



City of San Antonio

Agenda Memorandum

File Number:
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Agenda Item Number: {{item.number}}

Agenda Date: July 24, 2024

In Control: Planning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Variance Request to mitigate for removal of tree stand and heritage trees in excess of the 80% tree stand and 100% heritage tree preservation requirements within the Environmentally Sensitive Areas (ESA) and floodplain in place under the 2023 Tree Preservation Ordinance.

SUMMARY:

The Development Services Department (DSD) has reviewed the information presented in Mr. Preas' letter. The Unified Development Code (UDC) – Article V, Section 35-523 (h), 100-Year Floodplain(s) and Environmentally Sensitive Areas (ESA) 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 tree stand in excess of

the 80% preservation requirement within the Environmentally Sensitive Areas (ESA) and floodplain and heritage tree in excess of 100% in the floodplain under the 2023 Tree Preservation Ordinance for the SAWS Luensmann Off-site Water Extension project. The proposed project will accommodate future water flows on the far east side of San Antonio and will install 4.5 miles of 24" water lines as depicted on the site map. DSD staff does agree with the applicant's request to mitigate for the removal of tree stand below the 80% and heritage trees below 100% preservation requirement for the following reasons:

1) Site Conditions and Project Scope – This project is comprised of 4.5 miles of 24" diameter water lines. The installation of the water lines will require a 24' wide permanent easement and a 16' wide temporary construction easement. The water lines are an integral part of SAWS' service needs for San Antonio and the eastern Extraterritorial Jurisdiction (ETJ). SAWS requires 100 percent clearing of the easement for the installation and maintenance of the water lines. The proposed tree preservation ratios are as follows:

- a) Environmentally Sensitive Area total tree stand = 7,701, square feet; removed = 4,158 square feet; preserved = 3,543 46% preservation ratio, 2,618 square feet required mitigation
- b) Environmentally Sensitive Area Heritage Specie Trees: Total trees = 0 inches
- c) Floodplain Area total tree stand = 101,008, square feet removed = 48,374 square feet preserved = 52,634, 52% preservation ratio, 28,173 square feet required mitigation.
- d) Floodplain Area Heritage Specie Trees: total trees = 153.5 inches, removed = 27 inches, preserved = 126.5 inches, mitigation = 81 inches.

2) Tree mitigation – The owner proposes to mitigate by:

- a) The design included the preferential selection of agricultural lands for easements. These lands contained fewer trees than proposed easement alignments resulting in minimizing the amount of tree canopy removed.
- b) Reclaiming the disturbed areas by drill seeding with native seed mix and ensuring 85% establishment, and
- c) The value of these efforts to minimize tree impacts and restore disturbed areas resulted in a mitigation of 684 inches X \$200.00/inch = \$136,800.00

DSD staff supports the applicant's request to fall below the minimum 80% tree stand preservation in the ESA and floodplain and below the 100% heritage tree preservation in the floodplain based on the effort to place easements mainly on agriculture lands with far fewer trees and the need to provide services to a growing population. The proposed Variance Request meets the intent and spirit of the Tree Ordinance, therefore, staff recommends approval.

BACKGROUND INFORMATION:

Council District: ETJ

Filing Date: April 15, 2024

Applicant: Marshall Preas, Pape-Dawson Engineers.

Staff Coordinator: Charles Johnson, Senior Plans Examiner, 210-207- 0170
Charles.Johnson2@sanantonio.gov

ISSUE:

The applicant's project proposes removal of tree stand in the ESA and floodplain and heritage trees in the floodplain do not meet the tree stand required minimum preservations of 80% in the Environmentally Sensitive Areas and 100% heritage tree in the floodplain.

ALTERNATIVES:

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

RECOMMENDATION:

Staff recommends Approval of the proposed variance.