



# CITY OF SAN ANTONIO

## DEVELOPMENT SERVICES DEPARTMENT

1901 S. Alamo, San Antonio, TX 78204

### ADMINISTRATIVE EXCEPTION/VARIANCE REQUEST APPLICATION

<b>Project Name:</b>	Commerce Storage
<b>A/P # /PPR # /Plat #</b>	COM-PRJ-APP24-39800858 & REQ-CMRORAEVR-24-44400268
<b>Date:</b>	July 17, 2024
<b>Code Issue:</b>	UDC Sec 35-523 (f) Table 523-1A & Sec 35-523 (h) 100-Year Floodplain(s) and Environmentally Sensitive Areas
<b>Code Sections:</b>	Significant trees shall be preserved at eighty (80) percent preservation within both the 100-year floodplains and environmentally sensitive areas

<b>Submitted By:</b>	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Owners Agent * (Requires notarized Letter of Agent)
<b>Owners Name:</b> Andrew Guinn		
<b>Company:</b> BULLETFUND I LLC		
<b>Address:</b> 5308 BROADWAY ST, SAN ANTONIO, TX		<b>Zip Code:</b> 78209
<b>Tel #:</b>	<b>Fax#</b>	<b>E-Mail:</b> aguinn@seamlesslp.com
<b>Consultant:</b> Matthew Hilbig		
<b>Company:</b> Colliers Engineering and Design		
<b>Address:</b> 3421 Paesanos Parkway, San Antonio, TX		<b>Zip Code:</b> 78231
<b>Tel #:</b> 210.979.8444 <b>Fax#</b>		<b>E-Mail:</b> matthew.hilbig@collierseng.com
<b>Signature:</b> <i>Matthew Hilbig</i>		

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

- ☐ Time Extension ☐ Sidewalk ☐ Floodplain Permit ☐ Completeness Appeal  
☐ Other \_\_\_\_\_
- 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 17, 2024

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

Re: 4103 W. Commerce Street - Self Storage  
UDC Sec 35-523 (f) Table 523-1A & Sec 35-523 (h) 100-Year Floodplain(s) and  
Environmentally Sensitive Areas

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

City of San Antonio Development Services Department:

The following environmental exception variance request (AEVR) is submitted on behalf of Bulletfund I LLC. The land requiring the AEVR is located at 4103 W. Commerce, San Antonio, TX 78207. The purpose of this AEVR is to request an exception to Unified Development Code 35-523 (f) Table 523-1A & Sec 35-523 (h), which state that significant trees shall be preserved at eighty (80) percent preservation within both the 100-year floodplains and environmentally sensitive areas.

In existing conditions, the project site contains 5 significant trees that are wholly within the effective FEMA floodplain, as is the majority of surrounding properties. This is due to the inability of nearby Apache Creek to convey flood waters. The Project team spent significant time and effort planning, studying, reviewing and analyzing options and scenarios regarding a potential site plan around the existing trees for the project while balancing potential adverse impacts as a result of redeveloping in the floodplain. As evidenced by the approval of the associated floodplain variances for this project (REQ-CMRORAEVR-23-44400522), significant placement of fill material on site is required. Considering all factors, there was no scenario that could be identified for the proposed development that met floodplain requirements while preserving trees onsite.

Approval of this AEVR will allow for the Property to be transformed from a site covered in pavement from edge to edge with an outdated, unusable vacant building on it to a site with a thoughtfully planned project consisting of substantial greenspace, large landscape buffers and considerably-placed new trees and vegetation surrounding a beautifully designed, energy-efficient building. Additionally, in coordination with the San Antonio River Authority (SARA), a Low Impact Development

(LID) feature is being incorporated into the landscaping for the proposed project, further providing a positive impact on storm water runoff.

The preservation/mitigation summary for the property is as follows:

<u>Tree inches by category</u>	<u>Quantity of Trees</u>	<u>Total Inches</u>
Significant Tree (Total)	5	76"
Significant Tree Removed	5	76"
Significant Tree Preserved	0	0" (0%)
<u>Mitigation</u>		
Significant Tree Inches	60.8"	
Total Mitigation Owed	60.8"	
Total Mitigation Provided	9 @ 3"	27"
	14 @ 2"	28"
	14 @ 1.5"	21"
Total	37	76"
Payment to Tree Fund	0" (\$0.00)	

The property is zoned **C-3** within in the City of San Antonio. We are asking for relief from the required eighty (80) percent significant tree preservation within the 100-year floodplain for the following reasons:

- (1) If the applicant complies strictly with the provisions of these regulations, allowable development on this specific site is inhibited due to the location of the existing trees.
- (2) The hardship relates to existing conditions of the property and utility requirements as directed by other agencies, therefore requiring trees to be removed.
- (3) The hardship requiring this AEVR is unique to the property due to the effective floodplain. In addition, the existing trees are currently located in undesirable conditions; bounded by asphalt, buildings, and utilities. It is clear the root protection zone has not been maintained.
- (4) The existing flood plain will require the site to be raised beyond the typical levels of site preparation. In doing so, the existing condition of all trees on site will be impacted/disturbed. A Variance to the Flood Plain Development Permit was granted on February 14, 2024 under Case #REQ-CMRORAEVR-23-44400522.

- (5) The property includes a Low Impact Development (LID) feature on the west side of the building and parking. Native trees and plantings are included beyond what is required. In coordination with SARA, this feature will positively impact water quality on the property.
- (6) This AEVR corresponds to the spirit of the UDC. The client is working diligently to be a good neighbor to the community while working within the development limits they inherited. The new trees will be three-inch caliper and are proposed in areas that will not conflict with the built environment in the future. In addition, they will help provide a buffer to the properties immediately to the north, south, and east of the subject project.
- (7) The Owner has sought to minimize any potentially adverse impacts on public health, safety, and welfare. The thoughtful placement of new trees and other landscape plantings will help buffer neighbors and mitigate future conflicts with the built environment.

In conclusion, and in my professional opinion, granting this the proposed environmental exception / variance to Bulletfund I LLC 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,

Colliers Engineering & Design, Inc.



Matthew Hilbig, PE  
Department Manager

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