



City of San Antonio

Legislation Details (With Text)

File #:	17-4570
Type:	Staff Briefing - Without Ordinance
In control:	Planning Commission
On agenda:	8/23/2017
Title:	TPV 17-018: Variance Request by Mr. Rick Gray, 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." Staff recommends Approval. (Herminio Griego, (210) 207-6042, herminio.griego@sanantonio.gov, Development Services Department)
Sponsors:	
Indexes:	
Code sections:	
Attachments:	1. Creekside Court PUD Tree Plan, 2. Creekside Court Geo-tech Report, 3. Creekside Court Staff Letter

Date	Ver.	Action By	Action	Result
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DEPARTMENT: Development Services

SUBJECT: TPV 17-018 Tree Preservation Variance for Creekside Court (P.U.D.)

SUMMARY:

Request by Mr. Rick Gray, 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." Staff recommends approval. (Herminio Griego, (210) 207-6042, herminio.griego@sanantonio.gov, Development Services Department)

BACKGROUND INFORMATION:

Project A/P# 2233031

Council District: 1

Consultant: Rick Gray, P.E. of KFW Engineers

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

ANALYSIS:

The Development Services Department (DSD) has reviewed the information presented in Mr. Rick Gray's letter dated August 10, 2017.

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% significant tree requirement of protected trees within the environmentally sensitive area in place under the 2015 Tree Preservation Ordinance for construction of Creekside Court P.U.D. DSD staff does agree with the applicant’s request to mitigate for significant below 80% 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 80% of significant trees within the Environmentally Sensitive Area (ESA). The ESA located onsite is a 30’ riparian buffer parallel to the current floodplain limits. In the 1980’s the owner of the property brought in a significant amount of fill and constructed the existing retaining wall. The fill material used came from a local construction project site which contained large material (rocks) and construction debris. Recent testing indicates the fill material used is inadequate for the proposed development. The retaining wall constructed at the time was not an engineered wall and is currently in an unsafe condition in jeopardy of falling over in certain section. There are several existing significant trees within the environmentally sensitive area where proposed grading will occur. These trees are required to be removed to properly exercise the grading plan and reconstruct the deteriorating retaining wall.
2. *Tree mitigation and canopy diversity* - The project will meet the required Environmentally Sensitive Area mitigation requirement of 63.3 inches by planting 42- 2” caliper native small, medium and large shade trees for a total of 84 inches. These 42 trees are in addition to the required 2 trees per lot. Twenty-three trees will be planted back within the environmentally sensitive area to return the ESA area to pre-development conditions, help shade and protect the adjacent floodplain from the impact of the adjacent land use, and maintain a stable stream bank. The remaining nineteen trees will be installed throughout the residential development. The proposed planting plan provides added species diversity to include small, medium and large native tree species per Appendix E “San Antonio Recommended Plant List.” Recommended trees proposed to be planted for mitigation include: Texas Mountain Laurel, Live Oak, Cedar Elm, Shumard Red Oak, Mexican Sycamore and Monterrey Oak.

DSD staff supports the applicant’s request to fall below 80% of the 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.