



Consider Approval of an Amendment  
Resolution 22-031R  
Tree Variance Request  
6300 Blk Evers Road

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Director of Public Works  
City Council Meeting  
June 20, 2022

# Summary

- Question

- Whether or not to grant an amendment to Resolution No. 22-031R, a Tree Variance request, by Mr. Samir Chehade, STS Partners, LP, to allow a reduction in the number and size of required new trees and reduce tree mitigation fees, on a parcel located at P-4A, ABS 530, CB 4432, 6300 block of Evers Road (Triangle property)

- Options

- Approve the amendment request
- Deny
- Other

- Declaration

- At City Council discretion

# Purpose

- To consider an amendment to Resolution No. 22-031R, granting a variance to Chapter 13, Tree Preservation, Article 13.02 Tree Preservation Ordinance, Division 3. Requirements and Restrictions, Sec. 13.02.076 Replacement Trees Required, and Sec. 13.02.077 Mitigation in lieu of replacement (b)
- To allow a reduction in the number of required new trees from 200 to 85 and from 3" diameter to 1.5" diameter
- To allow a reduction in tree mitigation fees from \$94,600 to \$25,000
- 6300 blk Evers Road, a 9.174-acre tract of land at the corner of Evers and Seneca (Triangle property)

# Background

- 9/22 –Tree Variance Request approved to remove 227 trees of various sizes, plant 200 new 3” diameter trees, and pay \$94,600 in tree mitigation fees
  - Applicant will be constructing single family homes on this parcel
- Applicant found large amount of unclassified fill material on parcel, which must be remediated before development can occur – very costly
- Lots will be too small to support planting of 2 trees per lot (roots/foundations)

# Site Plan



# Background

- Majority of trees that grew after fill installed are invasive & non-native
  - Chinaberry, Chinese Pistache, Privets, re-growth Mesquite & Hackberry
- Applicant intends to mitigate tree removal by:
  - Planting new trees along Evers Road
  - Planting 85 new 1.5” minimum diameter trees
  - Payment of fee in lieu of not to exceed \$25,000
- The 3 heritage Oak trees on tract will remain

# Background

- City Code states:
  - Variances may be granted after approval of the City Council, where a literal enforcement of the provision of the Article will result in unnecessary hardship
  - No variance may be granted unless:
    - Such variance will not be contrary to the public interest;
    - Such variance will be in harmony with the spirit and purposes of the article;
    - The variance sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial;
    - The variance will not substantially weaken the general purposes of the Tree Preservation Ordinance

# Fiscal Impact

- Tree mitigation fees in the amount of \$25,000 will be paid into the Tree Mitigation Fund
- This fund is restricted to supporting additional tree planting at approved sites in Leon Valley
- The granting of this variance will facilitate the development of new housing, which will increase the city's sales and property tax base



# Recommendation

- At City Council discretion

# S.E.E. Statement

- Social Equity - The request will facilitate the development of more housing in Leon Valley
- Economic Development - The request will promote development and an increase in sales and property tax
- Environmental Stewardship - The request mitigates the removal of trees with the planting of native tree species and provides funding for planting trees in public areas