

November 4, 2024

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

Re: Stonehill Off-site Sewer Extension – Phase II – Capital Improvement Project
Environmental Variance
Request for UDC Section 35-523 (2023 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*”. For the reasons herein described by the following letter, this project requests an Environmental Variance from the portion of the Unified Development Code that requires “*maintaining to the greatest extent possible, existing trees within the city and the ETJ*”.

The Stonehill Off-site Sewer Extension – Phase II Project is a necessary improvement to the San Antonio Water System (SAWS) sewer system in the western area of San Antonio. The Stonehill Off-site Sewer Extension – Phase II Project will construct approximately 1.85 miles (9,799 LF) of 18” gravity sewer main across US Hwy 90 between its intersection with Masterson Rd and TX-211. This project is part of SAWS’ efforts to accommodate future flows along the US Hwy 90 corridor.

The project is located on private tracts of land within a 30’ wide permanent easement for SAWS future operation and maintenance of the sewer main. A 20’ wide temporary construction easement is also utilized to allow access and sufficient space for contractors to install the proposed sewer infrastructure. Significant and heritage trees have been preserved, to the extent possible, to meet the intent of Section 35-253 “Tree Preservation” of the Unified Development Code at all feasible locations throughout the project limits.

Many factors were considered to determine the most viable and cost-effective project alignment that would also promote the preservation of trees within the project limits. Most of the easements utilized for this project were chosen to be placed in agricultural fields in order to preserve adjacent tree canopy. To further promote the preservation of tree canopy and heritage trees, a total of 520 linear feet (LF) will be bored throughout the project, 310 LF of which will be located within the floodplain and ESA Buffer area saving 520 SF of canopy. 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 2023 Tree Preservation Ordinance within the variable width permanent and temporary construction easements as indicated on the Stonehill Off-site Sewer Extension – Phase II Tree Stand Delineation Plan.

Portions of the project site are located within the 100-year regulatory Federal Emergency Management Agency (FEMA) floodplain. Per Table 523-1B of the 2023 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 Preservation Plan, no heritage trees are located inside the 100-year FEMA floodplain. Due to the size and location of the proposed sanitary sewer pipeline, the project does not satisfy the canopy preservation requirements inside the floodplain or ESA buffer area. A total of approximately 41,449 SF of canopy will be located within the floodplain work limits, and a total of approximately 5,251 SF of canopy will be located within the floodplain buffer work limits. This results in a required 18,480 SF for canopy mitigation in the overall project 100-year FEMA floodplain, and 2,719 SF for canopy mitigation in the overall project ESA buffer area as shown on the Tree Preservation Plan. This disturbed area will be revegetated by drill seeding with a native seed mix and ensuring 85% establishment. A total of 382,662 SF (42,518 SY) of revegetation by drill seeding is proposed for this project, approximately 216,294 SF (24,062 SY) of which is located within the floodplain and ESA Buffer area as seen in Table 1. Although tree removal for the portion of the Stonehill Off-site Sewer Extension – Phase II Project located north of US Hwy 90 will be mitigated by the tree permit associated with the Stonehill MDP, revegetation is still proposed for this portion of the project within the sanitary sewer and temporary construction easement limits.

Table 1. Revegetation By Drill Seeding with Native Seed Mix, Ensuring 85% Establishment

Total Disturbed Area Revegetation (SF)	Floodplain Disturbed Area Revegetation (SF)
382,662	216,294

See Tables 2 and 3 below for a summary of the canopy area to be removed and preserved as part of the SAWS Stonehill Off-site Sewer Extension – Phase II Project within the amended floodplain and ESA buffer area.

Table 2. Tree Canopy Preservation Inside Floodplain

Total Canopy (SF)	Canopy Required to Be Preserved (SF)		Canopy To Be Removed (SF)	Canopy To Be Preserved (SF)		Canopy Required to Be Mitigated (SF)
		80%			35%	
41,449	33,159	80%	26,770	14,679	35%	18,480

Table 3. Tree Canopy Preservation Inside 30' Floodplain Buffer

Total Canopy (SF)	Canopy Required to Be Preserved (SF)		Canopy To Be Removed (SF)	Canopy To Be Preserved (SF)		Canopy Required to Be Mitigated (SF)
		80%			28%	
5,251	4200.8	80%	3,769	1,482	28%	2,719

See Table 4 and 5 below for a summary of the additional fees required to mitigate the amended canopy area, prior to consideration of revegetation efforts.

Table 4. Required Mitigation Fees (Inside Floodplain)

Additional Required Canopy Mitigation (SF)	Required Canopy Mitigation (IN) IN = SF ÷ 875 SF/Tree x 16.7 IN	Required Heritage Tree Mitigation (IN) (To Be Mitigated 3:1)	Total Mitigation Fee = \$200/IN
18,480	367.4	0	\$73,480

Table 5. Required Mitigation Fees (Inside 30' Floodplain Buffer)

Additional Required Canopy Mitigation (SF)	Required Canopy Mitigation (IN) IN = SF ÷ 875 SF/Tree x 16.7 IN	Required Heritage Tree Mitigation (IN) (To Be Mitigated 3:1)	Total Mitigation Fee = \$200/IN
2,719	66.8	0	\$13,360

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 Stonehill Off-site Sewer Extension – Phase II Project is critical to SAWS and the City of San Antonio as it pertains to the health and welfare of the public. 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. 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.
- SAWS required the alignment to follow along a preexisting easement and required an additional 20' wide easement for a portion of the project, limiting the alignment options to avoid tree removal.
- SAWS requires removal of all vegetation within the permanent easement to facilitate construction of the proposed sanitary sewer project. 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 this 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 any questions or require additional information, please do not hesitate to contact our office.

Sincerely,
Pape-Dawson Engineers, Inc.

Marshall Preas, P.E.
Associate Vice President

<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:	_____ _____ _____				

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