



# City of San Antonio

## Agenda Memorandum

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

**Agenda Date:** August 14, 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:**

Variance Request to mitigate for removal of significant trees in excess of the 80% preservation requirement within the 100-year floodplain in place under the 2010 Tree Preservation Ordinance.

**SUMMARY:**

The Development Services Department (DSD) has reviewed the information presented in Mr. Sean McFarland’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 significant trees in excess of the 80% significant tree preservation requirements within the 100-year floodplain in place under

the 2010 Tree Preservation Ordinance for the Stoney Creek Subdivision. DSD staff does agree with the applicant's request to mitigate for the removal of significant trees below 80% tree preservation requirements with the 100-year floodplain for the following reasons:

Site Design and Layout – The site has a previously approved variance for the removal of significant trees below the 80% preservation requirement. The previously approved significant tree preservation percentage was 77.10%. This new variance request is due to the removal of 2 additional trees within the 100-year floodplain to install an off-site SAWS CIP water main tie-in within the limits of the Stoney Creek subdivision. As a result of the proposed tree removal within the 100-year floodplain, the revised tree preservation ratios are as follows:

a. 100-year floodplain significant trees = 581 inches removed (41 trees), 1,847 inches preserved (132 trees), 76.07% preservation ratio, 95.4 inches of required mitigation.

Tree Mitigation– The total mitigation required for the removal of significant trees within the 100-year floodplain is 95.4 inches. The owner proposes to mitigate by planting (3)-1.5" caliper trees per lot for a total of 595.5 inches of mitigation provided.

DSD staff supports the applicant's request to fall below the minimum 80% tree preservation of significant trees within the 100-year floodplain due to the installation of an off-site tie-in to a SAWS watermain, and the applicant exceeding mitigation, and meeting tree canopy requirements by planting. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

## **BACKGROUND INFORMATION:**

Council District: ETJ

Filing Date: July 31, 2024

Applicant: Sean McFarland, P.E. with Cude Engineers

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

## **ISSUE:**

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

