



# City of San Antonio

## Agenda Memorandum

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

**Agenda Date:** March 8, 2023

**In Control:** Planning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 4

### **SUBJECT:**

Variance Request to mitigate for removal of trees in excess of the 80% preservation requirement of significant trees 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. Travis Elseth's letter dated January 19, 2023. 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 Crescent Hills Subdivision Units 2 & 3. The proposed project focuses on developing 308 single family residential lots for Crescent Hills Unit 2 & 3. 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 Atlas 14 floodplain delineation, the proposed site must be embanked to properly detain runoff and meet UDC regulations. Excess excavation and embankment are necessary to mitigate runoff by using the two proposed detention ponds on the property. Similarly, lots bordering the 100- year floodplain need to be embanked above the Atlas 14 inundation boundary to follow City of San Antonio design criteria. The mass grading of the proposed site results in the inability to preserve the few trees that are located within the 30' Riparian buffer/ESA. Since the initial approval of the tree preservation plan, additional trees were removed within the ESA as noted by the tree inspector during the tree final inspection. As a result, a revision to the approved Variance request is required.

During a recent tree final inspection, the tree inspector observed preserved trees damaged due to construction activities. The applicant updated the tree preservation plan per the tree inspectors' comments which further reduced the number of preserved trees within the ESA that was previously approved. Below are the updated tree preservation calculations for the ESA:

a. Environmentally Sensitive Area Significant trees = 31 inches removed (3 trees), 21 inches preserved (1 tree), 40.38% preservation ratio, 20.6 inches of required mitigation

Tree mitigation– The total mitigation required for the removal of significant trees within the ESA is 20.6 inches. The owner proposes to mitigate by planting (2)-1.5 inch caliper and (1)-2 inch caliper trees per 308 lots (for a total of 3 trees per 308 lots), and (22)-3 inch caliper streetscape trees. The total mitigation provided from planting will be 649 inches. The 649 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 cover requirements by planting 3 trees per lot (308 lots) and upsizing 22 streetscape trees from 1.5 inches to 3 inches providing 192 inches above mitigation. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

## **BACKGROUND INFORMATION:**

Council District: 4

Filing Date: January 25, 2023

Applicant: Travis Elseth, P.E. with KFW Engineers

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

## **ISSUE:**

The applicants project proposes removal of significant trees within the Environmentally Sensitive Areas 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.