



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-6057  
**Type:** Staff Briefing - Without Ordinance  
**In control:** Planning Commission

**On agenda:** 10/14/2020

**Title:** TPV 20-058: Request by Mr. Jon Robinson 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 Southwest corner of Elm Forest and Talley Road. Staff recommends approval. (Herminio Griego, (210) 207-6042, herminio.griego@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. STOLTE RANCH MDP (reduce pg 15-28), 2. STOLTE RANCH MDP (reduce pg 1-14), 3. TPV 20-058 - signed

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

**SUBJECT:** TPV 20-058 Tree Preservation Variance for Stolte Ranch MDP

**SUMMARY:**

Request by Mr. Jon Robinson 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 Southwest corner of Elm Forest and Talley Road. Staff recommends approval. (Herminio Griego, (210) 207-6042, herminio.griego@sanantonio.gov, Development Services Department)

**BACKGROUND INFORMATION:**

Project A/P# 2625657  
 Council District: In ETJ, outside Council District 6  
 Consultant: Mr. Jon Robinson  
 Staff Coordinator: Herminio Griego, Assistant City Arborist, (210) 207-6042

**ANALYSIS:**

The Development Services Department (DSD) has reviewed the information presented in Mr. Jon Robinson’s letter dated October 7th, 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 heritage trees in excess of the 100% preservation requirements within both the Environmentally Sensitive Area and 100-year Floodplain in place under the 2010 Tree Preservation Ordinance for construction of Stolte Ranch MDP. DSD staff does agree with the applicant’s request to mitigate for the removal of heritage trees below 100% for the following reasons:

1. *Existing site conditions* - The site is a 238.22 acre partially developed ranch with approximately 40% moderate to heavy existing tree cover. Approximately 97.6 acres of regulatory floodplain runs from west to east along the northern portion of the site. The floodplain also runs north to south through the approximate middle of the site, effectively bisecting the development. A significant portion of the site will be raised out of the floodplain in order to connect the east and west portions of the community. A CLOMR has been submitted and is currently under review by the City. As a result of the grading required to remove a portion of the site out of the floodplain, heritage tree removal in the floodplain and floodplain buffer falls below 100% preservation:

- i. Floodplain heritage trees = 368 caliper inches removed/ 5,403 caliper inches preserved = 93.62% preservation
- ii. Environmentally Sensitive Area (Riparian buffer) heritage trees = 55 caliper inches removed/ 516 caliper inches preserved = 90.37% preservation.

2. *Tree mitigation* - The total heritage tree mitigation required is 1,139 caliper inches. The owner proposes to mitigate by:

- 1. Preserving 1,898.2 caliper inches of existing significant trees within the floodplain over and above the 80% minimum requirements;
  - a. Total floodplain inches = 12,641”
  - b. Total floodplain inches preserved = 12,011” = 95.02%
- 2. Preserving 99.0 caliper inches of existing significant trees within the riparian buffer over and above the 80% minimum requirements;
  - a. Total riparian buffer inches = 1,704”
  - b. Total riparian buffer inches preserved = 1,495” = 87.73%
- 3. Preserving approximately 35-acre treed portion at the southern end of the property (both within and outside the floodplain).
- 4. The total tree mitigation provide is 1,997.2 caliper inches, or 858.2 caliper inches of excess mitigation over and above the total mitigation required.

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

approval.