



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-5670  
**Type:** Staff Briefing - Without Ordinance  
**In control:** City Council A Session

**On agenda:** 10/10/2018

**Title:** Request by Mr. Mark Kastner, P.E., for approval of a tree preservation variance request from Unified Development Code 35-523 (h), “significant trees shall be preserved at eighty (80) percent and heritage trees at one hundred (100) percent preservation within both the 100-year floodplains and environmentally sensitive areas.”, generally located at the intersection of Boerne Stage Road and River Ranch. Staff recommends Approval. (Herminio Griego, (210) 207-6042, herminio.griego@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. TPV 18-033 River Rock Ranch, 2. River Rock Ranch MDP

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**SUBJECT:** TPV 18-033 Tree Preservation Variance for River Rock Ranch MDP

**SUMMARY:**

Request by Mr. Mark Kastner, P.E., for approval of a tree preservation variance request from Unified Development Code 35-523 (h), “significant trees shall be preserved at eighty (80) percent and heritage trees at one hundred (100) percent preservation within both the 100-year floodplains and environmentally sensitive areas.”, generally located at the intersection of Boerne Stage Road and River Ranch. Staff recommends approval. (Herminio Griego, (210) 207-6042, herminio.griego@sanantonio.gov, Development Services Department)

**BACKGROUND INFORMATION:**

Project A/P# 1803747  
 Council District: Outside City Limits  
 Consultant: Mark Kastner, P.E. of Coursen-Koehler Engineering  
 Staff Coordinator: Herminio Griego, Assistant City Arborist, (210) 207-6042

**ANALYSIS:**

The Development Services Department (DSD) has reviewed the information presented in Mr. Mark Kastner’s letter dated September 20th, 2018.

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 heritage trees in excess of the 100% heritage tree preservation requirement within the Environmentally Sensitive Area in place under the 2015 Tree Preservation Ordinance for construction of the River Rock Ranch Master Development Plan. DSD staff does agree with the applicant’s request to mitigate for heritage trees below 100% preservation for the following reasons:

1. *Existing site conditions* - Due to existing site conditions, design and layout constraints, the project is unable to preserve the minimum 100% of heritage trees within the Environmentally Sensitive Area (ESA). The land plan for the additional units of River Rock Ranch includes a private street that partially encroaches into the 60’ floodplain buffer. The project contains a total of three heritage oak trees located within the 60’ floodplain buffer. Of the three existing heritage trees, one 26 inch Live Oak will have to be removed for the construction of a new road. The other two heritage trees will be preserved. The proposed ROW cannot be revised or relocated to avoid the one 26 inch heritage oak tree.
2. *Tree mitigation* - The project will meet the Environmentally Sensitive Area mitigation requirement of 78 inches by planting (53) - 2 inch caliper native medium to large shade trees for a total of 106 inches or 135% mitigation. These mitigation trees will be planted back throughout the development. Out of the 53 trees being planted for mitigation, 7 will be planted within the environmentally sensitive area, 8 will be planted around a water quality pond, 31 will be planted around a detention pond, and 7 will be planted within residential lots near the ESA. To ensure the health and survivability of the trees, irrigation, mulch and compost will be installed and maintained annually.

DSD staff supports the applicant’s request to fall below 100% of heritage tree preservation requirements in the Environmentally Sensitive Area (ESA) based on the conditions of the site, design constraints, and exceeding mitigation and canopy requirements. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.