

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** ETJ

**PROJECT:** TRE-APP-APP21-38801317 Woodlands Floodplain Trees

**BACKGROUND INFORMATION:**

Council District: ETJ

Filing Date: February 21, 2023

Applicant: Mr. Rick Gray, P.E. with LJA Engineers Inc

Staff Coordinator: Charles Johnson, 210-207-0170, Charles.johnson2@sanantonio.gov

**POSTING LANGUAGE:**

TPV 22-166: Requested by Mr. Rick Gray, with LJA Engineering for a variance to remove trees in excess of the 80% and 100% significant and heritage respective tree preservation requirements within both the 100-year Floodplain and Environmentally Sensitive Areas as stated under the 2015 Tree Preservation Ordinance for Woodlands Floodplain Trees , generally located north of the intersection of FM 1283 and Red Wing Road . Staff recommends approval. (Charles Johnson Senior Plans Examiner, (210)-207-0170, charles.johnson2@sanantonio.gov, Development Services Department).

**SUBJECT:**

Variance Request to mitigate for removal of significant and heritage trees in excess of the 80% and 100% respective preservation requirements of significant and heritage trees within both the 100-year Floodplain & Environmentally Sensitive Areas in place under the 2015 Tree Preservation Ordinance

**SUMMARY:**

The Development Services Department (DSD) has reviewed the information presented in Mr. Rick Gray letter dated March 13, 2023. 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 and heritage trees in excess of the 80% and 100% significant and heritage tree respective preservation requirements within the 100-year Floodplain and Environmentally Sensitive Areas (ESA) in place under the most recent Tree Preservation Ordinance for the Woodlands Floodplain Tree Plan . The proposed project focuses on developing and enhancing the floodplain area to support the associated Woodlands development, comply with the Medina County Public Infrastructure Development (PID) agreement and the City of San Antonio Throughfare Plan. . DSD staff does agree with the applicant’s request to mitigate for the removal of significant and heritage trees below 80% and 100% tree preservation for the following reasons:

1. *Existing site conditions* – Due to existing site conditions and design and layout constraints and a previous Public Infrastructure Development (PID) agreement with Medina County, the project is unable to preserve the minimum 80% and 100% of significant and heritage trees within both the 100-year Floodplain and ESA. The proposed removal of the significant and heritage trees is needed 1) to comply with the number of residential lots required in the PID agreement with Medina County and 2) to accommodate the City of San Antonio’s (COSA) Major throughfare Plan that requires a culvert over the ESA and floodplain area and accommodate the change in the floodplain between the time the PID was agreed to and the current development plan. The original development plan was based on the then current floodplain. The floodplain subsequently changed placing some of the residential lots in the current floodplain. The floodplain lots and compliance with the PID required a CLOMR and additional grading and tree raise the lots out of the floodplain. The Throughfare Plan requires a culvert crossing in the floodplain necessitating the removal of trees in the ESA and floodplain.

		ESA	Floodplain
		Inches	Inches
Significant	Total (In)	3182.0	21,088
	Preserved (In)	1890.0	18,719
	Removed (In)	3237.0	3,237
	Preserved (%)	59%	89%
	Required (In)	2,546	16,870.4
	Mitigation (in)	656	(1,848.6)
Heritage	Total (In)	0.0	1497.0
	Preserved (In)	0.0	1205.0
	Removed (In)	0.0	342.0
	Preserved (%)	0	80%
	Required (In)	0.0	974.0
	Mitigation (In)	0.0	974.0
Total Mitigation/(Excess) In		<b>656</b>	<b>(874.6)</b>

2. *Tree mitigation*– The total mitigation required for the removal of significant and heritage trees within both the 100-year Floodplain and ESA is 656 inches. The owner proposes to mitigate by the 4 trees per lot in the Woodlands Development area to 2 inches. The total mitigation provided from planting will be 1628 inches, which provides 972 inches above the minimum required. Further, the final canopy cover exceeds the required minimum by 20,707 square feet. .

DSD staff supports the applicant’s request to fall below the minimum 80% and 100% tree preservation of significant and heritage trees within both the 100-year Floodplain and ESA based on the conditions of the site, design constraints, and the applicant exceeding mitigation and final canopy cover requirements by upsizing and planting tree on the woodlands Development area. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

**ISSUE:**

The applicants project proposes removal of significant and heritage trees in the Floodplain and ESA and does not meet the required minimum preservation of 80% Significant and 100% Heritage trees within the 100-year Floodplain and Environmentally Sensitive Areas.

**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.