



# City of San Antonio

## Agenda Memorandum

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

**Agenda Date:** June 8, 2022

**In Control:** Planning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 6

**SUBJECT:**

TPV 21-152 COM-PRJ-APP21-39801672 – Complex Plans – IDEA Hidden Meadows Phase II Variance Request Variance Request to mitigate for removal of significant trees in excess of the 80% tree preservation requirements 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. Scott Weaver’s letter dated March 18th, 2021. The Unified Development Code (UDC) – Article V, Section 35-523 (h), 100-Year Floodplain(s) and Environmentally Sensitive Areas states that, “Significant trees shall be preserved at eighty (80) percent preservation within both the 100-year floodplains and environmentally sensitive areas. 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% preservation requirements within the Environmentally Sensitive Area in place under the 2015 Tree Preservation Ordinance for construction of Ideal Hidden Meadows Public School Phase II. DSD staff does agree with the applicant's request to mitigate for the removal of significant trees below 80% for the following reasons:

1. Existing site conditions – The 17.4 developed acre site is located at 10138 Culebra Rd.- 500' west of Les Harrison and Culebra Rd. Within the site is approximately 7.69 acres of 100-Year Floodplain. Located parallel to the 100-Year Floodplain, is a 30' wide Environmentally Sensitive Area (ESA) that makes up 0.784 acres. To increase overall tree preservation the engineer re-designed the site multiple times but was not able to provide a plan that could meet the current tree preservation requirements. The ESA site only contains (7) large significant species trees for a total of 84" inches. One tree was verified and counted as dead. The remaining (6) trees made up of total of 73" protected inches. Previously, under A/P # A2522546 IDEA Hidden Meadows Phase I, (2) existing trees within the ESA were removed and mitigated for, therefore omitting them from the current mitigation totals. After the plans for Phase II development were submitted, a Partial/Conditional Permit was requested and granted. During the site work preparation, the site contractor inadvertently removed additional existing and newly planted trees within the ESA that were proposed to be preserved. These trees total 62" and put the tree preservation in the ESA area that was included in the initial survey at 0% preservation. The result of this site plan and error was removal of significant trees below the minimum 80% within the limits of the ESA. Trees within the 100-Year Floodplain will be preserved at 84%. Within the ESA, the preservation rate is 0% significant tree preservation. The required mitigation for the ESA area is 49.6" inches. There are no Heritage trees within the ESA.
2. Tree mitigation - The project will exceed the required mitigation of 49.6" inches by planting an additional (22) medium to large species at 3" caliper each which will achieve a total of 63" inches. The trees to be planted will be upsized landscape and tree preservation mitigation trees. This mitigation exceeds the minimum 80% tree preservation required within the ESA that will reestablish 100% Tree Preservation within the 30' ESA.

The proposed planting plan provides added tree species diversity to include native medium and large shade tree species per Appendix E "San Antonio Recommended Plant List."

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

## **BACKGROUND INFORMATION:**

Council District: 6

Filing Date: May 19th, 2022 Weaver Design Studios on behalf IDEA Public Schools

Applicant/Project Manager: Scott Weaver

Staff Coordinator: Jacob Sanchez, Assistant City Arborist, 210-207-0161

jacob.sanchez@sanantonio.gov

**ISSUE:**

The applicants project proposes removal of significant trees in the ESA and does not meet the required minimum preservation of 80% for Large Significant trees within the Environmentally Sensitive Areas.

**ALTERNATIVES:**

Planning Commission may decide to deny the variance, which means the applicant will have to comply with the Tree Preservation Ordinance.

**RECOMMENDATION:**

DSD staff recommends approval of the proposed variance.