



# City of San Antonio

## Agenda Memorandum

**File Number:**  
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**Agenda Item Number:** {{item.number}}

**Agenda Date:** April 24, 2024

**In Control:** Planning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**

Variance Request to mitigate for removal of tree canopy in excess of the 80% preservation requirements within the Environmentally Sensitive Areas (ESA) and 100 Yr. Floodplain in place under the 2015 Tree Preservation Ordinance.

**SUMMARY:**

The Development Services Department (DSD) has reviewed the information presented in Mr. Padilla's letter. The Unified Development Code (UDC) – Article V, Section 35-523 (h), 100-Year Floodplain(s) and Environmentally Sensitive Areas (ESA) states that, "Significant trees shall be preserved at eighty (80) percent preservation within both the 100-year floodplains and Environmentally Sensitive Areas. Heritage trees shall be preserved at one hundred (100) percent preservation within both the 100-year floodplain and environmentally sensitive areas. Mitigation shall be prohibited in floodplains and environmentally sensitive areas except when a variance is granted by the Planning Commission."

The applicant is requesting a Variance Request to mitigate for removal of trees in excess of the

80% preservation requirement within the 100-Yr. Floodplain under the 2022 Tree Preservation Ordinance for the development of a Love's Travel Stop. DSD staff does agree with the applicant's request to mitigate for the removal of trees below the 80% preservation for the following reasons:

**1) Existing Site Conditions** – The undeveloped 10.33-acre tract resides between S. Presa St. and SE Loop 410 along Southton Rd. The owner proposes to develop a tractor-trailer truck stop with a convenience store and fuel canopies along with associated parking. The site will be mostly paved to accommodate the large tractor-trailer fueling station and associated tractor-trailer parking area. The site consists of 0.68-acres within the Environmentally Sensitive Area and 0.37-acres within the 100-Yr. Floodplain. The development of this site for a convenience store with oversized tractor-trailer fueling & rest station, will require removal of (4) four out of (5) five large significant species within the 100-Yr. Floodplain.

**a. 100-Yr. Floodplain - Large Significant Trees** = 58 total inches (5 trees), 37 inches removed (4 trees), 21 inches preserved (1 tree), 36.2% preservation ratio, 25.4 inches of required mitigation.

**2) Tree Mitigation** – The total mitigation required for the removal of significant trees within the 100-Yr. Floodplain is 25.4 inches. The owner proposes to mitigate by planting 127 medium and large upsized Landscape & Tree Preservation Mitigation Trees from 1.5 inches to 3 inches, achieving 279 total mitigation inches.

DSD staff supports the applicant's request to fall below the minimum of 80% tree preservation within the 100-Yr. Floodplain due to proposed oversized tractor-trailer truck stop, location of existing 100-Yr. Floodplain trees, and the effort of planting back 127 medium and large canopy trees.

The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

## **BACKGROUND INFORMATION:**

Council District: 3

Filing Date: January 25, 2024

Applicant: Mark Padilla, PLA with MP Studio.

Staff Coordinator: Jacob Sanchez, Assistant City Arborist, (210) 207- 0161  
jacob.sanchez@sanantonio.gov

## **ISSUE:**

The applicant's project proposes removal of trees in the 100-Yr. Floodplain and does not meet the tree required minimum preservation of 80% within the 100-Year Floodplain.

## **ALTERNATIVES:**

Planning Commission may decide to deny the variance, which means the applicant will have to provide additional mitigation or comply with the Tree Preservation Ordinance.

**RECOMMENDATION:**

DSD staff recommends approval of the proposed variance.