



# City of San Antonio

## Agenda Memorandum

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

**Agenda Date:** December 13, 2023

**In Control:** Planning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

Variance Request to mitigate for removal of significant trees in excess of the 80% preservation requirement within the floodplain buffer/ESA in place under the 2010 Tree Preservation Ordinance.

**SUMMARY:**

The Development Services Department (DSD) has reviewed the information presented in Mr. Stephen Sale'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 (ESA). 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 area except when a variance is granted by the Planning Commission."

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

excess of the 80% significant tree preservation requirements within the Environmentally Sensitive Areas (ESA) in place under the 2010 Tree Preservation Ordinance for the Vantage at Wolf Hollow. The proposed project is an apartment complex. DSD staff does agree with the applicant's request to mitigate for the removal of significant trees below 80% tree preservation requirements with the ESA for the following reasons:

1) Site Design and Layout – The northwest end of the site is the location of most trees within the ESA which is also the area with the most constraints to meet fire, TXDOT, and parking requirements due to the limited space between property line and ESA. Other site constraints include a floodplain along the back of the property, a 20'-25' elevation difference from Loop 1604 to floodplain, and limited access along Loop 1604 per TXDOT requirements. As a result of the proposed tree removal within the ESA, the proposed tree preservation ratios are as follows:

a. ESA significant trees = 500 inches removed (49 trees), 206 inches preserved (15 trees), 29.42% preservation ratio, 358.8 inches of required mitigation.

2) Tree Mitigation– The total mitigation required for the removal of significant trees within the ESA is 358.8 inches. The owner proposes to mitigate by upsizing half the newly planted trees from 1.5 inches to 3.5 inches and planting 220 trees for a total of 768 inches of mitigation provided.

DSD staff supports the applicant's request to fall below the minimum 80% tree preservation of significant trees within the ESA based on the conditions of the site, design constraints, and the applicant exceeding mitigation, and exceeding tree canopy requirements by planting. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

## **BACKGROUND INFORMATION:**

Council District: ETJ

Filing Date: July 27, 2023

Applicant: Stephen Sales with Evergreen Design Group

Staff Coordinator: Herminio Griego, Assistant City Arborist, 210-207-6042, herminio.griego@sanantonio.gov

## **ISSUE:**

The applicant's project proposes removal of significant trees within the floodplain buffer/ESA and does not meet the required minimum preservation of 80% significant trees within the floodplain buffer/ESA.

## **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.