



# CITY OF SAN ANTONIO

## DEVELOPMENT SERVICES DEPARTMENT

### VARIANCE REQUEST ANALYSIS TPV19-019

|                           |  |
|---------------------------|--|
| <b>Project:</b>           | SAWS E-20: Wurzbach Parkway – Segment 1  |
| <b>A/P #/PPR #/Plat#:</b> | AP #2458102  |
| <b>VR Submittal Date:</b> | April 2, 2019  |
| <b>VR Submitted by:</b>   | Mr. Kendall NeSmith, of Kimley-Horn and Associates on behalf of Mr. Juan Gomez with the San Antonio Water System |
| <b>Issue:</b>             | Below 80% preservation within 100-year Floodplain (2015 Ordinance)   |
| <b>Code Sections:</b>     | Unified Development Code (UDC), Section 35-523 (h).  |
| <b>By:</b>                | Herminio Griego, Assistant City Arborist   |

The Development Services Department (DSD) reviewed the information presented in Mr. Kendall NeSmith letter dated April 2, 2019.

The Unified Development Code (UDC) – Article V, Section 35-523 (h), 100-Year Floodplain(s) and Environmentally Sensitive Areas states that, “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 within both the 100-year floodplains and environmentally sensitive areas. Mitigation shall be prohibited in floodplains and environmentally sensitive area except when a variance is granted by the Planning Commission.”

The applicant is requesting a variance to mitigate for removal of surveyed trees within the 100-year floodplain below the minimum preservation of protected significant and heritage trees in place under the 2015 Tree Preservation Ordinance for the installation of the San Antonio Waster System E-20 Wurzbach Parkway Segment 1 sanitary sewer line (the Project). DSD staff does agree with the applicant’s request to mitigate via enhanced revegetation and paying into the Tree Mitigation Fund for the removal of tree survey inches determined to be below 80% significant and 100% heritage tree preservation for the following reasons:

1. *Existing site conditions:* The project is comprised of constructing 13,350 linear feet of 54 inch diameter sanitary sewer line encompassing a project area of 804,672 square feet (18.5 acres). The sewer line crosses upland, environmentally sensitive and floodplain areas. Multiple alignments and construction techniques were evaluated to minimize impacts to significant and heritage trees before selecting the final design. The project includes boring 1,300 feet to avoid tree impacts. However, since this is a sewer line replacement project some impacts were unavoidable.
2. Due to existing site conditions, the size of the sewer line, design constraint’s and the aliment of the original sewer line through floodplain areas the Project is unable to preserve the minimum 80% of significant and 100% of heritage trees surveyed within the

Project boundary. Significant and heritage tree preservation is projected to be 79.70% and 87.84% respectively in the floodplain.

3. Required floodplain mitigation for the tree survey is 146.6 inches comprised of 5.6 inches of significant trees and 141 inches of heritage trees as depicted in sheet TP1 (see attached).
4. *Tree mitigation and canopy diversity* – The applicant requests a 50% mitigation requirement reduction from 146 inches to 73 inches for achieving mitigation above and beyond the minimum required in the UDC as identified below:
  - a. Revegetation of 804,672 square feet as follows:
    - i. Planting of the disturbed areas with native seed mix;
    - ii. Planting of the native seed mix using the drill-seeding technique;
    - iii. Achieving 85% establishment of the planted seed mix; and
  - b. Payment of \$14,600.00 into the Tree Mitigation Fund.

DSD staff supports the applicant's request to fall below 80% significant tree and 100% heritage tree preservation requirements in the floodplain based on the conditions of the site, size of the sewer, design constraints, location of the original sewer line, and achieving the mitigation and tree survey requirements and exceeding revegetation requirements. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

RECOMMENDATION: Approval of Variance

  
Herminio Griego  
Assistant City Arborist  
DSD – Land Development – Tree Preservation

4-16-19  
Date

  
Kevin Collins, P.E.  
Development Services Engineer  
DSD – Land Development - Engineering

4/16/19  
Date

I have reviewed the Variance Request Analysis and concur with the recommendation.

  
Amin Tohmaz, P.E.  
Deputy Development Services Director  
DSD

4/17/19  
Date