

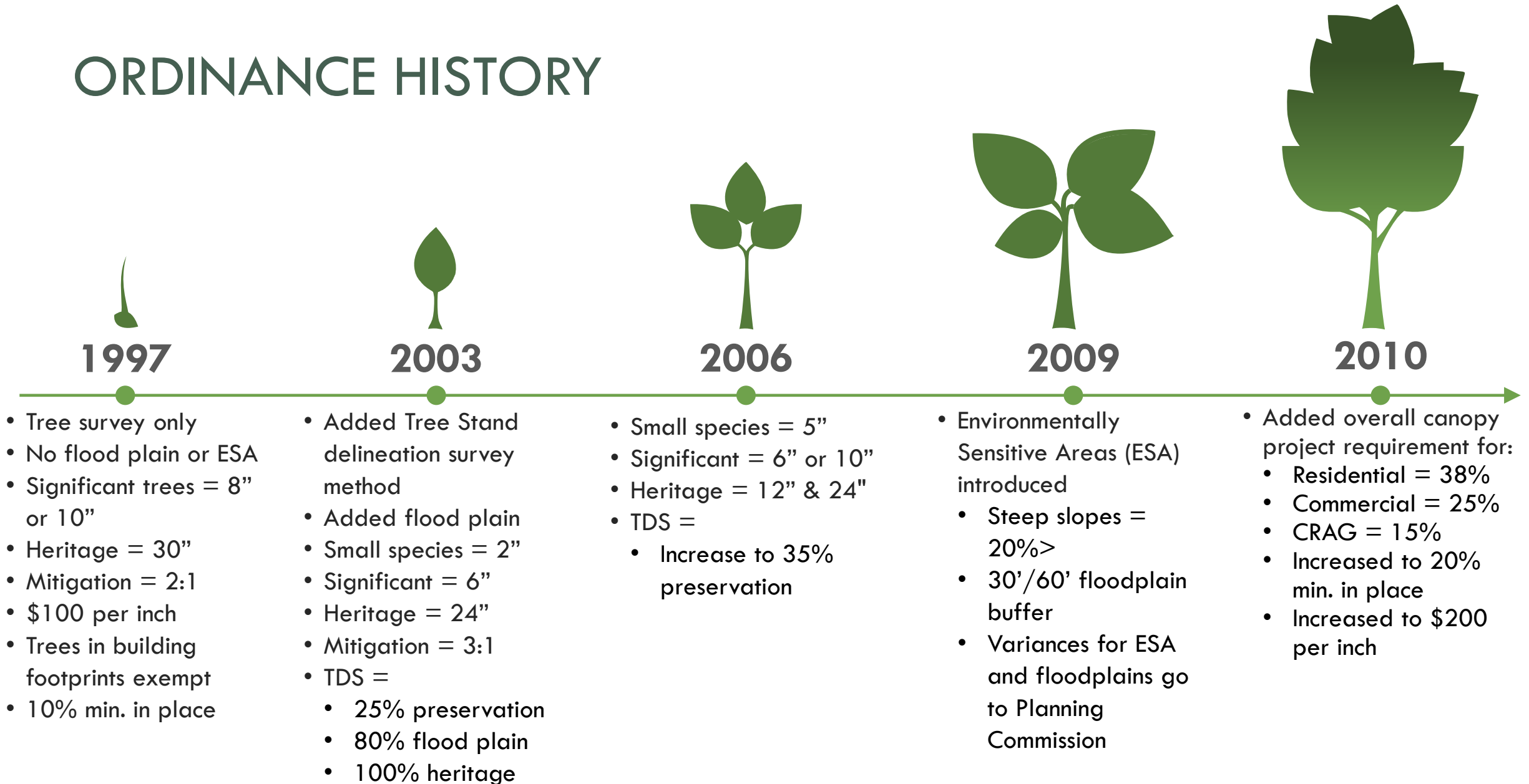
CITY OF SAN ANTONIO  
**DEVELOPMENT SERVICES  
DEPARTMENT**

# Tree Variance Appeal

City Council – Item 22  
01.27.22

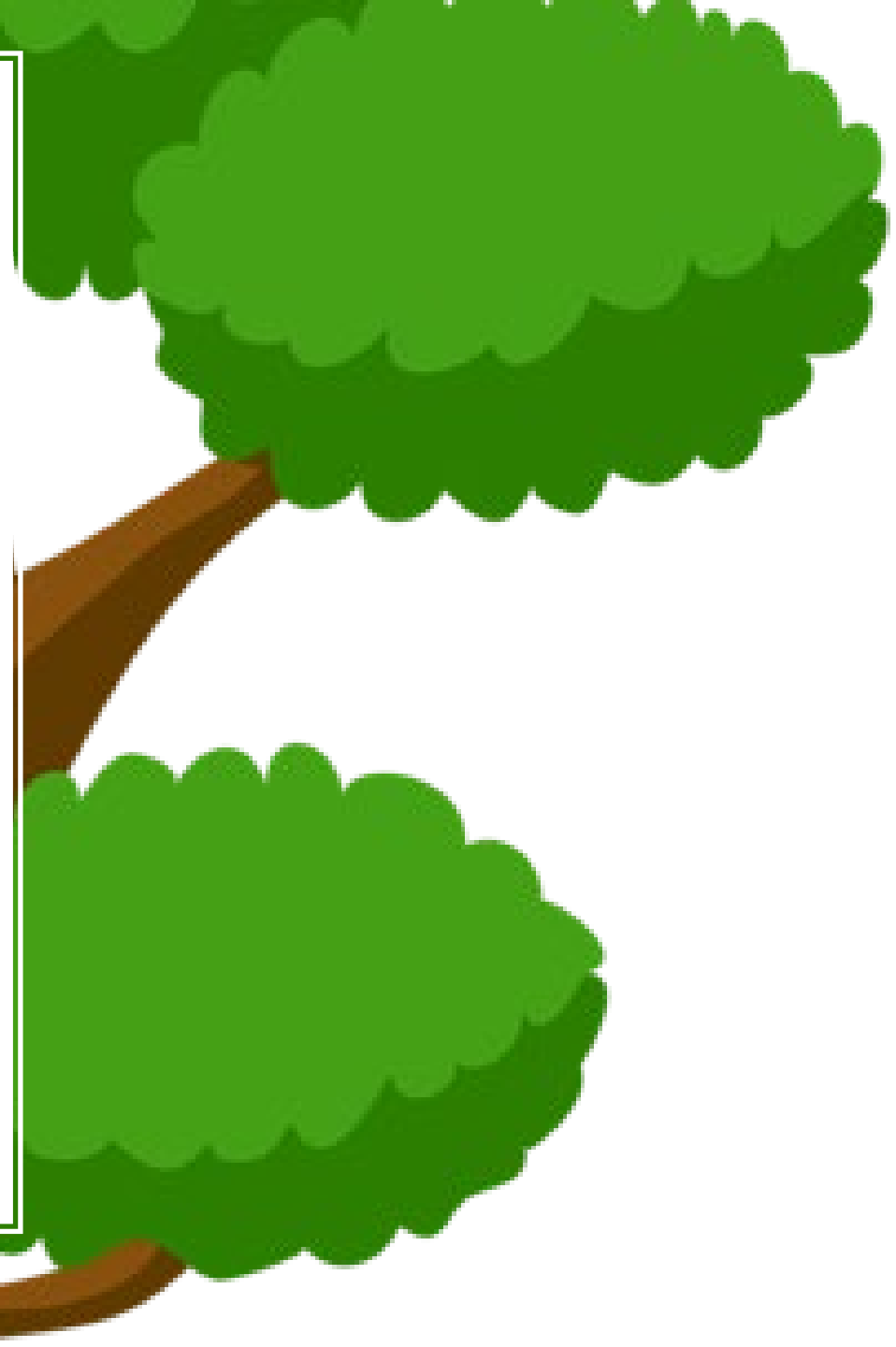
Presented by:  
Michael Shannon, PE, CBO - Director

# ORDINANCE HISTORY



# PURPOSE OF THE ORDINANCE

- The code intends to **balance**:
  - The protection of existing trees
  - Promote planting of new trees
  - Allow for development to occur
- Allows for certain % of tree removal
  - **40%** preservation **Significant** Trees (6" – 23")
    - Up to 80% may be mitigated
  - **100%** Preservation **Heritage** Trees (24" or more)
    - Up to 80% may be mitigated
- Minimum overall canopy requirement for projects



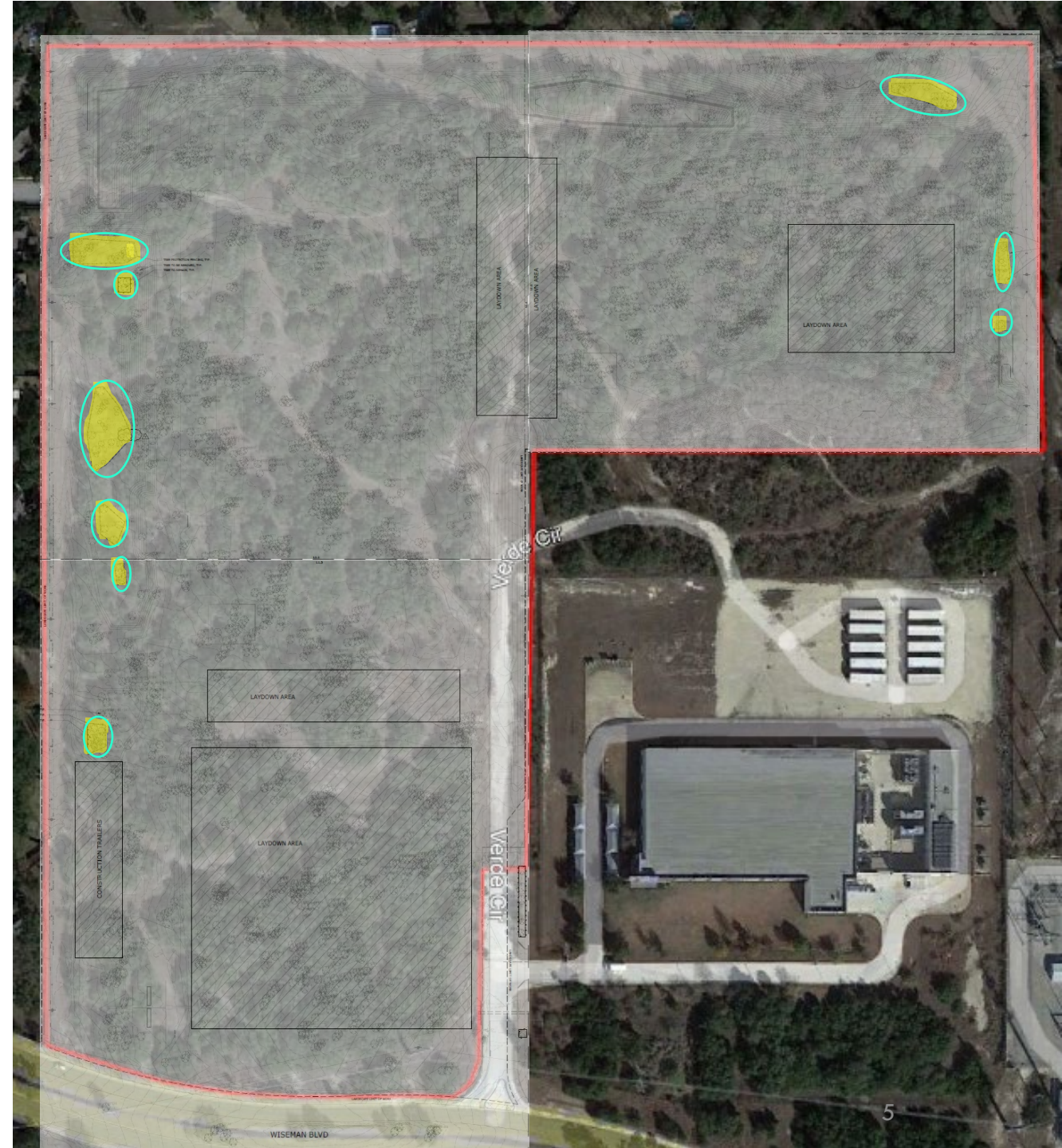


# VARIANCES

- Are **NOT** waivers
- They are referenced and specifically allowed within the tree ordinance
  - Since 1997 ordinance
- Are alternative ways to meet intent of the code when hardships exist

# PROJECT DETAILS

- TPV 21-147
- SAT 14 Data Center Shell
  - Project number - 21-39801977
  - 3545 Wiseman Blvd. – Council District 6
- Article V, Sec. 35-523 (f), Table 523-1A
  - 40% Preservation Significant Trees
    - Up to 80% of Significant Trees may be mitigated rather than preserved
  - 100% Preservation Heritage Trees
    - Up to 80% of Heritage Trees may be mitigated rather than preserved

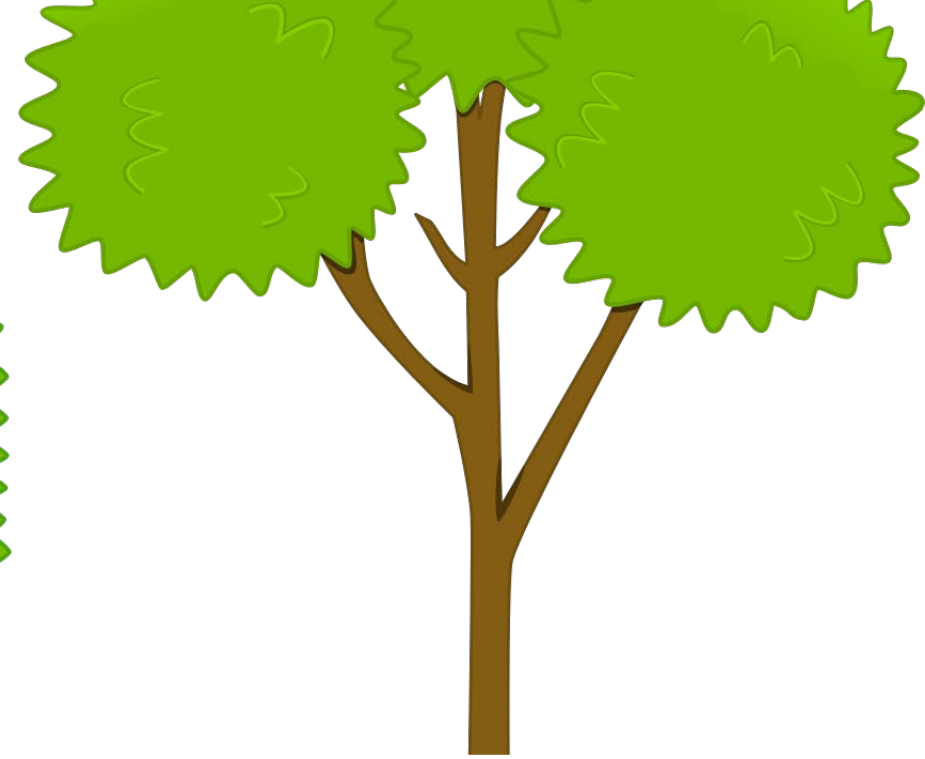
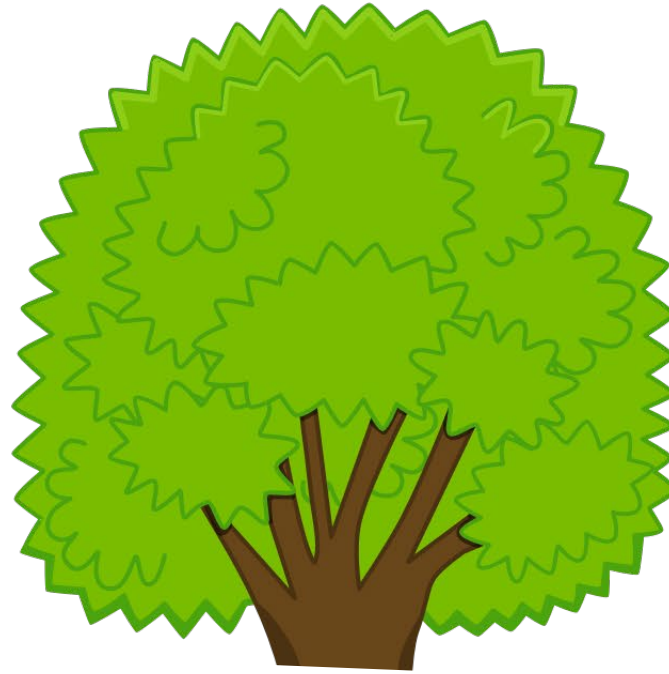






# APPEAL OVERVIEW

- Owned by Microsoft Corporation
- Applicant - David Lundberg - Walter P. Moore
- Proposed applicant hardship:
  - Site not developable for proposed use without substantial re-grading and removal of trees of nearly the entire area to:
    - accommodate building pads and circulation
    - trenches required for numerous underground utilities



## TREES ON SITE

TYPE	EXISTING	REMOVED	REMAINING
Large significant trees (6" – 23")	2,155	2,087	68
Small significant trees (1" – 5")	52	52	0
Heritage trees (24" or more)	19	18	1
Other trees (non-protected)	501	485	16

# TREE PRESERVATION

MINIMUM REQUIRED	PROPOSED
20% Significant 20% Heritage	3.02% Significant 4.49% Heritage
TOTAL PROTECTED	TOTAL REMOVED
20,041" Significant 534" Heritage	19,435" Significant 510" Heritage
REQUIRED PRESERVATION	TOTAL PRESERVED
4,008.2" Significant 106.8" Heritage	606" Significant 24" Heritage







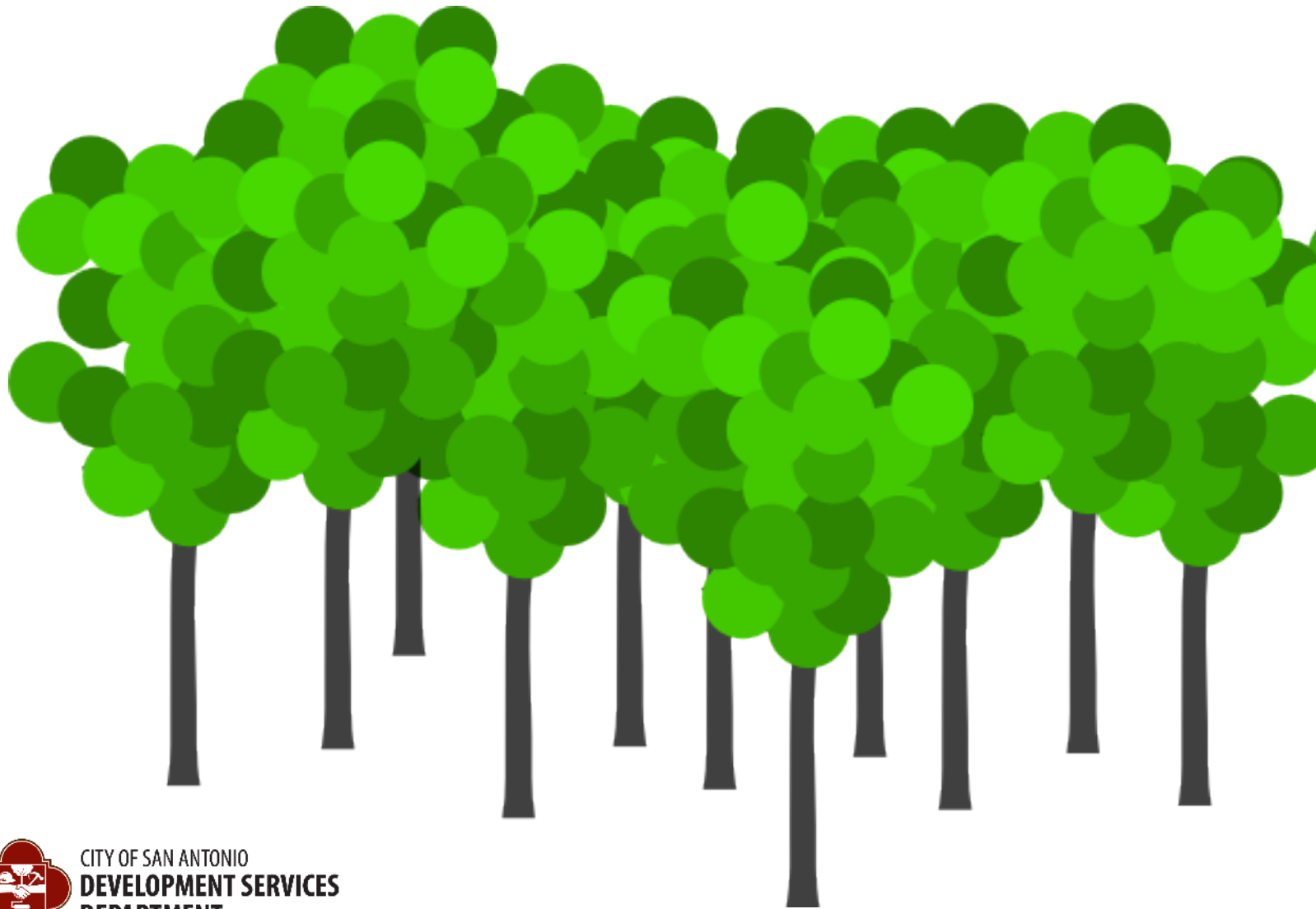
# TOTAL MITIGATION (PROPOSED)

- Total required = **8,964"**
  - 1,530" (heritage) + 7,525" (significant) - 91" (preserved non-protected trees)
- Mitigation method: Planting/Payment
  - **833** trees planted
  - **1,836"** planted
  - **7,386"** remaining mitigation
  - **\$1,477,240.00** paid into fund for remaining mitigation
    - \$200 per inch

# RECOMMENDATION

- Staff recommends **denial** of proposed Tree Variance
  - This would overturn variance approval by Planning Commission
  - Removal of significant and heritage trees significantly below minimum preservation requirements
  - Does **not** meet intent and spirit of Tree Ordinance
- Note that approval of Tree Variance would confirm December 15<sup>th</sup> Planning Commission decision





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