



PUBLIC WORKS

December 20, 2023

Nancy Belinsky
Executive Vice President & Chief of Legal & Ethics Officer
2800 US Hwy 281 N
San Antonio, Tx 78212

**Re: Floodplain Variance AEVR#23-44400519
FPDP #2024111 for Plat#22-11800044
SAWS NEOC Development CLOMR**

Dear Ms. Belinsky,

The Public Works Department Storm Water Division has been in review of Floodplain Development Permit (FPDP) #2024111 associated with the proposed improvements to the existing low water crossing at Judson Road, immediately downstream of the subject site. The proposed development is not in compliance with the current City of San Antonio Unified Development Code (UDC) Appendix F – Floodplains.

1. The proposed development does not meet the following UDC requirements:

- Appendix F, Section 35-F124(c)(2), which indicates that “increases in water surface elevations for the effective and regulatory floodplains do not exceed six (6) inches.”
- The code requirements above are supported by Appendix F, Section 35-F124 (c)(1) and (3), which identifies additional criteria where increases in water surface elevations are allowed:
 - “Property owner owns both sides of the floodplain and the increase in the regulatory floodplain is contained in a dedicated drainage easement or right-of-way”
 - “No increase in water elevations or velocities upstream or downstream outside of the owner’s property limits regardless of the structures which have incurred “repetitive loss” or actual repair work performed.”

2. A variance to the above UDC requirements will be required by Public Works Storm Water Division prior to approval of any building permit and issuance of the Floodplain Development Permit (FPDP).
3. The applicant has provided the following information to assist with the review of the variance to the above UDC requirements:
 - The applicant's engineer has provided a detailed flood study and Conditional Letter of Map Revision (CLOMR) to account for the improvements to the low water crossing at Judson Road.
 - The applicant has shown that although there are rises beyond the six inches, those rises are solely on the property owner's land and within dedicated drainage easements via plat# 22-11800044.
4. Public Works will support a variance to the above UDC requirements with the following conditions:
 - Construction activities associated with the project within the FEMA designated floodplain shall not commence prior to approval of a building permit and FPDP submitted to and approved by the Public Works Storm Water.
 - The reason for the rises in water surface elevations is due to the improvement at the low water crossing at Judson Road. The road profile was raised as result of adding the larger box culverts to improve the drainage through this culvert system and to allow unflooded access to the subject site.
 - The engineer has demonstrated the rises in water surface elevations are wholly within the subject site and are dedicated within a public drainage easement via plat#22-11800044.
 - The engineer has further demonstrated that there are no adverse impacts upstream or downstream within the 100-year floodplain.

If the Variance is approved by the Planning Commission, Public Works Storm Water Division will issue a floodplain development permit once the above conditions are met. If you have further questions or require any further assistance and/or information, please contact Sabrina Santiago at (210) 207-0182 or sabrina.santiago@sanantonio.gov.

Sincerely,

Sabrina Santiago

Sabrina Santiago, CFM
Storm Water Engineering Manager/Floodplain Administrator

Attachments: AEVR #23-44400519 Variance Application
Variance Request Hardship Letter
Denied FPD #2024111

cc: Roberto Reyna, PE, CFM Assistant Director, Public Works Storm Water Division
City of San Antonio, Planning Commission