

February 24, 2023

City of San Antonio Planning Commissioners
1901 S. Alamo Street
San Antonio, TX 78204

Re: Sulphur Springs
Plat No. 22-11800655
Environmental Variance Request
UDC Section 35-523(h); 100-Year Floodplain(s) and Environmentally Sensitive Areas

Dear Ms. Ramirez:

This letter serves as a formal request for the consideration of one (1) environmental variance request for the Sulphur Springs Offsite Sewer improvements. This project is generally located at the intersection of IH-410 and New Sulphur Springs Road. This sewer line improvement is to properly serve the Sulphur Springs Manufactured Housing development that is located approximately 0.25 miles east of the offsite sewer improvements. This tree plan was separated from the Sulphur Springs onsite tree plan by request of the City of San Antonio and SAWS. We are requesting an environmental variance for the removal of one (1) heritage black willow tree that is located within the 100-year floodplain for the installation of approximately 416 LF of 12" SAWS sewer line. The removal of this tree is proposed to be mitigated with 91.5" of medium to large shade trees on the nearby manufactured housing development. The size and location of the proposed trees is specified in the Sulphur Springs Tree Preservation Plan (TRE-APP-APP22-38802034). An exhibit showing the relative location of the proposed offsite sewer line and the manufactured housing development is included with this letter. Per the Unified Development Code Section 35-523(h); 100-Year Floodplain(s) and Environmentally Sensitive Areas, heritage trees shall be preserved at 100% within both the 100-year floodplains and environmentally sensitive areas.

A 30.5" black willow tree is located within the existing 16' SAWS sewer easement of an 10" sewer line that is proposed to be removed and replaced. This tree will be removed for the installation of this line because SAWS requires 100% clearing within easements. The following are reasons why we believe an environmental variance should be supported:

- This is a SAWS project and would provide more capacity in SAWS' system so that the adjacent Sulphur Springs development can be built. The black willow tree that is requested to be removed resides within the easement of an existing sewer line that was constructed in 1985. It seems as if the tree grew over the existing easement after the sewer main was built in 1985.

An environmental variance in this situation is not to be contrary to the spirit and intent of the City of San Antonio guidelines and public safety. Practical measures to minimize adverse impacts on the public health, safety and public welfare have been included in the design of this project. No trees outside or near the existing sewer easement are to be removed.

In accordance with UDC Section 35-483(e), the following statements are provided:

- If the applicant complies strictly with the provisions of these regulations, he/she can make no reasonable use of his/her property.
 - If the developer were to adhere strictly with the provisions of the UDC Section 35-523(h), the black willow tree would not be able to be removed and the sewer line not installed. This would vacate the Utility Service Agreement that the developer entered into with SAWS and make the New Sulphur Springs Tract undevelopable.
- The hardship relates to the applicant's land, rather than personal circumstances.
 - The sewer line was required to be removed and increased in size. Therefore, the hardship referenced in this letter applies to the applicant's land, not their personal circumstances.
- The hardship is unique, or nearly so, rather than one shared by many surrounding properties.
 - The black willow tree that is to be removed has grown up within the sewer easement since the construction of the line that is to be removed and replaced. This tree would not have been problematic at the time of construction of the existing sewer main. The increase in sanitary sewer flows from the Sulphur Springs development were not taken into account in the initial installation, as it typically would have today. Therefore, this hardship is abnormal and unique to this property.
- The hardship is not the result of the applicant's own actions.
 - The existing sewer line was constructed by a different developer. Our developer had no control over the sizing of this sewer main and the location of the growth of the tree since construction. Therefore, this hardship is not the result of the applicant's own actions.
- The granting of the exception/variance is not to be injurious to other property and is not to prevent the orderly subdivision of other property in the area in accordance with these regulations.
 - The granting of this exception/variance is not injurious to other property and is not to prevent the orderly subdivision of other property in the area.

In my professional opinion, the proposed environmental variance request remains in harmony with the spirit and intent of the UDC as it is not to adversely affect the health, safety, or welfare of the public.

Sincerely,
Pape-Dawson Engineers, Inc.



Dane Wright, P.E.
Project Manager

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<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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