



City of San Antonio

Agenda Memorandum

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

Agenda Date: January 10, 2024

In Control: Planning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Variance Request to mitigate for removal of tree canopy in excess of the 80% preservation requirements within the Environmentally Sensitive Areas (ESA) and floodplain in place under the 2022 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 areas except when a variance is granted by the Planning Commission.”

The applicant is requesting a Variance Request to mitigate for removal of trees stand in excess of

the 80% preservation requirement within the Environmentally Sensitive Areas (ESA) and floodplain under the 2022 Tree Preservation Ordinance for the SAWS Stonehill Off-site Sewer Extension Phase 1 project. The proposed project focuses on installing 9,285 linear feet of 30” gravity sewer line east of the US Hwy 90 and Jungman intersection starting north of US Hwy 90 and running south for 1.75 miles as depicted on the site map. DSD staff does agree with the applicant’s request to mitigate for the removal of trees stand below the 80% preservation for the following reasons:

1) Existing Site Conditions– This project is comprised of a 9,285 linear foot long 30” diameter sewer line. The installation of the sewer line requires a 40’ wide permanent easement and a 30’ wide temporary construction easement for a combined total of 1,283,499 square feet. The total tree canopy area in the ESA and floodplain for this project is 41,361 square feet. SAWS requires 100 percent clearing of the easement for the installation and maintenance of the sewer line. The sewer line is an integral part of SAWS’ commitment to meet the increased waste flow demands for the expanding residential and business development along the US Hwy 90 corridor. The proposed tree preservation ratios are as follows:

a) Environmentally Sensitive Area:

- i) total square feet = 15,451
- ii) square feet removed = 3,734
- iii) square feet preserved = 11,707
- iv) 76% preservation ratio
- v) required mitigation = 653 square feet

b) Environmentally Sensitive Area Heritage Specie Trees: Total trees = 0 inches

c) Floodplain Area

- i) square feet total = 171,170,
- ii) square feet removed = 52,310
- iii) square feet preserved = 118,860
- iv) 69% preservation ratio
- v) Required mitigation = 18,076 square feet

d) Floodplain Area Heritage Specie Trees: total trees = 0 inches

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

- a) The design included locating easements through agricultural. These lands contained fewer trees resulting in minimizing the amount of tree canopy removed.
- b) Preserving an excess 6,579 square feet of canopy in the upland area.
- c) Preserving 130,567 square feet of tree stand in the ESA and floodplain.
- d) Boring 1,016 linear feet of which 942 linear feet are in the ESA and floodplain. The boring resulted in saving 41,631 square feet of canopy equivalent to 789 inches of mitigation.
- e) Reclaiming the disturbed areas by drill seeding with native seed mix and ensuring 85% establishment, and
- f) The value of these efforts to minimize tree impacts and restore disturbed areas resulted in a mitigation of 178.73 inches X \$200.00/inch = \$35,746.00

3) DSD staff supports the applicant's request to fall below the minimum 80% tree stand preservation of within the ESA and floodplain due to efforts of the SAWS project team to minimize tree removal by locating easements through existing agricultural use properties with fewer trees and the installation of sewer line by boring portions of the alignment. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

BACKGROUND INFORMATION:

Council District: ETJ

Filing Date: December 15, 2023

Applicant: Marshall Preas, Pape-Dawson Engineers.

Staff Coordinator: Charles Johnson, Senior Plans Examiner, 210-207- 0170
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ISSUE:

The applicant's project proposes removal of tree stand in the ESA and floodplain and does not meet the tree stand required minimum preservation of 80% in the Environmentally Sensitive Areas and 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:

DSD staff recommends approval of the proposed variance.