



VARIANCE REQUEST ANALYSIS TPV-20-036

Project:	Loop 410 – Lot 8 Commercial
Address:	6813 NW Loop 410, San Antonio, TX 78238
A/P #/PPR #/Plat#:	AP# 2534237 (Site Work) - Plat # 180601
Variance Submittal Date:	July 9th, 2020
Variance Submitted by:	Mr. David Parkerson, PE, Kavanaugh Consulting LLC, on behalf of Rogelio Garza Aguilar & Ligia Aguilar Gonzalez (owners)
Issue:	Below 80% Significant Tree and 100% heritage tree preservation within 100-Year Floodplain (2015 Ordinance)
Code Sections:	Unified Development Code (UDC), Section 35-523 (f) (2) Table 523-1A, Up to 80% of Significant and Heritage trees may be mitigated rather than preserved.
By:	Jacob Sanchez, Assistant City Arborist

The Development Services Department (DSD) has reviewed the information presented in Mr. David Parkerson's letter dated July 9th, 2020.

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 the 100-Year Floodplain in place under the 2015 Tree Preservation Ordinance for construction of Loop 410 – Lot 8 Commercial. 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 2.8340 undeveloped acre site is located at 6813 NW Loop 410. – between Culebra Rd. and Ingram Rd. The overall project site is known as Loop 410-Lot 8 Commercial, Westpark Subdivision and is a remainder portion of a previously platted lot (Lot 8). It is in west San Antonio, Texas (City) on the west side of Loop 410, approximately a mile north of its intersection with Culebra Road. It is inside the City limits along Leon Creek. Surrounding lots are fully developed to the rear property lines adjacent to Leon Creek and this is the last remaining undeveloped lot in the area.

2. This project will be a commercial retail and office development with multiple buildings, parking, and landscaping. This project will stay consistent to the adjacent developments for development envelope. As such, it will require a short retaining wall and a small amount of embankment towards the rear lot line. This project includes a CLOMR/LOMR (City/SARA/FEMA Approved) which will remove a small amount of backwater 100-year FEMA floodplain from the Lot in FEMA records. 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 Floodplain site only contains (3) large significant species trees for a total of 36” inches. The result of this site plan was removal of significant trees below the minimum 80% within the limits of the Floodplain. There are no existing trees within the 30’ ESA. The required mitigation for the Floodplain area is 28.8” inches. There are no Heritage trees within the Floodplain
3. *Tree mitigation* - The project will exceed the required mitigation of 28.8” inches by planting an additional (8) medium to large species at 4” caliper each which will achieve a total of 32” inches. This mitigation exceeds the minimum 80% tree preservation required within the Floodplain that will re-establish 88.9% Tree Preservation within the Floodplain.

The proposed planting plan provides added tree species diversity to include native medium and large shade tree species per Appendix E “San Antonio Recommended Plant List.”

DSD staff supports the applicant’s request to fall below 80% of significant tree preservation requirements within the 100-Year Floodplain based on the conditions of the site, design constraints, and exceeding mitigation requirements. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

RECOMMENDATION: Variance Request Approval

Jacob Sanchez
Assistant City Arborist
DSD – Plan Review – Tree Preservation

Date

Stephen Stokinger, 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