



City of San Antonio

Agenda Memorandum

File Number:
{{item.tracking_number}}

Agenda Item Number: {{item.number}}

Agenda Date: April 23, 2025

In Control: Planning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 7

SUBJECT:

Variance Request to mitigate for removal of large species significant trees in excess of the 80% preservation requirement within the 100-year floodplain buffer/ESA in place under the 2023 Tree Preservation Ordinance.

SUMMARY:

The Development Services Department (DSD) has reviewed the information presented in Mr. Kevin Chavez'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 (ESA). 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 large species significant

trees in excess of the 80% large species significant tree preservation requirements within the 100-year floodplain buffer/ESA in place under the 2023 Tree Preservation Ordinance for the Intertek Solar project. DSD staff does agree with the applicant's request to mitigate for the removal of large species significant trees below 80% tree preservation requirements with the 100-year floodplain buffer/ESA for the following reasons:

Site Design and Layout – The large species significant tree preservation is not meeting the 80% preservation requirement within the 100-year floodplain buffer/ESA because the current tree coverage will impede the implementation of the proposed solar project. As a result of the proposed tree removal within the 100-year floodplain buffer/ESA, the large species significant tree preservation ratios are as follows:

a. 100-year floodplain buffer/ESA large species significant trees = 132.5 inches removed (12 trees), 21 inches preserved (2 trees), 13.7% preservation ratio, 101.5 inches of required mitigation.

Tree Mitigation– The total mitigation required for the removal of large species significant trees within the 100-year floodplain buffer/ESA is 101.5 inches. The owner proposes to mitigate by paying \$20,300.00 (101.5" x \$200) into the Tree Mitigation Fund.

DSD staff supports the applicant's request to fall below the minimum 80% tree preservation of large species significant trees within the 100-year floodplain buffer/ESA due to the applicant meeting mitigation requirements by paying into the Tree Mitigation Fund. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

BACKGROUND INFORMATION:

Council District: 7

Filing Date: January 14, 2025

Applicant: Kevin Chavez, Holt Renewables

Staff Coordinator: Herminio Griego, Assistant City Arborist, 210-207-6042, herminio.griego@sanantonio.gov

ISSUE:

The applicant's project proposes removal of large species significant trees within the 100-year floodplain buffer/ESA and does not meet the required minimum preservation of 80% large species significant trees within the 100-year floodplain buffer/ESA.

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.