



City of San Antonio

Legislation Details (With Text)

File #:	19-3881
Type:	Miscellaneous Item
In control:	City Council A Session
On agenda:	6/13/2019
Title:	Ordinance approving the partial release of a drainage easement being 0.1673 of an acre (7,285.8 square feet), at 9444 Bandera Road in Council District 7 as requested by D & C Enterprises, L.L.C., Petitioner. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]
Sponsors:	
Indexes:	
Code sections:	
Attachments:	1. Property Survey, 2. Plat, 3. ContractsDisclosureForm.pdf, 4. Site map, 5. Area map, 6. Draft Ordinance, 7. Ordinance 2019-06-13-0526

Date	Ver.	Action By	Action	Result
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DEPARTMENT: Transportation & Capital Improvements

DEPARTMENT HEAD: Razi Hosseini, P.E., R. P. L. S.

COUNCIL DISTRICT IMPACTED: Council District 7

SUBJECT:

Real Estate Disposition: Partial release of a drainage easement

SUMMARY:

An ordinance authorizing the partial release of a drainage easement being 0.1673 of an acre (7,285.8 square feet), in Lot 3, Block 1 of the Summit Automotive Subdivision, New City Block 17930, as shown on attached Exhibit A, known as 9444 Bandera Road in Council District 7 as requested by D & C Enterprises, L.L.C.

BACKGROUND INFORMATION:

D & C Enterprises, L.L.C., Petitioner has requested a partial release of a drainage easement no longer needed. The 2007 plat reserved the entire tract of petitioner's property as a drainage easement. Petitioner is requesting the release in order to be granted the proper building permits needed to replace a metal storage building. The property is developed as a commercial zoned automotive service business. Petitioner paid for a flood study

which was reviewed by the Transportation & Capital Improvement's (TCI) Storm Water division and it was confirmed the proposed metal storage building will not impact the existing floodplain.

The following information was provided by the Storm Water division to ensure the release of the drainage easement complies with all applicable City codes and standards:

As per UDC Sec. 35-F124(f)(26), non-residential construction is allowed in the floodplain if the lowest Finished Floor Elevation (FFE) is at least one foot (1') above the regulatory floodplain. The development must also not increase the water surface elevation of the floodplain to the point that it would impact another property or structure. The applicant's engineer provided a flood study that indicated the proposed building would have a FFE more than one foot (1') above the regulatory floodplain, and that the proposed building would result in no increase to the water surface elevation. Based on information in the flood study, this is likely due to the floodplain being several hundred feet wide and because the proposed building is towards the edge, or overbank area, of the floodplain. The building permit will remain denied until the partial easement release is executed. The construction will not remove the site from the floodplain.

The City conducted a full canvass through all City Departments and Utilities and it was approved with standard conditions. Since this is only a partial release, only the area in which the storage unit is placed will be released from the drainage easement designation. The property will remain in the floodplain and this is permitted under UDC Section 35-F124(f)(26) for non-residential construction.

ISSUE:

This ordinance authorizes the approval of a release of a portion of a drainage easement consisting of 0.1673 of an acre (7,285.8 square feet), located in Lot 3, Block 1 of the Summit Automotive Subdivision, New City Block 17930 as shown on attached Exhibit A.

The release of the easement designation will allow the Petitioner to place a storage unit on his property. TCI's Storm Water division determined the release will not negatively affect the drainage in the area. Since this is only a partial release, only the area in which the storage unit is placed will be released from the drainage easement designation. The property will remain in the floodplain and this is permitted under UDC Section 35-F124(f)(26) for non-residential construction.

ALTERNATIVES:

City Council could choose not to approve this request; however, doing so would impede the development of the property.

FISCAL IMPACT:

In accordance with Chapter 37, Section 14 of the San Antonio Municipal Code, there is no fee associated with the release of an easement on non-city owned property, therefore there is no fiscal impact in connection with this action.

RECOMMENDATION:

Staff recommends approval of the partial release of a drainage easement being 0.1673 of an acre (7,285.8 square feet), located in Lot 3, Block 1 of the Summit Automotive Subdivision, New City Block 17930 in Council District 7 as requested by D&C Enterprises, L.L.C.

The City of San Antonio Planning Commission recommended approval at their regular scheduled meeting on May 22, 2019.