



City of San Antonio

Legislation Details (With Text)

File #: 19-4728

Type: Staff Briefing - Without Ordinance

In control: Planning Commission

On agenda: 6/12/2019

Title: Request by Mr. Ernest Maestas for approval of a tree preservation variance request from Unified Development Code 35-523 (h), "significant trees shall be preserved at eighty (80) percent and heritage trees at one hundred (100) percent preservation within both the 100-year floodplains and environmentally sensitive areas", located 615 E. Theo Parkway Road. Staff recommends Approval. (Herminio Griego, (210) 207-6042, herminio.griego@sanantonio.gov, Development Services Department)

Sponsors:

Indexes:

Code sections:

Attachments: 1. TPV-19-025 Variance Request, 2. TPV-19-025 Staff Support Letter, 3. TPV -19-025 Staff Support Attachment

Date	Ver.	Action By	Action	Result
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DEPARTMENT: Development Services

SUBJECT: TPV 19-025 Tree Preservation Variance for SAWS Mission road Pump Station

SUMMARY:

Request by Mr. Ernest Maestas for approval of a tree preservation variance request from Unified Development Code 35-523 (h), "significant trees shall be preserved at eighty (80) percent and heritage trees at one hundred (100) percent preservation within both the 100-year floodplains and environmentally sensitive areas", located 615 E. Theo Parkway Road. Staff recommends approval. (Herminio Griego, (210) 207-6042, herminio.griego@sanantonio.gov, Development Services Department)

BACKGROUND INFORMATION:

Project A/P# 2483756

Council District: 3

Consultant: Mr. Ernest Maestas of Maestas and Associates.

Staff Coordinator: Herminio Griego, Assistant City Arborist, (210) 207-6042

ANALYSIS:

The Development Services Department (DSD) reviewed the information presented in Mr. Ernest Maestas; letter dated June 4, 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. 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 Request to mitigate for removal of surveyed trees within the Floodplain in excess of the 80% minimum preservation of protected significant trees and 100% minimum preservation of heritage trees in place under the 2010 Tree Preservation Ordinance for development of San Antonio Water System (SAWS) Mission Road Pump Station. DSD staff does agree with the applicant’s request to mitigate via enhanced revegetation and payment into the Tree Mitigation Fund for survey inches determined to be below 80% significant tree and 100% heritage tree preservation in the floodplain for the following reasons:

1. *Existing site conditions* - The Mission Road Pump Station is located at 615 E. Theo Parkway. The pump station’s total area is 220,500 square feet of which 42,575 square feet will be disturbed by this project.. The pump station is adjacent to the San Antonio River, Conception Park and residential subdivisions. Different areas of the pump station are located inside and outside of the floodplain. SAWS’ contractor will replace an existing water supply well that deteriorated due to age. The well is an essential part of SAWS’ drinking water infrastructure and necessary for the health and safety of citizens served by the well. Replacement of the well requires a large water well drill rig and supporting equipment.

The pump station includes a number of significant and heritage trees. Multiple access routes and work areas were evaluated to minimize the impact to the trees located on the property. The location of the replacement well was dictated by the size of the drill rig, working area, existing underground infrastructure and the desire to minimize tree impacts (see attached plans). The tree survey included only those tree located within the project’s disturbed area. There are an additional seven floodplain trees located immediately adjacent to the project limits that will be preserved, but were not included in the tree survey (see attached figure). Therefore there are only three (3) significant trees and two (2) heritage trees located in the disturbed floodplain area will be removed resulting in zero percent preservation within the project disturbed floodplain area.

2. *Tree mitigation and canopy diversity* - The applicant opted to provide mitigation above and beyond the minimum required in the UDC as identified below: The project will meet the Riparian Buffer tree survey mitigation requirements as follows:
 - a. Re-seeding 42,576 square feet of disturbed area, both inside and outside of the floodplain;
 - b. Reclaiming disturbed areas by drill seeding with a native seed mix and ensuring 85% establishment; and
 - c. Payment into the Tree Mitigation fund as follows:
 - i. Significant trees = \$6,000.00
 - ii. Heritage Trees = \$31,200.00]
 - iii. Total Payment = \$37,200.00.

SAWS is requesting consideration of a fifty percent (50%) reduction in the mitigation fee for going above and beyond with regards to reseedling techniques inside and outside of the floodplain. If approved, the reduced mitigation payment would be \$18,600.00.

DSD staff supports the applicant’s request to fall below 80% Significant Tree and 100% Heritage Tree requirements in the floodplain based on the conditions of the site, need for the new well, and exceeding mitigation and tree survey requirements. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff

recommends approval.