



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-5059

**Type:** Staff Briefing - Without Ordinance

**In control:** Planning Commission

**On agenda:** 6/26/2019

**Title:** TPV 19-027: Request by Mr. Thomas Carter, 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", general located off of I10 and Stonewall Hill Road. Staff recommends Approval. (Mark Bird, (210) 207-0278, mark.bird@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 190523 - ESA Trees AEVR\_signed, 2. C3.00, 3. 190509 IB 124 AEVR (ESA Trees)\_Signed, 4. Dominion-Oaks-phase2-Plans

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

**SUBJECT:** TPV 19-027 Tree Preservation Variance for Rapid Express Car Wash

### SUMMARY:

TPV 19-027: Request by Mr. Thomas Carter, 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", general located off of I10 and Stonewall Hill Road. Staff recommends approval. (Mark Bird, (210) 207-0278, mark.bird@sanantonio.gov, Development Services Department)

### BACKGROUND INFORMATION:

Project A/P# M2447893  
Council District: 8  
Consultant: Thomas Carter, P.E. Pape-Dawson Engineers.  
Staff Coordinator: Mark Bird, City Arborist, (210) 207-0278

### ANALYSIS:

The Development Services Department (DSD) has reviewed the information presented in Mr. Thomas Carter letter dated May 29, 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 Riparian Buffer in excess of the 80% minimum preservation of protected significant trees in place under the 2010 Tree Preservation Ordinance for development of the Rapid Express Car Wash. DSD staff does agree with the applicant’s request to mitigate via planting for tree survey inches determined to be below 80% significant tree preservation for the following reasons:

1. *Existing site conditions* - The project includes 1.356 acres of proposed commercial property. A portion of the site includes the floodplain and Riparian Buffer. The Riparian Buffer contained only two (2) Significant Trees. Multiple site configurations were evaluated to optimize tree preservation. The final configuration requires removing one of the two Significant Trees (8 of 20 inches) located in the Riparian Buffer resulting in 71% preservation within the buffer area.
2. *Tree mitigation and canopy diversity* - The applicant opted to provide mitigation above and beyond the minimum required in the UDC as identified below: The project will meet the Riparian Buffer tree survey mitigation requirements as follows:
  - a. Planting and irrigating, to ensure establishment 3 - 3” (9”) caliper inch medium to large Appendix E trees. This will result in 9 caliper inches of newly planted trees and 100% mitigation instead of only the 80% required by the UDC.

DSD staff supports the applicant’s request to fall below 80% Significant Tree requirements in the Riparian Buffer based on the conditions of the site, need for appropriate storm water control appertenances, and exceeding mitigation requirements. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.

## **RECOMMENDATION:**

Staff recommends Approval.