



# City of San Antonio

## Agenda Memorandum

**File Number:**  
{{item.tracking\_number}}

---

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

**Agenda Date:** January 24, 2024

**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 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. Farnsworth'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. 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 in excess of the

80% preservation requirement within the Environmentally Sensitive Areas (ESA) and floodplain under the 2022 Tree Preservation Ordinance for the SAWS W9 Upper Leon Creek Sewer Capacity and Storage Relief project. The proposed project focuses on installing 23,665 linear feet of sewer line between Culebra Creek and Whitby Road as seen on the site map. DSD staff does agree with the applicant's request to mitigate for the removal of trees below the 80% preservation for the following reasons:

1) Existing Site Conditions– The project will install various sizes of sewer line via open cut trench to include boring and tunneling 22,000 feet of 48", 1,500 feet of 8", 285 feet of 10" and 675 feet of 27" sewer line along Leon Creek. The installation of the sewer line requires a 10' to 50' wide permanent easement and a 15' to 30' wide temporary construction easement for a combined total of 1,655,280 square feet. SAWS requires 100 percent clearing of the easement for the installation and maintenance of the sewer line. The sewer line is required by the EPA and is an integral part of SAWS' commitment to meet the increased waste flow demands for the expanding residential and business developments. The proposed tree preservation ratios are as follows:

a) Environmentally Sensitive Area:

i) total square feet = 113,746

ii) square feet removed = 81,698

iii) square feet preserved = 90,997

iv) 72% preservation ratio

v) required mitigation = 9,299 square feet

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

c) Floodplain Area

i) square feet total = 2,602,754,

ii) square feet removed = 1,628,232

iii) square feet preserved = 2,082,203

iv) 63% preservation ratio

v) Required mitigation = 453,972 square feet

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

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

a) Exceeding Upland 25% preservation by preserving 85% of the Upland canopy.

b) Preserving 100% of the heritage trees and 72% of total project canopy by boring, tunneling, and realigning the sewer.

i) Preserved 643,900 square feet of canopy (122,289 inches) in the Upland, ESA, and floodplain by boring and tunneling. The boring and tunneling effort saved 43 heritage trees totaling 1,308 inches.

ii) The project bored 300 linear feet on private property to preserve a section of the San Antonio Park's Leon Creek trail system and existing trees. This effort resulted in in preserving 2,508 inches of existing trees, including 88 inches of heritage trees.

c) Approximately 1,434,007 square feet of disturbed areas will be drill seeded using native seed mix and ensuring 85% establishment.

d) The value of these efforts to minimize tree impacts and restore disturbed areas resulted in a mitigation of 4,428.00 inches X \$200.00/inch = \$885,200.00

3) DSD staff supports the applicant's request to fall below the minimum of 80% tree preservation within the ESA and floodplain due to efforts of the SAWS project team to minimize tree removal by realigning, boring, and tunneling the sewer line. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

**BACKGROUND INFORMATION:**

Council District: 7

Filing Date: December 14, 2023

Applicant: Jeff Farnsworth Kimley-Horn.

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

**ISSUE:**

The applicant's project proposes removal of trees in the ESA and floodplain and does not meet the tree 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.