

May 16, 2018

Environmental Variance Request  
City of San Antonio  
Development Services Department  
1901 S. Alamo  
San Antonio, Texas 78204

RE: Davis Ranch/Silver Canyon Offsite Sewer  
Plat ID – N/A  
UDC – Article V, Section 35-523.(h)  
☐ Administrative Exception  
☒ Environmental Variance  
☐ Subdivision Platting Variance – Time Extension

RECEIVED  
18 MAY 17 PM 12:24  
LAND DEVELOPMENT  
SERVICES DEPARTMENT

Dear Development Services,

This Variance Request letter is concerning the preservation requirements on the 100 year floodplains and environmentally sensitive areas UDC – Article V, Section 35-523.(h). Which states that the following:

"Significant trees shall be preserved at eighty (80) percent preservation within both the 100-year floodplains and environmentally sensitive areas. Heritage trees shall be preserved at one hundred (100) percent preservation within both the 100-year floodplains and environmentally sensitive areas. The 100-year floodplain shall be determined by the floodplain administrator. Mitigation shall be prohibited in floodplains and environmentally sensitive areas except when a variance is granted by the planning commission. If trees are required to be removed by a governmental entity due to existing off-site conditions, then mitigation shall not be required by the applicant. The city arborist, the director of public works, the director of development services, the Bexar County flood control division manager and one (1) representative from the Cibolo Creek Watershed, the Leon Creek Coalition, the Salado Creek Foundation, the San Antonio River Oversight Committee, and the Land Heritage Institute (for the Medina River) shall recommend a standard for treatment of drainageways, which standard shall be approved by the city council. Subsection (h) titled "100-year Floodplain(s) and Environmentally Sensitive Areas" shall not apply to properties located entirely within the boundaries of the RIO-2 and RIO-3 overlay zoning districts, provided however all other subsections of 35-523 shall apply in the RIO-2 and RIO-3 districts."

This scope of this project is located in the City of San Antonio ETJ, south of Silver Oaks Unit 5 (Vol. 9568, Pgs. 157-159) and west of Silver Oaks Unit 6 (Vol. 9572, Pgs. 41-42). This is a SAWS sewer infrastructure project that is utilizing existing sewer easements or reservations. Additional required easements to complete the sewer alignment are being created by separate instrument and thus the project does not have a plat ID. The alignment for the proposed gravity sewer main primarily runs along drainage channels, floodplain and drainage lows and therefore, most of the limits for this project are either within the 100 year floodplain or 60' riparian buffer.

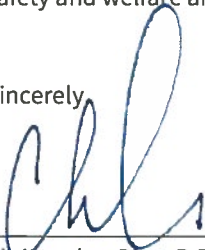
Our hardship is unique in that this is an infrastructure project in which our alignment is determined by the location of the existing easements and that due to the location of these easements, we are held to a higher preservation requirement of 80%, in which we are not able to meet. We have made an effort to route the alignment in such a way as to maximize the number of tree preserved but are also limited given the width restraints of our easement.

Due to the area being in the floodplain, planting new trees will not be feasible. It has been recommended by the City of San Antonio that instead of planting new trees, we will instead be drill seeding the entire 1.77 Ac. limits of construction. For further details please see the attached drill seeding exhibit.

Our proposed tree plan saves 36.46% of trees in the 100 year floodplain, 11.3% of trees within the 60' riparian buffer and 100% of significant trees outside of both of these areas (N/A). We are proposing to provide mitigation measures necessary to meet the required preservation percentages as part of our plan. According to our calculations there will be a total of 961.4 inches to be paid in lieu of new planting. At \$200 per inch this mitigation fee will be \$192,280.

The applicant wishes to request consideration for variance to waive the design requirement given the hardship and uniqueness of the project and confirmation that granting this variance will not be detriment of the public's health, safety and welfare and will not be harmful to the subject property on the adjacent properties.

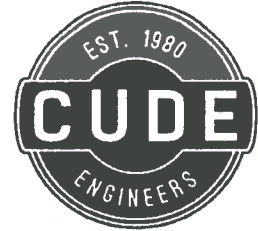
Sincerely,



5/17/2018

Christopher Dice, P.E.  
Executive Vice President  
Cude Engineers  
TBPE Firm #455

RECEIVED  
18 MAY 17 PM 12:24  
LAND DEVELOPMENT  
SERVICES DIVISION



SAWS PROJECT NAME: "DAVIS RANCH/SILVER  
CANYON ROAD SEWER MAIN EXTENSION"  
SAWS PROJECT NO.: 17-1671  
PARCEL NO.: P18-033

**LEGAL DESCRIPTION**  
**0.628 ACRES (23,367 square feet) OF LAND**  
**16.00 FEET WIDE SANITARY SEWER EASEMENT**

0.628 acres of land being located in the M.M.Y. Musquiz Survey No. 80, Abstract Number 467, County Block 4450, Bexar County, Texas and being a portion of that certain called 190.401 acres of land conveyed to the SWR Homeowners Association, as described in Volume 17029, Page 2400, Official Public Records of Bexar County, Texas; said 0.628 acres being more particularly described as follows:

**BEGINNING**, at a found ½ inch iron rod located: N 65deg 43' 56" E, a distance of 16.00 from the southwesterly corner of Silver Oaks Subdivision, Unit 5, according to the map or plat thereof recorded in Volume 9568, Pages 157-159, Deed and Plat Records of Bexar County, Texas;

**THENCE**, South 65deg 43' 56" East, a distance of 24.51 feet, to a set ½ inch iron rod with "CUDE" cap located in the southerly line of said Silver Oaks Subdivision, Unit 5;

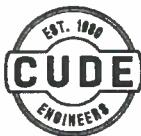
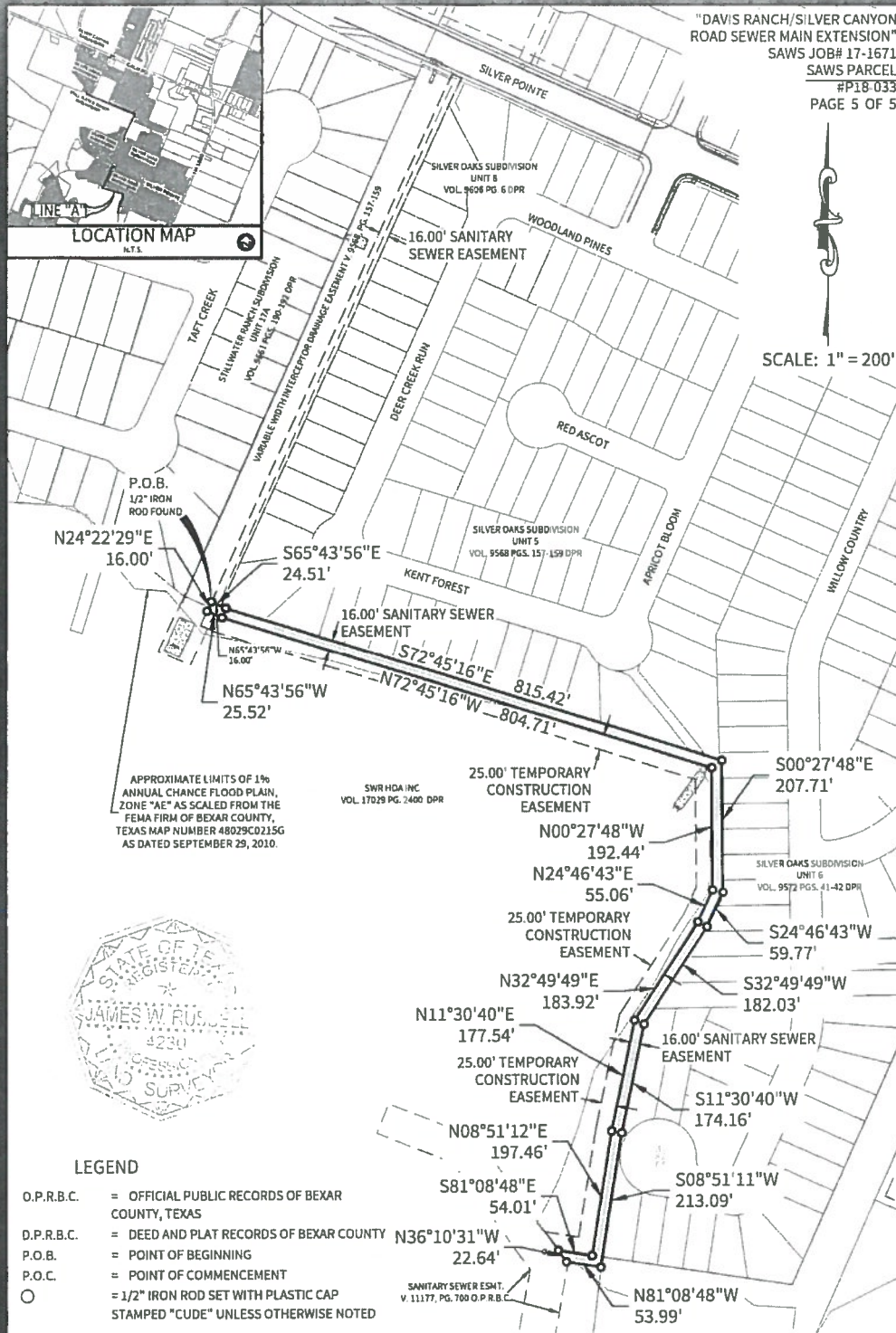
**THENCE**, South 72deg 45' 16" East, along the southerly line of said Silver Oaks Subdivision, Unit 5, a distance of 815.42 feet, to a set ½ inch iron rod with "CUDE" cap located in the westerly line of Silver Oaks Subdivision, Unit 6, according to the map or plat thereof recorded in Volume 9572, Pages 41-42, Deed and Plat Records of Bexar County, Texas;

**THENCE**, along the westerly line of said Silver Oaks Subdivision, Unit 6, the following courses;

South 00deg 27' 48" East, a distance of 207.71 feet, to a set ½ inch iron rod with "CUDE" cap;  
South 24deg 46' 43" West, a distance of 59.77 feet, to a set ½ inch iron rod with "CUDE" cap;  
South 32deg 49' 49" West, a distance of 182.03 feet, to a set ½ inch iron rod with "CUDE" cap;  
South 11deg 30' 40" West, a distance of 174.16 feet, to a set ½ inch iron rod with "CUDE" cap;  
South 08deg 51' 11" West, at a distance of 197.09 feet passing the southwesterly corner of said Silver Oaks Subdivision, Unit 6, in all a total distance of 213.09 feet, to a set ½ inch iron rod with "CUDE" cap;

**THENCE**, into the said 190.401 acres, the following courses:

North 81deg 08' 48" West, a distance of 53.99 feet, to a point located in the northeasterly line of an existing 25.00 feet wide Sanitary Sewer Easement, as described in Volume 11177, Page 700, Official Public Records of Bexar County, Texas;  
North 36deg 10' 31" West, along the northeasterly line of the said Sanitary Sewer Easement, a distance of 22.64 feet, to a point;  
South 81deg 08' 48" East, leaving the northeasterly line of the said Sanitary Sewer Easement and continuing into the said 190.401 acres, a distance of 54.01 feet, to a set ½ inch iron rod with "CUDE" cap;  
North 08deg 51' 12" East, a distance of 197.46 feet, to a set ½ inch iron rod with "CUDE" cap;  
North 11deg 30' 40" East, a distance of 177.54 feet, to a set ½ inch iron rod with "CUDE" cap;



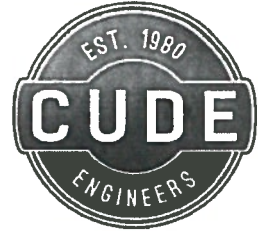
CUDE ENGINEERS  
4122 POND HILL RD. • SUITE 101  
SAN ANTONIO, TEXAS 78231  
TEL 210.681.2951 • FAX 210.523.7112  
WWW.CUDEENGINEERS.COM  
TBPE REGISTERED ENGINEERING  
FIRM #455

A 0.628 acre (27,367 Square Feet) tract of land being located in the M.M.Y. Musquiz Survey No. 80, Abstract Number 467, County Block 4450, Bexar County, Texas and being a portion of that certain called 190.401 acres of land conveyed to the SWR Homeowners Association, as described in Volume 17029, Page 2400, Official Public Records of Bexar County, Texas.

DATE: APRIL 12, 2018

JOB NO.: 02142.610





SAWS PROJECT NAME: "DAVIS RANCH/SILVER  
CANYON ROAD SEWER MAIN EXTENSION"  
SAWS PROJECT NO.: 17-1671  
NO SAWS PARCEL NUMBER CONSTRUCTION  
EASEMENT ONLY

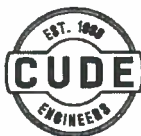
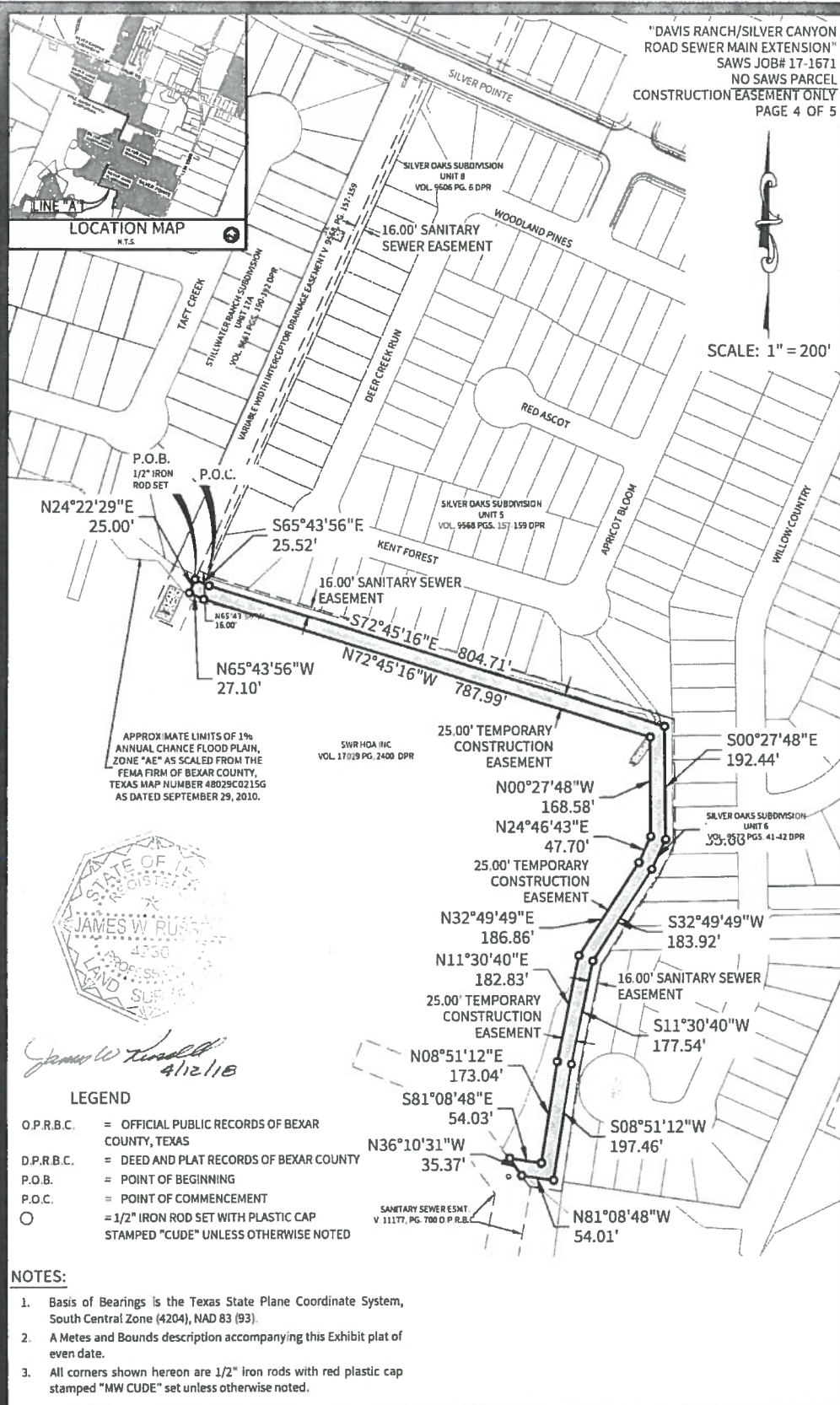
**LEGAL DESCRIPTION**  
**0.952 ACRES (41,485 square feet) OF LAND**  
**TEMPORARY CONSTRUCTION EASEMENT**

0.952 acres of land being located in the M.M.Y. Musquiz Survey No. 80, Abstract Number 467, County Block 4450, Bexar County, Texas and being a portion of that certain called 190.401 acres of land conveyed to the SWR Homeowners Association, as described in Volume 17029, Page 2400, Official Public Records of Bexar County, Texas; said 0.628 acres being more particularly described as follows:

**COMMENING**, at the southwesterly corner of Silver Oaks Subdivision, Unit 5, according to the map or plat thereof recorded in Volume 9568, Pages 157-159, Deed and Plat Records of Bexar County, Texas;

**THENCE**, into the said 190.401 acres, the following courses:

North 65deg 43' 56" West, a distance of 16.00 feet, to a found ½ inch iron rod;  
South 24deg 22' 29" West, a distance of 16.00 feet, to a set ½ inch iron rod with "CUDE" cap, for the **POINT OF BEGINNING** of the herein described easement;  
South 65deg 43' 56" East, a distance of 25.52 feet, to a set ½ inch iron rod with "CUDE" cap;  
South 72deg 45' 16" East, a distance of 804.71 feet, to a set ½ inch iron rod with "CUDE" cap;  
South 00deg 27' 48" East, a distance of 192.44 feet, to a set ½ inch iron rod with "CUDE" cap;  
South 24deg 46' 43" West, a distance of 55.06 feet, to a set ½ inch iron rod with "CUDE" cap;  
South 32deg 49' 49" West, a distance of 183.92 feet, to a set ½ inch iron rod with "CUDE" cap;  
South 11deg 30' 40" West, a distance of 177.54 feet, to a set ½ inch iron rod with "CUDE" cap;  
South 08deg 51' 12" West, a distance of 197.46 feet, to a set ½ inch iron rod with "CUDE" cap;  
North 81deg 08' 48" West, a distance of 54.01 feet, to a point located in the northeasterly line of an existing 25.00 feet wide Sanitary Sewer Easement, as described in Volume 11177, Page 700, Official Public Records of Bexar County, Texas;  
North 36deg 10' 31" West, along the northeasterly line of the said Sanitary Sewer Easement, a distance of 35.37 feet, to a point;  
South 81deg 08' 48" East, leaving the northeasterly line of the said Sanitary Sewer Easement and continuing into the said 190.401 acres, a distance of 54.03 feet, to a set ½ inch iron rod with "CUDE" cap;  
North 08deg 51' 12" East, a distance of 173.04 feet, to a set ½ inch iron rod with "CUDE" cap;  
North 11deg 30' 40" East, a distance of 182.83 feet, to a set ½ inch iron rod with "CUDE" cap;  
North 32deg 49' 49" East, a distance of 186.86 feet, to a set ½ inch iron rod with "CUDE" cap;  
North 24deg 46' 43" East, a distance of 47.70 feet, to a set ½ inch iron rod with "CUDE" cap;  
North 00deg 27' 48" West, a distance of 168.58 feet, to a set ½ inch iron rod with "CUDE" cap;  
North 72deg 45' 16" West, a distance of 787.99 feet, to a set ½ inch iron rod with "CUDE" cap;  
North 65deg 43' 56" West, a distance of 27.10 feet, to a set ½ inch iron rod with "CUDE" cap;  
North 24deg 22' 29" East, a distance of 25.00 feet, to the **POINT OF BEGINNING** and containing 0.952 acres (41,485 square feet) of land, more or less.



CUDE ENGINEERS  
4122 POND HILL RD. • SUITE 101  
SAN ANTONIO, TEXAS 78231  
TEL 210.681.2951 • FAX 210.523.7112  
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TBPE REGISTERED ENGINEERING  
FIRM #455

EXHIBIT OF  
0.952 acres of land being located in the M.M.Y. Musquiz Survey No. 80, Abstract Number 467, County Block 4450, Bexar County, Texas and being a portion of that certain called 190.401 acres of land conveyed to the SWR Homeowners Association, as described in Volume 17029, Page 2400, Official Public Records of Bexar County, Texas

DATE: APRIL 12, 2018

JOB NO.: 02142.610