



CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

1901 S. Alamo, San Antonio, TX 78204

ADMINISTRATIVE EXCEPTION/VARIANCE REQUEST APPLICATION

Project Name:	Dickerson Tract SF Community
A/P # /PPR # /Plat #	2524907
Date:	March 31, 2020
Code Issue:	Min. 80% In-Place Preservation, Riparian Buffer and Flood Plain
Code Sections:	Sec. 35-523, Table 523-1A, Min. Tree Preservation

Submitted By: ☐ Owner ☒ Owners Agent * (Requires notarized Letter of Agent)

Owners Name: Gene Liouri, Jr.

Company: Showcase Development, Ltd.

Address: 13423 Blanco Road, Suite 250, San Antonio TX 78216

Tel #: 210-540-2040

E-Mail: GLiguori@ShowcaseDev.com

Consultant: Jon Robinson

Company: Horizon Design and Development, Inc.

Address: 14607 San Pedro Ave., Suite 200, San Antonio, TX

Zip Code: 78232

Tel #: (210) 831-8561 Fax# N/A

E-Mail: jrobinson@horizondesign-sa.com

Signature:

Additional Information – Subdivision Plat Variances & Time Extensions

1. ☐ Time Extension ☐ Sidewalk ☐ Floodplain Permit ☐ Completeness Appeal
☐ Other _____

2. City Council District _____ Ferguson Map Grid _____ Zoning District _____

3. San Antonio City Limits ☐ Yes ☐ No

4. Edwards Aquifer Recharge Zone? ☐ Yes ☐ No

5. Previous/existing landfill? ☐ Yes ☐ No

6. Parkland Greenbelts or open space? Floodplain? ☐ Yes ☐ No



April 20, 2020

Variance Request Review

c/o Development Services Staff, Development Services Department, City of San Antonio
1901 S. Alamo
San Antonio, Texas 78204

Re: Dickerson Tract SF Community, A/P #2524907
UDC Sec. 35-523, Tree Preservation, minimum 80% preserved in-place, Flood Plain and Riparian Buffer



Administrative Exception



Environmental Variance



Subdivision Platting Variance – Time Extension

Dear COSA DSD:

The following Variance request is submitted on behalf of Showcase Development, Ltd. (the "Owner"), owner of an approximately 31.027-acre tract of raw land located on West Grosenbacher Road west of Canthree Drive in San Antonio, Texas (the "Property"). Other than preserving a minimum of 80% of the existing Flood Plain and Riparian Buffer Trees in-place, the proposed construction will comply with the applicable sections of the Unified Development Code (UDC).

Development of the Property entails construction of the following improvements:

1. 162 new single-family residential lots
2. Approximately 4715 LF of local roads interior to the proposed community and two (2) entrances onto West Grosenbacher Road
3. Improvements to the existing West Grosenbacher Road
4. Drainage and storm water improvements under West Grosenbacher Road allowing off-site storm water runoff to cross the Property and enter the regional storm water conveyance system

The front approximately 24.7094 acres of the Property is flat and almost entirely treeless, likely a fallow field that was farmed or grazed in the past. The remaining approximately 6.3176 acres is regulatory flood plain, consisting of a broad channel along the rear (southern boundary) and an existing undersized drainage channel along the eastern boundary that allows offsite storm water from the north side of West Grosenbacher Road to flow into the regional storm water conveyance system. In order to construct the proposed single-family residential community, the Owner is required to improve not only West Grosenbacher Road, but also the existing drainage structure that runs under West Grosenbacher Road and the existing drainage channel that runs along the east side of the Property. These drainage improvements necessary to allow offsite stormwater to flow under West Grosenbacher Road, across the east side of the Property, and into the regional storm water conveyance system require a substantial amount of earthwork within the regulatory flood plan and Riparian Buffer. As a result of this required earthwork, the tree removal and preservation ratios for the regulatory flood plain and Riparian Buffer are as follows:



1. Flood Plain Significant Trees: 730 caliper inches removed, 53.27% preservation ratio
2. Flood Plain Heritage Trees: There are no existing Heritage Trees within the flood plain
3. Riparian Buffer Significant Trees: 238 caliper inches removed, 32.58% preservation ratio
4. Riparian Buffer Heritage Trees: There are no existing Heritage Trees within the Riparian Buffer

Thus, the Owner requests a Variance from strict compliance with the UDC due to the fact that the significant earthwork required within and adjacent to the regulatory flood plain in order to construct the drainage improvements necessary to allow offsite stormwater to flow under West Grosenbacher Road, across the east side of the Property, and into the regional storm water conveyance system results in less than 80% in-place preservation of the existing Flood Plain and Riparian Buffer Trees and a total mitigation due of 585 caliper inches.

In support of the above Variance allowing development of the Property without preserving a minimum 80% of the existing Flood Plain and Riparian Buffer Trees in-place, the Owner offers the following:

- (1) The hardship requiring this Variance is unique to the property. Due to the significant earthwork within and adjacent to the regulatory flood plain required within and adjacent to the regulatory flood plain in order to construct the drainage improvements necessary to allow offsite stormwater to flow under West Grosenbacher Road, across the east side of the Property, and into the regional storm water conveyance system, the Owner is unable to preserve a minimum 80% of the existing Flood Plain and Riparian Buffer Trees in-place.
- (2) This Variance corresponds to the spirit of the UDC. The stated purpose of UDC Sec. 35-523 is to allow "the reasonable improvement of land within the city and city's ETJ" while striving "to maintain, to the greatest extent possible, existing trees within the city and to add to the tree population within the city and the ETJ to promote a high tree canopy goal." In this case, due to the significant earthwork within and adjacent to the regulatory flood plain required within and adjacent to the regulatory flood plain in order to construct the drainage improvements necessary to allow offsite stormwater to flow under West Grosenbacher Road, across the east side of the Property, and into the regional storm water conveyance system, the Owner is unable to preserve a minimum 80% of the existing Flood Plain and Riparian Buffer Trees in-place. As a result of this required tree removal, tree mitigation in the amount of 585 caliper inches is required for removal of existing Significant Trees within the regulatory flood plan and the Riparian Buffer. Additionally, 4 caliper inches of tree mitigation are required for excess removal of existing Significant Trees on the upland portion of the site and 569 caliper inches of tree mitigation are required for removal of existing Protected Trees within the public R.O.W., for a total mitigation requirement of 1158 caliper inches. However, the Owner will mitigate this shortfall over and above the stipulated minimum in the following manner:
 - A. Planting two (2) new 3" mitigation trees on each of the 162 residential lots
 - B. Upsizing the two (2) trees per lot required by the UDC from 1.5" to 3"

The above-described measures result in a total of 1458 caliper inches of total tree mitigation provided, or 300 caliper inches of excess mitigation over and above the total mitigation required for construction of proposed single-family community and associated road and drainage improvements. More specifically, the tree mitigation will be provided and allocated as follows:



<u>MITIGATION MECHANISM</u>	<u>MITIGATION</u>	<u>APPLIED TOWARD</u>
A. (2) 3" Mitigation Trees per Lot (162 Lots)	972 Cal. Inches	Flood Plain Mitigation Riparian Buffer Mitigation Protected Tree Mitigation
B. Upsizing (2) Required Trees per Lot to 3"	<u>486 Cal. Inches</u>	Protected Tree Mitigation
Total Tree Mitigation Provided:	1458 Cal. Inches	
Total Tree Mitigation Required:	<u>1158 Cal. Inches</u>	
Excess Tree Mitigation Provided:	300 Cal. Inches	

Additionally, the Owner will provide a post-development tree canopy of 792,955 SF, equal to 383,947 SF in excess of the minimum required by the UDC and 73.67% of the net project site area. Tree canopy will be provided in the following manner:

<u>TREE CANOPY MECHANISM</u>	<u>TREE CANOPY CREDIT</u>
A. Preservation of 2 Protected Live Oaks	1750 SF
B. Preservation of 9 Protected Hackberries	7875 SF
C. Preservation of 6 Protected Mesquites	3300 SF
D. (1) New Live Oak per Lot (162 Lots)	127,575 SF
E. (1) New Cedar Elm per Lot (162 Lots)	127,575 SF
F. (1) New Shumard Oak per Lot w/ Energy Cons. Credit (162 Lots)	262,440 SF
G. (1) New Burr Oak per Lot w/ Energy Cons. Credit (162 Lots)	<u>262,440 SF</u>
<u>*NOTE:</u> Owner may substitute Mex. Sycamores for Burr Oaks	
Total Tree Canopy Provided:	792,955 SF
Total Tree Canopy Required:	<u>409,008 SF</u>
Excess Tree Canopy Provided:	383,947 SF

- (3) The Owner has sought to minimize any potentially adverse impacts on the public health, safety, and welfare. By providing 300 caliper inches of mitigation in excess of the minimum required by the UDC and 383,947 SF of post-development tree canopy in excess of the minimum required by the UDC, the Owner has ensured that the proposed mitigation surpasses the minimum required by the UDC.

Additionally, as described more specifically below, this Variance meets the approval criteria stipulated in UDC Sec. 35-483 (h):

- If the applicants comply strictly with UDC Sec. 35-523 (e) (1), they cannot make reasonable use of their property. Due to the fact that the Owner must undertake significant earthwork within and adjacent to the regulatory flood plain in order to construct the drainage improvements necessary to allow offsite stormwater to flow under West Groesenbacher Road, across the east side of the Property, and into the regional storm water conveyance system, the Owner is unable to preserve a minimum 80% of the existing Flood Plain and Riparian Buffer Trees in-place. If the Owner is unable to undertake the earthwork within the regulatory flood plain and adjacent Riparian Buffer, the proposed single-family community cannot be developed.
- The hardship in question relates to the Owner's land, rather than personal circumstance. This Variance is required because the existing drainage structures under West Groesenbacher Road and the existing drainage channel along



the east side of the Property must be improved in order for offsite storm water runoff to be conveyed across the Property and into the regional storm water conveyance system. In order to construct these necessary improvements, the Owner must undertake significant earthwork within and adjacent to the regulatory flood plain, resulting in less than 80% preservation of the existing trees located within the Flood Plain and adjacent Riparian Buffer.

- The hardship is unique, or nearly so, rather than one shared by many surrounding properties. See above.
- The hardship is not the result of the applicant's own actions. The existing drainage structures under West Grosenbacher Road and the existing drainage channel along the east side of the Property were both present before the Owner acquired the Property.

In conclusion, granting this Variance and permitting the Owner to preserve less than 80% of the existing trees located within the Flood Plain and adjacent Riparian Buffer in order to construct the drainage improvements necessary to convey offsite storm water runoff under West Grosenbacher Road, through the drainage channel along the east side of the Property, and into the regional storm water conveyance system will allow development within the spirit of the UDC and pose no threat to health, safety, or public welfare.

Thank you for considering the foregoing request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jon Robinson', written over a horizontal line.

Jon Robinson, Agent for the Owner

For Office Use Only:	Variance #:	_____	Date Received:	_____
<u>DSD – Director Official Action:</u>				
<input type="checkbox"/> APPROVED	<input type="checkbox"/> APPROVED W/ COMMENTS		<input type="checkbox"/> DENIED	
Signature:	_____		Date:	_____
Printed Name:	_____		Title:	_____
Comments:	_____ _____ _____			

City of San Antonio - Administrative Exception/Variance Request Application
LETTER OF AGENT

March 31, 2020

PROJECT NAME: Dickerson Tract SF Community
PROJECT ADDRESS: West Grosenbacher Road west of Canthree Drive, San Antonio, TX
C.O.S.A. A/P #: 2524907
OWNER: Showcase Development, Ltd.
OWNER ADDRESS: 13423 Blanco Road, Suite 250
San Antonio TX 78216

Re: Letter of Agent:
Administrative Exception/Variance Request Application

In accordance with Sec. 35-523(n) of the City of San Antonio (the "City") Unified Development Code (the "UDC"), Showcase Development (the "Owner") agrees to provide this Letter of Agent for Jon Robinson (the "Consultant") with Horizon Design and Development, Inc. (the "Company"). The Consultant will submit to the City of San Antonio an Administrative Exception / Variance Request Application and Letter of Hardship on the Owner's behalf.

The Letter of Agent shall be filed in the records of the Development Services Department of the City of San Antonio.

Showcase Development, Ltd.
13423 Blanco Road, Suite 250
San Antonio TX 78216

By: 
Gene Liguori, Jr.
Showcase Development, Ltd.

STATE OF TEXAS §
 §
COUNTY OF §

This instrument was acknowledged before me on this 1st day of April, 2020, by Gene Liguori, Jr. Showcase Development, Ltd.


Notary Public in and for the State of Texas

