



City of San Antonio

Agenda Memorandum

File Number:
{{item.tracking_number}}

Agenda Item Number: {{item.number}}

Agenda Date: January 8, 2025

In Control: Planning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

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

SUMMARY:

The Development Services Department (DSD) has reviewed the information presented in Mr. Van Delist's 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. Mitigation shall be prohibited in floodplains and environmentally sensitive areas except when a tree variance is granted by the Planning Commission."

The applicant is requesting a tree variance to mitigate for removal of tree canopy in excess of the

80% preservation requirement within the Environmentally Sensitive Areas (ESA) and floodplain and heritage trees in excess of the 100% preservation requirement in the floodplain. The proposed project will install approximately 4.38 miles of high voltage overhead electrical lines from the Scenic Loop Substation. The project will support current and future growth by extending electrical service to the area. (See exhibit). DSD staff does agree with the applicant's request to mitigate for the removal of tree canopy below the 80% and heritage trees below 100% preservation requirements for the following reasons:

1) Existing Site Conditions— This project is comprised of 4.38 miles of high voltage overhead lines and supporting monopole towers. The power poles and lines are located in a 100-foot-wide easement. The alignment is required to meet the Electric Reliability Council of Texas (ERCOT) requirements. Multiple alignments were evaluated to determine the best alternative that: 1) met the ERCOT requirements, 2) will provide an economic project, 3) minimize adjacent property impacts and 4) minimized tree impacts. The project is designed to clear only a 10-foot-wide path between the monopoles and a 100-foot square area at the pole locations. The proposed tree preservation ratios are as follows:

a) Environmentally Sensitive Area:

i) total square feet of canopy = 285,605

ii) square feet removed = 82,073

iii) square feet preserved = 203,532

iv) 71.2% preservation ratio

v) required mitigation = 476 Inches

b) Environmentally Sensitive Area Heritage Trees:

i) total inches= 443

ii) inches removed =0

iii) inches preserved= 443

iv) 100% preservation ratio

v) required mitigation = 0 inches

c) Floodplain Area:

i) total square feet of canopy = 327,569

ii) square feet removed = 104,323

iii) square feet preserved = 223,246

iv) 68% preservation ratio

v) Required mitigation = 741 Inches

d) Floodplain Area Heritage Trees:

i) total inches= 1,742

ii) inches removed = 288

iii) inches preserved= 1,454

iv) 83.46% preservation ratio

v) required mitigation = 864 inches

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

a) Using a design that minimizes the clearing area within the CPS Energy easement.

- b) Preserving select heritage trees within designated clearing areas.
- c) Using a design that meets ERCOT requirements.
- d) Preserving 235,121 square feet of excess canopy
- e) Reclaiming the disturbed areas by drill seeding with native seed mix and ensuring 85% establishment, and hydro mulching the remainder of the disturbed area, and
- f) The value of these efforts to minimize tree impacts and restore disturbed areas resulted in a mitigation of 1,036 inches X \$200.00/inch = \$207,200.00

3) DSD staff supports the applicant's request to fall below the minimum 80% tree stand preservation within the ESA and floodplain and 100% heritage tree preservation in the floodplain due to efforts of the CPS Energy project team to minimize tree removal by selecting an alignment that meets the ERCOT requirements and minimizes tree impacts, minimizing clearing areas within the CPS easement, preserving select heritage trees in designated clearing areas, The proposed Variance Request meets the intent and spirit of the Tree Ordinance and therefore, staff recommends approval.

BACKGROUND INFORMATION:

Council District: ETJ

Filing Date: December 12, 2024

Applicant: Nick Van Delist P.E., with Moy Tarin Ramirez 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 does not meet the tree stand required minimum preservations of 80% in the Environmentally Sensitive Areas and floodplain 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:

DSD staff recommends approval of the proposed variance.