



## Recommendation for Action

**File #:** 21-2817, **Agenda Item #:** 116.

9/30/2021

### **Posting Language**

Conduct a public hearing and consider an ordinance regarding floodplain variances for the construction of an office building and associated parking at 1514 W. Koenig Lane within the 25-year and 100-year floodplains of the Hancock Branch Tributary of Shoal Creek.

### **Lead Department**

Watershed Protection Department

### **Fiscal Note**

This item has no fiscal impact.

### **For More Information:**

Kevin Shunk, Division Manager, Watershed Protection Department (WPD), 512-974-9176; Karl McArthur, Supervising Engineer, WPD, 512-974-9126

### **Council Committee, Boards and Commission Action:**

December 2, 2020 - Environmental Commission recommended denial of a variance to LDC 25-8-261 to construct in the Critical Water Quality Zone with a 9-0 vote with Commissioners Creel and Nill absent. January 12, 2021 - Planning Commission approved the LDC variance to 25-8-261 on an 11-0 vote with Commissioner Seeger abstaining and one vacancy on the Commission.

### **Additional Backup Information:**

Joel Levine, owner of 1514 W. Koenig, through his engineer, Katie Kam of Wheels & Water, LLC, seeks to obtain a site development permit for a proposed 3-story office building located at 1514 W. Koenig Lane. The property to be redeveloped consists of one lot totaling 0.17 acres and contains one approximately 900 square-foot residential building and one detached garage. The entirety of the property is located within the 25-year and 100-year floodplains of the Hancock Branch Tributary of Shoal Creek. As part of the site's redevelopment, the applicant proposes to demolish the existing buildings and construct a three-story commercial building totaling 4,125 square feet of conditioned area (1<sup>st</sup> floor parking and office use, 2 floors of office use above). The proposed building will encroach into the 100-year floodplain as well as the 25-year floodplain. The site plan application associated with the project is SP-2019-0027CT.

The owner seeks variances to the City of Austin's floodplain management regulations to: 1) encroach on the 25- and 100-year floodplains with the proposed building; 2) not provide normal access from the building to an area that is a minimum of one-foot above the design flood elevation (100-year floodplain); and 3) alter the property in a way that increases its nonconformity.

The proposed building will have approximately 11% of its conditioned space a minimum of 2 feet above the 100-year floodplain. The remaining portions of the building's conditioned space will be more than 14 feet above the 100-year floodplain. The elevation of the proposed parking area will be a minimum of 2 feet above the 100-year floodplain.

However, the proposed development does not satisfy the code provisions for means of egress or safe access, which requires that normal access from the building to the right-of-way be along an access path that is at least one-foot above the 100-year floodplain elevation.

THE WATERSHED PROTECTION DEPARTMENT RECOMMENDS APPROVAL OF THIS VARIANCE REQUEST.

**Strategic Outcome(s):**

Safety.