



City of San Antonio

Agenda Memorandum

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

Agenda Date: July 12, 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 small species significant trees in excess of the 80% preservation requirement and heritage trees in excess of the 100% preservation requirements within the 100-year floodplain 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 small species significant

trees and heritage trees in excess of the 80% significant tree preservation and 100% heritage tree preservation requirements within the 100-year floodplain in place under the 2010 Tree Preservation Ordinance for the Stolte Ranch. The proposed project is a 729-lot residential subdivision. DSD staff does agree with the applicant's request to mitigate for the removal of small species significant and heritage trees below 80% and 100%, respectively, tree preservation requirements for the following reasons:

Additional Tree Removal – This site had a previously approved tree preservation plan that was last approved on 2/4/2022. With phase 1 (MDP Units 1A, 1B, 2, 3, & 4) completed and phase 2 (MDP Units 5, 6, & 7) under construction, the civil engineers had to do additional grading to prevent the proposed floodplain from encroaching onto the residential lots. The San Antonio River Authority is now requiring that a new calculations methodology be used, which was different from the method used for the approved CLOMR. As a result of the proposed additional tree removal within the 100-year floodplain, the proposed tree preservation ratios are as follows:

a. 100-year floodplain small species significant trees = 50 inches removed (7 trees), 120 inches preserved (19 trees), 70.58% preservation ratio, 16 inches of required mitigation.

b. 100-year floodplain heritage trees = 857 inches removed (27 trees), 4,984 inches preserved (157 trees), 85.32% preservation ratio, 2,571 inches of required mitigation.

Tree mitigation– The total mitigation required for the removal of small species significant and heritage trees within the 100-year floodplain is 2,587 inches. The owner proposes to mitigate by preserving 7,488 inches of undersized trees, receiving 1,714 inches in tree cluster incentive, and planting (664)-2-inch caliper trees in Units 1A, 1B, 2, & 3), planting (84)-1.5 inch caliper trees in Unit 4, and planting (710)-3 inch caliper trees in Units 5, 6, 7, & 8. The total mitigation provided from planting, tree incentives, and the preservation of undersized trees will be 10,599 inches.

DSD staff supports the applicant's request to fall below the minimum 80% tree preservation of small species significant trees and fall below the minimum 100% tree preservation of heritage trees within the 100-year floodplain based on the conditions of the site, design constraints, and the applicant exceeding mitigation, and meeting 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 applicant's project proposes removal of small species significant trees and heritage trees within the 100-year floodplain and does not meet the required minimum preservation of 80% small species significant trees and 100% heritage 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.