



August 6<sup>th</sup>, 2024

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

Re: Stoney Creek Subdivision (TRE-APP-APP24-38801644) (AP#2405281)  
UDC Section 35-523 (h) – 2010 Tree Ordinance Survey Standards  
35-523 Tree Preservation

Dear Development Services,

This Variance Request letter is being submitted in reference to the Stoney Creek Subdivision (Charles Davis Tract) concerning tree preservation within Environmentally Sensitive Areas (ESA) and 100-year floodplain areas as defined in UDC Section 35-523(h) and shown in Table 523-1A of the City of San Antonio Unified Development Code. This project is located along the west side of Groesenbacher Road north of the Groesenbacher Road and Highway 90 intersection within City of San Antonio ETJ limits. This project is located outside of the recharge zone.

The applicant wishes to request consideration for a variance falling below the minimum preservation percentage of 80% within the ESA and 100-year floodplain as required in 2010 Tree Ordinance of the Unified Development Code of the City of San Antonio. All other requirements as outlined in this section will be met in accordance with the requirements of the Unified Development Code of the City of San Antonio.

The following information is provided concerning the hardship and uniqueness of the subject property and confirmation that granting this variance will not be to the detriment of the public's health, safety and welfare and will not be harmful to the subject property or the adjacent properties:

The site is an existing single family residential neighborhood which was previously approved on 5.13.2020 for falling below preservation in the ESA and Floodplain with variance TPV 20-32. The preservation of existing significant trees within the floodplain at time of the above-mentioned variance was 77.10% (2.90% and 70 inches short of meeting the minimum 80% required preservation rate). The preservation rate within the ESA with the existing variance mentioned above as 40.00% significant tree preservation (40.00% and 36 inches short of meeting the minimum 80% required preservation rate) and this is not changing with this proposed variance request. This request for a

variance comes at the need for an off-site SAWS CIP water main tie-in within the limits of the Stoney Creek site which requires two trees removed within the floodplain as noted in the revised tree plan (tree # 2848 and 2850). The proposed preservation of existing significant trees within the floodplain is 76.07% (3.93% and 95.4 inches short of meeting the minimum 80% required preservation rate). Planted inches and provided canopy at time of the approved variance on 5.13.2020 allows for the removal of these two trees without further mitigation.

The requirements of the 2010 tree ordinance have been met by the Stoney Creek developer at time of the variance approval from 5.13.2020. All preservation deficits associated with the floodplain and ESA areas within this development have been mitigated through on-site tree Planting. The developer planted one (1) additional 1.5" tree per lot to make up the deficit associated with the floodplain and ESA preservation as well as the deficit associated with required preservation rates outside of the floodplain and ESA. The tree preservation and planting plan planted more than the minimum required trees to mitigate the deficit (315 inches more than required) as well as provide more than the minimum final canopy coverage than required by the San Antonio 2010 tree ordinance (22,611 square feet above the minimum 38% final canopy coverage required by ordinance). Please see the attached tree preservation plan submitted with this variance request for all preservation calculations and associated mitigations.

- *The hardship relates to the applicant's land, rather than personal circumstances: The existing site prior to development was farmland with very few trees requiring the developer to plant a significant number of trees to comply with the final canopy coverage requirements of the 2010 City of San Antonio tree ordinance. This hardship is related to the existing condition of the property as well as the amount of 100-year floodplain located on the site.*
- *The hardship is unique, or nearly so, rather than one shared by many surrounding properties: This hardship is related to the amount of 100-year floodplain located on the site and the number of trees located within the limits of the floodplain. In addition, the results of the CLOMR place the proposed ESA in a location where meeting the required tree preservation is not possible because of fill placement.*
- *The hardship is not the result of the applicant's own actions and rather a result of the amount of floodplain contained within the property and the location of the trees within the floodplain areas. Great care was given to preserve as many trees as possible within the limits of the floodplain and ESA areas.*
- *The Variance submitted will not be detrimental to the public health, safety or welfare or injurious to other property in the area. Furthermore, the granting of this Variance will not adversely affect the orderly subdivision of other land in this area. The final canopy coverage exceeds that required by code. All preservation deficits associated with the floodplain and ESA areas within this development will be mitigated through on-site tree Planting. The developer proposes to plant 1 additional 1.5" tree per lot to make up the deficit associated with the floodplain and ESA preservation as well as the deficit associated with required preservation rates outside of the floodplain and ESA.*

In my professional opinion, this variance request recognizes and conforms to the spirit and intention of the Unified Development Code as it pertains to areas with floodplain improvements. Please review this request and contact me by phone at (210) 681-2951 or by email at [smcfarland@cudeengineers.com](mailto:smcfarland@cudeengineers.com) if you have any questions or require any additional information.

Sincerely,

*Sean McFarland*

Sean McFarland, PE    Project Manager  
Signature and Title Block of Applicant

**For Office Use Only:**    AEVR #: \_\_\_\_\_    Date Received: \_\_\_\_\_

**DSD – Director Official Action:**

☐ APPROVED

☐ APPROVED W/ COMMENTS

☐ DENIED

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Comments: \_\_\_\_\_

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