



Tree Mitigation Variance Request
Poss Landing Unit 2
7205 Huebner Road

Roque Salinas
Director of Economic Development
City Council Meeting
October 15, 2024

Summary

- Question

- City Council is being asked to consider granting a Tree Mitigation Variance to allow the removal of 22 medium, 72 large, and 21 heritage trees, and the payment of \$85,200.00 fees in lieu of tree planting, at 7205 Huebner Road, an unplatted 5.949-acre tract of land, being P-46, Abstract 664, CB 4446

- Options

- Recommended
 - Grant the variance
 - Deny
 - Other

- Declaration

- Tree removal will accommodate orderly development of area & encourage planting of native trees

Purpose

- To consider granting a Tree Mitigation Variance to allow the removal of 22 medium, 72 large, and 21 heritage trees, and the payment of \$85,200.00 fees in lieu of tree planting
- 7205 Huebner Road, an unplatted 5.949-acre tract of land, being P-46, Abstract 664, CB 4446

Background

- 4/2/2024 – City Council approved rezoning property to Planned Development District with R-6 Garden Home based zoning
- Replacement Plan is to plant 150 3” diameter trees
 - 2 per lot and more in open space
- Tree Mitigation fees are \$85,200.00

Mitigation Summary

TREE INCHES	PRESERVED	REMOVED
HERITAGE	94	598
LARGE	109	1154
MEDIUM	0	203
SMALL	4	148
TOTAL	207	2103

<u>REQUIRED MITIGATION (INCHES)</u>	
HERITAGE	598
LARGE	576
MEDIUM	132
TOTAL INCHES	1306
TOTAL COST	\$ 130,600.00

TREES (COUNT)	PRESERVED	REMOVED
HERITAGE	3	21
LARGE	6	72
MEDIUM	0	22
SMALL	1	27
TOTAL	10	142

<u>REVISED MITIGATION PROVIDED</u>		
LOT TREES	DIA. NEW TREES	3
	# LOTS	49
	# TREE/LOT	2
		294
LANDSCAPE	DIA. NEW TREES	3
	# TREES	52
SMALL TREE CREDIT		4
REMAINING (INCHES)		852
MITIGATION FEE		\$ 85,200.00
MITIGATION %	10%	

Tree Inventory

POINT #	SPECIES	DIAMETER	STATUS	1817	MESQUITE	17	LARGE TREE PRESERVED
1736	MESQUITE (MT)	35	HERITAGE TREE PRESERVED	1818	MESQUITE (MT)	18	LARGE TREE REMOVED
1737	MESQUITE	26	HERITAGE TREE PRESERVED	1819	HACKBERRY (MT)	21	LARGE TREE REMOVED
1738	MESQUITE	30	HERITAGE TREE REMOVED	1820	CEDAR (MT)	14	LARGE TREE REMOVED
1739	MESQUITE	20	LARGE TREE REMOVED	1821	MESQUITE	10	MEDIUM TREE REMOVED
1740	HACKBERRY	14	LARGE TREE PRESERVED	1822	ASH (MT)	23	LARGE TREE REMOVED
1741	MESQUITE	20	LARGE TREE PRESERVED	1823	MESQUITE	13	LARGE TREE REMOVED
1742	MESQUITE (SICK/DEAD)	17	LARGE TREE PRESERVED	1824	OAK (MT)	7	SMALL TREE REMOVED
1743	PERSIMMON	13	LARGE TREE REMOVED	1825	LIVE OAK (MT)	8	MEDIUM TREE REMOVED
1744	MESQUITE	29	HERITAGE TREE REMOVED	1826	CREPE MYRTLE	14	LARGE TREE REMOVED
1745	PERSIMMON	6	SMALL TREE REMOVED	1827	MESQUITE	13	LARGE TREE REMOVED
1746	PERSIMMON	12	LARGE TREE REMOVED	1828	ASH	18	LARGE TREE REMOVED
1747	MESQUITE	7	SMALL TREE REMOVED	1829	MESQUITE	34	HERITAGE TREE REMOVED
1748	MESQUITE	12	LARGE TREE REMOVED	1830	MESQUITE (MT)	26	HERITAGE TREE REMOVED
1749	PERSIMMON	14	LARGE TREE REMOVED	1831	MESQUITE	19	LARGE TREE PRESERVED
1750	MESQUITE (SICK/DEAD)	9	MEDIUM TREE REMOVED	1832	MESQUITE	22	LARGE TREE REMOVED
1751	MESQUITE (SICK/DEAD)	12	LARGE TREE REMOVED	1833	MESQUITE	19	LARGE TREE REMOVED
1752	MESQUITE	26	HERITAGE TREE REMOVED	1834	MESQUITE	17	LARGE TREE REMOVED
1753	MESQUITE	21	LARGE TREE REMOVED	1835	ASH	4	SMALL TREE REMOVED
1754	HACKBERRY	14	LARGE TREE REMOVED	1836	ASH	17	LARGE TREE REMOVED
1755	MESQUITE	16	LARGE TREE REMOVED	1837	ASH	26	HERITAGE TREE REMOVED
1756	CEDAR (MT)	25	HERITAGE TREE REMOVED	1838	MESQUITE	14	LARGE TREE REMOVED
1757	CEDAR (MT)	24	HERITAGE TREE REMOVED	1839	PERSIMMON (MT)	9	MEDIUM TREE REMOVED
1758	PERSIMMON (MT)	10	MEDIUM TREE REMOVED	1840	MESQUITE	19	LARGE TREE REMOVED
1759	PERSIMMON (MT)	11	MEDIUM TREE REMOVED	1841	HACKERRY	17	LARGE TREE REMOVED
1760	PERSIMMON (MT)	8	MEDIUM TREE REMOVED	1842	ASH	18	LARGE TREE REMOVED
1761	PERSIMMON	9	MEDIUM TREE REMOVED	1843	HACKBERRY	14	LARGE TREE REMOVED
1762	MESQUITE	23	LARGE TREE PRESERVED	1844	MESQUITE (MT)	27	HERITAGE TREE REMOVED
1763	CEDAR (MT)	30	HERITAGE TREE REMOVED	1845	MESQUITE (MT)	34	HERITAGE TREE REMOVED
1764	LIVE OAK (MT)	33	HERITAGE TREE PRESERVED	1846	MESQUITE	13	LARGE TREE REMOVED
1765	PERSIMMON (MT)	17	LARGE TREE REMOVED	1847	HACKBERRY (MT)	16	LARGE TREE REMOVED
1766	LIVE OAK	23	LARGE TREE REMOVED	1848	MESQUITE	16	LARGE TREE REMOVED
1767	UNKNOWN	4	SMALL TREE REMOVED	1849	HACKBERRY	19	LARGE TREE REMOVED
1768	UNKNOWN	4	SMALL TREE REMOVED	1850	MESQUITE	17	LARGE TREE REMOVED
1769	HACKBERRY (SICK)	18	LARGE TREE REMOVED	1851	MESQUITE	15	LARGE TREE REMOVED
1770	MESQUITE (SICK/DEAD)	19	LARGE TREE REMOVED	1852	LIVE OAK	4	SMALL TREE PRESERVED
1771	MESQUITE	19	LARGE TREE REMOVED	1853	LIVE OAK (MT)	16	LARGE TREE PRESERVED
1772	MESQUITE	23	LARGE TREE REMOVED	1854	LIVE OAK	31	HERITAGE TREE REMOVED
1773	PERSIMMON (MT)	10	MEDIUM TREE REMOVED	1855	PERSIMMON	5	SMALL TREE REMOVED
1774	PERSIMMON (MT)	9	MEDIUM TREE REMOVED	1856	PERSIMMON (MT)	15	LARGE TREE REMOVED
1775	MESQUITE	17	LARGE TREE REMOVED	1857	PERSIMMON (MT)	12	LARGE TREE REMOVED
1776	MESQUITE (MT)	20	LARGE TREE REMOVED	1858	LIVE OAK (MT)	17	LARGE TREE REMOVED
1777	MESQUITE (SICK/DEAD)	12	LARGE TREE REMOVED	1859	LIVE OAK	13	LARGE TREE REMOVED
1778	MESQUITE (SICK/DEAD)	12	LARGE TREE REMOVED	1860	PERSIMMON (MT)	11	MEDIUM TREE REMOVED
1779	MESQUITE (SICK/DEAD)	15	LARGE TREE REMOVED	1861	PERSIMMON	5	SMALL TREE REMOVED
1780	MESQUITE (SICK/DEAD)	17	LARGE TREE REMOVED	1862	BLACK OAK	5	SMALL TREE REMOVED
1781	MESQUITE (MT)	13	LARGE TREE REMOVED	1863	BLACK OAK	6	SMALL TREE REMOVED
1782	MESQUITE (MT)	16	LARGE TREE REMOVED	1864	HACKBERRY (MT)	7	SMALL TREE REMOVED
1783	MESQUITE	21	LARGE TREE REMOVED	1865	HACKBERRY	11	MEDIUM TREE REMOVED
1784	MESQUITE (SICK/DEAD)	16	LARGE TREE REMOVED	1866	HACKBERRY	6	SMALL TREE REMOVED
1785	MESQUITE	16	LARGE TREE REMOVED	1867	BLACK OAK	5	SMALL TREE REMOVED

Tree Inventory

1786	MESQUITE	12	LARGE TREE REMOVED	1868	HACKBERRY	8	MEDIUM TREE REMOVED
1787	PERSIMMON (MT)	12	LARGE TREE REMOVED	1869	BLACK OAK	5	SMALL TREE REMOVED
1788	MESQUITE	12	LARGE TREE REMOVED	1870	BLACK OAK	5	SMALL TREE REMOVED
1789	MESQUITE (MT)	19	LARGE TREE REMOVED	1871	PERSIMMON (MT)	12	LARGE TREE REMOVED
1790	HACKBERRY	22	LARGE TREE REMOVED	1872	PERSIMMON	8	MEDIUM TREE REMOVED
1791	HACKBERRY (MT)	18	LARGE TREE REMOVED	1873	PERSIMMON	12	LARGE TREE REMOVED
1792	HACKBERRY	10	MEDIUM TREE REMOVED	1874	HACKBERRY	8	MEDIUM TREE REMOVED
1793	PERSIMMON	12	LARGE TREE REMOVED	1875	HACKBERRY	8	MEDIUM TREE REMOVED
1794	MESQUITE (MT)	12	LARGE TREE REMOVED	1876	HACKBERRY	13	LARGE TREE REMOVED
1795	MESQUITE	20	LARGE TREE REMOVED	1877	HACKBERRY (MT)	12	LARGE TREE REMOVED
1796	PERSIMMON (MT)	16	LARGE TREE REMOVED	1878	HACKBERRY	25	HERITAGE TREE REMOVED
1797	MESQUITE	16	LARGE TREE REMOVED	1879	PERSIMMON (MT)	12	LARGE TREE REMOVED
1798	PERSIMMON (MT)	6	SMALL TREE REMOVED	1880	PERSIMMON	5	SMALL TREE REMOVED
1799	BURR OAK	5	SMALL TREE REMOVED	1881	HACKBERRY (MT)	25	HERITAGE TREE REMOVED
1800	PERSIMMON (MT)	13	LARGE TREE REMOVED	1882	PERSIMMON	5	SMALL TREE REMOVED
1801	MESQUITE (MT)	28	HERITAGE TREE REMOVED	1883	BLACK OAK	5	SMALL TREE REMOVED
1802	GUMBULLY	7	SMALL TREE REMOVED	1884	WHITE OAK	8	MEDIUM TREE REMOVED
1803	BURR OAK	5	SMALL TREE REMOVED	1885	HACKBERRY	16	LARGE TREE REMOVED
1804	LIVE OAK	28	HERITAGE TREE REMOVED	1886	UNKNOWN	9	MEDIUM TREE REMOVED
1805	PERSIMMON	7	SMALL TREE REMOVED	1887	ASH	33	HERITAGE TREE REMOVED
1806	HACKBERRY	18	LARGE TREE REMOVED	1888	HACKBERRY	14	LARGE TREE REMOVED
1807	HACKBERRY (MT)	17	LARGE TREE REMOVED	1889	HACKBERRY	16	LARGE TREE REMOVED
1808	HACKBERRY	17	LARGE TREE REMOVED	1890	PERSIMMON (MT)	9	MEDIUM TREE REMOVED
1809	ASH	24	HERITAGE TREE REMOVED	1891	PERSIMMON	6	SMALL TREE REMOVED
1810	UNKNOWN	6	SMALL TREE REMOVED	1892	PERSIMMON (MT)	16	LARGE TREE REMOVED
1811	UNKNOWN	5	SMALL TREE REMOVED	1893	PERSIMMON (MT)	18	LARGE TREE REMOVED
1812	LIVE OAK	24	HERITAGE TREE REMOVED	1894	PERSIMMON	5	SMALL TREE REMOVED
1813	ASH	13	LARGE TREE REMOVED	1895	PERSIMMON (MT)	11	MEDIUM TREE REMOVED
1814	LIVE OAK	30	HERITAGE TREE REMOVED	1896	PERSIMMON	8	MEDIUM TREE REMOVED
1815	LIVE OAK	13	LARGE TREE REMOVED	1897	CEDAR	10	MEDIUM TREE REMOVED
1816	CEDAR (MT)	39	HERITAGE TREE REMOVED				

Code Requirements

- City Code mandates that 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 be planted
- City Code prohibits the removal of any heritage trees, regardless of species
- Per Code 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 9 trees totaling 203” diameters.

Code Requirements

- City Code states:
 - Variances may be granted after consideration and approval of the 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 \$85,200.00 will be paid into the Tree Mitigation Fund
- This fund is restricted to supporting additional tree planting at approved sites in Leon Valley
- The granting of this variance would facilitate the development of new housing, which will increase the city's sales and property tax base

Recommendation

- At the discretion of the City Council