



City of San Antonio

Agenda Memorandum

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

Agenda Date: May 22, 2024

In Control: Planning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 6

SUBJECT:

Variance Request to mitigate for removal of the heritage trees in excess of the 100% requirement in the ESA and floodplain under the 2022 Tree Preservation Ordinance.

SUMMARY:

The Development Services Department (DSD) has reviewed the information presented in Mr. Martinez’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 to mitigate for the removal of trees in excess of the 100% heritage tree preservation requirement within the Environmentally Sensitive Areas (ESA) and

floodplain. The alignment of Sage Run Road and land uses adjacent to the proposed road are part of the approved Westpointe East Master Development Plan (MDP). Due to the fixed alignment of Sage Run Road, there is no flexibility to alter the road. There were multiple design options modeled to minimize impacts to trees but due to a large drainage watershed the construction of multiple box culverts required to provide safe access across the floodplain will result in removing heritage trees in excess of the required minimum. In addition to design and modeling efforts to minimize impacts to trees in the floodplain and ESA multiple tree wells were incorporated to preserve trees. The proposed project will also preserve 284" excess inches of trees in the upland area. DSD staff does agree with the applicant's request to remove trees below the 100% heritage trees in the ESA and floodplain for the following reasons:

1) Existing Site Conditions–Hospital access is essential to the health and welfare of the surrounding community. This project includes the construction of a hospital access road on previously dedicated land. As such the road alignment could not be changed. Due to design constraints that include a fixed road alignment for Sage Run Road through a large drainage watershed and the construction of box culverts to provide safe access through the development to cross the floodplain there will be removal of heritage trees. The retaining walls are proposed to preserve additional significant trees and minimize impacts to significant and heritage floodplain trees. The proposed tree preservation ratios are as follows:

a) Environmentally Sensitive Area Significant Trees:

- i) total significant inches = 72
- ii) significant inches removed = 0
- iii) significant inches preserved = 72
- iv) 100% preservation ratio
- v) excess preservation = 14"

b) Environmentally Sensitive Area Heritage Trees:

- i) total heritage inches = 41"
- ii) heritage inches removed = 41"
- iii) heritage inches preserved = 0
- iv) 0% preservation ratio
- v) required mitigation = 123'

c) Floodplain Area Significant Trees:

- i) total significant inches = 989"
- ii) significant inches removed = 167"
- iii) significant inches preserved = 822"
- iv) 83% preservation ratio
- v) Excess preservation = 31"

d) Floodplain Area Heritage Trees:

- i) total heritage inches = 268"
- ii) heritage inches removed = 168"
- iii) heritage inches preserved = 100"
- iv) 37% preservation ratio
- v) required mitigation = 504"

2) Tree mitigation—The owner proposes to mitigate by:

a) mitigation = 582”

b) streetscape tree mitigation= 63 trees X 1.5” = 95”

c) total mitigation = (582” – 95”) X \$200.00/inch = \$97,400.00 payment to tree mitigation fund.

3) DSD staff supports the applicant’s request to fall below the minimum 100% heritage tree preservation in the ESA and floodplain due to site conditions including a large drainage watershed, a fixed road alignment, and efforts to minimize impacts and tree removal through design of box culverts for safe floodplain crossing, implementing tree wells into the grading plan and, above minimum preservation of significant trees in the ESA and floodplain. In addition, there will be 63 native species streetscape trees planted, preserving excess trees in the upland area, design team efforts and iterations to minimize tree impacts, and the need for hospital access for the community’s health and well fare. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

BACKGROUND INFORMATION:

Council District: 6

Filing Date: April 30, 2024

Applicant: David Martinez, Pape-Dawson Engineers.

Staff Coordinator: Charles Johnson, Senior Plans Examiner, 210-207- 0170

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ISSUE:

The project proposes removal of heritage trees in the ESA and floodplain and does not meet the 100% percent heritage tree preservation requirement.

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.