



City of San Antonio

Legislation Details (With Text)

File #: 18-2326

Type: Staff Briefing - Without Ordinance

In control: Planning Commission

On agenda: 3/14/2018

Title: TPV 18-015: Variance Request by Joseph Ortega, 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. Analysis_001, 2. Letter_001

Date	Ver.	Action By	Action	Result
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DEPARTMENT: Development Services

SUBJECT: TPV #18-015 Tree Preservation Variance for South Comal Water Supply Corporation - Project 3

SUMMARY:

Request by Mr. Joseph Ortega, 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# 2318369

Council District: 1

Consultant: Mr. Joseph Ortega P.E. of Pape-Dawson Engineers, Inc.

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

ANALYSIS:

The Development Services Department (DSD) has reviewed the information presented in Mr. Joseph Ortega's letter dated January 30, 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 surveyed trees within the 100-year floodplain and environmentally sensitive areas in excess of the 80% minimum preservation of protected trees in place under the 2015 Tree Preservation Ordinance for development of the South Comal Water Supply Corporation - Project 3. DSD staff does agree with the applicant’s request to mitigate for tree stand canopy below 80% preservation for the following reasons:

1. *Existing site conditions* - The project is a 2.3 mile long twenty-four (24”) inch diameter water line. The alignment transects seventeen (17) different properties. Easements were predicated on the continued use of properties, with the exception of erecting permanent structures or planting trees, following the installation of the water line. In addition, the water line was routed close to property boundaries to support the property owners’ land use request. Due to existing site conditions, design and layout requirements the project is unable to preserve the minimum 80% of tree stand canopy on site. No heritage trees will be removed from either the floodplain or environmentally sensitive area. The project and preservation data are presented in the table below:

	Floodplain	Units	Environmentally Sensitive Area	Units
Tree Canopy Data				
Total Project Area	118,016	Ft ²	5,951	Ft ²
Preserved Canopy	975	Ft ²	166	Ft ²
Removed Canopy	2,377	Ft ²	728	Ft ²
Total Canopy	3,352	Ft ²	894	Ft ²
Preserved %	29	%	19	%
Required %	80	%	80	%
Required Mitigation Calc				
Preserved (Ft ²)	975	Ft ²	166	Ft ²
Required (Ft ²)	2,616	Ft ²	715	Ft ²
Mitigation (Ft ²)	1,707	Ft ²	549	Ft ²
Total			2,256	Ft²

2. Required mitigation for the tree stand is two thousand two hundred and fifty-six (2,256 Ft²) square feet as depicted in the table above:
3. *Tree mitigation and canopy diversity* - The applicant opted to provide 100% mitigation instead of 80% as part of going above the minimum requirements in the Unified Development Code. Therefore the mitigation is based on 100% x 4,246 Ft² (required) - 1,141 Ft² (canopy preserved) = 3,105 Ft². The project will meet the floodplain and environmentally sensitive areas tree stand canopy mitigation requirements as follows:
 - a. A total of 3,105 Ft² of canopy will be mitigated by a combination of reseeding the disturbed areas and paying into the Tree Mitigation Fund.

- b. Reseeding - A total of 118,016 Ft² will be replanted;
 - i. Using the drill seeding technique;
 - ii. A native seed mixture, and
 - iii. Ensuring eighty-five (85%) establishment.
- c. Offset:
 - i. The reseeded received fifty (50%) percent credit, and
 - ii. Reduced the 3,105 Ft² of tree stand canopy mitigation to 1,553 Ft².
- d. The owner will pay \$5,928 into the Tree Mitigation Fund as follows:
 - i. Tree Stand Mitigation: $(1,553 \text{ Ft}^2 / 875 \text{ Ft}^2 \times 16.7 \text{ (conversion factor)}) = 29.64 \text{ diameter inches} \times \$200.00 \text{ per inch} = \$5,920$

DSD staff supports the applicant's request to fall below 80% preservation requirements of tree stand canopy in the floodplain and Environmentally Sensitive Area 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.