



# CITY OF SAN ANTONIO

## DEVELOPMENT SERVICES DEPARTMENT

1901 S. Alamo, San Antonio, TX 78204

### ADMINISTRATIVE EXCEPTION/VARIANCE REQUEST APPLICATION

<b>Project Name:</b>	W-1 Leon Creek: Hwy 151 to Hwy 90 - Upper Segment
<b>A/P # /PPR # /Plat #</b>	AP#
<b>Date:</b>	July 1, 2020
<b>Code Issue:</b>	Tree Preservation (2010 Ordinance)
<b>Code Sections:</b>	35-523

<b>Submitted By:</b>	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Owners Agent * (Requires notarized Letter of Agent)
<b>Owners Name:</b> Cristina de la Garza, P.E.		
<b>Company:</b> San Antonio Water Systems		
<b>Address:</b> 2800 U.S. Hwy 281 North		<b>Zip Code:</b> 78212
<b>Tel #:</b> (210) 233-3255	<b>Fax#</b>	<b>E-Mail:</b> cristina.delagarza@saws.org
<b>Consultant:</b> Joseph Ortega, P.E.		
<b>Company:</b> Pape-Dawson Engineers		
<b>Address:</b> 2000 NW Loop 410		<b>Zip Code:</b> 78213
<b>Tel #:</b> (210) 375-9000	<b>Fax#</b>	<b>E-Mail:</b> jortega@pape-dawson.com
<b>Signature:</b> <i>Cristina de la Garza</i>		

#### Additional Information – Subdivision Plat Variances & Time Extensions

- ☐ Time Extension    ☐ Sidewalk    ☐ Floodplain Permit    ☐ Completeness Appeal  
☒ Other N/A
- City Council District \_\_\_\_\_ Ferguson Map Grid \_\_\_\_\_ Zoning District \_\_\_\_\_
- San Antonio City Limits    ☐ Yes    ☐ No
- Edwards Aquifer Recharge Zone?    ☐ Yes    ☐ No
- Previous/existing landfill?    ☐ Yes    ☐ No
- Parkland Greenbelts or open space? Floodplain?    ☐ Yes    ☐ No



July 21, 2020

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

Re: W-1 Leon Creek: Hwy 151 to Hwy 90 - Upper Segment  
A/P # 2627518 - Environmental Variance  
Request for UDC Section 35-523 (2010 Tree Ordinance – 80% Preservation within Floodplain and Buffer)

Dear Development Services:

Kindly consider this letter as a formal request for an Environmental Variance from Section 35-523 "Tree Preservation" of the Unified Development Code. It is the intent of Section 35-523 of the Unified Development Code *"to allow the reasonable improvement of land within the city and the city's ETJ, while maintaining to the greatest extent possible, existing trees within the city and the ETJ and to promote a high tree canopy goal"*.

The W-1 Leon Creek: Hwy 151 to Hwy 90 - Upper Segment Sewer Project is a necessary improvement to the San Antonio Water System (SAWS) sewer system in the Far West area of San Antonio. The W-1 Upper Segment Project replaces about 1.5 miles of 42-inch gravity sewer main with an 84-inch gravity sewer main along Leon Creek. This project replaces aging infrastructure that conveys more than 70% of the sewershed's total flow to the treatment plant. This project is part of the work required by San Antonio's agreement with the U.S. EPA to address capacity constrained sewer infrastructure across the city.

The proposed 84-inch sanitary sewer main collects the flow from an existing 66-inch sanitary sewer main southeast of the intersection of Loop 410 and W Military Drive and continues south across W Commerce Street, SH 151 and Pinn Road before tying into the connection point with an existing 66-inch gravity sewer main northeast of S Brownleaf Street and Pleasant Park Drive. The project is located on private tracts of land within a varying 20-foot wide, 30-foot wide and 50-foot wide permanent easement for SAWS future operation and maintenance of the sewer main. A varying 20-foot wide and 30-foot wide temporary construction easement is also included in the Contract Documents to allow access and sufficient space for contractors to install the proposed sewer infrastructure. There are no significant or heritage trees within the upland, buffer or floodplain areas in the project limits.

TBPE Firm Registration #470 | TBPLS Firm Registration #10028800

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2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 [www.Pape-Dawson.com](http://www.Pape-Dawson.com)

Many factors were considered to determine the most viable and cost-effective project alignment. The goal was to minimize impacts on private and public properties by establishing the alignment in close proximity to the alignment of the existing 42-inch gravity sewer main. Approximately 1,060 linear feet (LF) of the sanitary sewer line will be bored/tunneled under street crossings and along areas with steep side slopes to minimize the tree and soil disturbance and the remaining 6,940 LF will be open cut. As part of the design phase, a tree survey was conducted, and no heritage trees were identified within the proposed project limits and easement areas. Whenever possible, the proposed alignment tried to preserve canopy in the floodplain. In trying to keep with the spirit and intent of the preservation ordinance, a diligent effort was made to comply with the minimum preservation requirements for the 2010 Tree Preservation Ordinance within the 20-foot and 30-foot temporary construction and 20-foot, 30-foot and 50-foot permanent easements as indicated on the W-1 Leon Creek: Hwy 151 to Hwy 90 Upper Segment Tree Stand Delineation Plan.

The project site is located within the 100-year regulatory Federal Emergency Management Agency (FEMA) floodplain and buffer zone. Per Table 523-1B of the 2010 Tree Preservation Ordinance, the minimum preservation requirement is 80% of the total existing canopy area and 100% of the heritage trees within the 100-year FEMA floodplain. As indicated on the Project's Tree Stand Delineation Plan, the site does not have any heritage trees within the floodplain. The project satisfies the heritage tree inches preservation requirements for a capital improvement project. However, due to the size and location of the proposed sanitary sewer pipeline the project does not satisfy the canopy preservation requirements inside the floodplain. The project area has 258,837 square feet of existing canopy. All of the 258,837 square feet of canopy are within the floodplain. Within the floodplain 54,535 square feet or 21% of the canopy will be preserved. Within the project limits there will be 630,506 square feet of disturbed area and 630,506 square feet of revegetated area. Reclamation criteria include re-seeding 630,506 square feet of disturbed area within the floodplain and adjacent Riparian Buffer and reclaiming disturbed areas by drill seeding with a native seed mix and ensuring 85% establishment. The project area has 258,837 square feet of existing canopy. All of the existing canopy is located within the floodplain. Within the floodplain 54,535 square feet or 21% of the canopy will be preserved. This results in a mitigation of 174 trees or 2,906 inches in the floodplain. The total mitigation balance for 2,906 inches at \$200.00 per inch gives a mitigation fee of \$581,200.

Although SAWS will have the right for ingress and egress to access the permanent easements for operation and maintenance requirements, the hardship for complying totally with the minimum preservation requirements are:

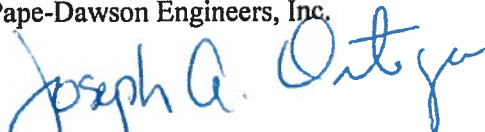
- The construction of the W-1 Upper Segment Project is critical to SAWS and the City of San Antonio as it pertains to the health and welfare of the public. The existing sanitary sewer system is undersized and is susceptible to sanitary sewer overflows, which are a threat to public safety. The Project will provide immediate relief from persistent sanitary sewer overflows experienced at the upstream end of the project. The diameter, depth of installation, and overall magnitude of the project require SAWS to procure necessary space for the construction contractor to successfully complete the project within the Consent Decree timeline. The contractor will have to use the total

- easement area for the duration of the project, thus limiting the amount of easement area potentially available to preserve trees.
- Newly planted trees are not an option for this project as SAWS requires the easement area to be clear for future access to the sewer main for maintenance and operation of the sewer main.
  - The granting of the variance will not be injurious to other property and will not prevent the orderly subdivision of other property in the area in accordance with these regulations.

It is our professional opinion that the proposed environmental variance remains in harmony with the spirit and the intent of the UDC as it will not adversely affect the health, safety, or welfare of the public, nor does it weaken the general purpose of the tree preservation regulation.

We respectfully request your consideration for this variance. The Environmental Variance Request Application is attached, as required. If you have questions or require additional information, please do not hesitate to contact our office.

Sincerely,  
Pape-Dawson Engineers, Inc.

  
Joseph A. Ortega, P.E.  
Sr. Project Manager

Attachment

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