



## AGENDA ITEM SUMMARY

<b>Agenda Date</b>	March 4, 2024
<b>Requested Action</b>	CONSIDER A REQUEST FOR A VARIANCE TO CHAPTER 8, SECTION 8.2(A) WATERSHED PROTECTION ZONES, OF THE UNIFIED DEVELOPMENT CODE FOR A PROPERTY LOCATED AT 101 VILLAGE COVE (KAD 39576).
<b>Contact Person</b>	Cheryl Rogers – City Engineer
<b>Background Information</b>	<p>The applicant is requesting a variance to the City’s Drainageway Protection Zone (DPZ) requirements in order to build a new detached garage with an accessory dwelling unit (ADU) on the approximately 0.41 acre lot located at 101 Village Cove. According to the Kendall Appraisal District, the home was purchased by the current owner in 2011.</p> <p>In February 2020, City Council adopted changes to the City’s code to establish drainageway protection zones for any watershed greater than 25 acres. Currey Creek borders the lot and is subjected to a total protected width of 150’ offset on both sides from the centerline of the creek for DPZs 1 and 2. Under current rules, no development is permitted within a DPZ (with a few exceptions for utilities, trails, water quality, detention, etc. in DPZ 2).</p> <p>The primary purpose of these DPZs includes protection of natural waterways and riparian buffer zones to protect water quality. A secondary benefit is protecting the public in drainage events. The riparian areas are the land along the drainageways which contain unique soil and vegetation that are influenced by being within the natural waterway. The riparian areas help control nonpoint source pollution by trapping sediment and using nutrients for treatment. Trees and grasses in riparian areas stabilize streambanks and reduce floodwater velocity, resulting in reduced downstream flood peaks.</p> <p>The applicant agreed to provide mitigation for pollutants and erosion. The mitigations are outlined in the attached letter and site plan which includes terraced landscaping, rain gardens, and redirecting downspouts to greenspace instead of driveways.</p> <p>The property is also subject to the 100-year draft floodplain as restudied by the San Antonio River Authority (SARA), which the City has</p>

	<p>adopted as best available information on January 1, 2023. The property is not subject to the FEMA 100-year floodplain. The applicant must comply with all current local and FEMA floodplain rules at the time of development, which includes but is not limited to signing a waiver acknowledging the risk of building within the floodplain, elevating the finished floor of the new addition at least 2 feet above the base flood elevation, and submitting a flood study proving there is no adverse impact upstream or downstream as a result of the proposed development.</p> <p>The property cannot receive vested rights since the project has been dormant for over 5 years.</p> <p>If this variance is approved, a special use permit (SUP) must also be approved for an accessory dwelling unit (ADU).</p>
<b>Item Justification</b>	<div> <div> <input type="checkbox"/> Legal/Regulatory Obligation <input type="checkbox"/> Reduce Costs <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Mitigate Risk <input type="checkbox"/> Master Plan Recommendation </div> <div> <input type="checkbox"/> Infrastructure Investment <input type="checkbox"/> Customer Pull <input type="checkbox"/> Service Enhancement <input type="checkbox"/> Process Efficiency <input checked="" type="checkbox"/> Other: <u>Variance Request</u> </div> </div>
<b>Strategic Alignment</b> <i>(Example: C2 – Customer Feedback, B1 – Data Driven Decision)</i>	<p>C2 – Seeking customer-driven feedback.</p> <p>C3 – Collaborating with community partners to enhance quality of life.</p>
<b>Financial Considerations</b>	N/A
<b>Citizen Input/Board Review</b>	N/A
<b>Legal Review</b>	N/A
<b>Alternative Options</b>	N/A
<b>Supporting Documents</b>	Floodplain and DPZ exhibit for 101 Village Cove