



# 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:** Citywide

**SUBJECT:**

Variance Request to mitigate for removal of trees in excess of the 80% preservation requirement of significant trees within both the 100-year Floodplain & Environmentally Sensitive Areas in place under the 2010 Tree Preservation Ordinance

**SUMMARY:**

The Development Services Department (DSD) has reviewed the information presented in Mr. Clayton Linney's letter dated February 20, 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 both the 100-year Floodplain and Environmentally Sensitive Areas (ESA) in place under the 2010 Tree Preservation Ordinance for Woodlake Subdivision. The proposed project focuses on developing 98 single family residential lot. DSD staff does agree with the applicant's request to mitigate for the removal of significant trees below 80% tree preservation within both the 100-year floodplain and ESA for the following reasons:

Existing site conditions – Due to existing site conditions and design and layout constraints, the project is unable to preserve the minimum 80% of significant trees within both the 100-year Floodplain and ESA. The property provides several challenges in meeting the preservation requirements including the existing number of trees available on the site and their distribution. There is a combined total of 11 existing floodplain and ESA trees on site. All the floodplain and ESA trees are located within an offsite water and sewer easement and must be required in order to provide these services to the development. As a result of the proposed utility work required to within the 100-year Floodplain and ESA, the proposed tree preservation ratios are as follows:

a. 100-year Floodplain Heritage trees = 122 inches removed (9 trees), 0 inches preserved (0 trees), 0.0% preservation ratio, 98 inches of required mitigation.

b. Environmentally Sensitive Area Heritage trees = 27.4 inches removed (2 trees), 0 inches preserved (0 trees), 0.0% preservation ratio, 22 inches of required mitigation.

Tree mitigation– The total mitigation required for the removal of significant trees within both the 100-year Floodplain and ESA is 120 inches. The owner proposes to mitigate by planting (4)-2.5 inch caliper trees on all 98 lots. The total mitigation provided from planting will be 686 inches. The 686 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 both the 100-year Floodplain and ESA based on the conditions of the site, design constraints, and the applicant exceeding mitigation and exceeding canopy requirements by planting 4 upsized trees on 98 lots providing 181 inches above mitigation requirements. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

## **BACKGROUND INFORMATION:**

Council District: ETJ

Filing Date: February 20, 2023

Applicant: Clayton Linney, P.E. with KFW 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 of significant trees in the Floodplain and ESA and does not meet the required minimum preservation of 80% significant trees within both the 100-year Floodplain and 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.