



# City of San Antonio

## Agenda Memorandum

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

**Agenda Date:** October 26, 2022

**In Control:** Planning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 10

**SUBJECT:**

TPV 22-093 - COM-PRJ-APP22-39801104 - Site Work - Frost Bank-LOOP 410 FINANCIAL CENTER

**SUMMARY:**

The Development Services Department (DSD) has reviewed the information presented in Mr. Davis Eubank's letter dated August 31st, 2022. 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 both the 100-year Floodplain & Environmentally

Sensitive Areas in place under the 2010 Tree Preservation Ordinance for construction of Frost Bank. 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 1.907 (83,048 sf) acre site is located at 1155 NE Loop 410 (BCAD 8511 Tesoro Dr. – Parcel Key # 232512) – Northeast side of San Antonio, approximately 1,000 linear feet west from the intersection of Nacogdoches Rd. at NE Loop 410. The existing developed site was previously a restaurant. Within the site is approximately 0.45 acres (19,732 sf) of 100-Year Floodplain. Located parallel to the 100-Year Floodplain, is a 30' wide Environmentally Sensitive Area (ESA) that makes up 0.245 acres (10,654 sf). 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 100-Year Floodplain site contains (4) large significant species trees for a total of 45" caliper inches. A total of 28" caliper inches consisting of (2) existing trees will be required to be removed to complete the necessary site work and proposed bank facility. The remaining (2) large significant species will be preserved within an increased size parking lot island. The 30' wide Environmentally Sensitive Area (ESA) site contains (4) large significant species for a total of 60" caliper inches. All (4) existing trees will need to be removed for the necessary site work and proposed bank facility. Within the 100-Year Floodplain, the preservation rate is 37.8% significant tree preservation. Within the 30' wide Environmentally Sensitive Area (ESA) the preservation rate is 0.0% significant tree preservation. The required mitigation for the 100-Year Floodplain area is 19" caliper inches. The required mitigation for the 30' wide Environmentally Sensitive Area (ESA) is 48" caliper inches. There are no existing Heritage trees within the 100-Year Floodplain or 30' wide Environmentally Sensitive Area (ESA).

a. 100-year Floodplain Significant trees = 28" inches removed (2 trees), 17" inches preserved (2 trees), 37.8% preservation ratio, 19" inches of required mitigation

b. Environmentally Sensitive Area Significant trees = 60" inches removed (4 trees), 0" inches preserved (0 trees), 0.0% preservation ratio, 48" inches of required mitigation

2.) Tree mitigation - The project will meet the minimum required total mitigation of 67" caliper inches by planting back (38) small, medium, and large native species totaling 95.5" caliper inches as tree preservation mitigation trees and upsized landscape compliance trees. The proposed caliper size ranges from 6" to 2" inch trees. This mitigation meets the minimum 80% tree preservation required within the 100-Year Floodplain and ESA.

DSD staff supports the applicant's request to fall below 80% of significant tree preservation requirements within the 100-Year Floodplain & Environmentally Sensitive Area (ESA) based on the existing conditions of the site, the redevelopment design constraints, and going above & beyond with an additional 28.5" caliper inches planted back. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

## **BACKGROUND INFORMATION:**

Council District: 10

Filing Date: August 31st, 2022, O'Connell Robertson on behalf Frost Bank

Applicant/Project Manager: Davis Eubanks

Staff Coordinator: Jacob Sanchez, Assistant City Arborist, 210-207-0161  
jacob.sanchez@sanantonio.gov

**ISSUE:**

**The applicants project proposes removal of large significant trees within the 100-Year Floodplain & ESA and does not meet the required minimum preservation of 80% for Large Significant trees within the 100-Year Floodplain & 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.