



# Tree Mitigation Variance Request

## PZ-2025-11

### 5305 Wurzbach Road

Susana Huerta, AICP  
Planning and Zoning Director  
City Council Meeting  
May 6, 2025

# Summary

- Question

- Should the Council grant a Tree Mitigation Variance to Allow the Removal of three (3) Heritage, and one (1) Large Trees, and Allow to Pay a Reduced Fee-In-Lieu of from \$10,600 to \$1,500.00 in Tree Mitigation Fees, Located at 5305 Wurzbach Road, Lot 22, Block 4, CB 9904, Rollingwood Ridge-Wurzbach Subdivision, on Approximately 1.43 Acres of Vacant Land?

- Options

- Grant the variance
- Deny
- Other

- Declaration

- At Council's discretion - tree removal will accommodate orderly development of area and the planting of native trees

# Purpose

- Applicant is requesting approval of a variance to remove 3 Heritage and 1 large tree at 5305 Wurzbach Rd
- If approved, \$10,600 in Tree Mitigation fees would be due to the City
  - They are requesting a reduction request for variance of \$9,100 and only pay \$1,500 for fee-in-lieu
  - Applicant will be constructing new building & trees are in the building site
- Tree Mitigation Plan proposes to maintain 70% of existing 356 caliper inches of trees

# Mitigation Summary

## ***/TREE INVENTORY***

27" Oak along 5303 Wurzbach building

26" Oak along 5303 Wurzbach building back corner of 5303

25" Oak at front of property

10" oak at front of property

30" oak behind building

14" Mesquite along back edge of property

15" Mesquite along back edge of property

17" Mesquite in back area along Seville

20" hackberry at front of Seville side of building

6" Oak along Seville

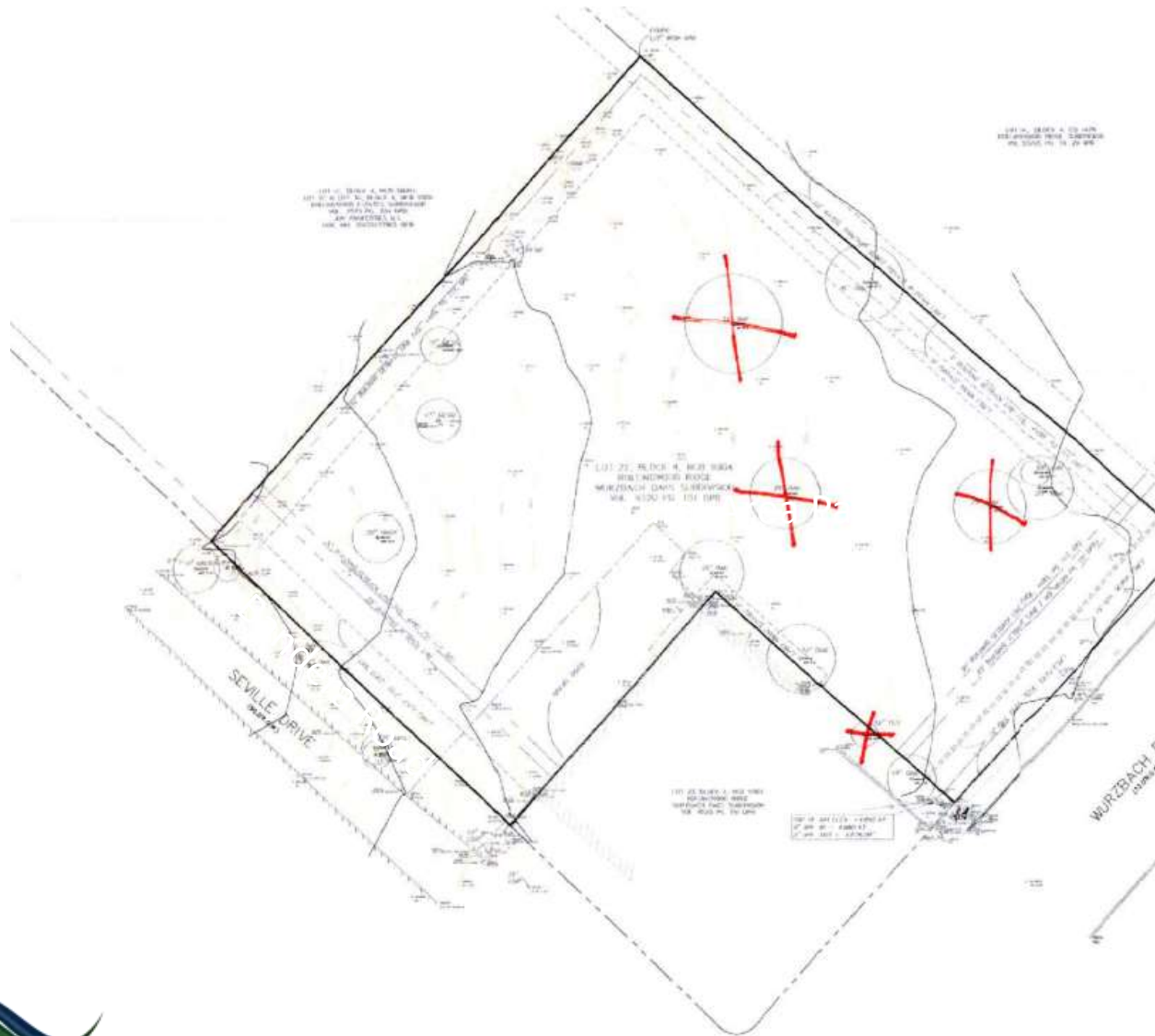
6" Oak along Seville

12" hackberry along Seville

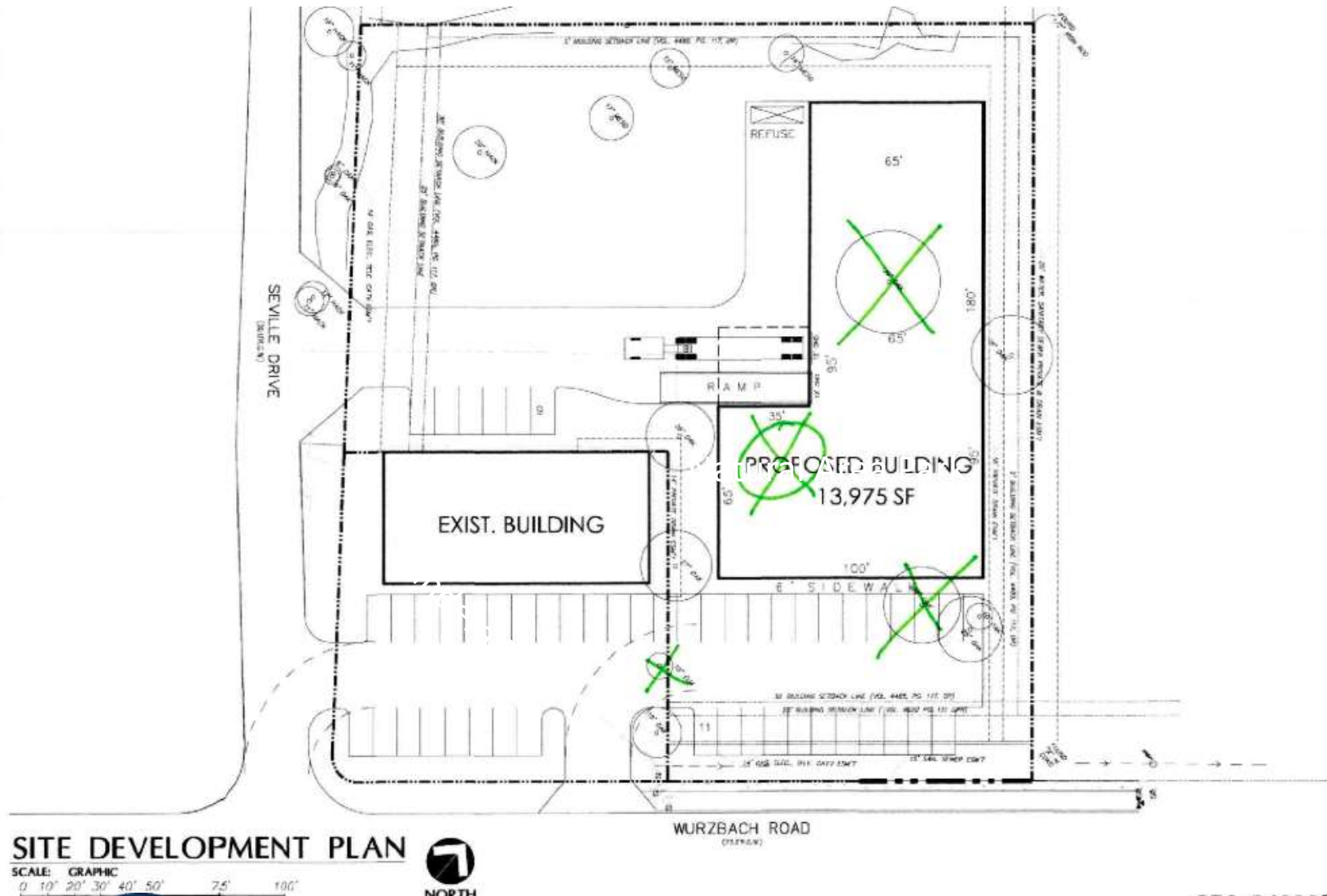
11" Hackberry along Seville

Total Circumference inches – 219"

# Tree Survey



# Site Plan



# Code Requirements

- For each medium tree removed, 1 tree of 6" or more in diameter be planted and for each large tree, 1 tree of 8" or more in diameter shall be planted
- Prohibits removal of heritage trees, regardless of species
- Up to 25% of required trees may be mitigated rather than preserved, unless insufficient land area exists to plant the required total caliper width of replacement trees, then "cash in lieu of" amount may be increased up to 50% of the required replacement tree amount
- Applicant is keeping 70% of trees on the site

# Code Requirements

- Variances:
  - May be granted after consideration/approval of City Council, where a literal enforcement of the provision of the Article will result in unnecessary hardship
  - No variance may be granted unless:
    - Such variance will not be contrary to the public interest;
    - Such variance will be in harmony with the spirit and purposes of the article;
    - The variance sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial;
    - The variance will not substantially weaken the general purposes of the Tree Preservation Ordinance.



# Fiscal Impact

- Tree mitigation fees in the amount of \$1,500.00 would be paid into the Tree Mitigation Fund
- Fund restricted to supporting additional tree planting at approved sites in Leon Valley
- Granting this variance will facilitate the development of the lot, which will increase the City's property tax base

# Recommendation

- Staff recommends approval, as this is an “L” shaped lot, which creates difficulty in development
- At the discretion of the City Council