



Environmental Conservation Commission

January 3, 2023
Town Hall
2121 Cross Timbers Road
Flower Mound, TX 75028

6:30 p.m.

AGENDA

A. CALL TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. PUBLIC COMMENT

The purpose of this item is to allow the public an opportunity to address the Board/Commission regarding any item on this agenda that is not a "Public Hearing." Issues regarding daily operational or administrative matters should first be dealt with by calling Town Hall at 972- 874-6000 during business hours. To speak to the Board/Commission during public comment, please fill out a green comment form, which is located in the lobby of Town Hall.

In accordance with the Texas Open Meetings Act, the Board/Commission is restricted from discussing or acting on items not listed on the agenda.

- Speakers are limited to 3 minutes; a tone will sound at 30 seconds left and when time has expired, and times may be adjusted by the Chair depending on the number of speakers.
- Speakers must address their comments to the Board/Commission.
- Please state your name and address when speaking.

E. STAFF/DIRECTOR REPORT

F. CONSENT ITEM(S)

This part of the agenda consists of non-controversial, or "housekeeping" items required by law. Items may be removed from Consent by any Commissioner by making such request prior to a motion and vote.

1. Consider approval of minutes from the regular meeting of the Environmental Conservation Commission held on December 6, 2022.

G. REGULAR ITEM(S)

1. Consider an application for a tree removal permit (TRP22-0023) for one (1) specimen tree on Lot 1, Block C of the Pepper Creek Ranch Addition subdivision. The property is located at 4424 Kimball Xing.
2. Consider an application for a tree removal permit (TRP22-0021) for six (6) specimen trees on property proposed for development as Lakeside Center Phase II. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive.
3. Consider an application for a tree removal permit (TRP22-0022) for one (1) specimen tree on property proposed for development as Lakeside Crossing. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive.

H. SUBCOMMITTEE REPORT

I. COORDINATION OF FUTURE AGENDAS/ MEETINGS

J. ADJOURN

I do hereby certify that the Notice of Meeting was posted on the bulletin board at the Town Hall for the Town of Flower Mound, Texas, in a place convenient and readily accessible to the general public at all times and said Notice was also posted on the Town's website in accordance with GC Section 551.056 on the following date and time: January 30, 2022, at 9:30 a.m., at least 72 hours prior to the scheduled time of said meeting.

Helena Lynch, Staff Liaison

The Flower Mound Town Hall and Jody Smith Hall are wheelchair accessible. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting by contacting Town Hall at 972.874.6000. Additional time limits will be provided for members of the public that need to address the Town Council through a translator.

FLOWER MOUND ENVIRONMENTAL CONSERVATION COMMISSION MEETING OF DECEMBER 6, 2022

THE FLOWER MOUND ENVIRONMENTAL CONSERVATION COMMISSION MEETING HELD ON THE 6TH DAY OF DECEMBER 2022, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS, AT 6:30 PM.

The Environmental Conservation Commission met in regular session, with the following members present constituting a quorum:

Marilyn Lawson	Chair
Deanna Soper	Vice Chair
Rich Murchek	Commission Member, Place 1
James Seastrom	Commission Member, Place 2
KC Walsh	Commission Member, Place 3
Alton Bowman	Commission Member, Place 5
Emily Strittmatter	Commission Member, Place 8
Juli Greenberg	Commission Member, Place 9

Places 8, 9, and 10 of the Commission do not vote on items unless they sit in place of one of the regular members, Places 1-7.)

Constituting a quorum with the following members absent:

Anna Athappan	Commission Member, Place 6
Andra Schwenk	Commission Member, Place 10

And the following members of Town staff present:

Matthew Woods	Director of Environmental Services
Helena Lynch	Administrative Assistant
Joe Whiteley	Environmental Review Analyst
Tyler Leverenz	Environmental Programs Coordinator

A. CALL TO ORDER - REGULAR SESSION: 6:30 PM

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. PUBLIC COMMENT

None.

D. STAFF REPORT

Update and status report related to environmental issues and events, regulatory activities, and projects.

E. CONSENT AGENDA

- 1. Consider approval of minutes from the regular meeting of the Environmental Conservation Commission held on November 1, 2022.**

FLOWER MOUND ENVIRONMENTAL CONSERVATION COMMISSION MEETING OF DECEMBER 6, 2022

Commission Deliberation

Vice Chair Soper made a motion to approve the November 1, 2022, minutes as presented. Commission Member Seastrom seconded the motion.

VOTE ON THE MOTION

AYES: Murchek, Seastrom, Walsh, Bowman, Soper, Strittmatter
NAYS: None
ABSTAIN: None

The motion passed with a vote of 6-0-0

F. REGULAR ITEM

2. Consider an application for a tree removal permit (TRP22-0020) for one (1) specimen tree on property proposed for development as Roach Addition. The property is generally located north of Cross Timbers Road and west of Lusk Lane.

Staff Presenter

Joe Whiteley, Environmental Services Review Analyst, gave a presentation with the following items and answered questions:

- Project Information
- General Location
- Detailed Location
- Tree Survey
- Specimen Trees Requested for Removal
- Motion/Recommendation
-

Applicant Presenter

Lara Hall, Landscape Architect, with McAdams, 201 County View Drive, Roanoke, TX, 76262 gave a presentation with the following items and answered questions:

- Letter intent
- Proposed plat
- Tree removal permit
- Tree #306 – Post Oak
- Tree survey
- Site Context
- Tree Survey with Aerial
- Site Context
- Tree canopy impact
- Site design and constraints

FLOWER MOUND ENVIRONMENTAL CONSERVATION COMMISSION MEETING OF DECEMBER 6, 2022

Commission Deliberation

Commission Member Seastrom made a motion to approve the requested permit TRP22-0020 for the removal of one (1) specimen tree on property proposed for development as Roach Addition. The property is generally located north of Cross Timbers Road and west of Lusk Lane. Commission Member Murchek seconded the motion.

VOTE ON THE MOTION

AYES: Strittmatter, Soper, Bowman, Walsh, Seastrom, Murchek
NAYS: None
ABSTAIN: None

The motion passed with a vote of 6-0-0

G. ADJOURNMENT- REGULAR SESSION 7:01 p.m.

H. CALL WORK SESSION TO ORDER 7:01 p.m.

I. WORK SESSION ITEM

1. Provide an overview of the Town's drainage and floodplain regulations.

Staff Presenter

Clay Riggs, Director of Public Works, gave a presentation with the following items and answered questions:

- Discussion points
- Design requirements – 14 slides
- Typical development process
- Floodplain – 9 slides
- CRS

J. SUBCOMMITTEE REPORT

Receive updates and status reports related to subcommittee activities and establish subcommittees as necessary.

K. COORDINATION OF FUTURE AGENDAS/MEETINGS

L. ADJOURNMENT- REGULAR SESSION – 8:30 p.m.

TOWN OF FLOWER MOUND, TEXAS

MARILYN LAWSON, CHAIR

FLOWER MOUND ENVIRONMENTAL CONSERVATION COMMISSION MEETING OF DECEMBER 6, 2022

ATTEST:

HELENA LYNCH, ADMINISTRATIVE ASSISTANT

DRAFT



ENVIRONMENTAL CONSERVATION COMMISSION AGENDA G.1. REGULAR ITEM(S)

DATE: January 3, 2023
FROM: James Hoefert, Environmental Review Analyst
ITEM: **Consider an application for a tree removal permit (TRP22-0023) for one (1) specimen tree on Lot 1, Block C of the Pepper Creek Ranch Addition subdivision. The property is located at 4424 Kimball Xing.**

BACKGROUND: Lot 1, Block C of the Pepper Creek Ranch Addition subdivision is located at 4424 Kimball Xing. The lot is approximately 0.755 acres in size. The lot is currently zoned as part of Planned Development District No. 162 (PD-162) for a cluster development and is master planned for the Cross Timbers Conservation Development District. The applicant is requesting to remove the one (1) specimen tree from the residential lot because of the tree's proximity to the building pad and driveway access. The specimen tree proposed for removal (Tree #7408 – 25" post oak) is in good condition, located within the buildable area of the lot and is in Upland Habitat.

The Town's tree ordinance requires that specimen trees removed from the site be replaced at a rate of two times their caliper inches. However, since the one (1) specimen tree is in an area designated as Upland Habitat, the Upland Habitat mitigation fee of \$15,000/acre was assessed when the development was previously approved.

BOARD REVIEW/CITIZEN FEEDBACK: As of December 28, 2022, staff has not received feedback related to this item.

ALTERNATIVES: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Letter of Intent
2. Application
3. Photograph - Tree
4. Photograph - Tree Removal Sign
5. Tree Survey

DRAFT MOTION: Move to recommend approval or denial of the requested permit for the removal of one (1) specimen tree on Lot 1, Block C of the Pepper Creek Ranch Addition subdivision. The property is located at 4424 Kimball Xing.



November 30, 2022

James Hoefert
Environmental Review Analyst
Town of Flower Mound
james.hoefert@flower-mound.com

Re: Tree Removal – 4424 Kimball Crossing

Dear Mr. Hoefert,

On behalf of the property owner, this letter is to constitute the required letter of intent for removal of specimen tree #7408 shown on the enclosed tree protection plan from the property located at 4424 Kimball Crossing.

The reasons why removal of this tree is necessary are:

1. The tree sits in the middle of the J-driveway and garage entry pad.
2. Due to the topography of the subject lot, reversing the floor plan to move the driveway is not recommended or feasible.
3. Also due to the topography, moving the home further back on the lot is also not recommended or feasible.
4. Due to the tree's location near the garage entrances, pouring the driveway around the tree would not allow for safe ingress and egress of the garages.
5. The cost to create new architectural plans, civil engineering, structural engineering, and other plans or reports already provided to design around the tree would be substantial and overburdensome.

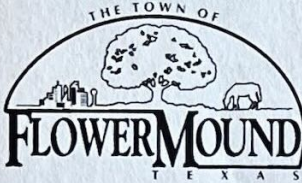
Given the reasons stated above we ask that the ECC committee render a suggestion of 'removal' to the Town and the Town grant the same.

Thank you for your assistance in this matter, and please reach out with any questions or comments.

Regards

John Andrews
VP Legal & Compliance
PentaVia Custom Homes

Enclosed: Tree Protection Plan – 4424 Kimball Crossing



Town of Flower Mound Environmental Services
Mailing Address: 2121 Cross Timbers Road, Flower Mound, TX 75028
Telephone: 972-874-6340 Website: www.flower-mound.com

TREE REMOVAL PERMIT

(Effective for Developments submitted 10/6/08 - present)

Check one: ☐ Protected Tree ☒ Specimen Tree ☐ Historic Tree

This application is required to be submitted 30 days prior to the next available ECC hearing.

1. Applicant- Note: Must be an ISA certified arborist, certified forester, or a registered landscape architect.

Name:

Nick Schiwitz of Aroborillogical Services

Address:

16 Steel Road, Wylie, TX 75098

Phone:

972-442-1524 Ext. 229

Applicant's Legal Interest in the Property:

Arborist that completed the tree survey on the Property on behalf of the property Owner and General Contractor.

2. Property Owner(s)

Name(s): Daniel and Danielle Corello

Address: 3808 Cedarbrush Drive, Dallas, TX 75229

3. Location and Legal Description of Property:

4424 Kimball Crossing, Flower Mound, TX 75028

Lot 1, Block 3, of Pepper Creek Ranch Subdivision

Page 2 of 3.

4. Owner's Authorization of Representation

I, Daniel Corello, the owner of the above described real property, do hereby authorize Nick Schiwitz of Arborological Services to represent my interests and to file an Application for Tree Removal Permit for said real property, pursuant to the terms and provisions of Chapter 94 (Trees), of the Land Development Regulations of the Town of Flower Mound, Texas Code of Ordinances.

DocuSigned by:

075742FBE48D493...

Signature of Owner

Given Under My Hand and Seal of Office
This the ___ Day of _____, 20__

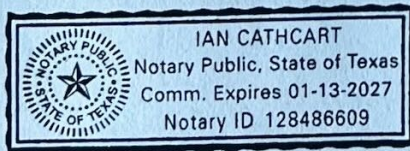
Notary Public

In and For Tarrant County, Texas.

5. Applicants Affidavit- Note: Applicant must be an ISA certified arborist, certified forester, or a registered landscape architect.

Subject to criminal penalties contained in Subpart B, the Land Development Regulations of the Town of Flower Mound, Texas Code of Ordinances, I Nick Schiwitz, do hereby swear or affirm that all of the Information contained herein and submitted herein is, to the best of my knowledge, true, correct and complete and that no false, misleading or incomplete information has been intentionally provided or submitted with this Application for a Tree Removal Permit.

Signature of Applicant



Landscape Architect License No. _____

State of Licensure _____

Or ISA Certified Arborist No. 4687A

Or Certified Forester No. _____

Given Under My Hand and Seal of Office
This the 33 Day of November, 2022

Notary Public

In and For Comm County, Texas

6. Received by Town of Flower Mound on (Date) 11/30/2022 by
(initials) JRH.

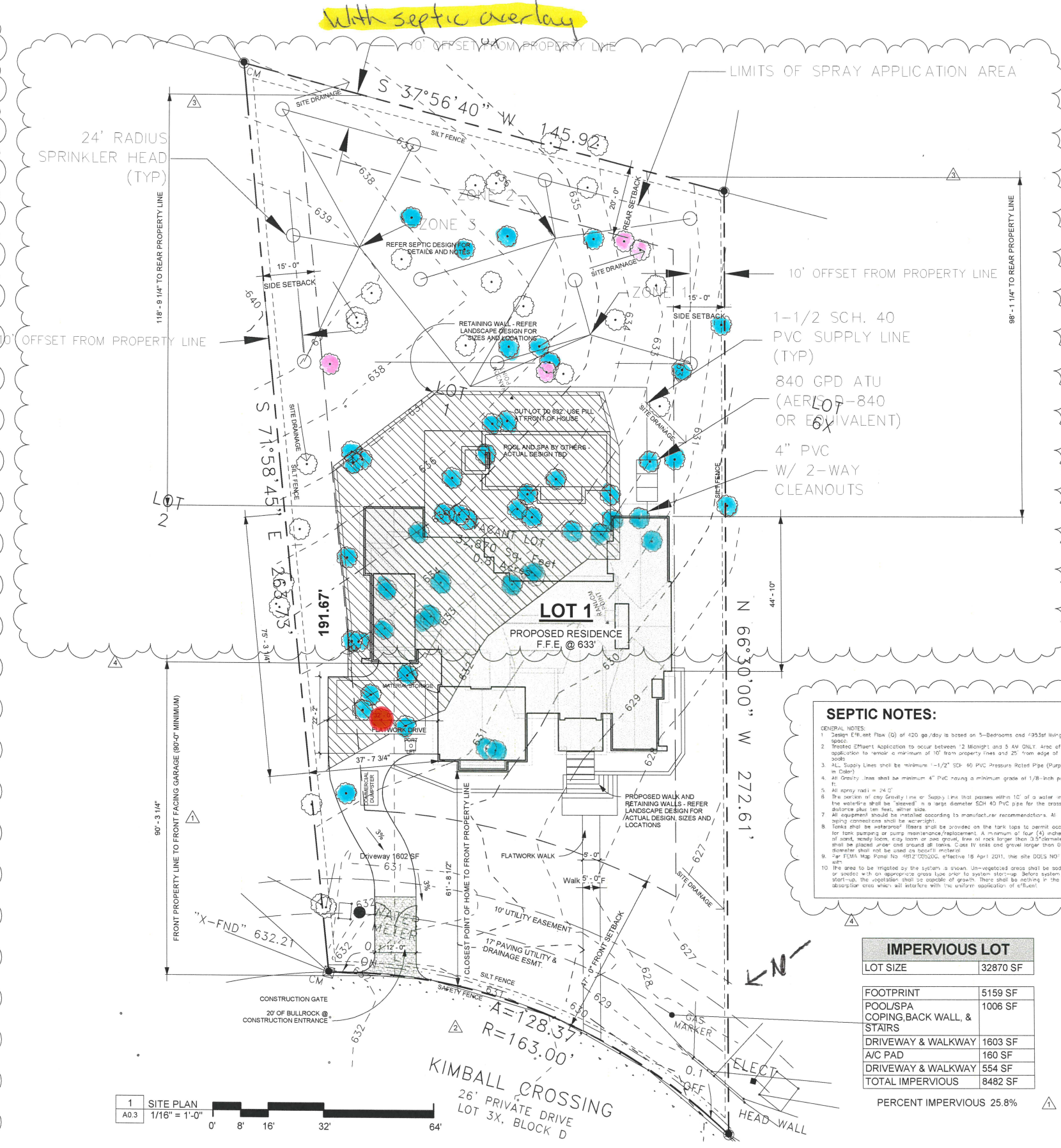
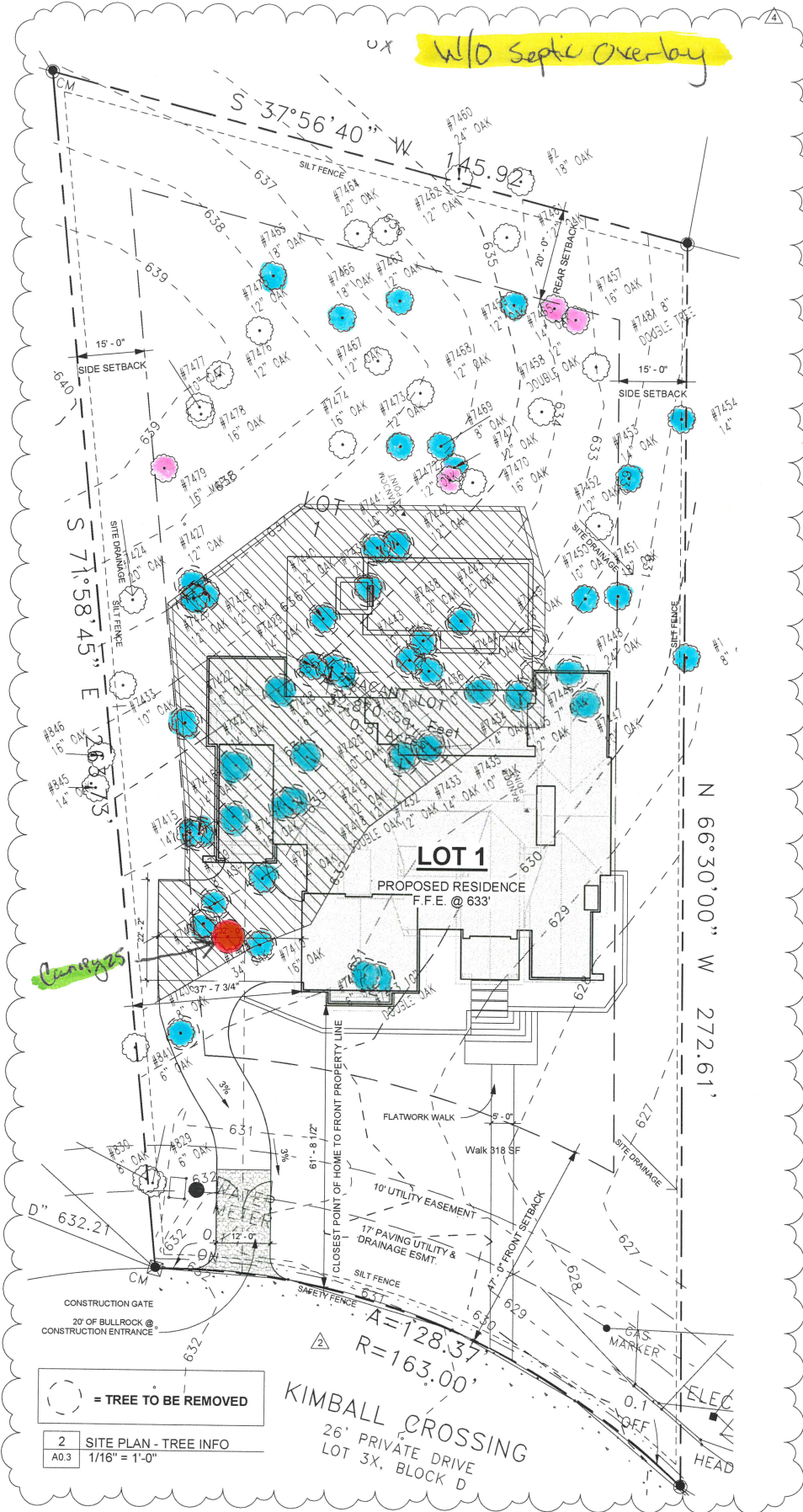
4424 Kimball Xing -
Specimen tree proposed for removal



Tree Removal Request Signage

Along Kimball Xing





SEPTIC NOTES:

GENERAL NOTES:

1. Design Effluent Flow (Q) of 420 gpd/day is based on 5-Bedrooms and 4935sf living space.
2. Treated Effluent Application to occur between 12 Midnight and 5 AM ONLY. Area of application to be a minimum of 10' from property lines and 25' from edge of roads.
3. All Supply Lines shall be minimum 1-1/2" SCH. 40 PVC Pressure Rated Pipe (Purple in Color).
4. All Gravity Lines shall be minimum 4" PVC having a minimum grade of 1/8" inch per ft.
5. All spray radii = 24" ft.
6. The location of any Gravity Line or Supply Line that passes within 10' of a water line, the waterline shall be "sleeved" in a steel diameter SCH. 40 PVC pipe for the crossing distance plus ten feet, either side.
7. All equipment should be installed according to manufacturer recommendations. All piping connections shall be watertight.
8. Tanks shall be "winterized" filters shall be provided on the tank tops to permit access for tank pumping or pump maintenance/replacement. A minimum of four (4) inches of sand, washed item, dry form or sand gravel, free of rock larger than 3/4" diameter shall be placed under and around all tanks. Cast IV tanks and gravel larger than 0.5" diameter shall not be used as bottom material.
9. per TCEM Map Panel No. 101270200a, effective 16 April 2011, this site DOES NOT lie with.
10. The area to be irrigated by the system is shown. Un-vegetated areas shall be sodded or seeded with an appropriate grass type prior to system start-up. Before system start-up, the vegetation shall be mowed to ground. There shall be no seeding or the absorption area which will interfere with the uniform application of effluent.

IMPERVIOUS LOT	
LOT SIZE	32870 SF
FOOTPRINT	5159 SF
POOL/SPA	1006 SF
COPING, BACK WALL, & STAIRS	
DRIVEWAY & WALKWAY	1603 SF
A/C PAD	160 SF
DRIVEWAY & WALKWAY	554 SF
TOTAL IMPERVIOUS	8482 SF
PERCENT IMPERVIOUS 25.8%	



RICHARDSON DESIGN, LLC
682.558.1331
NICK@RICHARDSONDESIGNSTUDIO.COM
RICHARDSONDESIGNSTUDIO.COM
11.15.2022

CORELLO RESIDENCE
4424 KIMBALL CROSSING
FLOWER MOUND, TX

PROJECT NO. 21008

ENGINEER
ARTEC ENGINEERING
4100 SPRING VALLEY RD.,
SUITE 405
DALLAS, TX 75244
469.604.6704

BUILDER
PENTAVIA
1900 W KIRKWOOD BLVD
SUITE 1300B
SOUTHPLAKE, TEXAS 76282
817.601.5498

REVISION SCHEDULE

1	7.5.22	City Comments
2	9.7.22	City Comments
3	11.7.22	City Comment
4	11.15.22	Trees & Septic

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A0.3
SITE PLAN

CONSTRUCTION DOCUMENTS

☁ = Protected (Not to be removed) ● = Specimen ☁ = To be removed ☁ = Dead/Dying - to be removed

**NICHOLAS SCHIWITZ**

B.S. Forestry | ISA Certified Arborist, TX-4687A
ISA Texas Oak Wilt Qualified, TOWQ-455
972.442.1524 ext. 229 | Ft. Worth 817.849.1160
Toll Free: 1.866.55ARBOR (552.7267)
WWW.ARBORIOLOGICAL.COM | ESTABLISHED 1981



Arborilogical®

The Tree Care Experts

Tree Survey Date: October 17th, 2022

Tree Survey Conducted For: Pentavia Custom Homes

Property Location: 4424 Kimball Crossing, Flower Mound, TX 75022

Tree Survey Conducted by Certified Arborist: Nick Schiwitz TX-4687A

<u>TREE NUMBER</u>	<u>COMMON NAME</u>	<u>SCIENTIFIC NAME</u>	<u>DIAMETER (PER INCH)</u>	<u>CONDITION RATING</u>	<u>NOTES</u>
829	Post Oak	<i>Quercus stellata</i>	7.0	1	
830	Post Oak	<i>Quercus stellata</i>	7.6	1	
841	Post Oak	<i>Quercus stellata</i>	5.8	1	
7406	Blackjack Oak	<i>Quercus marilandica</i>	7.1	1	
7412	Post Oak	<i>Quercus stellata</i>	6.7	1	
7413	Post Oak	<i>Quercus stellata</i>	7.7	1	
7410	Post Oak	<i>Quercus stellata</i>	15.3	1	
7408	Post Oak	<i>Quercus stellata</i>	25.6	1	
7407	Post Oak	<i>Quercus stellata</i>	16.1	1	
7409	Green Ash	<i>Fraxinus pennsylvanica</i>	6.9	1	
7411	Post Oak	<i>Quercus stellata</i>	13.9	1	
7415 & 7416	Post Oak	<i>Quercus stellata</i>	23.2	1	Multi-trunk (one tree)
7417	Post Oak	<i>Quercus stellata</i>	16.3	1	
7418	Post Oak	<i>Quercus stellata</i>	13.3	2	Multi-trunk, one dead stem.
7419	Post Oak	<i>Quercus stellata</i>	11.4	1	
7433	Post Oak	<i>Quercus stellata</i>	13.9	1	
7432	Post Oak	<i>Quercus stellata</i>	10.4	1	
7434 & 7435	Blackjack Oak	<i>Quercus marilandica</i>	10.8	3	Multi-trunk (one tree), only one living stem. Ganoderma lucidum & hypoxylon canker present
7420	Post Oak	<i>Quercus stellata</i>	9.3	1	
7421	Post Oak	<i>Quercus stellata</i>	13.7	1	
7422	Post Oak	<i>Quercus stellata</i>	9.4	2	Sparse canopy
7423	Post Oak	<i>Quercus stellata</i>	10.5	2	Sparse canopy
7428	Post Oak	<i>Quercus stellata</i>	14.8	1	

<u>TREE NUMBER</u>	<u>COMMON NAME</u>	<u>SCIENTIFIC NAME</u>	<u>DIAMETER (PER INCH)</u>	<u>CONDITION RATING</u>	<u>NOTES</u>
7429	Post Oak	<i>Quercus stellata</i>	13.2	2	Sparse canopy
7430	Post Oak	<i>Quercus stellata</i>	10.5	3	Dead
7431	Post Oak	<i>Quercus stellata</i>	11.1	1	
7437	Post Oak	<i>Quercus stellata</i>	10.2	1	
7438	Post Oak	<i>Quercus stellata</i>	10.8	1	
7436	Post Oak	<i>Quercus stellata</i>	9.7	1	
7444	Post Oak	<i>Quercus stellata</i>	13.0	1	
7443	Post Oak	<i>Quercus stellata</i>	6.2	1	
7445	Post Oak	<i>Quercus stellata</i>	11.0	1	
7446	Post Oak	<i>Quercus stellata</i>	6.4	1	
7449	Post Oak	<i>Quercus stellata</i>	15.2	1	
7447	Post Oak	<i>Quercus stellata</i>	10.2	3	Ganoderma lucidum present. Multi-trunk, one dead stem.
7448	Post Oak	<i>Quercus stellata</i>	16.8	2	Sparse canopy
1	Post Oak	<i>Quercus stellata</i>	8.0	1	
7451	Post Oak	<i>Quercus stellata</i>	18.4	1	
7450	Post Oak	<i>Quercus stellata</i>	11.2	1	
7442	Post Oak	<i>Quercus stellata</i>	10.7	1	
7441	Post Oak	<i>Quercus stellata</i>	9.5	1	
7439	Post Oak	<i>Quercus stellata</i>	11.0	1	
7440	Post Oak	<i>Quercus stellata</i>	9.2	2	Sparse canopy & poor form
7426	Post Oak	<i>Quercus stellata</i>	12.2	1	
7425	Post Oak	<i>Quercus stellata</i>	11.4	1	
7427	Post Oak	<i>Quercus stellata</i>	10.9	1	
7424	Post Oak	<i>Quercus stellata</i>	18.2	2	25% dead branches
7479	Osage-Orange	<i>Maclura pomifera</i>	15.7	2	50% dead branches
7478	Post Oak	<i>Quercus stellata</i>	16.6	1	
7477	Post Oak	<i>Quercus stellata</i>	9.3	1	
7476	Post Oak	<i>Quercus stellata</i>	12.2	1	
7475	Post Oak	<i>Quercus stellata</i>	12.0	1	
7467	Post Oak	<i>Quercus stellata</i>	10.1	2	Sparse canopy
7468	Post Oak	<i>Quercus stellata</i>	12.3	1	
7474	Post Oak	<i>Quercus stellata</i>	12.6	1	
7473	Post Oak	<i>Quercus stellata</i>	10.9	1	
7469	Post Oak	<i>Quercus stellata</i>	7.3	1	

<u>TREE NUMBER</u>	<u>COMMON NAME</u>	<u>SCIENTIFIC NAME</u>	<u>DIAMETER (PER INCH)</u>	<u>CONDITION RATING</u>	<u>NOTES</u>
7472	Post Oak	<i>Quercus stellata</i>	9.1	3	80% dead branches & poor form
7471	Post Oak	<i>Quercus stellata</i>	12.4	1	
7470	Post Oak	<i>Quercus stellata</i>	14.6	2	35% dead branches
7452	Post Oak	<i>Quercus stellata</i>	11.8	1	
7453	Post Oak	<i>Quercus stellata</i>	13.4	1	
7454	Post Oak	<i>Quercus stellata</i>	12.3	1	
7455	Post Oak	<i>Quercus stellata</i>	9.4	1	
7458	Post Oak	<i>Quercus stellata</i>	17.8	1	
7481	Post Oak	<i>Quercus stellata</i>	9.7	1	
7456	Green Ash	<i>Fraxinus pennsylvanica</i>	15.1	3	85% dead branches, 1 dead stem, & previous wood boring insect infestation
7457	Green Ash	<i>Fraxinus pennsylvanica</i>	16.5	3	75% dead branches & trunk decay
7459	Post Oak	<i>Quercus stellata</i>	11.0	1	
7463	Post Oak	<i>Quercus stellata</i>	12.9	1	
7462	Post Oak	<i>Quercus stellata</i>	10.7	1	
7466	Post Oak	<i>Quercus stellata</i>	16.0	1	
7465	Post Oak	<i>Quercus stellata</i>	16.0	1	
7464	Post Oak	<i>Quercus stellata</i>	16.9	1	
7460	Post Oak	<i>Quercus stellata</i>	18.6	1	
2	Post Oak	<i>Quercus stellata</i>	17.8	1	
7461	Post Oak	<i>Quercus stellata</i>	9.9	1	
32	Post Oak	<i>Quercus stellata</i>	7.2	1	Not tagged by previous survey
33	Blackjack Oak	<i>Quercus marilandica</i>	10.1	1	Not tagged by previous survey

Condition Rating

1. Good - Tree has minor disease or insect problems, if any. crown.

Has good branching pattern and minor to no wounds at the base or along the main stem.

Has a well-developed

2. Fair - Tree could have disease or insect problems, wounds along the base or main stem

that do not impact the structural stability, or could contain a relatively large amount of deadwood.

This type of tree could remain with the proper care given.

3. Poor - Tree is dead or or in poor health. Tree has major problems and would be a risk of failure.

The structural integrity of the tree is likely compromised.



ENVIRONMENTAL CONSERVATION COMMISSION AGENDA G.2. REGULAR ITEM(S)

DATE: January 3, 2023
FROM: James Hoefert, Environmental Review Analyst
ITEM: **Consider an application for a tree removal permit (TRP22-0021) for six (6) specimen trees on property proposed for development as Lakeside Center Phase II. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive.**

BACKGROUND: The Lakeside Center Phase II development consists of approximately 2.182 acres and is generally located south of Lakeside Parkway and between Long Prairie Road and Northwood Drive. The site is currently zoned as Lots 6 and 7, Block A of Planned Development District No. 153 (PD-153) for the Lakeside Crossing with Campus Commercial District (CC) uses and master planned for the Lakeside Business District. The applicant is proposing to rezone the 2.182 acres to be part of Planned Development District No. 169 (PD-169). According to the tree survey for the project, the site contains a total of six (6) specimen trees. The applicant is requesting to remove all six (6) specimen trees. The specimen trees are in good to fair condition and located within the proposed buildable area. All six (6) specimen trees are also located in Upland Habitat.

The following is a list of the six (6) specimen trees being requested for removal:

Tree #900– 22” post oak;
Tree #2327 – 22” post oak;
Tree #2328 – 22” post oak;
Tree #2330 – 23” post oak;
Tree #2331 – 22” post oak; and
Tree #3762 – 25” post oak.

The Town’s tree ordinance requires that specimen trees removed from the site be replaced at a rate of two times their caliper inches. However, since all six (6) specimen trees are in an area designated as Upland Habitat, the Upland Habitat mitigation fee of \$15,000/acre was previously assessed for the Lakeside Crossing Addition development.

BOARD REVIEW/CITIZEN FEEDBACK: As of December 28, 2022, staff has not received feedback related to this item.

ALTERNATIVES: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Letter of Intent

2. Application
3. Photographs - Trees
4. Photograph - Tree Removal Sign
5. Tree Survey

DRAFT MOTION: Move to recommend approval or denial of the requested permit for the removal of six (6) specimen trees on property proposed for development as Lakeside Center Phase II. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive.

November 4, 2022

Jimmy Hoefert, Environmental Review Analyst
Town of Flower Mound
Environmental Services Division
2121 Cross Timbers Road
Flower Mound, Texas 75028

Reference: Tree Removal Permit Application
Lot 1-3, Block A, Abstract NO. 1298
12.476 Acres
Town of Flower Mound
Denton County, Texas

Dear Mr. Hoefert,

On behalf of the developer on the aforementioned property, we are requesting that (6) specimen trees (as outlined in the attached tree survey), as defined in the TOFM Tree Preservation Code, be removed. The trees being requested to be removed are due to site conditions and staff request, which thereby means the subject property cannot reasonably be developed without removal of the trees included in the permit application.

TREE TABULATIONS FROM THE SPECIMEN TREE SURVEY

Total specimen trees	17 trees
Total specimen trees to be removed	6 trees

Due to preexisting conditions, Town of Flower Mound Engineering Standards, Code requirements, and Environmental Staff requests these specimen trees are not able to be saved. The site plan before you appears to be the most beneficial for taking into account all the site constraints and opportunities.

The following specimen trees we are requesting to be removed:

- | | |
|---------------|--------------|
| 1. Tree #900 | 22" Post Oak |
| 2. Tree #2327 | 22" Post Oak |
| 3. Tree #2328 | 22" Post Oak |
| 4. Tree #2330 | 23" Post Oak |
| 5. Tree #2331 | 22" Post Oak |
| 6. Tree #3762 | 25" Post Oak |

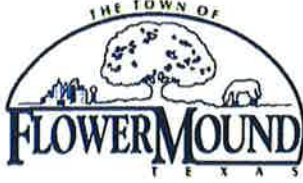
These trees are being removed due to site constraints and staff request.

Based on the above data, I respectfully ask that the trees enumerated above be allowed to be removed from the site.

Sincerely,



Lara Hall RLA
Landscape Architect, TX #3748



Town of Flower Mound Environmental Services
Mailing Address: 2121 Cross Timbers Road, Flower Mound, TX 75028
Telephone: 972-874-6340 Website: www.flower-mound.com

TREE REMOVAL PERMIT

(Effective for Developments submitted 10/6/08 - present)

Check one: ☐ Protected Tree ☒ Specimen Tree ☐ Historic Tree

This application is required to be submitted 30 days prior to the next available ECC hearing.

1. Applicant- Note: Must be an ISA certified arborist, certified forester, or a registered landscape architect.

Name:

Lara Hall

Address:

201 Country View Drive Roanoke, TX 76262

Phone:

817-933-3306

Applicant's Legal Interest in the Property:

Landscape Architect

2. Property Owner(s)

Name(s): FM 2499 Land Venture LLC
Address: 909 Lake Carolyn Pkwy, Ste 150
Irving, TX 75231

3. Location and Legal Description of Property:

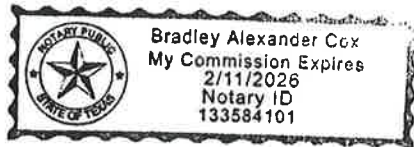
Lot 1-2X, 6 & 7 Block A
Abstract 1252
11.591 Acres

Page 2 of 3.

4. Owner's Authorization of Representation

I, JAMES W. ARCHIE II, the owner of the above described real property, do hereby authorize LARA HALL to represent my interests and to file an Application for Tree Removal Permit for said real property, pursuant to the terms and provisions of Chapter 94 (Trees), of the Land Development Regulations of the Town of Flower Mound, Texas Code of Ordinances.

[Signature]
Signature of Owner



Given Under My Hand and Seal of Office
This the 4th Day of November, 20 22

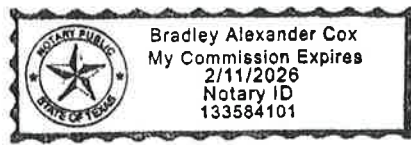
BACox
Notary Public
In and For Denton County, Texas.

5. Applicants Affidavit- Note: Applicant must be an ISA certified arborist, certified forester, or a registered landscape architect.

Subject to criminal penalties contained in Subpart B, the Land Development Regulations of the Town of Flower Mound, Texas Code of Ordinances, I Lara Hall, do hereby swear or affirm that all of the Information contained herein and submitted herein is, to the best of my knowledge, true, correct and complete and that no false, misleading or incomplete information has been intentionally provided or submitted with this Application for a Tree Removal Permit.

[Signature]
Signature of Applicant

Landscape Architect License No. 3748
State of Licensure _____
Or ISA Certified Arborist No. _____
Or Certified Forester No. _____



Given Under My Hand and Seal of Office
This the 4th Day of November, 20 22
BA Cox

In and For Denton County, Texas
Notary Public

6. Received by Town of Flower Mound on (Date) 11/04/2022 by
(initials) JRH.

Application for Tree Removal Permit Page 3 of 3
(effective for Developments submitted 10/6/08 – present)

7. REQUIRED SUBMITTALS CHECKLIST

- a. A \$250 Administrative fee per Specimen or Historic Tree proposed for removal, not to exceed a total of \$1,000 per permit application.
- b. A \$200 fee is required for each Tree Removal Request sign that is made by the Town. The sign(s) must be placed on the property 15 days prior to the ECC hearing that the item is scheduled for on the agenda. Signs shall be placed perpendicular to the street and clearly visible. There shall be one sign for each 500ft of street frontage.
- c. One (1) electronic copy of this application signed and notarized.
- d. One (1) electronic copy of the site plan, development plan, or concept plan or landscape plan where applicable.
- e. One (1) electronic copy of the Tree Survey drawn to the largest practical scale and indicating the items as required by the Town's Tree Ordinance.
- f. One (1) electronic copy of photograph(s) or other evidence indicating that (a) sign(s) has/have been placed on the lot or tract as required by Chapter 94 of the Town's code of ordinances. Photograph(s) shall be taken from the street(s).
- g. One (1) electronic copy of a photograph for each tree requiring a tree removal permit, which is proposed for removal.
- h. One (1) electronic copy of a written document fully explaining the reasons for removal of the Protected, Specimen or Historic tree (LOI).

Lakeside Center Phase II -
Specimen trees proposed for removal

Tree #900 – 22" post oak



Tree #2327 – 22" post oak



Tree #2328 – 22" post oak



Tree #2330 – 23" post oak



Tree #2331 – 22" post oak



Tree #3762 – 25" post oak



Tree Removal Request Signage

Along International Pkwy.



Along Northwood Dr.





ENVIRONMENTAL CONSERVATION COMMISSION AGENDA G.3. REGULAR ITEM(S)

DATE: January 3, 2023
FROM: James Hoefert, Environmental Review Analyst
ITEM: **Consider an application for a tree removal permit (TRP22-0022) for one (1) specimen tree on property proposed for development as Lakeside Crossing. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive.**

BACKGROUND: The Lakeside Crossing development consists of approximately 8.728 acres and is generally located south of Lakeside Parkway and between Long Prairie Road and Northwood Drive. The site is currently zoned as Planned Development District No. 153 (PD-153) with Campus Commercial District (CC) uses and master planned for the Lakeside Business District. The applicant is proposing to rezone the 8.728 acres. According to the tree survey for the project, the site contains a total of nine (9) specimen trees. The applicant is requesting to remove one (1) specimen tree (Tree #1924 – 25" post oak). The specimen tree is in good condition, located within the proposed buildable area and in Upland Habitat.

The Town's tree ordinance requires that specimen trees removed from the site be replaced at a rate of two times their caliper inches. However, since the one (1) specimen tree is in an area designated as Upland Habitat, the Upland Habitat mitigation fee of \$15,000/acre was assessed when the development was previously approved.

BOARD REVIEW/CITIZEN FEEDBACK: As of December 28, 2022, staff has not received feedback related to this item.

ALTERNATIVES: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Letter of Intent
2. Application
3. Photograph - Tree
4. Photograph - Tree Removal Sign
5. Tree Survey

DRAFT MOTION: Move to recommend approval or denial of the requested permit for the removal of one (1) specimen tree on property proposed for development as Lakeside Crossing. The property is generally located south of Lakeside Parkway along and between Long Prairie Road and Northwood Drive.

November 4, 2022

Jimmy Hoefert, Environmental Review Analyst
Town of Flower Mound
Environmental Services Division
2121 Cross Timbers Road
Flower Mound, Texas 75028

Reference: Tree Removal Permit Application
Lot 1-3, Block A, Abstract NO. 1298
12.476 Acres
Town of Flower Mound
Denton County, Texas

Dear Mr. Hoefert,

On behalf of the developer on the aforementioned property, we are requesting that (1) specimen tree (as outlined in the attached tree survey), as defined in the TOFM Tree Preservation Code, be removed. The tree being requested to be removed due to site conditions and staff request, which thereby mean the subject property cannot reasonably be developed without removal of the trees included in the permit application.

TREE TABULATIONS FROM THE SPECIMEN TREE SURVEY

Total specimen trees	9 trees
Total specimen trees to be removed	1 trees

Due to preexisting conditions, Town of Flower Mound Engineering Standards, Code requirements, and Environmental Staff requests this specimen tree is not able to be saved. The site plan before you appears to be the most beneficial for taking into account all the site constraints and opportunities.

The following is the specimen tree we are requesting to be removed:

- | | |
|---------------|--------------|
| 1. Tree #1924 | 25" Post Oak |
|---------------|--------------|

This tree is being removed due to site constraints and staff request.

Based on the above data, I respectfully ask that the trees enumerated above be allowed to be removed from the site.

Sincerely,



Lara Hall RLA
Landscape Architect, TX #3748



Town of Flower Mound Environmental Services
Mailing Address: 2121 Cross Timbers Road, Flower Mound, TX 75028
Telephone: 972-874-6340 Website: www.flower-mound.com

TREE REMOVAL PERMIT

(Effective for Developments submitted 10/6/08 - present)

Check one: ☐ Protected Tree ☒ Specimen Tree ☐ Historic Tree

This application is required to be submitted 30 days prior to the next available ECC hearing.

1. Applicant- Note: Must be an ISA certified arborist, certified forester, or a registered landscape architect.

Name:

Lara Hall

Address:

201 Country View Drive Roanoke, TX 76262

Phone:

817-933-3306

Applicant's Legal Interest in the Property:

Landscape Architect

2. Property Owner(s)

Name(s):

☐ NewStream ☐ Commercial

Newstream Retail Partners - FM LLC

Address: 2301 W Southlake Blvd 311 South Oak St.
Suite 500 Ste 250
Southlake, TX 76092 Kennerly TX 76262

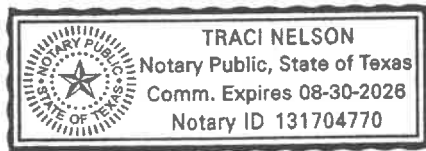
3. Location and Legal Description of Property:

Lot 1-5 Block A
Abstract 1252
8.275 Acres

Page 2 of 3.

4. Owner's Authorization of Representation

I, Timothy Nyström, the owner of the above described real property, do hereby authorize McAdams- Lara Hall to represent my interests and to file an Application for Tree Removal Permit for said real property, pursuant to the terms and provisions of Chapter 94 (Trees), of the Land Development Regulations of the Town of Flower Mound, Texas Code of Ordinances.



[Signature]
Signature of Owner

Given Under My Hand and Seal of Office
This the 3rd Day of December, 2022

Traci Nelson

Notary Public

In and For Denton County, Texas.

5. Applicants Affidavit- Note: Applicant must be an ISA certified arborist, certified forester, or a registered landscape architect.

Subject to criminal penalties contained in Subpart B, the Land Development Regulations of the Town of Flower Mound, Texas Code of Ordinances, I Lara Hall, do hereby swear or affirm that all of the Information contained herein and submitted herein is, to the best of my knowledge, true, correct and complete and that no false, misleading or incomplete information has been intentionally provided or submitted with this Application for a Tree Removal Permit.

Lara Hall

Signature of Applicant

Landscape Architect License No. 3748

State of

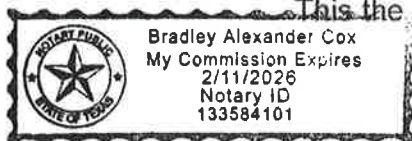
Licensure _____ Texas _____

Or ISA Certified Arborist No. _____

Or Certified Forester No. _____

Given Under My Hand and Seal of Office

This the 12 Day of December, 2022



B. A. Cox

Notary Public

In and For Denton County, Texas

6. Received by Town of Flower Mound on (Date) 12/15/2022 by
(initials) JRH.

Application for Tree Removal Permit Page 3 of 3
(effective for Developments submitted 10/6/08 – present)

7. REQUIRED SUBMITTALS CHECKLIST

- a. A \$250 Administrative fee per Specimen or Historic Tree proposed for removal, not to exceed a total of \$1,000 per permit application.
- b. A \$200 fee is required for each Tree Removal Request sign that is made by the Town. The sign(s) must be placed on the property 15 days prior to the ECC hearing that the item is scheduled for on the agenda. Signs shall be placed perpendicular to the street and clearly visible. There shall be one sign for each 500ft of street frontage.
- c. One (1) electronic copy of this application signed and notarized.
- d. One (1) electronic copy of the site plan, development plan, or concept plan or landscape plan where applicable.
- e. One (1) electronic copy of the Tree Survey drawn to the largest practical scale and indicating the items as required by the Town's Tree Ordinance.
- f. One (1) electronic copy of photograph(s) or other evidence indicating that (a) sign(s) has/have been placed on the lot or tract as required by Chapter 94 of the Town's code of ordinances. Photograph(s) shall be taken from the street(s).
- g. One (1) electronic copy of a photograph for each tree requiring a tree removal permit, which is proposed for removal.

- h. One (1) electronic copy of a written document fully explaining the reasons for removal of the Protected, Specimen or Historic tree (LOI).

Lakeside Crossing - Specimen tree proposed for removal

Tree #1924 – 25" post oak



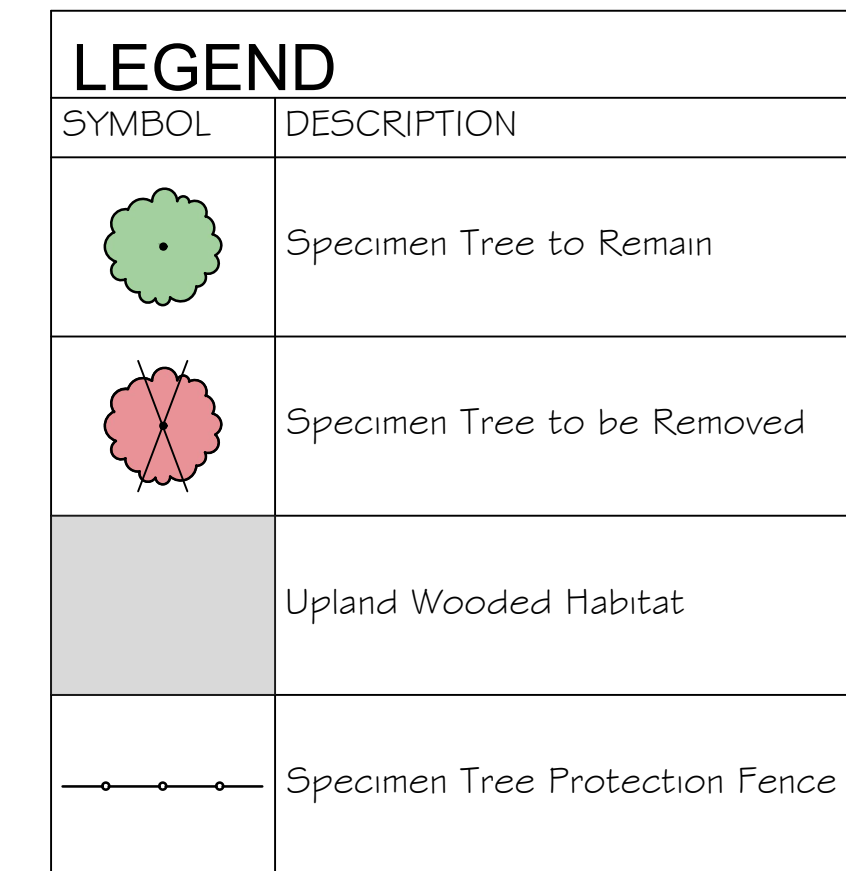
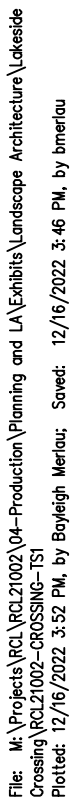
Tree Removal Request Signage

Along International Pkwy.



Along Northwood Dr.





NOTES: (18) PROTECTED TREES OUTSIDE OF THE UPLAND WOODED HABITAT

NOTES: TREES 1245, 1379, AND 2333 ARE NOW DEAD. THREE 3" CALIPER MITIGATION TREES SHALL BE PLANTED SOMEWHERE ON SITE.

RCL21002

OWNER/DEVELOPER
REALTY CAPITAL
909 LAKE CAROLYN PARKWAY, SUITE 150
IRVING, TX 75039
Ph. 970-213-8784
Contact: MR. SPENCER LONG

TS1

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