

January 19, 2023

Administrative Exception Review
Development Services Department
City of San Antonio
1901 S. Alamo
San Antonio, Texas 78204



Re: Crescent Hills Subdivision Unit 2&3, AP#21-38800378
UDC Sec. 35-523 (f), Table 523-1A Minimum Tree Preservation Requirements

- Administrative Exception
- Environmental Variance
- Subdivision Platting Variance – Time Extension

Dear COSA DSD;

The following Environmental Variance is submitted on behalf of Richard Mott, P.E., Lennar Homes of Texas & Construction LTD. (Lennar), Vice President of Land Development and representative to the owner of an existing tract of land to be developed as Single Family Residential located southwest of the intersection of SW Loop 410 and Old Pearsall Rd located in San Antonio, Texas (the "Property"). This environmental variance (EV) is being filed to update a previously approved EV associated with Crescent Hills Units 2 & 3.

The approved EV was filed to address a concern with meeting Unified Development Code 35-523 (h) which requests 80% required preservation of trees and tree canopy within the riparian buffer zone. This plan was approved on June 9, 2021, updated on November 17, 2021 and TRE-PMT-21-389000378 was granted.

The purpose of this update to the EV is to incorporate the tree inspector's requested revisions from the final tree inspection.

Tree Preservation Table (FROM APPROVED REVISION TO TREE PERMIT)		
	Preservation Percentage	Mitigation Required
Riparian Buffer Inventory Table	62%	9.2 inches
Overall Total		462.7 inches

**UDC requirements were covered with concurrent Environmental Variance application. This table summarizes the total necessary preservation for this Environmental Variance.*

Updated Tree Preservation Table		
	Preservation Percentage	Mitigation Required
Riparian Buffer Inventory Table	40%	20.6 inches
Overall Total		477.5 inches

**UDC requirements will continue to be covered with approved Environmental Variance application. This table summarizes the total necessary preservation for this Environmental Variance.*

To properly mitigate for this removal of excess Riparian Buffer trees (described in this EV) and thus stay in compliance with the Unified Development Code 35-523 (h) and Tree Preservation Ordinance, the developer is proposing to do the following depicted in the table below:

Updated Tree Mitigation Table		
Mitigation Method	Number of Lots/Trees Planted	Inches of Mitigation Planted
Circle Lots: (2 required 1.5" trees/lot + 1 additional 2" tree/lot = 2" mitigation provided/lot)	152 lots	304 inches
Square Lots: (2 required 1.5" trees/lot + 1 additional 2" tree/lot = 2" mitigation provided/lot)	156 lots	312 inches
Upsize streetscape trees to 3" caliper trees (1.5 inches/tree)	22 Trees	33 inches
Total Inches Planted		649 inches
Mitigation Required		477.5 inches
Excess Mitigation		171.5 inches

The primary goal of this EV is to show that the incorporation of the inspector's comments will be properly mitigated by the revision of the plantings throughout the site; totaling 171.5 excess mitigation inches.

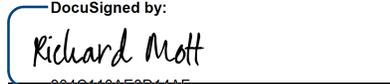
The following items are addressed as required by the UDC for Variances, UDC Section 35-483(e):

- (1) The hardship requiring this administrative exception is unique to the Property. The reason the owner is unable to preserve a minimum of 80% of the existing Riparian Buffer trees is due to the grading requirements of the site which are necessary to provide proper drainage of the future subdivision residents. Additionally, the revised calculations were provided due to inspector comments on the viability of the trees during the final inspection.
 - (2) This administrative exception corresponds to the spirit of the UDC. The stated purpose of UDC Sec. 35-523 is to allow "...the reasonable improvement of land within the City and City's ETJ... while striving to maintain, to the greatest extent possible, existing trees within the City and to add to the tree population within the City and the ETJ to promote a high tree canopy goal...protect the health, safety, and welfare of the public...". To stay within the spirit of the Unified Development Code and respect for the Tree Preservation Ordinance the owner has analyzed multiple lot configurations.
 - (3) The Owner has sought to minimize any potentially adverse impacts on the public health, safety, and welfare. The purpose of the proposed plantings is intended to mitigate Crescent Hills Unit 2 & 3 back to 100% of Riparian Buffer trees within the property.
- If the applicants comply strictly with UDC Sec. 35-3 (f), they cannot make reasonable use of their property. In order for the Property to be developed for Ultimate Development, excess embankment is necessary to achieve both proper drainage within each platted lot and proper detention within the site. To comply with the Atlas 14 floodplain delineation and UDC guidelines, KFW Engineers must practice embankment throughout the site. Therefore, in order for the owner to make reasonable use of his property, the existing tree removal is required.

- The hardship in question relates to the owners' land, rather than personal circumstance. This EV is required because of where existing significant trees are located on the property such that they cannot be preserved.
- The granting of the exception will not be injurious to other property and not prevent the orderly subdivision of other property in the area in accordance with these regulations. This exception relates solely to the Property and does not have an adverse effect on the orderly subdivision of other property in the surrounding area.
- The hardship is not the result of the applicant's own actions. The existing trees were present in their current sizes and distribution on the property prior to the current owner acquiring the land. The owner is not modifying the floodplain portion of the site, but as the Atlas 14 floodplain was established, extreme grading practices became necessary for the Ultimate Development of the site.

In conclusion, granting this admin exception and permitting Richard Mott, P.E., Vice President of Land Development of Lennar Homes of Texas Land and Construction, LTD. to remove the existing significant trees as requested by the tree inspector (**Reference Tree Preservation Plan TRE-APP-APP#21-38800378**) on the property will allow development within the spirit of the City of San Antonio Unified Development Code by encouraging the health, safety, and welfare of the public by creating an urban environment that is aesthetically pleasing and that promotes economic development through an enhanced quality of life. Thank you for your time and consideration on this foregoing request.

Sincerely,

DocuSigned by:

 Richard Mott
 Vice President of Land Development

For Office Use Only:	AEVR #:	_____	Date Received:	_____
DSD - Director Official Action:				
<input type="checkbox"/> APPROVED	<input type="checkbox"/> APPROVED W/ COMMENTS	<input type="checkbox"/> DENIED		
Signature:	_____	Date:	_____	
Printed Name:	_____	Title:	_____	
Comments:	_____ _____			