



CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

VARIANCE REQUEST ANALYSIS

Project:	Ruby City Art Museum
Address:	150 Camp St. San Antonio, TX, 78204
A/P #/PPR #/Plat#:	AP# IM2259314
VR Submittal Date:	October 9, 2017
VR Submitted by:	Mr. Karl P. Baker, Partner, Golden Steves & Gordon, LLP on behalf of Pace Exhibitions, LLC
Issue:	Below 80% preservation with 100-year Floodplain (2015 Ordinance)
Code Sections:	Unified Development Code (UDC), Section 35-523 (h).
By:	Mark C Bird, City Arborist

The Development Services Department (DSD) has reviewed the information presented in Mr. Karl Baker's letter dated October 9, 2017.

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. 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 protected trees within the 100-year floodplain and ESA in excess of the 80% minimum preservation of protected trees in place under the 2015 Tree Preservation Ordinance for the development of the Ruby City Art Museum by Pace Exhibitions, LLC, and the Linda Pace Foundation. DSD staff does agree with the applicant's request to mitigate for removal of 2 protected trees which brings overall tree preservation in the floodplain and ESA below 80% preservation for the following reasons:

1. *Project Information* – The Ruby City project is located adjacent to the San Pedro Creek Improvements Project which is being developed by the San Antonio River Authority (SARA). Nearly forty percent (40%) of the Ruby City property along the 100-year floodplain is anticipated to be donated to the Creek Project. Coordination between the Owner and SARA on the Creek Project and Ruby City design will remove 2 protected trees in the Environmentally Sensitive Area (ESA) which includes the 100-year floodplain and the 30 foot floodplain buffer.
2. *Tree Preservation* – Due to the proposed scope of work for the Creek Project and development of the Ruby City Art Museum, the project is unable to preserve the minimum 80% of significant trees within the 100-year floodplain and Environmentally Sensitive Area (ESA). There are three protected trees in the ESA totaling 45 inches. Removal of 2 protected trees (14 inch Hackberry & 19 inch Pecan) will reduce the tree

preservation percentage within the ESA to 26.6% for a total of twenty-four (24) inches of mitigation.

3. *Tree mitigation* – The Owner proposes to meet required mitigation of 24 inches for below 80% preservation by a combination of planting trees and payment into the Tree Mitigation Fund. Mitigation tree planting includes: 6-6 inch Bald cypress, 2-Texas Mountain laurel, 2 Mexican olive, 2 Texas Redbud, and 2 Texas persimmon. The Owner will also make payment into the Tree Mitigation Fund a total of \$10,000.00 which represents fifty (50) inches of mitigation.

DSD staff supports the applicant's request to fall below 80% of tree stand preservation requirements based on the proposed improvements that will greatly increase tree canopy and environmental benefits in this area. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

RECOMMENDATION: Approval



Mark C Bird
City Arborist
DSD – Land Development – Tree Preservation



Date



Pablo G. Martinez, P.E.
Development Services Engineer
DSD – Land Development - Engineering

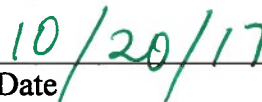


Date

I have reviewed the Variance Request Analysis and concur with the recommendation.



Melissa Ramirez
Assistant Director
DSD – Land Development



Date