



City of San Antonio

Agenda Memorandum

File Number:
{{item.tracking_number}}

Agenda Item Number: {{item.number}}

Agenda Date: June 28, 2023

In Control: Planning Commission Meeting

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 Environmentally Sensitive Areas in place under the 2010 Tree Preservation Ordinance.

SUMMARY:

The Development Services Department (DSD) has reviewed the information presented in Mr. Jon Robinson'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 (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 trees in excess

of the 80% significant tree preservation requirement within the Environmentally Sensitive Areas (ESA) in place under the 2010 Tree Preservation Ordinance for the Levy Subdivision. The proposed project focuses on developing 58 manufactured homes with improvements. DSD staff does agree with the applicant's request to mitigate for the removal of significant trees below 80% tree preservation for the following reasons:

Additional Tree Removal – This site had a previously approved tree preservation plan that was above 80% significant tree preservation within the ESA. However, during construction the site work contractor failed to notify the design team of the removal of additional trees for a 10-foot CPS easement. As a result of the contractor removing additional trees within the ESA, the proposed tree preservation ratios are as follows:

a. Environmentally Sensitive Area Heritage trees = 82 inches removed (7 trees), 174 inches preserved (15 trees), 67.96% preservation ratio, 30.8 inches of required mitigation.

Tree mitigation– The total mitigation required for the removal of significant trees within the ESA is 30.8 inches. The owner proposes to mitigate by planting (49)-2-inch caliper trees throughout the development and preserving 33-inches of undersized trees. The total mitigation provided from planting and preservation of undersized trees will be 131 inches. The 98 caliper inches of newly planted trees provides added species diversity to include medium and large species native trees per San Antonio Recommended Plant List.

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

BACKGROUND INFORMATION:

Council District: ETJ

Filing Date: May 30, 2023

Applicant: Jon Robinson with Horizon Design

Staff Coordinator: Herminio Griego, Assistant City Arborist, 210-207-6042, herminio.griego@sanantonio.gov

ISSUE:

The applicants project proposes removal of significant trees in the ESA and does not meet the required minimum preservation of 80% significant trees within the 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.