

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPCTED: 8

PROJECT: COM-PRJ-APP22-39800746 - Site Work San Antonio Water System University Pump Station Addition

SUBJECT: COM-PRJ-APP22-39800746 - Site Work San Antonio Water System University Pump Station Addition

Variance Request to mitigate for removal of significant trees in excess of the 80% tree preservation requirements within the Environmentally Sensitive Areas in place under the 2010 Tree Preservation Ordinance.

SUMMARY:

Requested by Elvis Trevino, PE of Maestas & Associates, LLC for a variance to remove trees in excess of the 80% preservation of significant tree preservation within the Environmentally Sensitive Areas as stated under the 2010 Tree Preservation Ordinance. Staff supports the variance request.

BACKGROUND INFORMATION:

Council District: 8

Filing Date: July 21st, 2022, Maestas & Associates on behalf San Antonio Water Systems

Applicant/Project Manager: Elvis Trevino, PE

Staff Coordinator: Jacob Sanchez, Assistant City Arborist, 210-207-0161 jacob.sanchez@sanantonio.gov

ANALYSIS:

The Development Services Department (DSD) has reviewed the information presented in Mr. Elvis Trevino's letter dated August 4th, 2022. 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 both the 100-year floodplain 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 significant trees in excess of the 80% preservation requirements within the Environmentally Sensitive Area in place under the 2015 Tree Preservation Ordinance for construction of San Antonio Water System University Pump Station Addition. DSD staff does agree with the applicant's request to mitigate for the removal of significant trees below 80% for the following reasons:

1. *Existing site conditions* – The 4.94 developed acre site is located at 7172 W. Hausman Rd. - Northwest side of San Antonio near the University of Texas San Antonio. It is located at the intersection of W. Hausman Road and Babcock Road. Within the site is approximately 0.04 acres of 100-Year Floodplain. Located parallel to the 100-Year Floodplain, is a 30' wide Environmentally Sensitive Area (ESA) that makes up 0.65 acres. To increase overall tree preservation the engineer re-designed the site multiple times but was not able to provide a plan that could meet the current tree preservation requirements. The ESA site contains (31) large significant

species trees for a total of 337” inches. A total of 131” caliper inches consisting of 12 existing trees will be required to be removed to complete the proposed work to meet the water demand of the public. In addition, the proposed security fence is also directly in conflict with significant trees within the Riparian Buffer. The proposed security fence is required in order to meet the TCEQ requirements for Water Storage Facility security as stated in the Texas Commission on Environment Quality (TCEQ) Subchapter D: Rules and Regulations for Public Water Systems §290.43 Water Storage Subsection (e): **“All potable water storage tanks and pressure maintenance facilities must be installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder-resistant fence with lockable gates...The gates and doors must be kept locked whenever the facility is unattended.”** Within the ESA, the preservation rate is 61.1% significant tree preservation. The required mitigation for the ESA area is 63.6” inches. There are no Heritage trees within the ESA.

- a. Environmentally Sensitive Area Large Significant trees = 131 inches removed (12 trees), 206 inches preserved (19 trees), 61.1% preservation ratio, 64 inches of required mitigation
2. *Tree mitigation* - The project will meet the minimum required mitigation of 63.6” caliper inches by payment in lieu of planting. SAWS is unable to plant trees at this unmanned facility due to the site’s existing utility infrastructure and future expansion to the water system infrastructure to meet the increasing city development and customer demand for water. This mitigation meets the minimum 80% tree preservation required within the ESA.

DSD staff supports the applicant’s request to fall below 80% of significant tree preservation requirements within the Environmentally Sensitive Area (ESA) based on the conditions of the site, design constraints, and the public water demand need. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

ISSUE:

The applicants project proposes removal of significant trees in the ESA and does not meet the required minimum preservation of 80% for Large Significant trees within the Environmentally Sensitive Areas.

ALTERNATIVES:

Planning Commission may decide to deny the variance, which means the applicant will have to comply with the Tree Preservation Ordinance.

RECOMMENDATION:

DSD staff recommends approval of the proposed variance.