



# City of San Antonio

## Agenda Memorandum

**File Number:**  
**{{item.tracking\_number}}**

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

**Agenda Date:** June 26, 2024

**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 100-year floodplain in place under the 2023 Tree Preservation Ordinance.

**SUMMARY:**

The Development Services Department (DSD) has reviewed the information presented in Mr. Richard Mott's letter. The Unified Development Code (UDC) – Article V, Section 35-523 (f), 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). 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 100-year floodplain and in place under the 2023 Tree Preservation Ordinance for the Miro Meadows Subdivision Unit 1 project. The proposed tree removal is for the construction of an off-site sewer line that will provide

a tie-in point for the northern tract for future residential development. DSD staff does agree with the applicant's request to mitigate for the removal of significant trees below 80% tree preservation requirements within the 100-year floodplain for the following reasons:

1. Site Design and Layout – The site is located approximately 3,000 feet west of the intersection of New Sulphur Springs Rd and Gardner Rd. There are proposed easements within the property which include sanitary sewer, electrical and temporary construction easements throughout the site. The 100-year floodplain goes through central and southwestern portions of the site. The Miro Meadows Subdivision Unit 1 project proposes the construction of an off-site sewer line to provide a tie-in point for the northern tract on the current site. As a result of the proposed tree removal within the 100-year floodplain, the proposed tree preservation ratios are as follows:

a. 100-year Floodplain significant trees = 105 inches removed (9 trees), 383.5 inches preserved (30 tree), 78.5% preservation ratio, 7.3 inches of required mitigation.

2. Tree Mitigation – The total mitigation required for the removal of significant trees within the 100-year floodplain is 7.3 inches. The applicant proposes to plant 2-inch caliper trees instead of the required 1.5-inch caliper trees which will provide an excess of 200 inches over the required mitigation in the 100-year floodplain.

DSD staff supports the applicant's request to fall below the minimum 80% tree preservation of significant trees within the 100-year floodplain based on the conditions of the site, design constraints, and the applicant exceeding mitigation requirements. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

## **BACKGROUND INFORMATION:**

Council District: ETJ

Filing Date: December 21, 2023

Applicant: Richard Mott. Lennar Homes of Texas

Staff Coordinator: William Cortez, Plans Examiner II, 210-207-0270,  
William.cortez@sanantonio.gov

## **ISSUE:**

The applicant's project proposes removal of significant trees within the 100-year floodplain and does not meet the required minimum preservation of 80% significant trees 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.

