3.28% is shown in the base year of 2030 given there is no existing traffic on West Connector which is equivalent to 4.0% growth rate in the base year of 2019.

Table 3 – West Connector Recommended Values.

Recommended Values		
Segment 1 2030 AADT	16,000	
Segment 2 2030 AADT	13,750	
20 Year Growth Segment 1 (I-35 to FM 1863)	3.28%	
20 Year Growth Segment 2 (FM 1863 to SH 46)	3.28%	
Assumed Truck Percentage	ADT	4.0%
	DHV	3.0%
Assumed K Factor	9.0%	
Assumed D Factor	NB/SB	65%

MEMO

West Connector
October 07, 2021
Page 14 of 15

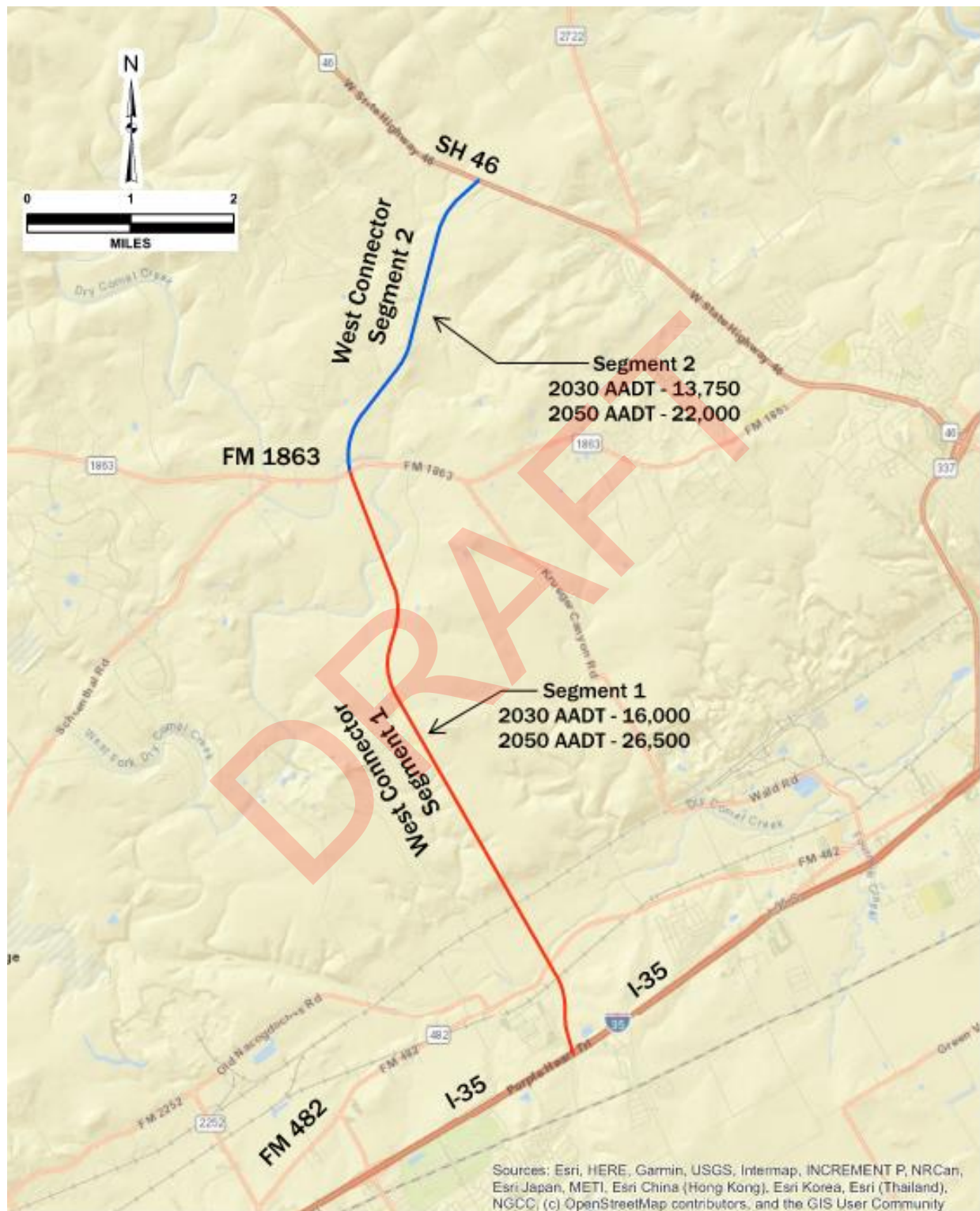


Figure 6 – Recommended Projected Year 2050 AADT

MEMO

NW Connector
October 07, 2021
Page 15 of 15

END MEMO

Appendices

A_T – Streetlight and 2019 Adjusted O-D Matrix

B_T – Alamo Area MPO Population & Employment Data

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APPENDICES

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APPENDIX A_T
(for Appendix A of the Traffic
Projection report)
Traffic Projection Report

StreetLight O-D Matrix

	East#1	East#2	East#3	East#4	FM 1003	FM 1102	FM 1863	FM 2722	FM 306	FM 482	Hueco Springs Loop Rd	IH 35 North	IH 35 South	Kruger Canyon	Schoenthal Rd N	SH 46 East	SH 46 West
East#1	0	0	0	4	0	0	0	0	1	0	0	31	9	0	0	16	3
East#2	0	0	3	15	0	10	8	12	26	23	0	252	5	0	2	31	23
East#3	0	0	0	21	1	3	5	18	8	32	2	164	8	0	2	41	20
East#4	0	19	71	0	91	43	63	173	128	92	10	1582	1707	2	23	348	264
FM 1003	112	0	1	28	0	9	4	13	57	3	1	698	5049	0	0	84	16
FM 1102	0	5	2	93	9	0	16	8	453	7	1	186	241	8	9	106	65
FM 1863	0	28	9	60	5	17	0	17	6	11	24	353	56	352	194	123	22
FM 2722	0	12	16	135	11	8	13	0	6	15	158	118	269	24	127	175	122
FM 306	0	16	19	247	55	444	4	7	0	15	0	402	1196	0	1	510	22
FM 482	0	5	17	57	3	6	8	7	18	0	3	360	58	0	2	120	9
Hueco Springs Loop Rd	0	2	0	12	1	1	19	174	0	7	0	10	39	6	27	4	250
IH 35 North	1	199	200	2886	696	28	202	97	49	302	6	0	28779	1	78	3170	580
IH 35 South	832	3	17	899	4126	201	53	231	959	102	25	29377	0	3	11	1639	224
Kruger Canyon	0	0	0	0	0	2	296	22	0	0	5	11	8	0	72	2	26
Schoenthal Rd N	0	7	2	21	1	7	202	154	2	2	32	116	21	62	0	35	41
SH 46 East	2	37	76	983	102	92	115	197	379	126	5	2697	2048	3	35	0	497
SH 46 West	0	23	24	234	18	53	18	145	18	10	290	796	240	21	45	467	0

Adjusted O-D Matrix

	East#1	East#2	East#3	East#4	FM 1003	FM 1102	FM 1863	FM 2722	FM 306	FM 482	Hueco Springs Loop Rd	IH 35 North	IH 35 South	Kruger Canyon	Schoenthal Rd N	SH 46 East	SH 46 West
East#1	0	0	0	8	0	0	0	0	2	0	0	62	18	0	0	32	6
East#2	0	0	6	30	0	20	16	24	52	46	0	504	10	0	4	62	46
East#3	0	0	0	42	2	6	10	36	16	64	4	328	16	0	4	82	40
East#4	0	76	284	0	364	172	252	692	512	368	40	6328	6828	8	92	1392	1056
FM 1003	224	0	2	56	0	18	8	26	114	6	2	1396	10098	0	0	168	32
FM 1102	0	10	4	186	18	0	32	16	906	14	2	372	482	16	18	212	130
FM 1863	0	56	18	120	10	34	0	34	12	22	48	706	112	704	388	246	44
FM 2722	0	24	32	270	22	16	26	0	12	30	316	236	538	48	254	350	244
FM 306	0	32	38	494	110	888	8	14	0	30	0	804	2392	0	2	1020	44
FM 482	0	10	34	114	6	12	16	14	36	0	6	720	116	0	4	240	18
Hueco Springs Loop Rd	0	4	0	24	2	2	38	348	0	14	0	20	78	12	54	8	500
IH 35 North	2	398	400	5772	1392	56	404	194	98	604	12	0	57558	2	156	6340	1160
IH 35 South	1664	6	34	1798	8252	402	106	462	1918	204	50	58754	0	6	22	3278	448
Kruger Canyon	0	0	0	0	0	4	592	44	0	0	10	22	16	0	144	4	52
Schoenthal Rd N	0	14	4	42	2	14	404	308	4	4	64	232	42	124	0	70	82
SH 46 East	4	74	152	1966	204	184	230	394	758	252	10	5394	4096	6	70	0	994
SH 46 West	0	46	48	468	36	106	36	290	36	20	580	1592	480	42	90	934	0

APPENDIX B_T
(for Appendix B of the Traffic
Projection Report)
Recommended Revision to
the City of New Braunfels
Regional Transportation Plan

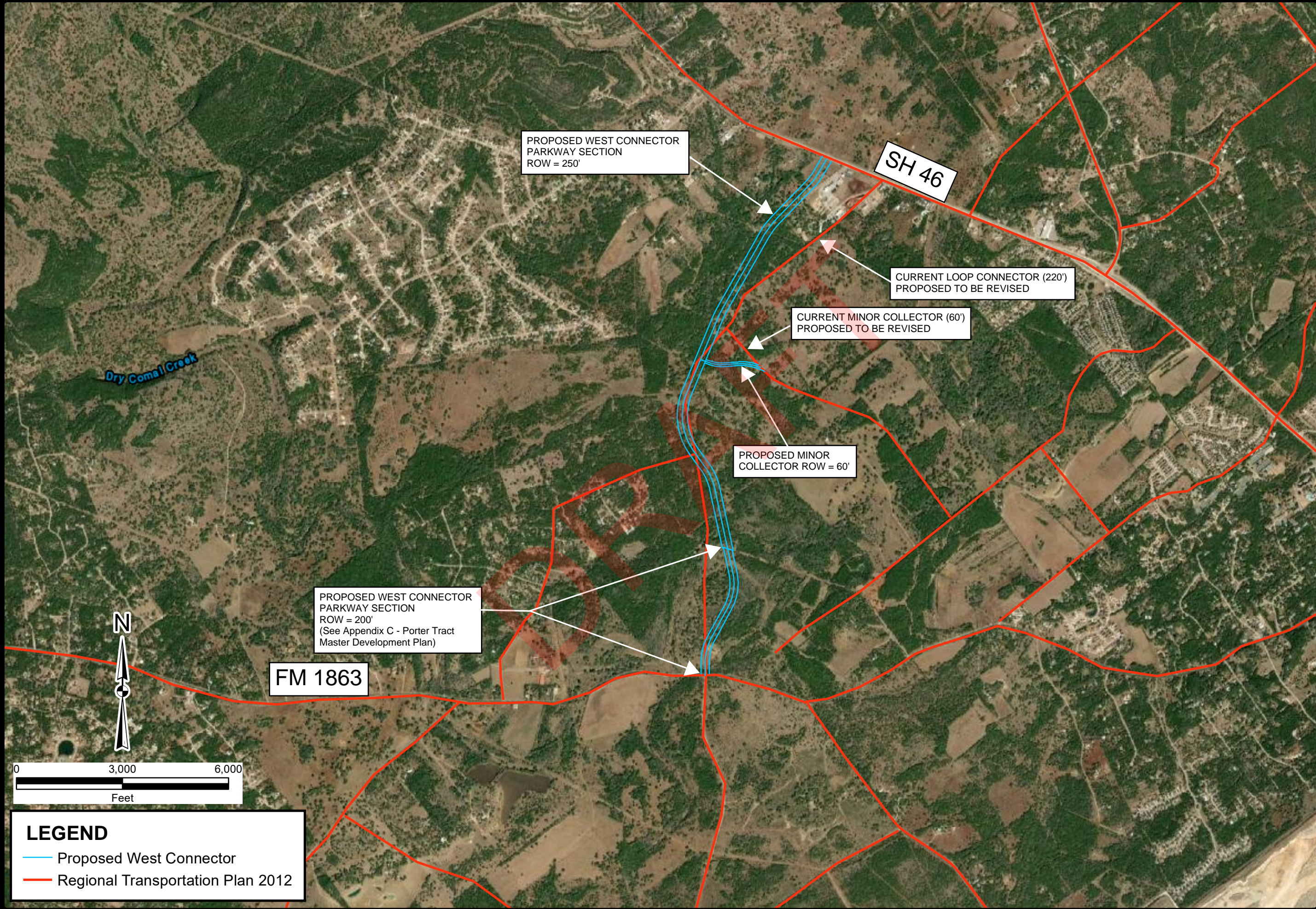
COUNTY	Traffic Analysis Zone (TAZ)	2020 Population (Census)	2020 Total Employment (Census)	2030 Population (Projected)	2030 Total Employment (Projected)	2050 Population (Projected)	2050 Total Employment (Projected)
Comal County	999	1400	338	2156	514	10001	3193
Comal County	1015	1089	253	1738	676	3895	2453
Comal County	1057	1722	180	2415	587	4661	2352
Comal County	1058	1304	697	2978	1512	8348	4891
Comal County	1059	798	206	2478	883	5537	2446
Comal County	1061	572	1534	1413	2098	4053	4201
Comal County	1063	1710	567	1908	704	2524	1209
Guadalupe County	1109	5774	123	7054	451	8878	1097
Comal County	1072	1262	696	1996	932	3384	1459
Comal County	1073	995	141	1713	385	5273	1271

DRAFT

APPENDIX B
Recommended Revision to
the City of New Braunfels
Regional Transportation Plan

Aerial Imagery Provided by Google © UNLESS OTHERWISE NOTED Imagery ©2022 CAPCOG Digital Globe, Texas Orthomage Program, USDA Farm Service Agency

Date: Jul 22, 2022 2:47:00 PM User: hshah
File: P:\12315701\Design\Civil\GIS\Segment 2 Exhibit.mxd



LEGEND

- Proposed West Connector
- Regional Transportation Plan 2012

PAPE-DAWSON ENGINEERS

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #1002800

PRELIMINARY WEST CONNECTOR

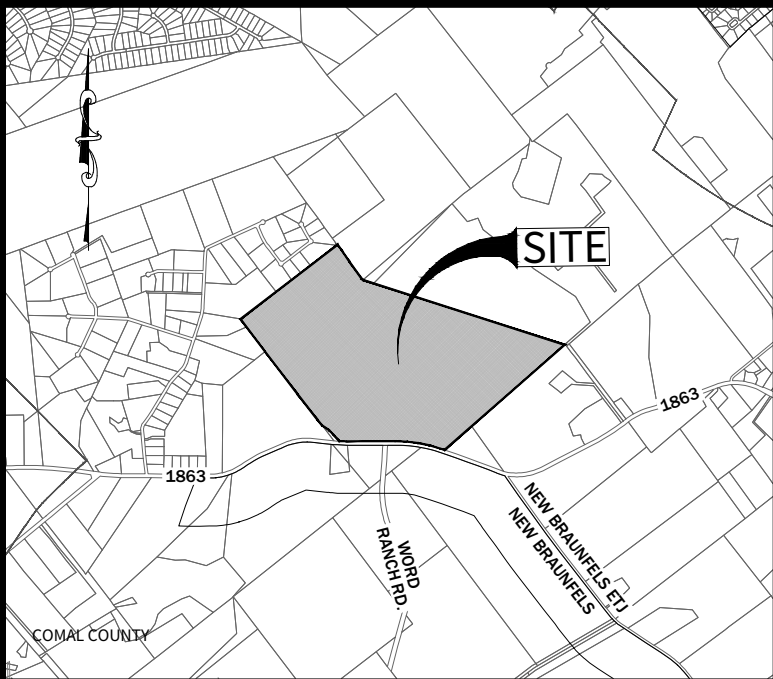
COMAL COUNTY

JOB NO.	
DATE	Jul 2022
DESIGNER	HS
DRAWN	HS
CHECKED	JS
SHEET	1.0

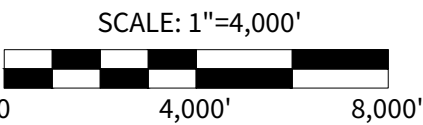
DRAFT

APPENDIX C

Porter Tract Master Development Plan



LOCATION MAP



OWNER:

MICHAEL PORTER & RHONDA VOLLBRECHT
2631 MELBOURNE AVE.
NEW BRAUNFELS, TX 78132

DEVELOPER:

HK REAL ESTATE DEVELOPMENT
CONTACT PERSON: MR. PAUL KUO
24607 FAIRWAY SPRINGS
SAN ANTONIO, TEXAS 78260
TEL: 210.363.4672

CIVIL ENGINEER/DESIGNER:

M.W. CUDE ENGINEERS, L.L.C.
CONTACT PERSON: JEFFREY MCKINNIE, P.E.
4122 POND HILL ROAD, SUITE 101
SAN ANTONIO, TX 78231
TEL: (210) 681-2951
FAX: (210) 523-7112
WWW.CUDEENGINEERS.COM

LEGAL DESCRIPTION:

349.7 ACRES OF LAND, BEING ALL OF THAT CERTAIN 295.558 ACRES OF LAND CONVEYED TO VOLLBRECHT RHONDA & MICHAEL PORTER, AS LOCATED IN THE PHILLIP ENGELBACH SURVEY NO. 388, ABSTRACT NO. 139, COMAL COUNTY, TEXAS; AND ALL OF THAT CERTAIN 50.54 ACRES OF LAND CONVEYED TO VOLLBRECHT RHONDA & MICHAEL PORTER, AS LOCATED IN THE S.A. & M.G.R.R. COMPANY SURVEY NO. 586, ABSTRACT NO. 582, COMAL COUNTY, TEXAS.

NOTES:

- THE COORDINATES SHOWN ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83 (93).
- SEWER SERVICE WILL BE PROVIDED BY OSSF.
- WATER SERVICE WILL BE PROVIDED BY A SINGLE PROPOSED PRIVATE WATER SYSTEM.
- ELECTRIC SERVICES WILL BE PROVIDED BY NEW BRAUNFELS UTILITIES (NBU).
- THE PROPERTY IS WITHIN THE NEW BRAUNFELS INDEPENDENT SCHOOL DISTRICT BOUNDARY.
- A PORTION OF THIS SUBDIVISION IS LOCATED WITHIN THE LIMITS OF THE 1% ANNUAL CHANCE EFFECTIVE FLOODPLAIN AS DEFINED BY THE COMAL COUNTY TEXAS, FLOOD INSURANCE RATE MAP NUMBER 48091C0430F, EFFECTIVE DATE SEPTEMBER 2, 2009, AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- THIS SUBDIVISION IS SUBJECT TO THE 2010 CITY OF NEW BRAUNFELS PARK LAND DEDICATION AND DEVELOPMENT ORDINANCE. THIS MASTER PLAN IS APPROVED FOR 1 DWELLING UNIT PER BUILDABLE LOT WITH A TOTAL DWELLING COUNT SHOWN ON THE LAND USE AND DENSITY TABLE. AT SUCH TIME THAT ADDITIONAL DWELLING UNITS ARE CONSTRUCTED, THE OWNER OF THE LOT SHALL CONTACT THE CITY AND COMPLY WITH THE ORDINANCE FOR EACH DWELLING UNIT.
- MINIMUM RESIDENTIAL LOT SIZE IS 43,560 SF (1 ACRE).
- BLOCK WILL MEET BLOCK LENGTH REQUIREMENTS PER UDC SEC. 118-44(d).
- THIS SUBDIVISION IS SUBJECT TO SECTION 118-50 OF THE CITY OF NEW BRAUNFELS SUBDIVISION PLATTING ORDINANCE; REGARDING OFF-STREET BIKEWAYS AND TRAILS AS SHOWN IN THE NEW BRAUNFELS HIKE AND BIKE TRAIL PLAN. SPECIFIC LOCATION, ALIGNMENT, AND WIDTH TO BE DETERMINED BY PLANNING COMMISSION AT THE TIME OF PLAT APPROVAL.
- THIS SUBDIVISION IS SUBJECT TO DEVELOPMENT AGREEMENT BETWEEN DEVELOPER AND THE CITY OF NEW BRAUNFELS.
- THIS SUBDIVISION IS WITHIN THE BOUNDARIES OF COMAL COUNTY MUNICIPAL UTILITY DISTRICT NO 4

DRAINAGE NOTE:

- THE FLOODPLAIN LIMITS ON THIS MASTER PLAN ARE ESTIMATED AND SUBJECT TO CHANGE. APPROVAL OF SUBDIVISION PLATS ASSOCIATED WITH THIS MASTER PLAN IS SUBJECT TO THE REVIEW AND APPROVAL OF A STORM WATER MANAGEMENT PLAN IN ACCORDANCE WITH ARTICLE III, SEC. 118-22 (G) OF THE CITY OF NEW BRAUNFELS CODE OF ORDINANCES.
- THIS SITE IS LOCATED NEAR MULTIPLE UNSTUDIED FLOODPLAIN ZONE A HAZARD AREAS. THEREFORE, A DETAILED FLOODPLAIN ANALYSIS WILL BE REQUIRED WITH THE PLAT TO ESTABLISH THE 1% ANNUAL CHANCE (100-YEAR) ULTIMATE FLOODPLAIN BOUNDARIES AND TO DETERMINE THE BASE FLOOD ELEVATIONS. AT THE PLAT, ALL PERTINENT DATA AND MODELS FOR THE DETAILED STUDY WILL BE REQUIRED.

TXDOT NOTES:

- FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY, THE DEVELOPER SHALL BE RESPONSIBLE FOR ADEQUATE SETBACK AND/OR SOUND ABATEMENT MEASURES FOR FUTURE NOISE MITIGATION.
- THE OWNER/DEVELOPER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO THE EXISTING DRAINAGE SYSTEM WITHIN THE HIGHWAY RIGHT-OF-WAY. OUTFALLS FOR WATER QUALITY AND/OR DETENTION PONDS TREATING IMPERVIOUS COVER RELATED TO THE DEVELOPMENT AND STRUCTURES FOR REDUCTION OF DISCHARGE VELOCITY WILL NOT ENCRoACH BY STRUCTURE OR GRADING INTO STATE ROW OR INTO AREAS OF ROW RESERVATION OR DEDICATION. FOR PROJECTS IN THE EDWARDS AQUIFER RECHARGE, TRANSITION OR CONTRIBUTING ZONES, PLACEMENT OF PERMANENT STRUCTURAL BEST MANAGEMENT PRACTICE DEVICES OR VEGETATIVE FILTER STRIPS WITHIN STATE ROW OR INTO AREAS OF ROW RESERVATION OR DEDICATION WILL NOT BE ALLOWED. NO NEW EASEMENTS OF ANY TYPE SHOULD BE LOCATED IN AREAS OF ROW RESERVATION OR DEDICATION.
- MAXIMUM ACCESS POINTS TO STATE HIGHWAY FROM THIS PROPERTY WILL BE REGULATED AS DIRECTED BY TXDOTS, "ACCESS MANAGEMENT MANUAL". THE PROPERTY IS ELIGIBLE FOR MAXIMUM COMBINED TOTAL OF 1 (ONE) ACCESS POINT, BASED ON AN OVERALL PLATTED HIGHWAY FRONTAGE OF APPROXIMATELY 2,234 FEET, WHERE TOPOGRAPHY OR OTHER EXISTING CONDITIONS MAKE IT INAPPROPRIATE OR NOT FEASIBLE TO CONFORM TO THE CONNECTION SPACING INTERVALS, THE LOCATION OF REASONABLE ACCESS WILL BE DETERMINED WITH CONSIDERATION GIVEN TO TOPOGRAPHY, ESTABLISHED PROPERTY OWNERSHIPS, UNIQUE PHYSICAL LIMITATIONS, AND/OR PHYSICAL DESIGN CONSTRAINTS. THE SELECTED LOCATION SHOULD SERVE AS MANY PROPERTIES AND INTERESTS AS POSSIBLE TO REDUCE THE NEED FOR ADDITIONAL DIRECT ACCESS TO THE HIGHWAY. IN SELECTING LOCATIONS FOR FULL MOVEMENT INTERSECTIONS, PREFERENCE WILL BE GIVEN TO PUBLIC ROADWAYS THAT ARE ON LOCAL THOROUGHFARE PLANS.
- IF SIDEWALKS ARE REQUIRED BY APPROPRIATE CITY ORDINANCE, A SIDEWALK PERMIT MUST BE APPROVED BY TXDOT PRIOR TO CONSTRUCTION WITHIN STATE RIGHT-OF-WAY. LOCATIONS OF SIDEWALKS WITHIN STATE RIGHT OF WAY SHALL BE AS DIRECTED BY TXDOT.
- ANY TRAFFIC CONTROL, MEASURES (LEFT-TURN LANE, RIGHT-TURN LANE SIGNAL, ETC.) FOR ANY ACCESS FRONTING A STATE MAINTAINED ROADWAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/OWNER.

LEGEND:

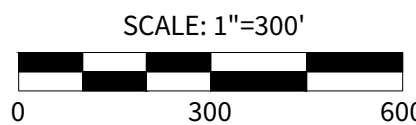
- MDP LIMITS
- UNIT LIMITS
- EXISTING 100 YEAR FLOODPLAIN (CORRECTED EFFECTIVE)
- OPEN SPACE
- FLOODPLAIN
- DRAINAGE/DETENTION
- UTILITY
- ROW DEDICATION/MAJOR THOROUGHFARES
- ELEV.
- EXISTING CONTOUR ELEVATION
- REAR LOT LINES

Ac.
CONC.
ESMT.
NO.
N.T.S.
R.O.W.
VOL.

= ACRES
= CONCRETE
= EASEMENT
= NUMBER
= NOT TO SCALE
= RIGHT-OF-WAY
= VOLUME

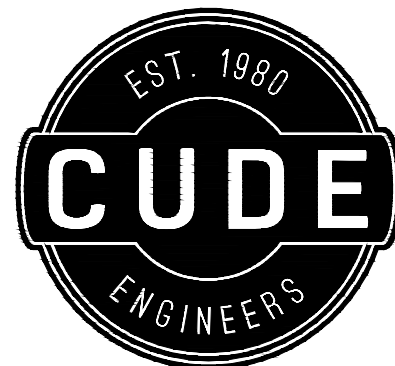
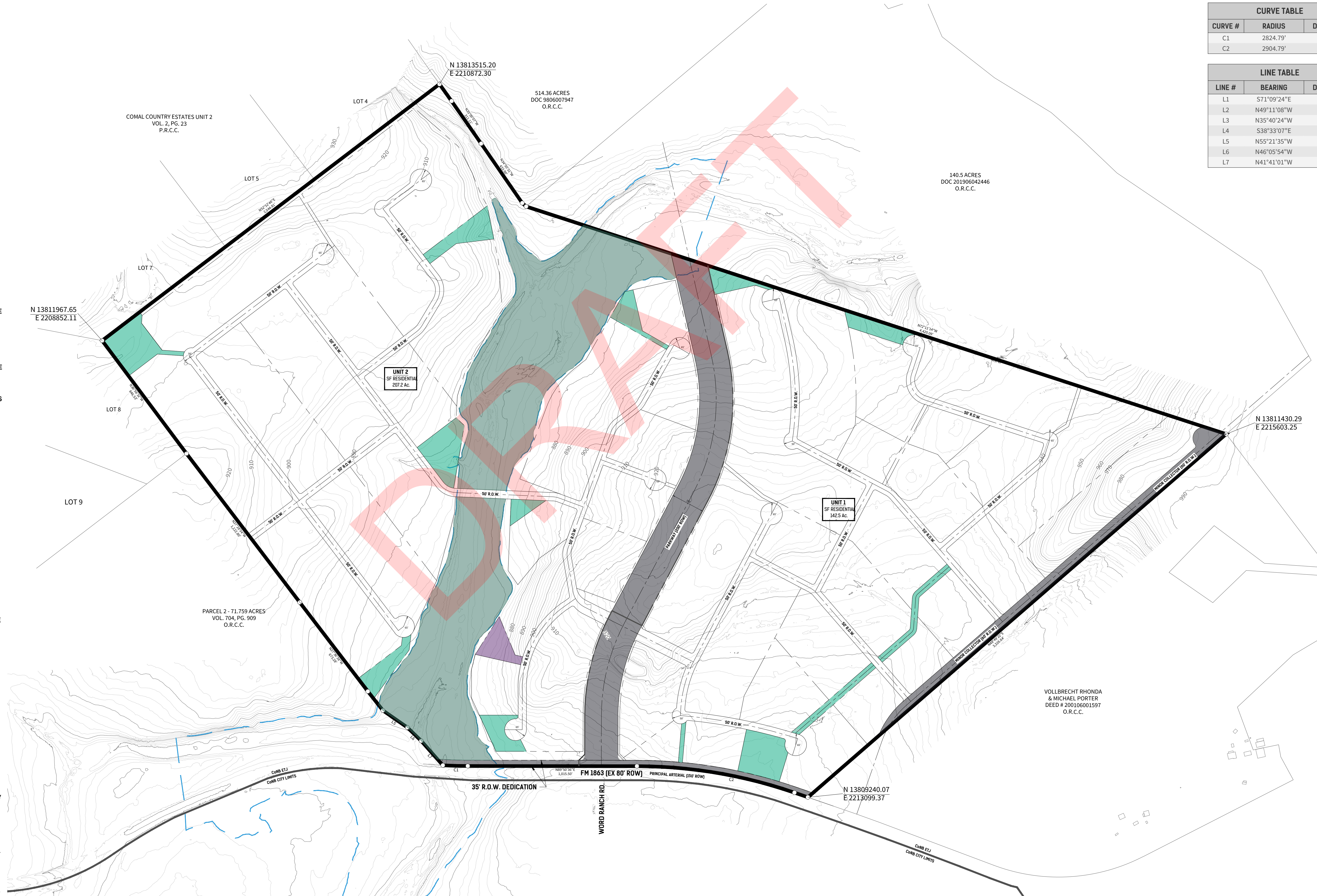
LAND USE TABLE				
LAND USE	UNIT 1	UNIT 2	TOTAL	% OF TOTAL SITE
SINGLE FAMILY RESIDENTIAL	127.8	138.5	266.3	76.15%
OPEN SPACE	1.3	15.1	16.4	4.69%
DRAINAGE/DETENTION	4.4	6.9	11.3	3.23%
ROW DEDICATION FOR MAJOR THOROUGHFARES	9.0	11.2	20.2	5.78%
FLOODPLAIN	0	34.70	34.7	9.92%
UTILITY	0.0	0.8	0.8	0.23%
	142.5	207.2	349.7	100.00%

DENSITY TABLE			
UNIT	GROSS Ac.	LOTS	LOTS/ACRE
1	142.5	121	0.8
2	207.2	127	0.6
-			
TOTAL	349.7	248.0	0.7



CURVE TABLE		
CURVE #	RADIUS	DISTANCE
C1	2824.79'	149.98'
C2	2904.79'	963.26'

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S71°09'24"E	85.47'
L2	N49°11'08"W	31.19'
L3	N35°40'24"W	124.85'
L4	S38°33'07"E	105.05'
L5	N55°21'35"W	178.85'
L6	N46°05'54"W	115.40'
L7	N41°41'01"W	196.27'



4122 Pond Hill Road, Suite 101
San Antonio, Texas 78231
P:(210) 681.2951 F:(210) 523.7112

PORTER TRACT

MASTER PLAN

DATE

05/02/2022

PROJECT NO.

03050.001.0

DRAWN BY

WZK

CHECKED BY

JAM

REVISIONS

-
-
-
-
-
-
-
-
-

CUDE ENGINEERS

TBPE No. 455
TBPLS No. 10048500

MDP NO.

--

M-1

MEMORANDUM



Innovative approaches
Practical results
Outstanding service

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www.freese.com

TO: Lauren Simcic
City of New Braunfels
550 Landa Street
New Braunfels, Texas 78130

CC: Garry Ford, PE
Edmund Haas, AICP

FROM: Ellen Emeric

SUBJECT: Comal County "West Connector" Segment 2

DATE: 10/24/2022

PROJECT: City of New Braunfels Thoroughfare Amendment Design Review

Freese and Nichols, Inc. ("FNI") has reviewed the request submitted to the City of New Braunfels on September 30, 2022 by Comal County to modify the parkway segment between FM 1863 and SH 46 ("West Connector") that is proposed in the Regional Thoroughfare Plan (RTP). In response to this request, FNI has confirmed that the proposed realignment meets the appropriate specifications, as outlined in the County's memorandum. We offer the following additional comments (please see attachments for details):

Environmental Constraints

- FNI has confirmed that the proposed realignment is situated to avoid the steeper grades located in the area, particularly compared to the alignment of the City's existing Thoroughfare Plan.
- The alignment crosses the Dry Comal Creek tributary flowlines at angles of 19° (south crossing) and 36° (north crossing). It is likely that these will eventually each require a bridge class structure. Ideally, the structure should also cross the Creek flowline as perpendicularly as possible. Additional ROW or drainage easements may be required on either (or both) sides of the bridge for servicing and maintenance. Finished grade elevations of the parkway and collector will be evaluated as part of the roadway design at a later time.

Geometric Constraints

- The City of New Braunfels UDC does not currently specify a minimum radius for a Parkway class facility. FNI has confirmed that the proposed realignment meets the minimum horizontal curve requirements for a Principal Arterial (1,200'). Please see the attached schematic document (Attachment 1) for curve data details.

- The angle of intersection with both SH46 and CR1863 is within 5° of perpendicular, as stated in the County's documentation.

ROW Footprint

- The proposed realignment affects fewer parcels but more acreage (13 additional acres). Most changes to impacts on individual properties are marginal, aside from the parcel at 370 Rock Hill Trail (owners Dietz Betty J & Clifford H). This impact is increasing from approximately 2 to 25 acres affected. FNI recommends that the City and/or applicant reach out to adjacent property owners and residents to discuss this change at the appropriate time. Early engagement is in the best interest of all parties. Please see Attachment 2 for affected parcel data details.

- The City's Draft Street Design Guide (8/2021) provides the following guidance on Parkways:

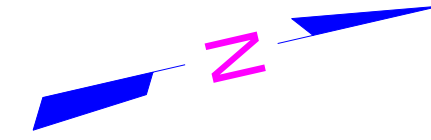
"Parkways provide high level mobility through sensitive areas with limited access. The intent of the parkway is to provide environmental features including vegetated buffers and stormwater management and separated bicycle paths. The parkway is located on the perimeter of New Braunfels connecting major roadways and providing crossings over the Guadalupe River"

A typical section of 200'-250' of ROW would provide adequate space for the elements visualized in the County memo (shared-use trails along both sides of the roadway, illumination, and a vegetated median), which also meets the intent of the City's Design Guide above. A potential expansion of this design could designate utility corridors for various types of utilities (overhead and underground). These should be strategically located along the parkway to accommodate future roadway expansion with minimal conflicts to utilities, which would likely involve expanding lanes *inward* rather than outward within the ROW footprint.

Based on FNI's understanding of the City's planning- and engineering-related priorities, it is our recommendation that the City accept the County's request to revise the RTP for the County West Connector segment between FM 1863 and SH 46 to align with Pape Dawson's supporting documentation.

Please contact us with any questions or clarifications related to this review.

[End of memo]



PLAN LEGEND	
PROPOSED CENTERLINE	---
FLOOD PLAIN	---
EXISTING CENTERLINE	---
FLOOD LINE	---
PROPOSED RIGHT-OF-WAY	---
PROPOSED RIGHT-OF-WAY	---
PROPOSED RIGHT-OF-WAY	---

Attachment 1

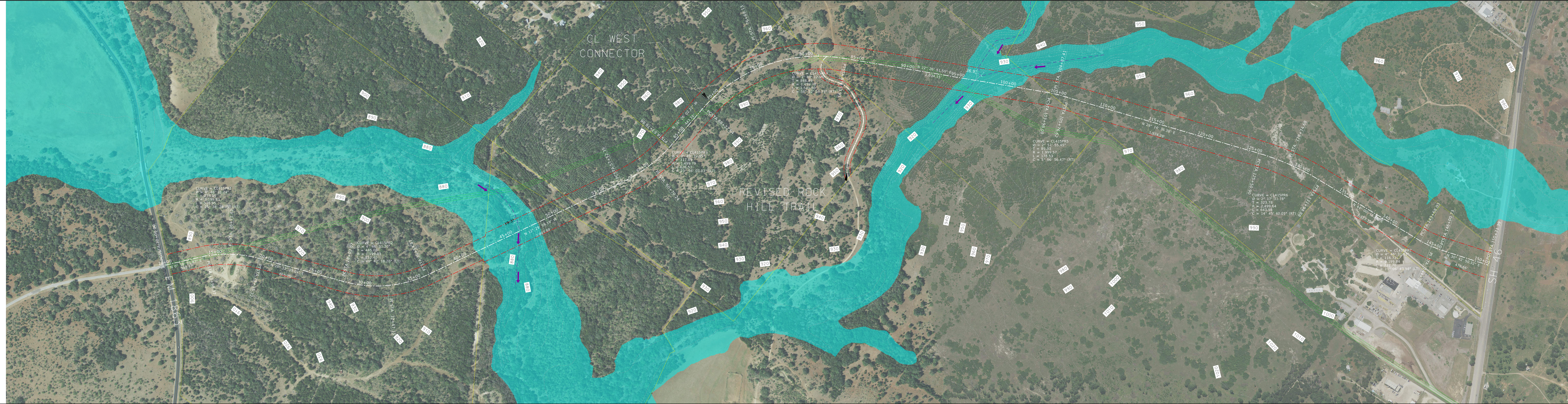
[NEB22415] CoNB
Thoroughfare Amendment
Design Review

Comal County "West
Connector" Segment 2

OCTOBER, 2022

CITY OF NEW BRAUNFELS
THOROUGHFARE DESIGN REVIEW
WEST CONNECTOR
DESIGN SCHEMATIC
LIMITS FROM FM1863 TO SH46
PROJECT LENGTH = 2.665 MILES
HORIZONTAL SCALE: 1" = 120'

DATE	BY	FOR
10/10/22	NEW BRAUNFELS	NEW BRAUNFELS
10/10/22	NEW BRAUNFELS	NEW BRAUNFELS
10/10/22	NEW BRAUNFELS	NEW BRAUNFELS

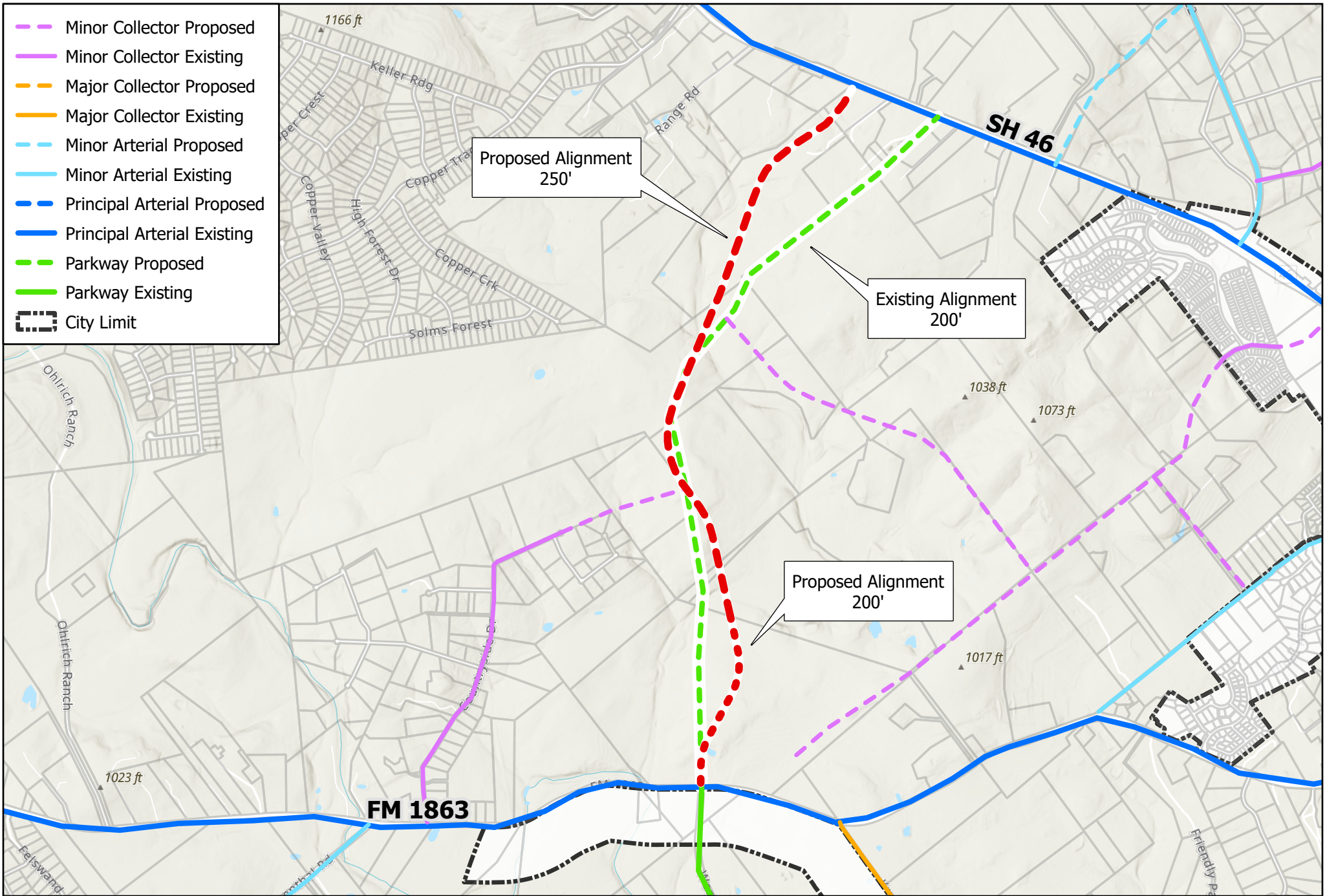


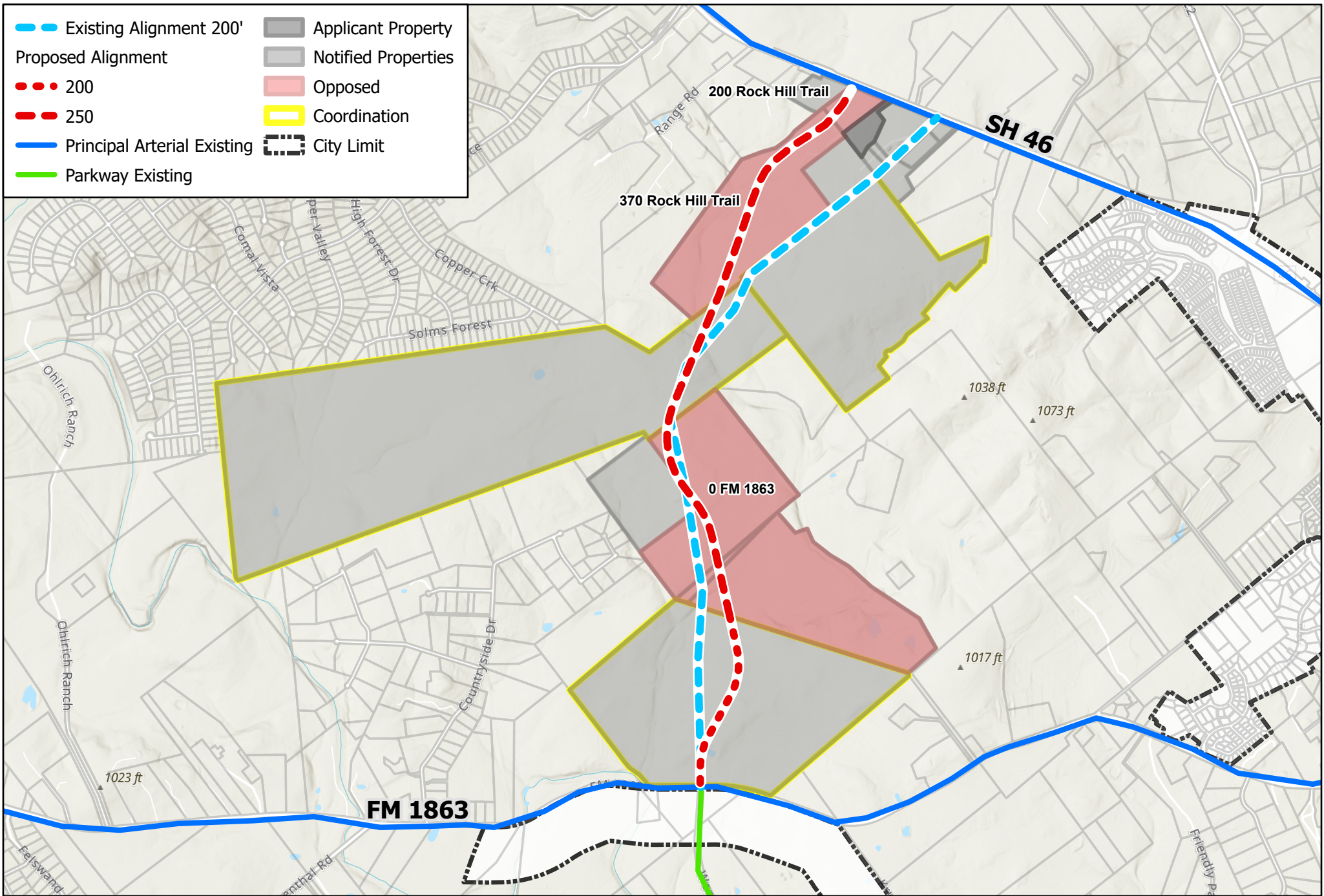
HORIZONTAL ALIGNMENT DATA	
Chain CL415PR contains 1 CUR CL415PR2 CUR CL415PR3 CUR CL415PR4 CUR CL415PR5 CUR -	
CL415PR6 CUR CL415PR7 CL415002	
Beginning chain CL415PR description	
Point CL415001	N 683.594.8984 E 2,243.065.3987 Sta 10+00.00
Course from CL415001 to PC CL415PR1 N 0° 10' 21.87" E Dist 398.3734	
Curve Data	
Curve CL415PR1	
Delta	25° 16' 71.42" (RT)
Station	684.266.0443 E 2,243.078.8148
Length	1,106.8269
Radius	1,106.8269
External	1,106.8269
Mid Ord	683.993.2700 E 2,243.065.2897
P.C. Station	19+98.37 N
P.T. Station	21+33.50.56" E 683.993.5945 E 2,244.265.2238
Back	N 7° 33' 50.56" E
Chord	N 15° 23' 04.79" E
Course from PT CL415PR1 to PC CL415PR2 N 28° 12' 19.01" E Dist 866.7467	
Curve Data	
Curve CL415PR2	
Delta	40° 32' 17.15" (LT)
Station	685.662.7313 E 2,243.827.8776
Length	1,106.8269
Radius	1,106.8269
External	1,106.8269
Mid Ord	685.270.8994 E 2,243.917.3182
P.C. Station	28+04.47 N
P.T. Station	28° 12' 19.01" E 685.837.5165 E 2,242.360.1579
Back	N 28° 12' 19.01" E
Chord	N 7° 51' 09.91" E
Course from PT CL415PR2 to PC CL415PR3 N 12° 29' 59.19" W Dist 2,097.8791	
Curve Data	
Curve CL415PR3	
Delta	23° 40' 10.04" (LT)
Station	688.455.7691 E 2,243.208.6876
Length	1,106.8269
Radius	1,106.8269
External	1,106.8269
Mid Ord	688.145.4150 E 2,243.277.4901
P.C. Station	63+78.86 N
P.T. Station	63+78.86 N 687.820.8077 E 2,241.413.2358
Back	N 12° 29' 59.19" W
Chord	N 24° 28' 00.70" W
Course from PT CL415PR3 to PC CL415PR4 N 36° 26' 02.22" W Dist 443.7780	
Curve Data	
Curve CL415PR4	
Delta	58° 56' 59.13" (RT)
Station	689.749.6012 E 2,242.253.6084
Length	1,106.8269
Radius	1,106.8269
External	1,106.8269
Mid Ord	689.068.5622 E 2,242.756.3368
P.C. Station	83+63.93 N
P.T. Station	689.953.1780 E 2,243.162.9682
Back	N 36° 26' 02.22" W
Chord	N 7° 59' 35.30" E
Course from PT CL415PR4 to PC CL415PR5 N 22° 26' 51.50" E Dist 2,034.1535	
Curve Data	
Curve CL415PR5	
Delta	104° 07' 41.1" (RT)
Station	692.493.4996 E 2,243.390.0653
Length	1,106.8269
Radius	1,106.8269
External	1,106.8269
Mid Ord	692.411.9776 E 2,243.353.5513
P.C. Station	103+99.09 N
P.T. Station	691.504.6076 E 2,245.178.4329
Back	N 22° 26' 51.50" E
Chord	N 29° 14' 36.38" E
Course from PT CL415PR5 to PC CL415PR6 N 29° 14' 36.38" E Dist 1,974.2822	
Curve Data	
Curve CL415PR6	
Delta	14° 12' 10.09" (RT)
Station	694.576.6235 E 2,244.556.3574
Length	1,106.8269
Radius	1,106.8269
External	1,106.8269
Mid Ord	694.284.1047 E 2,244.398.1818
P.C. Station	117+54.48 N
P.T. Station	693.072.9767 E 2,246.579.2485
Back	N 29° 14' 36.38" E
Chord	N 16° 07' 16.41" E
Course from PT CL415PR6 to PC CL415PR7 N 44° 00' 16.44" E Dist 1,173.1468	
Curve Data	
Curve CL415PR7	
Delta	11° 14' 04.75" (LT)
Station	695.740.3174 E 2,245.674.1348
Length	1,106.8269
Radius	1,106.8269
External	1,106.8269
Mid Ord	695.653.3429 E 2,245.596.2991
P.C. Station	143+00.00 N
P.T. Station	696.453.4840 E 2,244.702.2129
Back	N 41° 49' 34.29" E
Chord	N 36° 16' 12.31" E
Course from PT CL415PR7 to CL415002 N 30° 42' 50.32" E Dist 470.6604	
Point CL415002 N 696.245.3023 E 2,245.974.1396 Sta 150+71.39	
Ending chain CL415PR description	

Attachment 2

Affected Parcels									
Sr. No.	Parcel Owner Name	Parcel Address	Owner Mailing Address	Parcle Acre	New Braunfels Regional Transportation Plan		West Connector		Difference in Estimated ROW Acres
					Estimated ROW Acre	Remaining Parcel Acre	Estimated ROW Acre	Remaining Parcel Acre	
1	Polk Jacquelyn	200 Rock Hill Trl, New Braunfels, TX 78132	200 Rock Hill Trl, New Braunfels, TX 78132-3777	10.85	-	-	4.68	6.17	4.68
2	Woods Casey James	4733 State Hwy 46 W, New Braunfels, TX 78132	4733 State Hwy 46 W, New Braunfels, TX 78132	2.00	0.20	1.80	-	-	-0.20
3	All Gen Owens LLC	4741 State Hwy 46 W, New Braunfels, TX 78132	4741 State Hwy 46 W, New Braunfels, TX 78132	5.66	0.55	5.11	-	-	-0.55
4	Adams Corrinne E	4671 State Hwy 46 W, New Braunfels, TX 78132	4671 State Hwy 46 W, New Braunfels, TX 78132	8.09	1.20	6.89	-	-	-1.20
5A	Comal County Office	145 David Jonas Dr, New Braunfels, TX 78133	150 N Seguin Ave Ste 201, New Braunfels, TX 78130-5122	14.06	4.08	9.98	-	-	-4.08
5B		0 TBD	150 N Seguin Ave Ste 201, New Braunfels, TX 78130-5122	1.47	1.47	0.00	-	-	-1.47
5C		0 State Hwy 46 W, New Braunfels, TX 78132	150 N Seguin Ave Ste 201, New Braunfels, TX 78130-5122	1.38	0.34	1.04	-	-	-0.34
5D		281 Resource Dr, New Braunfels, TX 78132	150 N Seguin Ave Ste 201, New Braunfels, TX 78130-5122	3.05	0.65	2.40	-	-	-0.65
5E		325 Resource Dr, New Braunfels, TX 78132	150 N Seguin Ave Ste 201, New Braunfels, TX 78130-5122	20.00	1.94	18.06	-	-	-1.94
6	New Braunfels ISD	-	1000 N Walnut Ave, New Braunfels, TX 78130	100.00	11.90	188.10	-	-	-11.90
7	Dietz Betty J & Clifford H	370 Rock Hill Trl, New Braunfels, TX 78132-3777	370 Rock Hill Trl, New Braunfels, TX 78132	124.56	2.59	121.97	25.41	99.15	22.82
8	Chesmar Homes LLC	28564 Oak Creek Dr, New Braunfels, TX 78132	211 N Loop 1604 E Sta 175, San Antonio, TX 78232	568.35	15.89	552.46	15.57	552.78	-0.32
9	Bueche Chester K & Bueche Credit Trust	Countryside Dr, New Braunfels, TX 78132	744 FM 1863, New Braunfels, TX 78132-4645	47.14	2.64	44.50	2.81	44.33	0.17
10A	Tri City Distributors Inc	0 FM 1863, New Braunfels, TX 78132	523 FM 306, New Braunfels, TX 78130-2685	116.37	13.56	102.81	14.49	101.88	0.93
10B		Null		4.78	1.02	3.76	0.79	3.99	-0.23
10C		Null		140.50	1.76	138.74	5.68	134.82	3.92
11	Vollbrecht Rhonda & Michael Porter	0 FM 1863, New Braunfels, TX 78132	26407 Fairway Springs, San Antonio, TX 78260	349.70	15.39	334.31	19.28	330.42	3.89
Total ROW Acres					75.18		88.71		13.53

[NEB22415] CoNB Thoroughfare Amendment Design Review
Comal County "West Connector" Segment 2





8/21/2023

Agenda Item No. F)

PRESENTER:

Garry Ford, Transportation and Capital Improvements Director

SUBJECT:

Presentation and possible direction on the West Alligator Creek Trail Project.

DEPARTMENT: Transportation and Capital Improvements**COUNCIL DISTRICTS IMPACTED:** 4**BACKGROUND INFORMATION:**

The West Alligator Creek Trail Project includes approximately 1.1 miles of ten-foot-wide hike and bike trails, with pedestrian low water crossings and associated amenities along Alligator Creek from Goodwin Lane to the Oak Creek Estates neighborhood on either side of the creek. Amenities will include neighborhood connections with trail signage, seating areas, trash receptacles and mile markers.

Vickrey & Associates is the design engineer, and the project is currently at 90% design. The current schedule has final design being completed in the fall of 2023 with construction to follow in early 2024. The Goodwin Lane Reconstruction project is expected to begin construction in summer of 2024 which includes a new bridge over Alligator Creek. The goal is to complete the trail project prior to the beginning of the Goodwin Lane Project to limit conflicts between construction activities.

A public open house was held on June 5, 2023, at the New Braunfels Utilities (NBU) Service Center Training Room. Approximately 57 people attended, including city and consultant staff. The open house included displays of the proposed trail as well as images of what the trail could look like. Eighteen public comments were received at the meeting and online through the public comment period from June 5th through July 5th.

Overall, the public supported the trail and there are three main areas of concern based on the comments, including public access to the community, security and safety, and trail lighting. Three of the 18 respondents stated they were not in favor of the trail.

Public access to the community was the most frequently referenced concern. The original public access to this segment of trail was planned to connect to the future Goodwin Lane sidewalk via the future bridge abutment. In order to provide public access to the trail prior to the completion of the Goodwin Lane Project, it is necessary to incorporate “spur” connections to the public right-of-way within the Oak Creek Estates neighborhood, which is proposed to be accomplished through property owned by the HOA. These HOA properties contain the neighborhood pool and a neighborhood park. Another consideration for these connections is the delay in amenities being constructed by Sunflower Ridge on the opposite side of Goodwin Lane. The main trail head is planned to be installed by the Sunflower Ridge Development but will likely be delayed in construction several

years due to the required restoration work being done by Sunflower Ridge. City Staff met with the current HOA board, prior to the Public Meeting, to explain these additional public connections and the board is in favor of the two connections and are prepared to work with City Staff to grant trail easements if directed by Council to proceed. While the concerns are noted, City Staff feels that until a connection is made outside of the Oak Creek Estates neighborhood, the proposed trail and connections serve as a local amenity that will not draw a significant number of users from other areas of the City.

The second concern is related to security and safety. This is a concern that is often brought up regarding trails not only in New Braunfels, but in surrounding communities as well. Unlike many trails, the proposed trail is contained within City property along the Alligator Creek between the Oak Creek Estates neighborhood, so the trail requires no trail easements from private property owners and only requires trail easements across the two HOA properties previously discussed. The trail will be regularly maintained by the Parks and Recreation Department Staff who monitor the trail areas for evidence of safety issues or suspicious activities. Similar to the concerns regarding public access to the community, the initial phase of the trail will have no connections outside of the Oak Creek Estates neighborhood.

The final concern that was raised was regarding lighting along the trail. The City currently does not have any lighting planned on the trail as the trail is in the floodway so improvements are being kept to a minimum. While lighting is generally perceived by the public as a benefit to trails, it also creates additional maintenance for the Parks and Recreation Staff and can cause use of the trail outside of the posted hours of operation. To present Council with a solar lighting option, Staff has investigated the City of San Antonio and the San Antonio River Authority trail lighting standards for their greenway trails and trailheads, which will be included within the presentation given by Staff.

ISSUE:

Continue an ongoing program of infrastructure construction and maintenance.

FISCAL IMPACT:

Staff will evaluate any cost implications based on the direction received by Council on the items being considered.

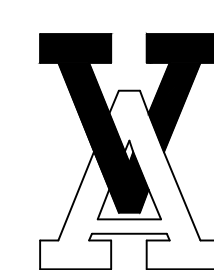
RECOMMENDATION:

City Staff is seeking direction from Council on how to proceed with the completion of the West Alligator Creek Trail based on the comments received through the public comment process specifically relating to public access to the community, security and safety, and trail lighting.

Jun 02, 2023 - 6:18am
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DRAWN BY: CR
CHECKED BY: DB
APPROVED BY: JT

ALLIGATOR CREEK WEST TRAIL PHASE 1



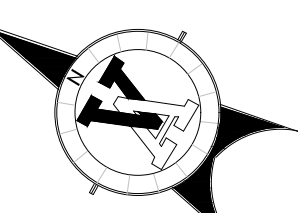
VICKREY & ASSOCIATES, LLC
CONSULTING ENGINEERS

12940 Country Parkway, San Antonio, TX 78216
Telephone: (210) 349-3271
Firm Registration No: F-159

H O R I Z O N
DESIGN AND DEVELOPMENT

PLANNING LANDSCAPE ARCHITECTURE
DEVELOPMENT CONSULTING

14607 San Pedro Ave., Suite 200
San Antonio, Texas 78232
210.831.8564 jrobinson@horizondesign-sa.com



SCALE: 1"=100'

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