



City of San Antonio

Agenda Memorandum

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

Agenda Date: December 13, 2023

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 and heritage trees in excess of the 80% and 100% respective preservation requirements within the Environmentally Sensitive Areas (ESA) and floodplain in place under the 2010 Tree Preservation Ordinance.

SUMMARY:

The Development Services Department (DSD) has reviewed the information presented in Mr. Kitchen 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% tree stand and 100% heritage tree preservation requirements within the Environmentally Sensitive Areas (ESA) and floodplain under the 2010 Tree Preservation Ordinance for the CPS Energy T-0327 BESS transmission line project. The proposed project focuses on installing transmission lines from the power plant area to the grid. DSD staff does agree with the applicant's request to mitigate for the removal of trees stand and heritage trees below 80% and 100% respective tree preservation for the following reasons:

1) Additional Tree Removal – This project is comprised of 9,940-foot-long installation run of transmission lines in an easement that averages 120 feet wide covering approximately 1,176,120 square feet. The transmission lines are needed for the public health and welfare of San Antonio's expanding residential and business communities increased power demands. 166,527 square feet of the tree stand is in the ESA and floodplain areas. Three heritage trees are in the ESA. CPS Energy is required to by the North American Electric Reliability Corporation (NERC) to clear and maintain clear 100 percent of the easement. The proposed tree preservation ratios are as follows:

- a) Environmentally Sensitive Area tree stand = 42,466 square feet removed, 84,077 square feet preserved, 66% preservation ratio. Mitigation = 17,157 square feet
- b) Environmentally Sensitive or and Non floodplain Area Heritage Species Tree trees = 74 inches removed (2 trees), 30 inches preserved (1 tree), 29% preservation ratio. Mitigation = 222 inches
- c) Floodplain Area tree stand = 11,036 square feet removed, 28,949 square feet preserved, 72% preservation ratio. Mitigation = 3,039 square feet.
- d) Floodplain Area Heritage Species Tree trees = No heritage trees present.

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

- a) Preserved an excess 166,864 square feet of canopy in the upland area.
- b) Preserving 113,026 square feet of tree stand in the ESA and floodplain.
- c) Reclaiming the disturbed areas by drill seeding with native seed mix and ensuring 85% establishment, and
- d) Paying \$70,67.00 into the Tree Mitigation Fund.

DSD staff supports the applicant's request to fall below the minimum 80% tree stand preservation of within the ESA and floodplain and below 100% heritage tree preservations in the floodplain based on the needs of San Antonio's residential and business public health and welfare needs and the North American Reliability Corporation requirements. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

BACKGROUND INFORMATION:

Council District: ETJ

Filing Date: October 23, 2023

Applicant: Matthew Kitchen, Adams Environmental, Inc.

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

ISSUE:

The applicants project proposes removal of tree stand and heritage trees in the ESA and floodplain and does not meet the tree stand and heritage tree required minimum preservations of 80% and 100% respectively within 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.