

FPV-14-006

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16 AUG-16 PM 1:33
CITY OF SAN ANTONIO
 DEVELOPMENT SERVICES DEPARTMENT
 1901 S. Alamo, San Antonio, TX 78204

LAND REVIEWS
 SERVICES

**ADMINISTRATIVE EXCEPTION/VARIANCE
 REQUEST APPLICATION**

Project Name:	Brooks Linear Park
A/P # /PPR # /Plat #	
Date:	August 8, 2016
Code Issue:	Water surface elevations increase above six inches within property
Code Sections:	35-F124(c)(3)

Submitted By:	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Owners Agent * (Requires notarized Letter of Agent)
Owners Name:		
Company: Brooks Development Authority		
Address:	3201 Sindey Brooks	Zip Code: 78235
Tel #:	Fax#	E-Mail:
Consultant: Curtis Lee, P.E.		
Company: Pape-Dawson Engineers, Inc.		
Address:	2000 NW Loop 410	Zip Code: 78216
Tel #:	2103759000	E-Mail: clee@pape-dawson.com
Signature:	<i>Curt L</i>	

Additional Information – Subdivision Plat Variances & Time Extensions

1. <input type="checkbox"/> Time Extension	<input type="checkbox"/> Sidewalk	<input type="checkbox"/> Floodplain Permit	<input type="checkbox"/> Completeness Appeal
<input type="checkbox"/> Other _____			
2. City Council District <u>3</u>	Ferguson Map Grid <u>651 E8/</u> <u>683-D1</u>	Zoning District <u>MR</u>	
3. San Antonio City Limits	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
4. Edwards Aquifer Recharge Zone?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
5. Previous/existing landfill?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
6. Parkland Greenbelts or open space? Floodplain?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

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August 8, 2016

LAND DEVELOPMENT
SERVICES DIVISION

Administrative Exception / Variance Request Review
City of San Antonio
Development Services Department
1901 S. Alamo
San Antonio, TX 78204

Re: Brooks Linear Park CLOMR
Variance Request
UDC Section 35-F124(c)(3)

Dear Development Services:

Kindly consider this letter as a formal request for a Variance Request to UDC Section 35-F124, "Allowable Development within the Regulatory Floodplain" (c).

The Brooks Linear Park is a proposed trail system within Brooks City Base. The site is located within the San Antonio River Watershed, and is traversed by Brooks Creek. A Location Map (Exhibit 1.0) is attached for reference.

The Brooks Linear Park project is located on FEMA's Federal Insurance Rate Map (FIRM) Panel No. 48029C0580G (Exhibit 2.0). The park will include the creation of amenity ponds within the existing floodplain, a trail system, and associated parking. FIRM shows the majority of the site is currently within the FEMA floodplain.

A CLOMR has been prepared addressing the proposed modifications to the 100-year floodplain of Brooks Creek as a result of the proposed park components. The CLOMR also includes the upgrade of the S. Presa crossing associated with the Brooks City Base and the proposed hike and bike trail system by the San Antonio River Authority.

The UDC Section 35-F134 (c) states "An increase in water surface elevation is permitted solely when all the following conditions are met: (1) Property owner owns both sides of the floodplain; (2) The increase in the regulatory floodplain is contained in a dedicated drainage easement or right-of-way as required per subsection 35-504(d)(3); (3) Increase in water surface water elevation for the 1% annual chance floodplain does not exceed six (6) inches; and (4) No increase in water surface elevations or velocities upstream and downstream outside of the owner's property limits.

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We are asking that we be granted a variance to allow for (3) the increase of water surface elevations to exceed 6 inches within the Brooks City Base property. Specifically, there is a maximum increase of approximately 1.7 feet. Note the other three conditions listed in Section 35-F134(c) are met.

1. If the applicant complies strictly with the provisions of these regulations, he/she can make no reasonable use of his or her property.

The proposed project is an enhancement to the existing open space area which cannot be developed due to the extents of the floodplain. The proposed park consists of amenity ponds which are designed to impound water; therefore, their purpose cannot be fulfilled if the regulation is followed.

2. The hardship relates to the applicant's land, rather than personal circumstance.

This hardship is related to the applicant's land rather than personal circumstance.

3. The hardship is unique, or nearly so, rather than one shared by many surrounding property owners.

The floodplain and proposed enhancements to the unusable area are unique to this tract.

4. The hardship is not the result of the applicant's own actions.

The hardship is not the result of the applicant's own actions but rather the result of having Brooks Creek traverse the site. The required depths of impounded water are requirements to create a sustainable design.

5. The granting of the variance will not be injurious to other property and will not prevent the orderly subdivision of other property in accordance with these regulations.

Granting this variance request will not be injurious to other properties, nor will it prevent the orderly subdivision of other properties. The increases in water surface elevations are contained within the Brooks City Base property.

6. The variance is the minimum necessary, considering flood hazard, to afford relief.

The variance is the minimum necessary to afford relief.

7. There is good and sufficient cause.

As stated previously, the proposed improvements are associated with creating a multi-use trail system and park area which works towards the City's and the San Antonio River Authority's vision to provide connectivity to the San Antonio Mission Reach trails.

8. Failure to grant the variance will result in exceptional hardship to the applicant.

Failure to grant the variance will result in a re-design of the proposed improvements which have been approved by Army Corp of Engineers and have also been associated with the San Antonio River Authority's bike and hike trail system.

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DIVISION

9. *The variance will not result in increased flood heights, cause an additional threat to public safety, result in extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing local laws or ordinances.*

The variance will not result in increased flood heights outside of the Brooks City Base Property nor cause additional threat to public safety. The granting of the variance will not result in extraordinary public expense since future buildings will be built outside the floodplain. The granting of the variance will not create nuisances, cause fraud or victimization of the public or conflict with existing local laws or ordinances.

In our professional opinion, this Variance Request remains in harmony with the spirit and intent of the UDC, as it will not adversely affect the health, safety, or welfare of the public.

If you have questions or require any additional information, please do not hesitate to contact our office at your earliest convenience.

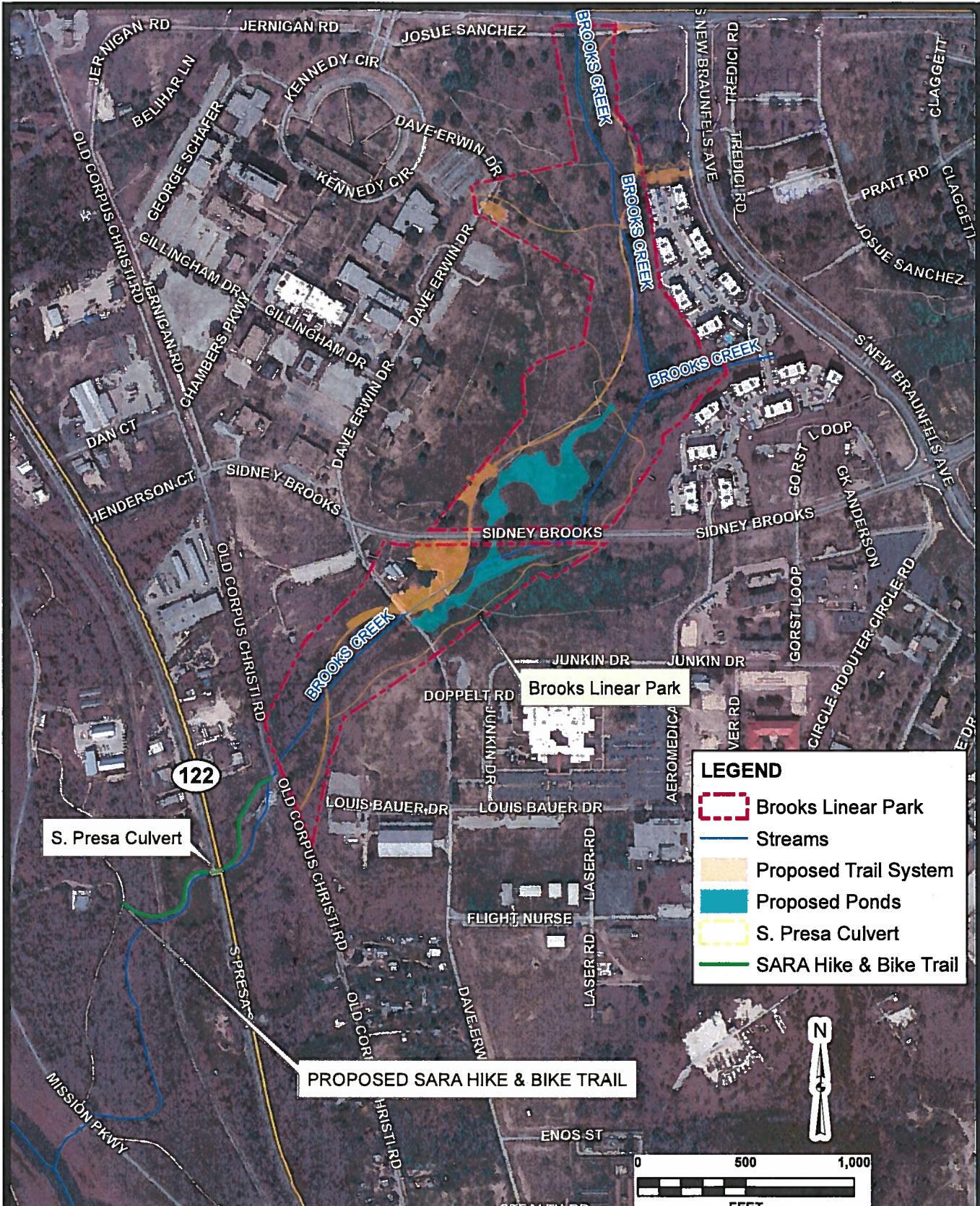
Sincerely,
Pape-Dawson Engineers, Inc.



Curtis Lee, P.E.
Sr. Project Manager

Attachments

\pape-dawson pd P 83 49 03 Word Letters 160808a1.docx



JOB NO.	8349-00
DATE	Jul 2016
DESIGNER	CG
CHECKED	DRAWN DC
SHEET	EXHIBIT 1.0

BROOKS LINEAR PARK

SAN ANTONIO, TEXAS

LOCATION MAP

**PAPE-DAWSON
ENGINEERS**

2000 NW LOOP 410 SAN ANTONIO, TEXAS 78213 PHONE: 210.375.9000
FAX: 210.375.9010
TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, FIRM REGISTRATION # 1002800

**BROOKS LINEAR PARK
SAN ANTONIO, TEXAS**

EXHIBIT 2.0

Legend

- 1% annual chance
(100-Year) Floodplain
- 1% annual chance
(100-Year) Floodway

MAP SCALE 1" = 1000' 1000 FEET
0 500 1000 1500
0 100 200 300
N

Federal Emergency Management Agency