



# City of San Antonio

## Agenda Memorandum

**File Number:**20-6756

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**Agenda Item Number:** 20.

**Agenda Date:** 11/18/2020

**In Control:** Planning Commission

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**DEPARTMENT:** Development Services

**SUBJECT:** TPV 21-007 Tree Preservation Variance for SA BigHaus

**SUMMARY:**

Request by Mr. James McKnight 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 Babcock Road and Kyle-Seale Parkway. Staff recommends approval. (Herminio Griego, (210) 207-6242, herminio.griego@sanantonio.gov, Development Services Department)

**BACKGROUND INFORMATION:**

Project A/P# 2578125/Plat 20-11800047

Council District: In ETJ, outside Council District 8

Consultant: Mr. James McKnight

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

**ANALYSIS:**

The Development Services Department (DSD) has reviewed the information presented in Mr. James McKnight's letter dated November 12th, 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 tree stand in excess of the 80% preservation requirements within the Environmentally Sensitive Area (ESA) and heritage tree removal within both the 100-year Floodplain and ESA in place under the 2010 Tree Preservation Ordinance for construction of the SA Big Haus Project. DSD staff does agree with the applicant's request to mitigate for the removal of significant trees below 80% for the following reasons:

1. *Existing site conditions* - Due to existing site conditions and design and layout constraints, the project is unable to preserve the minimum 80% of tree stand within the ESA and unable to preserve the minimum 100% preservation of heritage trees within the 100-Year floodplain and ESA areas. There is a total of 7 heritage trees that will be removed from within both the 100-year floodplain and ESA areas resulting in a total mitigation amount of 512

inches. Also, out of the 361,487 square feet of tree stand within the ESA area, 157,426 square feet will be preserved resulting in a preservation percentage of 66%. The required mitigation amount for the ESA area is 34,784 square feet, or 664 caliper inches.

2. *Tree mitigation and canopy diversity* - The total mitigation required for removing heritage trees within the floodplain and ESA, and falling below 80% tree stand preservation in the ESA area is 1,176 caliper inches. The owner proposes to mitigate by dedicating 3.39 acres, or 2,826 caliper inches, of tree save area and planting 1,334 caliper inches. The 1,334 caliper inches of new trees planted provides added species diversity to include small, medium and large species native trees per San Antonio Recommended Plant List. The proposed trees to plant for mitigation requirements include: Live Oak, Desert Willow, 'Catawba' Crape Myrtle, 'Natchez' Crape Myrtle, Majestic Beauty Fruitless Olive, Thornless Palo Verde, Honey Mesquite, Texas Mountain Laurel and Mexican Buckeye.

DSD staff supports the applicant's request to fall below 80% of tree stand preservation requirements within the Environmentally Sensitive Area (ESA) and heritage tree removal within both the 100-year Floodplain and ESA based on the conditions of the site, design constraints, and exceeding mitigation requirements. The proposed Variance Request meets the intent and spirit of the Tree Ordinance therefore, staff recommends approval.