



January 12, 2022

Administrative Exception / Variance Request Review¹
City of San Antonio
Development Services Department
1901 S. Alamo
San Antonio, TX 78204

Re: Lofts at Creekview Multi-Family
COM-PRJ-APP21-39802143
Tree Ordinance Section 35-523, Table 523-1A

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

Dear Development Services,

The Lofts at Creekview project team is respectfully requesting consideration for an Environmental Variance through the Planning Commission to allow for removal of existing trees beyond the 80% preservation requirement in the Environmentally Sensitive Areas (ESA), as described in the Tree Ordinance section 35-523, Table 523-1A.

The project is removing 41% of significant trees in the 30' ESA. There are a total of 336 inches of significant trees and 137 of those are being removed. There are also a total of 6 inches of understory trees which are being preserved at 100%. There are no heritage trees located within the ESA. Since the project is falling below the minimum 80% preservation requirement for large significant trees the mitigation requirement is 71 inches, but the owner also understands that these trees are important and have mitigated above and beyond the requirement to account for a full 100% of these 137 inches of trees onsite. Within the ESA there are 33 protected trees. These species are 15 Cedar Elms, 14 Hackberries, 3 Mesquites, and 1 Persimmon. There are 11 trees proposed to be removed in the ESA with Hackberries accounting for 9 of those trees along with 2 Cedar Elms.

The challenge to preserve trees in this area is due to a large grade drop created from construction rubble that was previously placed along the floodplain over several decades. All the trees being removed from the ESA are growing on this construction rubble, as shown in the attached example photo. This rubble will need to be removed and replaced with structurally stable soils and a retaining wall. The retaining wall is required to provide for the minimum parking count to make the development feasible. The design team investigated the options for shifting the retaining wall, but the parking count is already lower than the typical 1.5 spaces per unit for this type of multifamily.

The proposed wall is also being constructed to establish the new floodplain line and prevent portions of the property from being placed within the floodplain with the Atlas 14 mapping.

Preserving the required amount of trees to remove the need for a variance would also remove at least 9 more parking spaces, making the investment in the property harder to realize.

Another consideration for this development is the fact this multi-family development will not only bring needed housing to the area but will also remove the existing construction waste that has been onsite for decades, directly adjacent to the major waterway of Salado Creek. Along with cleanup of the land, there are also extensive invasive tree species located throughout the site, which will all be removed as part of construction.

All the mitigation requirements will be met with onsite plantings. To mitigate the ESA back to 100% tree preservation an additional 66 inches are being planted in addition to the required 71 inches for a total of 137 inches that will consist of 27 trees. These trees contain a diverse species palette of 4" and 6" caliper sizes. There are 141 total large canopy shade trees being used for landscape ordinance and mitigation requirements as upsized trees for the project. These trees include a diverse palette of species at both 4" and 6" calipers including Red Oak, Cedar Elm, Bald Cypress, Mexican Sycamore, and Pecan. Of these 141 trees planted 49 shade trees are utilized to meet the Landscape Ordinance Requirements. The remaining 92 trees are fully counted toward Tree Mitigation, along with 2.5 inches per tree of the 49 trees used for Landscape Ordinance.

The final tree canopy cover is met completely by existing and proposed trees. The shade canopy provided is exceeding the minimum 25% requirement of 99,138 SF for the site. An additional 73,409 SF will be planted to achieve 43.5% tree canopy coverage with a total of 172,547 SF.

The following items address the UDC for Variance UDC Section 35-483(e):

- *If the applicant complies strictly with the provisions of these regulations, he/she can make no reasonable use of his/her property; and*
- *The hardship relates to the applicant's land, rather than personal circumstances; and*
- *The hardship is unique, or nearly so, rather than one shared by many surrounding properties; and*
- *The hardship is not the result of the applicant's own actions; and*
- *The granting of the exception/variance will not be injurious to other property and will not prevent the orderly subdivision of other property in the area in accordance with these regulations.*

In conclusion, it is Coral Studio's professional opinion that the proposed administrative exception / variance remains in harmony with the spirit and intent of the UDC as it will not adversely affect the health, safety, or welfare of the public.

We appreciate the time that COSA DSD staff is taking to review this variance request and would greatly appreciate a timely resolution.

Sincerely,

Signature and Title Block of Applicant

Signature of Owner (if applicable)

Attachment(s)

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