



# City of San Antonio

## Agenda Memorandum

**File Number:** 19-5941

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**Agenda Item Number:** 26.

**Agenda Date:** 8/14/2019

**In Control:** Planning Commission

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**DEPARTMENT:** Development Services

**SUBJECT:** TPV 19-040 Tree Preservation Variance for Babcock Terrace Subdivision

### **SUMMARY:**

Request by Mr. Chad Johannesen for approval of a tree preservation variance request from Unified Development Code 35-523 (h) which states “significant trees shall be preserved at eighty (80) percent preservation ... within both the 100-year floodplains and environmentally sensitive areas”, located 0.4 miles north of the intersection of Babcock Road and UTSA Boulevard in San Antonio, Texas (the “Property”). Staff recommends approval. (Mark Bird, (210) 207-0278, mark.bird@sanantonio.gov, Development Services Department)

### **BACKGROUND INFORMATION:**

Project A/P# 2496003

Council District: 8

Consultant: Mr. Wayne Flores

Staff Coordinator: Mark Bird, City Arborist, (210) 207-0278

### **BACKGROUND INFORMATION:**

Project A/P# 2487238

Council District: 9

Consultant: Mr. Michael Persyn

Staff Coordinator: Herminio Griego, Assistant City Arborist, (210) 207-6042

### **ANALYSIS:**

The Development Services Department (DSD) has reviewed the information presented in Mr. Wayne Flores’ letter dated July 16, 2019.

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. 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 surveyed trees within the Floodplain in excess of the 80% minimum preservation of protected significant trees in place under the 2010 Tree Preservation Ordinance for development of the Babcock Terrace Subdivision, Plat 18-900109. DSD staff does agree with the applicant’s request to

mitigate for below 80% significant tree preservation through a combination of planting, preservation of unprotected undersize trees, and payment into the tree mitigation fund for the following reasons:

1. *Existing site conditions* - Due to existing site conditions and layout constraints which required the owner of the property to apply for and receive a Conditional Letter of Map Revision (CLOMR) the project is not able to preserve the minimum 80% of significant trees in the floodplain and Environmentally Sensitive Areas (ESA). Alternative design for improvements to the existing drainage channel resulted in 74% preservation in the floodplain and 72% preservation in the ESA. The proposed site plan design took into account the distribution of trees throughout the subdivision to maximize tree preservation and to minimize potentially adverse impacts to public health, safety, and welfare.
2. *Tree mitigation and canopy diversity* - The project will meet the floodplain mitigation and the ESA/Riparian Buffer mitigation requirement of 116 inches (69.7 inches floodplain plus 46.05 inches floodplain buffer) through a combination of up-sizing trees required to be planted, preserving un-protected undersized trees, payment into the tree mitigation fund and providing a final canopy cover of 49%.
  - a. 64 trees (2 per lot) increase from 1.5" to 2.0" = 32 inches
  - b. Preservation of 290 inches of un-protected, undersized trees in non-floodplain/ESA areas
  - c. Exceed final tree canopy requirement = 49% (required final canopy = 38%)
  - d. Pay into the tree mitigation fund \$19,800.00 (99 inches @ \$200.00 per inch)

DSD staff supports the applicant's request to fall below 80% Significant Tree requirements in the floodplain and ESA based on the conditions of the site, design constraints, and exceeding mitigation and final tree canopy requirements. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.