

## Legislation Text

---

File #: 19-575, Version: 1

---

## Contact

*Applicant: HMT Engineering & Surveying; Case Manager: Matthew Simmont  
(830) 221-4058 - msimmont@nbtexas.org*

**SUBJECT:**

Discuss and consider the final plat for Veramendi Precinct 15A, Neighborhood Center Subdivision, with a waiver:

1. Lots with no street frontage.

**Plat Information:**

**Case #:** PL-19-017

**Owner/**

**Developer:** Veramendi PE - Brisbane, LLC  
Peter James  
387 W. Mill Street, Suite 108  
New Braunfels, TX 78130  
(830) 643-1338

**Engineer/**

**Applicant:** HMT Engineering & Surveying (Chris Van Heerde, P.E.)  
290 S. Castell Ave, Suite 100  
New Braunfels, TX 78130  
(830) 625-8555      plats@hmtnb.com

**Description:** 7 nonresidential lots on 9.7 acres

**Waiver Request:** Lots with no street frontage

**Background:**

The subject plat is vacant land located on the northwest corner of the intersection of Oak Run Parkway and Geneva Street within Veramendi Sector Plan 1A. Veramendi is a 2,400 acre mixed-use project being developed in accordance with the Development Agreement approved by City Council in 2013 in the City's consent to the creation of the Comal County Water Improvement District No. 1. The plat will create 7 lots that are intended for commercial, drainage and recreational use.

**Street Frontage:**

Section 118-45b. of the Platting Ordinance requires that each lot on a subdivision plat front onto a dedicated, improved public street, with a minimum of 36 feet of frontage. The plat is proposing to create 2 lots without street frontage. **The developer is requesting a waiver from the required lot frontage** to allow for the creation of proposed utility Lot 6 that will be non-buildable, and Lot 7.

Access to Lot 7 is guaranteed through an access easement denoted on the plat that will provide access to a public street and circulation through adjacent nonresidential properties.

Staff is not opposed to the request because there is no compelling need for lots in a commercial center with shared drives to have street frontage when there is an access easement to ensure perpetual access for maintenance and service of the properties. The waiver criteria is provided below in Commission Findings.

**Drainage:**

The City's Engineering Division of the Public Works Department reviewed preliminary project drainage as required by the Development Design & Control Document (DDCD), Section 118-51.e of the Platting Ordinance and in accordance with the requirements of Chapter 143 Municipal Drainage Utility Systems, and the Drainage and Erosion Control and Design Manual in place at the time of the execution of the Development Agreement. Final drainage will be reviewed with the commercial permits.

No portion of the subject property is located within the 1% annual chance floodplain.

**Utilities:**

Electric, water and wastewater services will be provided by New Braunfels Utilities (NBU) in compliance with the Development Agreement. Water and wastewater services are constructed and accessible to the site. Utility easements are provided as required by NBU.

**Transportation:**

**Street Layout**

Oak Run Parkway and Geneva Street were platted with adjacent subdivisions and have been constructed. Cowan Drive is to be constructed with Precinct 15A, Unit 1.

**Sidewalks and Accessways:**

There are existing 6-foot wide sidewalks along Oak Run Parkway. A Major Accessway is required along Geneva Street. A 10-foot wide multiuse path will be built at the time of development of the nonresidential lots allowing the bike lanes on Geneva Street to be removed and allowing on-street parking on both sides of Geneva Street. Four-foot wide sidewalks are required along Cowan Drive and will be built at the time of development of Lot 1.

**Transportation Improvement Fees:**

Transportation Improvement Fees are hereby assessed with approval of the final plat. Transportation Improvement Fees are collected at time of building permit as indicated in the Development Agreement fee schedule for the intended use.

**Parkland Dedication and Development:**

The proposed final plat includes a park to be designated within Lot 6. Park requirements, including a park activation element have been coordinated with the Parks and Recreation Department.

**Tree Protection:**

A tree survey has been submitted that indicates trees located within the plat that will be retained. A tree preservation and mitigation summary has also been submitted. Plat notes address tree protection measures that are required by the DDCD.

**Staff Recommendation:**

The proposed final plat is in conformance with Sector Plan 1A. However, the proposed final plat does not meet the standards of the Veramendi Development Agreement, DDCD, City's development regulations **without the requested** waiver. Staff recommends **approval** of the waiver and the final plat as the proposed final plat will then meet the standards of the Veramendi Development Agreement, DDCD, City's development regulations and Sector Plan 1A with the following requirements prior to plat recordation:

1. Provide revised utility exhibit to indicate the water stub that was added to service Lot 7.
2. Add the following plat note: Future development is subject to Chapter 114 (Streets, Sidewalks and Other Public Spaces) of the New Braunfels Code of Ordinances.
3. Revise Sidewalk/Accessway note #1 as follows: Ten (10) foot wide Multi-Use Path will be constructed per city standards at the time of building construction along:
  - A. Geneva Street - Lots 1-3, Block 12C
4. Add the following Sidewalk/Accessway note: Four (4) foot wide sidewalk will be constructed by the developer per city standards at the time of building construction along:
  - A. Cowan Dr - Lot 1, Block 12C

**Commission Findings:**

The Planning Commission may approve a waiver if it makes findings based upon the evidence presented to it by the applicant in each specific case that:

1. 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;
2. 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; and
3. The waiver will not in any manner vary the provisions of the Zoning Ordinance or other ordinance(s) of the City.

**Attachments:**

1. Aerial Map
2. Waiver Request
3. Reduced Plat (full size plat provided in packet)