



# City of San Antonio

## Agenda Memorandum

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

**Agenda Date:** February 2, 2023

**In Control:** Planning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**

TPV 22-113 TRE-APP-APP21-38801766 – Somerset Meadows Variance Request 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. Eric Ply's letter dated September 15th, 2022. 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 a significant tree 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 Somerset Meadows subdivision. The proposed project focuses on developing 280 single family residential lots for Somerset Meadows. 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:

- Existing site conditions – Due to the location of the tree with respect to the proposed channel outfall, the 6" Cedar Elm is in a disadvantageous spot and must be removed to grade out the proposed channel. The tree falls in line with the channel centerline. The proposed channel outfall is sized to take and transport more than 1,000 cfs of runoff, and intercept upstream water for Somerset Meadows and direct it into the floodplain. This proposed channel is a necessity for the future residents of the subdivision and will allow a safe and code compliant transportation of the stormwater runoff per City of San Antonio Stormwater Design Criteria. As a result of the earthwork required to improve the interceptor channel, the proposed tree preservation ratios are as follows:
  - Environmentally Sensitive Area significant trees = 6 inches removed (1 tree), 16 inches preserved (5 trees), 72.72% preservation ratio, 1.6 inches of required mitigation.
- Tree mitigation– The total mitigation required for the removal of a significant tree within the ESA is 1.6 inches. The owner proposes to mitigate by planting (3)-1.5-inch caliper trees per 156 lots within Unit 2. The total mitigation provided from planting will be 234 inches. The 234 caliper inches of new trees planted 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: 4

Filing Date: August 22, 2022

Applicant: Eric Ply, P.E. with HMT Engineers

Staff Coordinator: Herminio Griego, Assistant City Arborist, 210-207-6042, [herminio.griego@sanantonio.gov](mailto:herminio.griego@sanantonio.gov)

## **ISSUE:**

The applicants project proposes removal a significant tree in the ESA and does not meet the required minimum preservation of 80% 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:**

Staff recommends approval due to planting a third tree per 156 lots within Unit 2, exceeding mitigation, and exceeding tree canopy cover requirements.