



CITY OF SAN ANTONIO
TRANSPORTATION & CAPITAL IMPROVEMENTS

November 3, 2016

Burt Wellman
KFW Management LLC
14603 Huebner Rd Bldg 40
San Antonio TX 78230

Re: Floodplain Variance
SWE# 33335 French Creek Flood Study
Sitework Permit 2204148 FPV# 17-001

Dear Mr. Wellman:

Transportation & Capital Improvements (TCI) has reviewed the flood study associated with the proposed excavation and fill in the floodplain related to the French Creek development for Brian Otto, Meritage Homes. The proposed development is not in compliance with the current City of San Antonio Unified Development Code (UDC) Appendix F "Floodplains" as follows:

1. The proposed development does not meet the following UDC requirement of Section 35-F133(c) (2) of the UDC which states that "No construction activity that will result in a change in the alignment, width, or elevation of a FEMA designated 1% A.C. current conditions floodplain is allowed prior to a conditional letter of map revision (CLOMR) being submitted to FEMA. Additionally, no subdivision plats with easements that are based on revisions to a 1% A.C. current conditions floodplain shall be approved prior to a CLOMR being approved by FEMA"
No CLOMR was done with this project and the variance intends to waive this requirement of the UDC and issue a floodplain development permit (FPDP) for the proposed excavation and fill.
2. A variance to the above UDC requirements will be required by TCI prior to approval of Site work Permit AP#2204141.f
3. The engineer of record has provided the following information to assist with the review of the variance to the above UDC requirements:
 - *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 site is an existing open space area that cannot be developed due to the extents of the floodplain unless fill is placed. The proposed site is located between two Bexar County Flood Control bridge projects (Prue Road and North Verde Drive) currently under construction. Forgoing the CLOMR will allow floodplain boundary changes due to all three projects to be addressed with one LOMR submittal after construction. Otherwise, multiple submittals for the same stretch of floodplain could potentially be in review simultaneously, which is inefficient and could result in modeling inconsistencies.

- *The hardship relates to the applicant's land, rather than personal circumstance.*
- *The hardship is unique, or nearly so, rather than one shared by many surrounding property owners.*
The proposed site is located between two Bexar County Flood Control bridge projects (Prue Road and North Verde Drive) currently under construction. Forgoing the CLOMR will allow floodplain boundary changes due to all three projects to be addressed with one LOMR submittal after construction. Otherwise, multiple submittals for the same stretch of floodplain could potentially be in review simultaneously, which is inefficient and could result in modeling inconsistencies.
- *The hardship is not the result of the applicant's own actions.*
The applicant has no control over the Bexar County Flood Control project schedules. Those projects are for public benefit and were not initiated by the applicant.
- *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.*
The increases in water surface elevations are contained within the Meritage Homes property.
- *The variance is the minimum necessary, considering flood hazard, to afford relief.*
- *There is good and sufficient cause.*
As stated previously, forgoing the CLOMR will allow floodplain boundary changes due to this project and two Bexar County Flood Control projects to be addressed with one LOMR submittal after construction. KFW Engineers has complied with the City of San Antonio's request to submit both a 1D HEC-RAS hydraulic model and 2D XP-SWMM model to show no adverse impact to surrounding properties.
- *Failure to grant the variance will result in exceptional hardship to the applicant.*

4. TCI will support a variance to the above UDC requirements with the following conditions:

- Construction activities associated with the project that will result in a change in the alignment, width, or elevation of a FEMA designated floodplain shall not commence prior to the Sitework Permit being approved and the issuance of a FPDP by the TCI Storm Water Division.
- Subsequent plat and/or building permit submittals will be reviewed to ensure consistency with this permit's drainage and flood study.
- Elevation certificates and/or finished survey data will be required to confirm final elevations are consistent with those shown on the submitted design, exhibits, and models.
- The Certificate of Occupancy for any subsequent building permits associated with this project shall remain on hold until a LOMR is approved by TCI Storm Water Division and FEMA and final elevations are confirmed.

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Sincerely,



Arthur E. Reinhardt IV, PE, CFM
Assistant Director

cc: Chris Otto, PE, CFM, Director of Hydrology and Hydraulics, KFW
Brian Otto, Meritage Homes
City of San Antonio, Planning Commission