

April 30, 2021

City of New Braunfels
Planning & Development Services Department
550 Landa Street
New Braunfels, TX 78130

Re: Creekside Terrace Subdivision
Waiver Request
Platting Code §118-46(d)

To whom it may concern:

Please accept this letter for the Creekside Terrace Subdivision located south of the FM1101 & Kroesche Lane intersection as a request for a waiver from the City of New Braunfels platting code section 118-46(d). Per this section "Where adjoining areas are not subdivided, the arrangement of streets in the subdivision shall make provision for the proper projection of streets into such unsubdivided area". On behalf of the developer, our office is requesting a waiver to not provide a stub to three tracts to the south, owned by MG Mortuary Services LLC (Tract 1), A-L 95A FM 1101LP (Tract 2), and the City of New Braunfels (Tract 3).

We respectfully ask that a waiver be granted to allow the plat for this project to proceed for the following reasons:

Granting the waiver will not be detrimental to the public safety, health, or welfare, and will not be injurious to other property or to the owners of other property, and the waiver will not prevent the orderly subdivision of other property in the vicinity.

- *The safety, health, and welfare of the public will not be detrimentally affected by not providing a street stub to the three tracts mentioned. Tract 1, owned by MG Mortuary services, is a small +/-1.3-acre tract adjacent to FM 1101 and the future 150' parkway on the major thoroughfare plan. The other two tracts are located in the floodplain. The Creekside Terrace Subdivision provides a total of 5 street connection points along its property boundary to allow for access to the adjacent platted and unplatted property. The connections proposed with the development provide cross access to all other adjoining properties yielding adequate local cross access in harmony with the intent of the code for orderly subdivision.*

Because of the particular physical surroundings, shape and/or topographical conditions of the specific property involved, a particular hardship to the property owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; or an alternate design will generally achieve the same result or intent as the standards and regulations prescribed herein;

- The proposed Creekside Terrace subdivision provides a street stub-out to the larger tract adjacent to the Tract 1. Tract 1 also has access to the adjacent FM 1101 and future major thoroughfare. The physical orientation of the floodplain restricts the ability to provide a street stub-out to any portion of the Tract 2 or Tract 3 owned by A-L 95A FM 1101LP and the City of New Braunfels, respectively. Any attempt to provide a street stub-out to either of these tracts from the Creekside Terrace Subdivision would render a proposed street that terminates in the middle of floodplain. As a general standard practice, crossings are permitted and constructed to completely span a flood plain. In the case of this subdivision, this would not be possible since the other side of the flood plain is on adjacent property. Additionally, the floodplain and floodway are significantly wide at this point of Alligator Creek and any crossing would require substantial financial investment in order to construct it in compliance with the City of New Braunfels Code Chapter 58 regarding floods.

The waiver will not in any manner vary the provisions of the zoning ordinance or other ordinance(s) of the city.

- By not constructing the street stub the project will not be in violation of any other City code nor will it interfere with the orderly development of this tract or the adjacent tracts. Notably, both tracts 1 and 2 already have access to a public ROW at FM 1101 to the west.

In my professional opinion, the proposed waiver request remains in harmony with the spirit and intent of the City of New Braunfels Platting Ordinance and will not adversely affect health, safety, or welfare of the public.

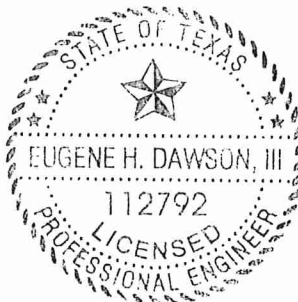
If you have any questions, please do not hesitate to contact me.

Sincerely,
Pape-Dawson Engineers, Inc.



Trey Dawson, P.E.
Sr. Vice President

4/30/21



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May 7, 2021

City of New Braunfels
Planning & Development Services Department
550 Landa Street
New Braunfels, TX 78130

Re: Creekside Terrace Subdivision
Waiver Request
Platting Code §118-44(b)

To whom it may concern:

Please accept this letter for the Creekside Terrace Subdivision located south of the FM1101 & Kroesche Lane intersection as a request for a waiver from the City of New Braunfels platting code section 118-44(b). Per this section "Block lengths shall not exceed 1,200 feet except along arterial streets". On behalf of the developer, our office is requesting a waiver to exceed the maximum requirement along the proposed Bellflower Dr street.

We respectfully ask that a waiver be granted to allow the plat for this project to proceed for the following reasons:

Granting the waiver will not be detrimental to the public safety, health, or welfare, and will not be injurious to other property or to the owners of other property, and the waiver will not prevent the orderly subdivision of other property in the vicinity.

- *The safety, health, and welfare of the public will not be detrimentally affected by exceeding the maximum block length within Phase III of the Creekside Terrace Development. Due to the presence of the 100-year floodplain, a stub street cannot be provided to decrease the block length along Bellflower Drive.*

Because of the particular physical surroundings, shape and/or topographical conditions of the specific property involved, a particular hardship to the property owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; or an alternate design will generally achieve the same result or intent as the standards and regulations prescribed herein;

- To meet the 1,200-foot block length requirement along Bellflower Drive, an additional street would need to be provided to the south. Due to the physical orientation of the floodplain, any attempt to provide an additional street to the south of the Creekside Terrace Subdivision would result in a proposed street that terminates in the middle of floodplain. As a general standard practice, crossings are permitted and constructed to completely span a flood plain. In the case of this subdivision, this would not be possible since the other side of the flood plain is on adjacent property. Additionally, the

floodplain and floodway are significantly wide at this point of Alligator Creek and any crossing would require substantial financial investment in order to construct it in compliance with the City of New Braunfels Code Chapter 58 regarding floods.

The waiver will not in any manner vary the provisions of the zoning ordinance or other ordinance(s) of the city.

- Exceeding the block length requirement will not be in violation of any other City code nor will it interfere with the orderly development of this tract or the adjacent tracts.

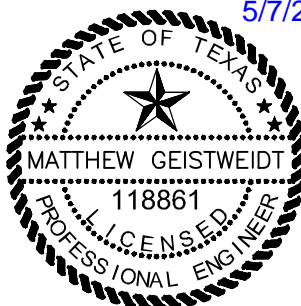
In my professional opinion, the proposed waiver request remains in harmony with the spirit and intent of the City of New Braunfels Platting Ordinance and will not adversely affect health, safety, or welfare of the public.

If you have any questions, please do not hesitate to contact me.

Sincerely,
Pape-Dawson Engineers, Inc.



Matthew Geistweidt, P.E.
Sr. Project Manager



5/7/2021

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