



February 16, 2023

Environmental Variance Request Review
City of San Antonio
Development Services Department
1901 S. Alamo
San Antonio, TX 78204

Re: Tres Laurels Subdivision
TRE-APP-APP22-38801338
35-523 Tree Preservation

Administrative Exception
 Environmental Variance
 Subdivision Platting Variance – Time Extension

Dear Development Services,

This letter is to request consideration for an environmental variance for the Tres Laurels Subdivision (TRE-APP-APP22-38801338) located approximately 4300' north of W. Montgomery Rd and Freedom Way Rd intersection.

This Environmental Variance Request letter is regarding the Tree Delineation Method Alternative standards in UDC Code 35-523 (H):

- “100% preservation of heritage trees within the floodplain”
- “100% preservation of heritage trees within the ESA”
- “80% preservation of total canopy area within the ESA”

Site Conditions

This tree plan covers the entirety of proposed Tres Laurels Subdivision MDP (LAND-MDP-20-11100028) as well as the SAWS Job No. 22-1102 “Tres Laurels 16-inch Water Main Extension Project”. Currently, the site includes existing significant canopy and surveyed heritage trees scattered across the site.

Tres Laurels Subdivision proposes 1,088 single-family lots and 1 commercial lot. As few as possible trees are being removed in order to construct street, drain and utility infrastructure as well as homes. All significant tree canopy has been identified and heritage trees have been surveyed.

RID 2017-005

Rules Interpretation Decision 2017-005 specifically addresses UDC Section 35-523(n)(1) by stating variances to the terms and requirements of this division may be granted by the city arborist where a literal enforcement of the provisions of this division will result in an unnecessary hardship.

Justification

There is a total of 369" of heritage trees on the site that are within the existing 100-year floodplain. 100% of heritage trees within the current 100-year floodplain must be preserved. After construction of Tres Laurels, 294" of existing 100-year floodplain heritage trees will be preserved. Only 79.67% of the existing 100-year floodplain trees will be preserved. The results are summarized in the table below:

HERITAGE TREES WITHIN CURRENT 100 YEAR FLOODPLAIN	
HERITAGE FP TREES REMOVE	75"
HERITAGE FP TREES SAVED	294"
TOTAL HERITAGE FP TREES	369"
FP HERITAGE PRESERVATION (100% MINIMUM)	79.67%

RID 2017-005

Rules Interpretation Decision 2017-005 specifically addresses UDC Section 35-523(n)(1) by stating variances to the terms and requirements of this division may be granted by the city arborist where a literal enforcement of the provisions of this division will result in an unnecessary hardship.

Justification

There is a total of 24" of heritage trees on the site that are within the existing Environmentally Sensitive Area. 100% of heritage trees within the existing Environmentally Sensitive Area must be preserved. After construction of Tres Laurels, 0" of existing Environmentally Sensitive Area heritage trees will be preserved. The results are summarized in the table below:

HERITAGE TREES WITHIN ENVIRONMENTALLY SENSITIVE AREA (ESA)	
HERITAGE FP TREES REMOVE	24"
HERITAGE FP TREES SAVED	0"
TOTAL HERITAGE FP TREES	24"
FP HERITAGE PRESERVATION (100% MINIMUM)	0%

There is a total of 48,189.00 SQ. FT. of tree canopy on the site that is within the existing Environmentally Sensitive Area. 80% of tree canopy within the existing Environmentally Sensitive Area must be preserved. After construction of Tres Laurels Subdivision, 29,686.00 SQ. FT. of existing Environmentally Sensitive Area tree canopy will be preserved. Only 61.60% of the existing Environmentally Sensitive Area tree canopy will be preserved. The results are summarized in the table below:

TREE CANOPY WITHIN ENVIRONMENTALLY SENSITIVE AREAS (ESA)	
ESA TREE CANOPY REMOVED	18,503 sq. ft.
ESA TREE CANOPY SAVED	29,686 sq. ft.
TOTAL TREE CANOPY	48,189 sq. ft.
ESA TREE CANOPY PRESERVATION (80% MINIMUM)	61.60%

The total mitigation required is **466.21 inches**, and the total proposed mitigation through planted trees is **3,267 inches**. The breakdown of planted trees is shown below.

- 4 – 1.5” trees per lot to be planted for 1,089 lots for a total of 4,356 – 1.5” trees (6,534 planted inches). Since 2 – 1.5” trees are required per lot, the yielding mitigation is **3,267 inches**.
- Heritage required mitigation for 100-yr floodplain is **225 inches** as heritage preservation is below the required 100%.
- Heritage required mitigation for Environmentally Sensitive Area (ESA) is **72 inches** as heritage preservation is below the required 100%.
- Canopy required mitigation for Environmentally Sensitive Area (ESA) is **169.21 inches** as canopy preservation is below the required 80%.

Summary

For the development of Tres Laurels Subdivision, the amount of existing heritage trees preserved within the 100-year Floodplain and Environmentally Sensitive Area (ESA) will be below the required 100%. The amount of tree canopy preserved within the Environmentally Sensitive Area (ESA) will be below the required 80%. There will only be 61.60% of tree canopy preserved within the ESA. Additionally, this development will preserve 92.59% of tree canopy within the floodplain which exceeds the required 80%. Mitigation will be provided as stated above, please see below for a summary of the hardships included with the development of Tres Laurels Subdivision.

FEMA 100-year floodplain runs along the majority of the eastern property boundary, the current limits fall within proposed lots. Thus, floodplain reclamation grading is necessary to remove floodplain off these lots and have developable land. Minimal clearing is being optimized by achieving the smallest amount of grading necessary through iterations of hydrology (HMS) modeling. Tree #1032 (24”) falls within the 3:1 grading of the proposed floodplain reclamation which require its removal in order to raise this area of lots outside of the floodplain. A majority of tree canopy removal within the ESA is due to proposed lot grading but there is also a sanitary sewer connection within the FP/ESA and accompanying temporary construction access easements for each water/sewer easements. Heritage

Tree #30001 (29") will be removed due to its extensive decay, and Heritage Tree #30002 (24") is required to be removed as it is located within proposed 17' off-lot sanitary sewer easement. The existing sanitary sewer infrastructure prohibits us from adjusting the proposed 17' off-lot easement and sewer main bearing.

A portion of this tree plan encompasses the proposed Tres Laurels 16" Oversized SAWS Water Main Extension (SAWS Job No. 22-1102/CO-00607-SR). There are existing Heritage Trees and Significant Tree Canopy within the proposed easement. Requiring removal of Heritage Trees #1026 and #1027 (27" and 24", respectively) are located within the permanent water easement (DOC# 20220077152), as well as Significant Tree Canopy within the ESA. The location and limits of this easement has been recorded and cannot be revised to bypass the ESA and/or Heritage Trees because this is the tie in location of the existing SAWS Water Main (SAWS Job No. 18-1221).

The only properties impacted by the environmental variance are owned by the Applicant and will only benefit from the granting of the exception.

The applicant is requesting an environmental variance to the following:

- 100% preservation of heritage trees within the floodplain.
- 100% preservation of heritage trees within the Environmentally Sensitive Area (ESA).
- Minimum 80% preservation of tree canopy within the Environmentally Sensitive Area (ESA).

Given the hardship and uniqueness of the subject property and confirmation that granting this exception, will not be detriment of the public's health, safety, and welfare, nor will be harmful to the subject property on the adjacent properties.

It is our professional opinion, the proposed variance remains in harmony with the spirit and intent of the UDC as it will not adversely affect the health, safety, or welfare of the public.

Sincerely,

Sean McFarland

Sean McFarland, PE Project Manager

Signature and Title Block of Applicant

Signature of Owner (if applicable)

For Office Use Only: AEVR #: _____ Date Received: _____

DSD – Director Official Action:

APPROVED APPROVED W/ COMMENTS DENIED

Signature: _____ Date: _____

Printed Name: _____ Title: _____

Comments: _____
