

## Legislation Text

---

**File #:** 21-73, **Version:** 1

---

Presenter/Contact

*Applicant: Pape-Dawson Engineers, Inc.; Owner: Veramendi PE - Darwin, LLC  
(830) 632-5633 - jperez@pape-dawson.com*

**SUBJECT:**

FP20-0314 Discuss and consider approval of the final plat for Veramendi Precinct 16 Unit 1.

**Plat Information:**

**Case No.:** FP20-0314

**Owner:** Veramendi PE - Darwin, LLC  
Peter James  
387 W. Mill Street, Suite 200  
New Braunfels, TX 78130  
(830) 643-1338

**Applicant:** Pape-Dawson Engineers, Inc.  
Jocelyn Perez, P.E.  
1672 Independence Drive, Ste. 102  
New Braunfels, TX 78132  
(830) 632-5633 jperez@pape-dawson.com

**Staff Contact:** Matt Greene  
(830) 221-4053  
mgreene@nbtexas.org

**Description:** 107 residential lots, 2 park lots and 8 open space lots, on 30.905 acres.

The subject plat is for vacant land located north of the Veramendi Elementary School on the north side of the proposed extension of Hill Country Drive, west of the proposed intersection with Geneva Street within Veramendi Sector Plan 3. Veramendi is a 2,400-acre mixed-use project that is being developed in compliance 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 proposed plat will create 107 lots that are intended for single-family residential development, 2 park lots and 8 open space lots.

**Drainage:**

The Public Works Department reviewed preliminary project drainage as required by the Veramendi Development and Design Control Document (DDCD), Section 118-51.e of the Subdivision 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 subdivision construction plans.

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

**Utilities:**

Electric, water and sewer services will be provided by New Braunfels Utilities (NBU) in compliance with the Development Agreement. Utility easements will be provided as required by NBU. Utilities are being extended with the final plat.

**Transportation:**

**Street Layout**

The street and pedestrian network within the proposed Veramendi Precinct 16, Unit 1 Final Plat is in compliance with the Master Framework Plan, Sector Plan 3 and the DDCCD. Adequate right-of-way will be dedicated, and streets will be constructed as required by the DDCCD.

Pamplona Lane is a local street that will stub out to an adjacent 160-acre parcel outside the Veramendi development. The developer is petitioning the Planning Commission to allow escrow in lieu of construction for a portion of the proposed street stub out (see attached Engineer's Escrow Request Letter and Escrow in Lieu of Construction Exhibit). The developer states the request is based upon the following:

- Construction of the full stub out street will drain towards the adjacent property outside the boundaries of the Veramendi development, creating a point discharge onto that property.
- The site is on the Edward's Aquifer Recharge Zone requiring stormwater collection and water quality treatment.
- Collecting and treating runoff from the full street stub out construction would likely require drainage improvements on the adjacent 160-acre property outside of the Veramendi development.
- A high point at the Pamplona Lane and Steerhead Trail intersection has been designed to direct street runoff away from the street projection.

Section 118-39 *Deferral of required improvements* of the Subdivision Platting Ordinance states:

- (a) The planning commission may upon petition of the property owner and favorable recommendation of the city engineer defer at the time of plat approval, subject to appropriate conditions, the provision of any or all public improvements as in its judgment, are not required in the immediate interests of the public health, safety and general welfare.
- (b) Whenever a petition to defer the construction of any public improvements required under this chapter is granted by the planning commission, the property owner shall deposit in escrow with the city their share of the costs of the future public improvements as approved by the city engineer prior to filing of the plat, or the property owner may execute a separate improvement agreement secured by a cash escrow or, where authorized, a letter of credit guaranteeing completion of the deferred public improvements upon demand of the city.

City staff has reviewed the request applicant's request and does not oppose submittal of escrow in lieu of the cost of construction for the small section of the Pamplona Lane street stub out. All lots within the subdivision will have adequate access and street frontage without this section of the street

being improved.

**Accessways:**

A ten-foot wide Major Accessway will be constructed by the developer along the north side of Hillcountry Drive and the east side of Geneva Street and between Hillcountry Dr. and Bluewood St. on Lot 900, Block 43.

**Sidewalks:**

Four-foot wide sidewalks are required throughout the subdivision and will be built at the time of individual residential lot improvement and subdivision construction for all other lots.

**Access:**

The final plat for Veramendi Precinct 15A, Unit 3 will need to be recorded prior to or simultaneously with this plat to provide access.

**Transportation Improvement Fees:**

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

**Parkland Dedication and Development:**

The subdivision is compliant with the parkland requirements that are set forth within the DDCD.

**Tree Protection and Landscaping:**

A tree survey was submitted indicating high value trees located within the plat will be both protected and removed. A tree preservation and mitigation summary were also submitted. Notes on the plat address tree protection and tree replacement mitigation that are required for this subdivision pursuant to the DDCD. Building envelopes are not shown on the plat so they will be required to be shown on site plans at time of building permit for each lot.

Street frontage trees are required along all roadways and are reviewed at the time of building permit. Street frontage trees will be installed along Hill Country Drive at the time of roadway construction.

**Staff Recommendation:**

Staff recommends approval of the applicant's proposed final plat and petition to escrow a portion of Pamplona Lane in lieu of construction with the following Conditions of Approval:

1. The final plat for Veramendi Precinct 15A, Unit 3 must be recorded prior to or simultaneously with this plat to provide access. *(NBCO 118-46(t)(2)c.1.)*
2. Separate instrument easement documents must be provided prior to plat recordation and document numbers shown on the plat. *(NBCO 118-29(b)(2))*
3. Revise the 0.017-acre Temporary Access Easement on Sheet 3 to a Temporary Turnaround Easement and provide dimensions of the easement. *(NBCO 118-46(i))*
4. Add radius dimension for the Silverberry Dr. cul-de-sac. *(NBC) 118-29)* Note, the cul-de-sac shall have a minimum radius of 55 ft. *(DDCD 12.3.4.9.3)*
5. Add the following note: *(DDCD 31.3.1)*
6. Escrow for the cost of construction for the completion of Pamplona Lane must be submitted to the City in an amount approved by the city Engineer prior to filing the plat for recordation.

(NBCO 118-39(b))

1. Street trees will be planted by the developer at the time of street construction for:
  - A. Hillcountry Dr.
  - B. Geneva St.

**Approval Compliance:**

Pursuant to state law, if the Planning Commission approves with conditions, to obtain approval of the final plat, the applicant must submit to the City a written response that satisfies each condition of approval prior to expiration of the final plat (Section 118-32(b)). In accordance with Chapter 212, Texas Local Government Code, the City will determine the final plat approved if the response adequately addresses each Condition of Approval.

**Attachments:**

1. Aerial Map
2. Final Plat
3. Engineer's Escrow Request Letter
4. Escrow in Lieu of Construction Exhibit