



City of San Antonio

Agenda Memorandum

File Number:
{{item.tracking_number}}

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 stand in excess of the 80% preservation requirement 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 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 under the 2022 Tree Preservation Ordinance for the SAWS Stonehill Off-site Water Extension project. The proposed project focuses on installing 0.9 miles of 16" and 2.8 miles of 24" water lines east of the US Hwy 90 and Jungman intersection starting north of US Hwy 90 and running south and east for 3.4 miles 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% preservation requirement for the following reasons:

1) Site Conditions and Project Scope – This project is comprised of 3.4 miles of 16" and 24" diameter water lines. The installation of the respective water lines will require a 30' wide permanent easement and a 20' wide temporary construction easement totaling of 722,808 square feet. The water lines are an integral part of SAWS' service for the public health and welfare of San Antonio's expanding residential and business communities increased water needs along the US Hwy 90 corridor. 51,542 square feet of the tree stand is in the ESA and floodplain areas. 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 = 5,362, square feet removed = 3,070, square feet preserved = 2,292 43% preservation ratio, 1,999 square feet required mitigation
- b) Environmentally Sensitive Area Heritage Specie Trees: Total trees = 0 inches
- c) Floodplain Area total tree stand = 46,180, square feet removed = 27,421, square feet preserved = 18,759, 41% preservation ratio, 18,186 square feet required mitigation.
- d) Floodplain Area Heritage Specie Trees: total trees = 0 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. By placing the easements on agricultural fewer existing trees were required to be 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 385 inches X \$200.00/inch = \$77,049.00

DSD staff supports the applicant's request to fall below the minimum 80% tree stand preservation the ESA and 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: December 9, 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 preservations 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.