

October 19, 2021

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

Re: McCrary Subdivision, Unit 3
AP #2679183
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 Subdivision, Unit 3 (AP #2679183) 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):

- "80% preservation of significant trees within the floodplain."
- "80% preservation of significant trees within the ESA."
- "100% preservation of heritage trees within the floodplain."

Site Conditions

The McCrary Unit 3 subdivision is a portion of land within the McCrary Tract Subdivision MDP (LAND-MDP-19-11100042). This tree plan covers the proposed McCrary Unit 3 and a portion of the 28' CPS OHE Easement that runs parallel to the western property boundary. Currently, the site includes existing significant and heritage trees scattered across the site.

McCrary Unit 3 proposes 79 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 maximize preservation.

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 778" of significant floodplain trees on the site that are within the existing 100-year floodplain. 80% of this overall floodplain tree total is 622". After construction of McCrary Unit 3, only 443" of existing significant floodplain trees will be preserved. 56.94% of the existing significant floodplain trees will be preserved. The removal of significant trees within the floodplain is solely due to a proposed 28' CPS OHE Easement that runs parallel the western boundary of the property. This location is dictated by CPS and their infrastructure design in the area; thus, the owner/developer has no control over the removal of said significant trees. The results are summarized in the table below:

SIGNIFICANT TREES WITHIN CURRENT 100 YEAR FLOODPLAIN	
SIGNIFICANT FP TREES REMOVED	335"
SIGNIFICANT FP TREES SAVED	443"
TOTAL SIGNIFICANT FP TREES	778"
FP SIGNIFICANT PRESERVATION (80% MINIMUM)	443 SAVED / 778 TOTAL = 56.94%
REQUIRED INCHES TO MITIGATE @ 1:1 RATIO	180"

There is a total of 509" of significant trees on the site that are within the existing Environmentally Sensitive Area. 80% of this overall Environmentally Sensitive Area tree total is 407". After construction of McCrary Unit 3, only 245" of existing Environmentally Sensitive Area trees will be preserved. Only 48.13% of the existing Environmentally Sensitive Area trees will be preserved. There is 75" of significant trees within the proposed CPS OHE easement that will be removed within the ESA. The remainder of significant trees removed (189") within the ESA occur in lots' 37 and 38 because these lots are raised to be outside of the 100-year floodplain and due to grading restraints, there is more than 3" of fill around the trunk/RPZ of these trees. A portion of the significant ESA trees removed are also within the previously mention proposed 28' CPS OHE Easement, which the placement and construction limits of this easement are dictated by CPS and not the developer/owner. The results are summarized in the table below:

TREES WITHIN ENVIRONMENTALLY SENSITIVE AREAS (ESA)	
SIGNIFICANT ESA TREES REMOVED	264"
SIGNIFICANT ESA TREES SAVED	245"
HERITAGE ESA TREES REMOVE	0"
HERITAGE ESA TREES SAVED	30"
ESA SIGNIFICANT PRESERVATION (80% MINIMUM)	245 SAVED / 509 TOTAL = 48.13%
REQUIRED INCHES TO MITIGATE @ 1:1 RATIO	162"

There is a total of 109" of heritage trees in McCrary, Unit 3 that are within the existing 100-year floodplain. 100% of heritage trees within the floodplain must be preserved. After construction of McCrary Unit 3, 31" of existing heritage trees within the floodplain will be preserved. All heritage trees within the floodplain are located within a proposed CPS OHE Easement, and this location is solely dictated by CPS and their infrastructure design in the area, thus the owner/developer has no control over the removal of said heritage trees. The results are summarized in the table below:

HERITAGE TREES WITHIN FLOODPLAIN	
HERITAGE FP TREES REMOVE	78"
HERITAGE FP TREES SAVED	31"
TOTAL HERITAGE FP TREES	109"
FP HERITAGE PRESERVATION (100% MINIMUM)	28.44%
REQUIRED INCHES TO MITIGATE @ 3:1 RATIO	234"

The mitigation required for this environmental variance request is **576 inches**, and the total proposed mitigation through planted trees is **948 inches**. The breakdown of planted trees are shown below.

- 5 - 3" trees per lot to be planted for 79 lots for a total of 395 – 3" trees (1,185 planted inches). Since 2 – 1.5" trees are required per lot, the yielding mitigation is **948 inches**.
- The 28' CPS OHE easement will also be mitigated by drill seeding a native seed mix and ensuring 85% establishment.

Summary

For the development of McCrary Unit 3, the number of significant trees within the current 100-year floodplain will be below the required 80% preserved. There will only be 56.94% of existing significant trees preserved within the 100-year floodplain. The removal of significant trees within the floodplain is solely due to a proposed 28' CPS OHE Easement that runs parallel the western boundary of the property. This location is dictated by CPS and their infrastructure design in the area.

The number of significant trees within the Environmentally Sensitive Area (ESA) will be below the required 80% preserved. There will only be 48.13% of existing significant and heritage trees preserved within the ESA. The proposed development borders an existing floodplain that runs through Government Canyon and onto the western boundary of the property. Due to the size of this floodplain pad levels were raised significantly to prevent flooding of proposed lots. The fill levels exceeded the requirements of +/- 3" to preserve existing trees.

The number of heritage trees within the floodplain will be below the required 100% preserved. All of these trees must be removed due to the proposed 28' CPS OHE Easement that will run parallel the western boundary of the property. There is no existing CPS infrastructure to power phase 2 of the McCrary development, and this 3-Phase OHE line will provide the necessary infrastructure.

The previously stated 28' CPS OHE easement parallel the western property line of McCrary encompasses 2 separate tree plans. Being the McCrary Take 1 Tree Plan (TRE-APP-APP21-38801076) and the McCrary Unit 3 Tree Plan (AP#2679183. Provided with this letter is an exhibit outlining the limits of the CPS OHE ESMT with respect to these 2 separate tree plans.


The applicant is requesting an environmental variance to the following:

- "80% preservation of significant trees within the floodplain."
- "80% preservation of significant trees within the ESA."
- 100% preservation of heritage trees within the floodplain."

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

In our professional opinion, the proposed administrative exception 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: EVR #: _____ Date Received: _____

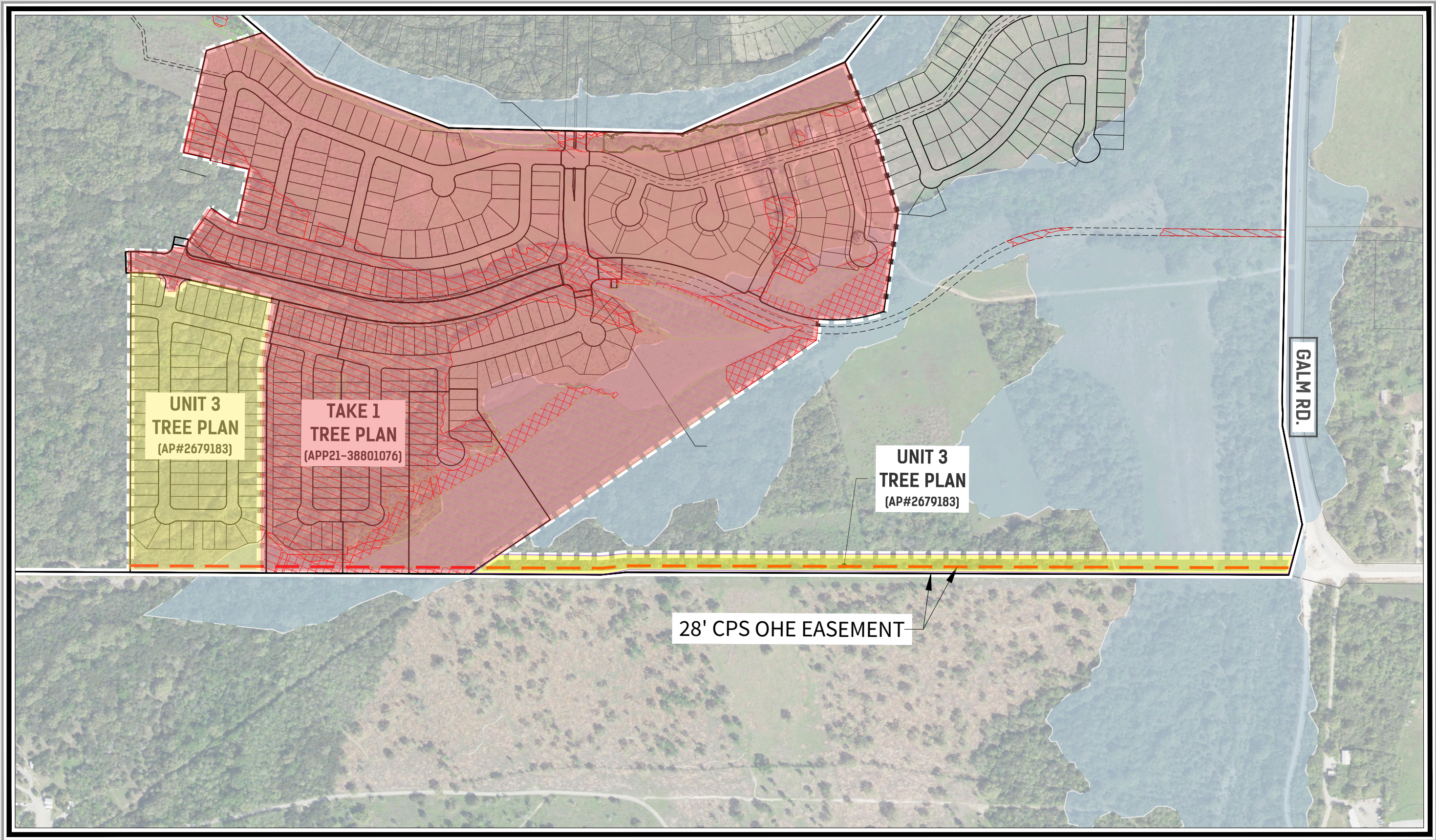
DSD – Director Official Action:

☐ APPROVED ☐ APPROVED W/ COMMENTS ☐ DENIED

Signature: _____ Date: _____

Printed Name: _____ Title: _____

Comments: _____



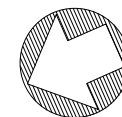
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McCRARY / CPS OHE EXHIBIT

San Antonio ETJ, TX

October 2021

SCALE: 1"=800'
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