



# City of San Antonio

## Agenda Memorandum

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

**Agenda Date:** November 13, 2024

**In Control:** Planning Commission Meeting

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**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 in place under the 2023 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 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. The proposed project will install 9,799 linear feet of 18" gravity sewer line east of the US Hwy 90 and Jungman intersection starting north of US Hwy 90 and running south for 1.85 miles (see exhibit. DSD staff does agree with the applicant's request to amend the previous plan and mitigate for the removal of trees below the 80% preservation for the following reasons:

1) Existing Site Conditions– This project is comprised of a 9,799 linear foot long 18" diameter sewer line. The installation of the sewer line requires a 30' wide permanent easement and a 20' wide temporary construction easement for a combined total of 382,662 square feet. The total tree canopy area in the ESA and floodplain for this project is 46,70 square feet. SAWS requires 100 percent clearing of the permanent easement, except for the bored section, for the installation and maintenance of the sewer line. The sewer line is an integral part of SAWS' commitment to meet the increased waste flow demands for the expanding residential and business development along the US Hwy 90 corridor. The proposed amendment tree preservation ratios are as follows:

a) Environmentally Sensitive Area:

i) total square feet of canopy = 5,251

ii) square feet removed = 3,769

iii) square feet preserved = 1,482

iv) 28% preservation ratio

v) required mitigation = 2,719 square feet

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

c) Floodplain Area:

i) total square feet of canopy = 41,449

ii) square feet removed = 26,770

iii) square feet preserved = 14,679

iv) 35% preservation ratio

v) Required mitigation = 18,480 square feet

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

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

a) The design includes locating easements through agricultural lands. These lands contained fewer trees resulting in minimizing the amount of tree canopy removed.

b) Boring 520 linear feet of which 310 linear feet are in the floodplain.

c) Reclaiming the disturbed areas by drill seeding with native seed mix and ensuring 85% establishment, and

d) The value of these efforts to minimize tree impacts and restore disturbed areas resulted in a mitigation of 217.10 inches X \$200.00/inch = \$43,430.00

3) DSD staff supports the applicant's request to fall below the minimum 80% tree stand preservation of within the ESA and floodplain due to efforts of the SAWS project team to minimize tree removal by locating easements through existing agricultural use properties with fewer trees and the installation of sewer line by boring portions of the alignment. 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: August 12, 2024

Applicant: Marshall Preas, Pape-Dawson 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 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.