



October 12, 2021

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

Re: McCrary Tract, Take 1
TRE-APP-APP21-38801076
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 McCrary Tract, Take 1 (TRE-APP-APP21-38801076) located approximately 1300' north of Swayback Ranch & Davis Ranch.

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 protected trees within the floodplain."

Site Conditions

The McCrary Tract, Take 1 subdivision is a portion of land within the McCrary Tract Subdivision MDP (LAND-MDP-19-11100042). This tree plan covers only proposed McCrary Tract, Take 1. Currently, the site includes existing significant and heritage trees scattered across the site.

McCrary Tract, Take 1 proposes 408 single-family lots. Many trees will need to be removed to construct street, drain and utility infrastructure as well as homes. All significant and heritage trees have been surveyed to see how many can be removed to satisfy the preservation requirements

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 632.5" 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 McCrary Tract Take 1, 521" of existing 100-year floodplain heritage trees will be preserved. Only 82.37% of the existing 100-year floodplain trees will be preserved. Tree #376 (31.5") is located within an existing CPS OHE Easement, and this location is solely dictated by CPS and their infrastructure in the area, thus the owner/developer has no control over the removal of said heritage tree. The remaining 80" of heritage tree removal is within Tributary B floodplain channel improvements, and this channel has been optimally designed in order to preserve as many trees as possible. This channel is necessary to convey and contain the 100-year WSE of the existing floodplain. The results are summarized in the table below:

HERITAGE TREES WITHIN CURRENT 100 YEAR FLOODPLAIN	
HERITAGE FP TREES REMOVE	111.5"
HERITAGE FP TREES SAVED	521"
TOTAL HERITAGE FP TREES	632.5"
FP HERITAGE PRESERVATION (100% MINIMUM)	82.37%

There is a total of 428.5" of heritage trees on the site that are within the existing Environmentally Sensitive Area. 100% of heritage trees within the current Environmentally Sensitive Area must be preserved. After construction of McCrary Tract Take 1, 402.5" of existing Environmentally Sensitive Area trees will be preserved. 93.93% of the existing Environmentally Sensitive Area trees will be preserved. The 26" removal of heritage tree is within Tributary B floodplain channel improvements, and this channel has been optimally designed in order to preserve as many trees as possible. This channel is necessary to convey and contain the 100-year WSE of the existing floodplain. The results are summarized in the table below:

HERITAGE TREES WITHIN ENVIRONMENTALLY SENSITIVE AREAS (ESA)	
HERITAGE ESA TREES REMOVE	26"
HERITAGE ESA TREES SAVED	402.5"
TOTAL HERITAGE ESA TREES	428.5"
ESA HERITAGE PRESERVATION (100% MINIMUM)	93.93%

There is a total of 1,366,309.05 SQ. FT. of tree canopy on the site that are within the existing 100-year floodplain. 80% of tree canopy within the current 100-year floodplain must be preserved. After construction of McCrary Tract Take 1, 1,055,421.20 SQ. FT. of existing 100-year floodplain tree canopy will be preserved. Only 77.25% of the existing 100-year floodplain tree canopy will be preserved. Approximately 29,000 SQ. FT. of removed floodplain tree canopy are within an existing CPS OHE Easement, and this location is solely dictated by CPS and their infrastructure in the area, thus the owner/developer has no control over the removal of said heritage tree. The remainder of a large portion of removed floodplain tree canopy are within the limits of the Trib B Tributary floodplain reclamation improvements for this development. This channel is necessary to convey and contain the 100-year WSE of the existing floodplain. The results are summarized in the table below:

TREE CANOPY WITHIN CURRENT 100 YEAR FLOODPLAIN	
FP TREE CANOPY REMOVED	310,888 sq. ft.
FP TREE CANOPY SAVED	1,055,421 sq. ft.
TOTAL TREE CANOPY	1,366,309 sq. ft.
FP TREE CANOPY PRESERVATION (80% MINIMUM)	77.25%

The total mitigation required is **1,130.5 inches**, and the total proposed mitigation through planted trees is **4,232.5 inches**. The breakdown of planted trees are shown below.

- 4 - 3" trees per lot to be planted for 232 lots (Pulte) for a total of 928 - 3" trees (2,784 planted inches). Since 2 - 1.5" trees are required per lot, the yielding mitigation is **2,088 inches**.
- 5 - 3" trees per lot to be planted for 176 lots (HDC) for a total of 880 - 3" trees (2,640 inches). Since 2 - 1.5" trees are required per lot, the yielding mitigation is **2,112 inches**.
- Sixty-Five (65) - 2" streetscape trees for a total of 130 inches. Since 65 - 1.5" trees are required along a collector, the yielding mitigation is **32.5 inches**.

Summary

For the development of McCrary Tract Take 1, the amount of existing heritage trees preserved within the 100-year Floodplain will be below the required 100%. The amount of significant and heritage trees preserved within the Environmentally Sensitive Area (ESA) will be below the required 100%. There will only be 82.37% of existing heritage tree canopy preserved within the floodplain and 93.93% of existing significant and heritage tree canopy preserved within the ESA. Additionally, this development will only be able to preserve 77.25% of tree canopy within the floodplain which is below the required 80%. Mitigation will be provided as stated above, please see below for a summary of the hardships included with the development of McCrary Take 1.

The previously stated 28' E.G.T.CA. easement along the western property line of McCrary encompasses 3 separate tree plans. Being the McCrary Take 1 Tree Plan (TRE-APP-APP21-38801076), the McCrary Unit 3 Tree Plan (AP#2679183) and the CPS OHE Tree Plan (TRE-APP-APP21-38801344). Provided with this letter is an exhibit outlining the limits of the CPS OHE ESMT with respect to these 3 separate tree plans. The portion of the CPS ESMT in the McCrary Take 1 tree plan (TRE-APP-APP21-38801076) is entirely within the floodplain and for reasons stated in the justification section of this letter, the developer is unable to preserve any heritage or tree canopy within the limits of this easement. A large percentage of heritage tree and tree canopy removed within the ESA and floodplain are within the Trib B channel improvements to reclaim floodplain in this area to ensure future homes are not flooded. Due to the public improvements stated above, the McCrary Take 1 development does not meet preservation requirements for heritage, floodplain, and ESA tree canopy per UDC Code 35-523. Thus, the public improvements are placing a hardship on the respected development.

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, and ESA.
- Minimum 80% preservation of tree canopy within the floodplain.

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, 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: _____

