



CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

VARIANCE REQUEST ANALYSIS

TPV 21-020

Project:	Hot Wells (Phase 1A)
Address:	5503 S. Presa St.
A/P #/PPR #/Plat#:	A/P # 2563268
VR Submittal Date:	December 6, 2020
VR Submitted by:	Mr. Mark V Padilla, MP Studios, on behalf of Mr. Robert Thies, Lifshutz Companies
Issue:	Below 80% Tree Stand and 100 % Heritage tree preservation within 100-year Floodplain and Environmentally Sensitive Areas (2010 Ordinance)
Code Sections:	Unified Development Code (UDC), Section 35-523 (h).
By:	Mark C Bird, City Arborist, Jacob Sanchez, Assistant City Arborist

The Development Services Department (DSD) has reviewed the information presented in Mr. Mark Padilla's letter dated December 6, 2020.

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 preservation within the 100-year floodplains and environmentally sensitive areas. Mitigation shall be prohibited in floodplains and environmentally sensitive areas except when a variance is granted by the Planning Commission."

The applicant is requesting an Environmental Variance to mitigate for the removal of significant trees in the floodplain in excess of the 80% minimum preservation of trees in place under the 2010 Tree Preservation Ordinance for Phase 1 of the Hot Wells spa facility development adjacent to the Hot Wells ruins and County Park. DSD staff does agree with the applicant's request to mitigate for significant trees below the minimum 80% preservation of significant trees in the floodplain. for the following reasons:

Existing site conditions – Due to existing site conditions and design and layout constraints, the project is unable to preserve the minimum 80% of significant trees in the floodplain. Within the projects limits there are six (6) significant trees with a total of 58" protected inches. To construct

a spa facility, picnic area, food truck and visitor parking, and provide a connection to the Mission Reach trail system two (2) Huisache trees (10" & 12") will be removed resulting in 62% preservation for a total of 10.4 inches of mitigation.

Tree mitigation and canopy diversity – The total significant tree mitigation requirement for the two (2) significant Huisache trees is 10.4 inches. The applicant proposes to mitigate by planting 11 large species native trees which will provide a total of 24 inches of mitigation. The planting of mitigation trees and the saved trees will provide a total of 103% preservation. The planted mitigation trees will also increase species diversity.

An added feature of the proposed development plan is the implementation of a LID feature adjacent to the parking lot that will minimize the environmental impact from stormwater runoff.

DSD staff supports the applicant's variance request to fall below the 80% significant tree preservation requirements in the floodplain based on the conditions of the site, design constraints, and exceeding the mitigation requirements. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.


RECOMMENDATION: Approval of Variance Request



Mark C Bird
Assistant City Arborist
DSD – Land Development – Tree Preservation

1/6/2021

Date




Stephen Stokinger, P.E.
Development Services Engineer
DSD – Land Development - Engineering

2020/01/13

Date

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



Melissa Ramirez
Assistant Director
DSD – Land Development

01/14/2021

Date



CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

1901 S. Alamo, San Antonio, TX 78204

ADMINISTRATIVE EXCEPTION/VARIANCE REQUEST APPLICATION

Project Name:	HOT WELLS (PHASE 1A)
A/P # /PPR # /Plat #	A/P # 2563268
Date:	November 10, 2020
Code Issue:	Removal of Significant Trees in Flood Plain
Code Sections:	Section 35-523 (c) M.C. (e) E.C.

Submitted By:	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Owners Agent * (Requires notarized Letter of Agent)
Owners Name:	Robert Thies	
Company:	Lifshutz Companies	
Address:	215 W. Travis San Antonio TX	Zip Code: 78205
Tel #:	Fax#	E-Mail:
Consultant:	Mark V Padilla	
Company:	MP Studio Landscape Architecture, LLC.	
Address:	201 Groveton, San Antonio Texas	Zip Code: 78210
Tel #:	210.314.5582 Fax#	E-Mail: Mark@mpstud.io
Signature:		

Additional Information – Subdivision Plat Variances & Time Extensions

- ☐ Time Extension ☐ Sidewalk ☐ Floodplain Permit ☐ Completeness Appeal
☒ Other Tree removal of mostly Significant Mesquite & Huisache trees
- 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



Date December 6, 2020

Administrative Exception / Variance Request Review¹

City of San Antonio
Development Services Department
1901 S. Alamo
San Antonio, TX 78204

Re: Hot Wells (Phase 1A)
AP #: 2563268
Sec. 35-523 (f)

- ☐ Administrative Exception
- ☒ Environmental Variance
- ☐ Subdivision Platting Variance – Time Extension

Dear Development Services,

Please accept this variance request for the Hot Wells project; located at 5503 South Presa Street, San Antonio TX 78205. The property is owned and being developed with Lifshutz Companies. The scope of work is to build the spa structure, perform site work and install a picnic area, food truck or RV parking and a connection to the right-of-way at the Mission Reach of the San Antonio River. The Historic Design and Review Commission gave conceptual approval for this project. The first phase of this new development will include infrastructure for new parking lot and that includes 2 handicap spaces but will be outside of the majority of existing trees and flood plain. There will be an LID feature adjacent to parking lot that will also help to minimize the environmental impact and storm run-off. Currently the site is overgrown with predominantly Mesquite, and Huisache trees from brush to 15" caliper. The site requires the removal of two Significant Trees in the Flood Plain. These trees are required to be removed per grading out site for the parking lot and underground utility line that is needed. Therefore it is our recommendation that the client proceed with a variance for the Tree Ordinance 35-523:

1.) Sec. 35-523 (f) Minimum Tree Preservation Requirements. Significant Trees for Phase 1A in the Flood Plain has predominantly Mesquite, and Huisache species totaling 58" inches. The Flood Plain has 6 total trees. In order to develop the site, at least 2 trees will need to be removed. A storm line is required to go through this area. It's the lowest point and prevents going around the existing trees. Preserving 4 out of the 6 trees will give us 36" out of 58" inches being preserved. This only makes up 62% of Significant Trees in the Flood Plain. Leaving a requirement of 10.4" needed for tree mitigation. No heritage trees on the site.

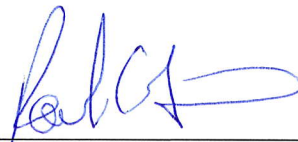
2) In summary, 10.4" is needed for Tree Mitigation. It is proposed to meet this mitigation requirements by planting proposed trees on site. We propose a total of 24" featuring 3" Burr Oak, Red Oak, Pecan, and Mexican Sycamore trees to meet Tree Mitigation. The proposed species will provide more shade value and their longevity will surpasses the existing short lived species. The proposed trees along with the saved species will make up 103% preservation.

In our professional opinion, the proposed administrative exception / variance remains in harmony with the spirit and intent of the UDC as it will not adversely affect the health, safety, or welfare of the public.

Sincerely,



Signature and Title Block of Applicant



Signature of Owner (if applicable)

<u>For Office Use Only:</u>		AEVR #:	_____	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:		_____ _____ _____			

HOT WELLS PHASE 1A TREE INVENTORY													
			Undersized Species* 8 0" - 11 5"		Significant Tree 6" - 23.5"		Significant Tree** 10 0" - 23.5"		Heritage 3:1		Heritage 1:1		Additional Inches Preserved for
Tag #	Species	Tree Caliper	Removed	Preserved	Removed	Preserved	Removed	Preserved	Removed	Preserved	Removed	Preserved	Preserved
5010	HUISACHE	10						10					
5034	CHINABERRY	10											
5035	CHINABERRY	13											
5058	CHINABERRY	15											
5059	CHINABERRY	10											
5060	HUISACHE	14						14					
Sub Tot. Inches=			0	0	0	0	10	14	0	0	0	0	0
Total inches by category=			0		0		0		24		0		0
Preservation percentage=			#DIV/0!		Significant		56%		Heritage Preservation		#DIV/0!		
Mitigation required (Commercial) =			0		Commercial (Inches)		-4.4		Heritage Mitigation (Inches)		0		
Mitigation required (Residential) =			0		Residential (Inches)		-5.6		Heritage Mitigation (Inches)		0		

HOT WELLS PHASE 1A - TREE INVENTORY R.O.W													
			Undersized Species* 5.0" - 11.5"		Significant Tree 6" - 23.5"		Significant Tree** 10.6" - 23.5"		Heritage 3:1		Heritage 1:1		Additional Inches Preserved for
Tag #	Species	Tree Caliper	Removed	Preserved	Removed	Preserved	Removed	Preserved	Removed	Preserved	Removed	Preserved	Preserved
5061	HACKBERRY	12					12						
5062	PECAN	12				12							
5063	HACKBERRY	10					10						
5064	HACKBERRY	10					10						
Sub Tot. Inches=			0	0	0	12	0	32	0	0	0	0	0
				0		12		32		0	0	0	0
Total inches by category=													
Preservation percentage=			#DIV/0!		Significant		100%		Heritage Preservation		#DIV/0!		
Mitigation required (Commercial) =			0		Commercial (Inches)		-26.4		Heritage Mitigation (Inches)		0		
Mitigation required (Residential) =			0		Residential (Inches)		-28.6						

HOT WELLS PHASE 1A - TREE INVENTORY FLOODPLAIN													
Tag #	Species	Tree Caliper	Undersized Species* 8.0" - 11.5"		Significant Tree 8" - 23.5"		Significant Tree** 10.0" - 23.5"		Heritage 3:1		Heritage 1:1		Additional Inches Preserved for
			Removed	Preserved	Removed	Preserved	Removed	Preserved	Removed	Preserved	Removed	Preserved	
5008	HUISACHE	10						10					
5096	HUISACHE	12						12					
5099	HUISACHE	10						10					
5100	LIGUSTRUM	12											
5101	MESQUITE	12						12					
5102	HUISACHE	14						14					
Sub Tot. Inches=			0	0	0	0	22	36	0	0	0	#REF!	0
				0		0		58			0	#REF!	
Total inches by category=													
Preservation percentage=			#DIV/0!		Significant		62%		Heritage Preservation		#REF!		#REF!
Mitigation required (Commercial) =			0		Commercial (Inches)		10.4		Heritage Mitigation (Inches)		0		
Mitigation required (Residential) =			0		Residential (Inches)		10.4		Heritage Mitigation (Inches)		0		

TREE CANOPY ORDINANCE

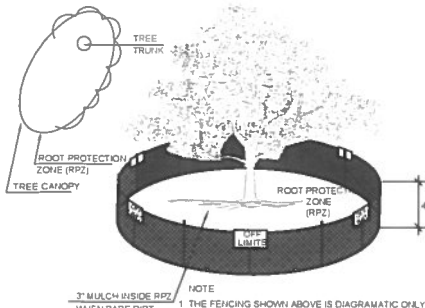
MANDATORY CRITERIA:

- FINAL TREE CANOPY. ALL SITES MUST PROVIDE A MINIMUM FINAL TREE CANOPY COVER AS LISTED BELOW FOR THE ENTIRE GROSS PROJECT AREA OUTSIDE OF THE REGULATORY FLOODPLAIN. IDENTIFY "FINAL TREE CANOPY" PERCENT (%) BASED ON THE LAND USE AND AS NOTED ON SECTION (A). NONRESIDENTIAL 25% FOR THE PURPOSE OF THIS SUBMITTAL APPROVAL. NOTE: LABEL (1) SHALL RECEIVE ENERGY CONSERVATION CREDIT.

SITE L.O.C. AREA = 46,880 SF X 25% =	11,720 SF REQUIRED
EXISTING TREES (1) HUISACHE - 550 SF @ 100% =	550 SF
PROPOSED TREES (2) SHUMARD RED OAK - 1200 SF @ 90% =	2,160 SF
(3) BURR OAK - 1200 SF @ 90% =	3,240 SF
(4) MEXICAN SYCAMORE - 1200 SF @ 90% =	4,320 SF
(2) PECAN - 1200 SF @ 90% =	2,160 SF
TOTAL TREE CANOPY COVERAGE	12,430 SF (26.5%)

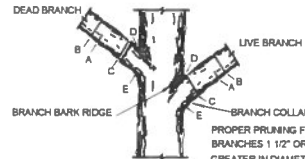
MITIGATION TREES

CALLOUT	QUANTITY	COMMON NAME BOTANICAL NAME	TREE SIZE	MITIGATION INCHES	TOTAL MITIGATION INCHES APPLIED
BO	3	BURR OAK	3"	3"	9"
MS	2	MEXICAN SYCAMORE	3"	1.5"	3"
MS	2	MEXICAN SYCAMORE	3"	3"	6"
PE	2	PECAN	3"	1.5"	3"
RO	2	SHUMARD RED OAK	3"	1.5"	3"
TOTAL MITIGATION INCHES				24"	



EXISTING TREE PROTECTION

ELEVATION - PLAN - 3D VIEW NOT TO SCALE



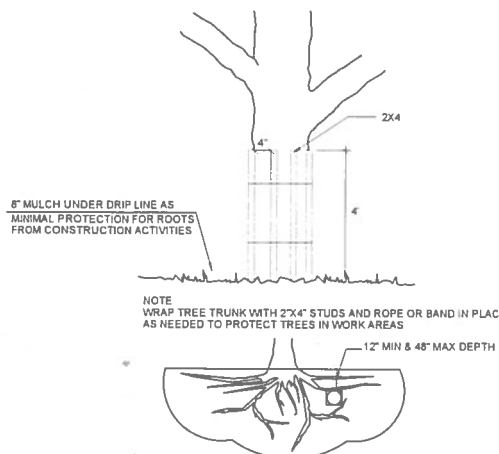
NOTE: DO NOT CUT FROM D TO E

- FIRST CUT - TO PREVENT THE BARK FROM BEING PEELED WHEN THE BRANCH FALLS.
- SECOND CUT - TO REDUCE THE WEIGHT OF BRANCH.
- FINAL CUT - ALLOW FOR HEALING COLLAR BUT NO STUBS.
- BRANCH RIDGES - IDENTIFY PROPERLY BRANCH RIDGES WHICH ARE SITE FOR DECAY.

FOR OAKS ONLY. PAINT ALL WOUNDS OR CUTS WITH PRUNING PAINT WITHIN 20 MIN TO PREVENT THE SPREAD OF OAK WILT.

TREE BRANCH PRUNING

ELEVATION NOT TO SCALE



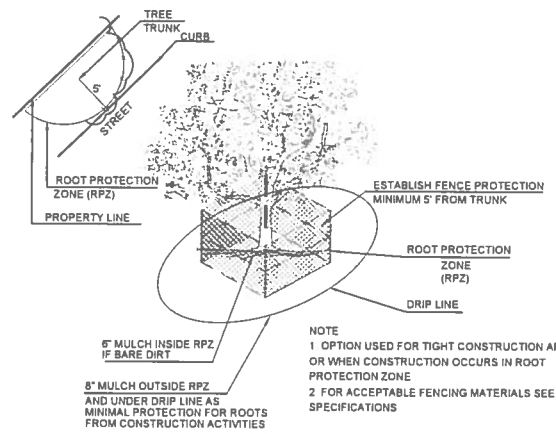
NOTE: WRAP TREE TRUNK WITH 2"x4" STUDS AND ROPE OR BAND IN PLACE AS NEEDED TO PROTECT TREES IN WORK AREAS.

LEVEL II B TREE PROTECTION

ELEVATION NOT TO SCALE

EXISTING TREE NOTES

- ALL THE TREES WITH A DIAMETER GREATER THAN 3 INCHES AFFECTED BY CONSTRUCTION SHALL HAVE THE LIMBS AND ROOTS TRIMMED AND PRUNED ACCORDING TO TREE PRUNING, SOIL AMENDING AND FERTILIZATION, UNLESS SPECIFIED TREES SHALL RECEIVE PROTECTION AS SHOWN ON TREE PROTECTION DETAIL ON THIS SHEET.
- ALL TREES SHALL REMAIN UNLESS NOTED ON THE PLANS.
- NO SITE PREPARATION WORK SHALL BEGIN IN AREAS WHERE TREE PRESERVATION AND TREATMENT MEASURES HAVE NOT BEEN COMPLETED AND APPROVED BY CITY INSPECTOR.
- TREE PROTECTION FENCING SHALL BE REQUIRED. TREE PROTECTION FENCING SHALL BE INSTALLED, MAINTAINED AND REPAIRED BY THE CONTRACTOR DURING SITE CONSTRUCTION.
- THE CONTRACTOR SHALL AVOID CUTTING ROOTS LARGER THAN THREE INCHES IN DIAMETER WHEN EXCAVATING NEAR EXISTING TREES. EXCAVATION IN THE VICINITY OF TREES SHALL PROCEED WITH CAUTION. THE CONTRACTOR SHALL CONTACT THE CITY INSPECTOR.
- THE ROOT PROTECTION ZONE IS THAT AREA SURROUNDING A TREE, AS MEASURED BY A RADIUS FROM THE TREE TRUNK, IN WHICH NO EQUIPMENT, VEHICLES OR MATERIALS MAY OPERATE OR BE STORED. THE REQUIRED RADIUS LENGTH IS 1 FOOT PER DIAMETER INCH OF THE TREE. FOR EXAMPLE, A 10-INCH DIAMETER TREE WOULD HAVE A 5-FOOT RADIUS ROOT PROTECTION ZONE AROUND THE TREE. ROOTS OR BRANCHES THAT ARE IN CONFLICT WITH THE CONSTRUCTION SHALL BE CUT CLEANLY ACCORDING TO PROPER PRUNING METHODS. LIVE OAK WOUNDS SHALL BE PAINTED OVER WITHIN 20 MINUTES TO PREVENT OAK WILT.
- ACCESS TO FENCED AREAS WILL BE PERMITTED ONLY WITH THE APPROVAL OF THE ENGINEER OR CITY INSPECTOR.
- GRADING, IF REQUIRED, SHALL BE LIMITED TO A 3 INCH CUT OR FILL WITHIN THE FENCED ROOT ZONE AREAS.
- TREES, SHRUBS OR BUSHES TO BE CLEARED FROM PROTECTED ROOT ZONE AREAS SHALL BE REMOVED BY AS DIRECTED BY THE PROJECT MANAGER OR CITY INSPECTOR.
- TREES DAMAGED OR LOST DUE TO CONTRACTOR'S NEGLIGENCE DURING CONSTRUCTION SHALL BE MITIGATED TO THE ENGINEER'S SATISFACTION.
- EXPOSED ROOTS SHALL BE COVERED AT THE END OF EACH DAY USING TECHNIQUES SUCH AS COVERING WITH SOIL, MULCH OR WET BURLAP.
- ANY TREE REMOVAL SHALL BE APPROVED BY THE CITY ARBORIST PRIOR TO ITS REMOVAL.



- OPTION USED FOR TIGHT CONSTRUCTION AREAS OR WHEN CONSTRUCTION OCCURS IN ROOT PROTECTION ZONE.
- FOR ACCEPTABLE FENCING MATERIALS SEE SPECIFICATIONS.

LEVEL II A TREE PROTECTION

ELEVATION NOT TO SCALE

TUNNEL TO MINIMIZE ROOT DAMAGE (TOP) AS OPPOSED TO SURFACE DUG TRENCHES IN ROOT PROTECTION ZONE WHEN THE 5' MINIMUM DISTANCE FROM TRUNK CAN NOT BE ACHIEVED.



BORING THROUGH TREE ROOT (RPZ)

SECTION NOT TO SCALE



201 GROVETON | SATX 78210
210.314.5582 | MPSTUD.IO

STATUS



07-23-2020

PROJECT

HOT WELLS

PROJECT ADDRESS

5503 SOUTH PRESA ST.
SAN ANTONIO, TX 78223

OWNER | CLIENT

JAMES LIFSHUTZ
215 W. TRAVIS
SAN ANTONIO, TX

OWNER'S REPRESENTATIVE

IRBY HIGHTOWER - ALAMO ARCHITECTS
210.227.2612
kby@alamoarchitects.com

SUBCONSULTANT

REVISIONS

NO.	DATE	DESCRIPTION
1	01/30/20	CITY COMMENTS
2	04/28/20	TREE UPDATES
3	07/23/20	CITY COMMENTS
4	11/10/20	TREE UPDATES

ISSUE SETS

SHEET INFORMATION

PROJECT NO.

19053

DATE ISSUED

NOVEMBER 11, 2020

SHEET NAME

TREE PRESERVATION NOTES & DETAILS

SHEET NUMBER

TP 2.1