



AGENDA

TOWN OF FLOWER MOUND ENVIRONMENTAL CONSERVATION COMMISSION

SPECIAL MEETING

November 4, 2020

**FLOWER MOUND TOWN HALL
2121 CROSS TIMBERS ROAD
FLOWER MOUND, TEXAS**

7:30 P.M.

AN AGENDA INFORMATION PACKET IS AVAILABLE ONLINE AT
[HTTPS://TX-FLOWERMOUND.CIVICPLUS.COM/AGENDACENTER](https://tx-flowermound.civicplus.com/agendacenter)

There will be limited seating in Jody Smith Hall to allow for social distancing
Meeting participants may be asked to wait in the lobby until their name is called
Comments regarding any item on this agenda can be sent to the Commission Members
by
Emailing: ECC@flower-mound.com or Calling: 972.874.6005

- A. CALL REGULAR MEETING TO ORDER – 7:30 PM**
- B. INVOCATION AND PLEDGE OF ALLEGIANCE**
- C. PUBLIC COMMENT**

Please fill out an "Appearance Before Environmental Conservation Commission" form in order to address the Environmental Conservation Commission and turn the form in prior to Citizens and Visitors Comments, or by 7:40 p.m. to the Town staff. Speakers are normally limited to three minutes. Time limits can be adjusted by the Chair as to accommodate more or fewer speakers.

- D. CONSENT AGENDA - CONSENT ITEMS**

This agenda consists of non-controversial or "housekeeping" items and may be approved with a single motion. A member of the Environmental Conservation Commission may request an item(s) be withdrawn from the consent agenda and moved to regular agenda for discussion by making such request prior to a motion and vote on the Consent Agenda.

Environmental Conservation Commission Special Meeting Agenda

November 4, 2020

Page 2

1. Consider approval of minutes from the regular meeting of the Environmental Conservation Commission held on October 6, 2020.

E. REGULAR ITEMS

2. Consider an application for a tree removal permit for twenty-five (25) specimen trees on property proposed for development as Niagara Conservation. The property is generally located north of Enterprise Road and east of Old Gerault Road.

F. COORDINATION OF FUTURE AGENDAS/MEETINGS

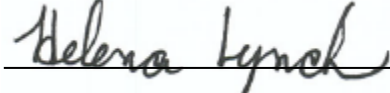
G. ADJOURNMENT- REGULAR SESSION



Matthew Woods

Director of Environmental Services

I do hereby certify that the Notice of Meeting was posted on the bulletin board in Town Hall of the Town of Flower Mound, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: October 30, 2020, by 5:00 p.m., at least 72 hours prior to the schedule time of said meeting.



Helena Lynch

Administrative Assistant



ENVIRONMENTAL CONSERVATION COMMISSION AGENDA ITEM NO. 1

CONSENT ITEM

DATE: November 4, 2020

FROM: Helena Lynch, Administrative Assistant

ITEM: Consider approval of minutes from the regular meeting of the Environmental Conservation Commission held on October 6, 2020.

BACKGROUND INFORMATION: This agenda item is to consider approval of the minutes from the October 6, 2020, regular meeting of the Environmental Conservation Commission.

CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. A copy of the draft minutes from the October 6, 2020, regular meeting of the Environmental Conservation Commission.

RECOMMENDATION: Move to approve the minutes from the October 6, 2020, regular meeting of the Environmental Conservation Commission.

FLOWER MOUND ENVIRONMENTAL CONSERVATION COMMISSION MEETING OF OCTOBER 6, 2020

THE FLOWER MOUND ENVIRONMENTAL CONSERVATION COMMISSION MEETING HELD ON THE 6TH DAY OF OCTOBER 2020, 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:

James Naylor	Chair
Russell McNamer	Vice Chair
James Seastrom	Commission Member, Place 2
Marilyn Lawson	Commission Member, Place 4
Alton Bowman	Commission Member, Place 5
Elaine Takacs	Commission Member, Place 6
Deanna Soper	Commission Member, Place 7
Anna Athappan	Commission Member, Place 9
Kathryn Wells	Commission Member, Place 10

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:

Rich Murchek	Commission Member, Place 8
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And the following members of Town staff present:

Matthew Woods	Director of Environmental Services
Helena Lynch	Administrative Assistant
Tyler Leverenz	Environmental Programs Coordinator

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

B. ELECTION OF CHAIR AND VICE CHAIR

James Naylor was elected Chair and Russell McNamer was elected Vice Chair. The vote for both positions was unanimous.

C. INVOCATION AND PLEDGE OF ALLEGIANCE

D. PUBLIC COMMENT

Tom Bailey, 1205 Indian Cherry Ln, spoke to thank the commission for his time on the board.

E. STAFF REPORT

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

F. CONSENT AGENDA

FLOWER MOUND ENVIRONMENTAL CONSERVATION COMMISSION MEETING OF OCTOBER 6, 2020

1. Consider approval of minutes from the regular meeting of the Environmental Conservation Commission held on September 1, 2020.

Commission Deliberation

Commission Member Seastrom made a motion to approve the September 1, 2020, minutes as presented. Vice Chairman McNamer seconded the motion.

VOTE ON THE MOTION

AYES: Soper, Tackas, Bowman, Seastrom, Lawson, McNamer
NAYS: None
ABSTAIN: None

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

G. SUBCOMMITTEE REPORT

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

H. COORDINATION OF FUTURE AGENDAS/MEETINGS

I. ADJOURNMENT- REGULAR SESSION – 7:00 PM

J. CALL WORK SESSION TO ORDER – 7:00 PM

K. WORK SESSION ITEMS

Staff Presenter

Tyler Leverenz, Environmental Programs Coordinator, gave a presentation with the following items included:

- ECC Sustainability Initiatives
- Evaluate options to enhance town wide recycling: including LISD and multifamily options
- Open space
- Enhance Stormwater Management Program educational material
- Promote and conduct environmental classes and programs
- Promote and adopt enhanced drought tolerant landscaping practices at Town Facilities
- Establish an Arboretum
- Energy Conservation
- Conduct a Town-wide tree canopy analysis
- ECC Sustainability

L. COORDINATION OF FUTURE AGENDAS/MEETINGS

FLOWER MOUND ENVIRONMENTAL CONSERVATION COMMISSION MEETING OF OCTOBER 6, 2020

M. ADJOURNMENT- WORK SESSION – 7:51 PM

TOWN OF FLOWER MOUND, TEXAS

JAMES NAYLOR, CHAIR

ATTEST:

HELENA LYNCH, ADMINISTRATIVE ASSISTANT



ENVIRONMENTAL CONSERVATION COMMISSION AGENDA ITEM NO. 2

REGULAR ITEM

DATE: November 4, 2020
FROM: James Hoefert, Environmental Review Analyst
PRESENTER: Kori Haug, Belle Firma
ITEM: **Consider an application for a tree removal permit for twenty-five (25) specimen trees on property proposed for development as Niagara Conservation. The property is generally located north of Enterprise Road and east of Old Gerault Road.**

BACKGROUND INFORMATION:

The Niagara Conservation development is generally located north of Enterprise Road and east of Old Gerault Road. The site is approximately 7.594 acres in size. The site is currently zoned for Agricultural (A) uses and master planned for Campus Industrial within the Lakeside Business District. The applicant is requesting to rezone the site to Planned Development District No.179 (PD-179) with Campus Industrial uses. According to the tree survey for the project, the site contains thirty-two (32) specimen trees. The applicant is requesting to remove twenty-five (25) specimen trees. The specimen trees proposed for removal are all in good to poor condition and are located within the proposed buildable area.

The following is a list of the twenty-five (25) specimen trees being requested for removal:

Tree #36 – 19” cedar elm;	Tree #313 – 32” post oak;
Tree #129 – 20” cedar elm;	Tree #327 – 24” post oak;
Tree #133 – 25” cedar elm;	Tree #328 – 22” post oak;
Tree #134 – 19” cedar elm;	Tree #329 – 25” post oak;
Tree #147 – 20” cedar elm;	Tree #330 – 33” post oak;
Tree #153 – 19” cedar elm;	Tree #337 – 26” post oak;
Tree #155 – 19” cedar elm;	Tree #393 – 33” post oak (fair condition);
Tree #165 – 24” cedar elm;	Tree #398 – 27” post oak;
Tree #189 – 28” post oak;	Tree #407 – 31” post oak;
Tree #234 – 30” post oak;	Tree #408 – 30” post oak;
Tree #250 – 28” post oak (poor condition);	Tree #409 – 23” post oak; and
Tree #274 – 19” cedar elm (fair condition);	Tree #417 – 22” post oak (poor condition)
Tree #285 – 31” 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. Based on their sizes, 1,260” of replacement trees, equaling 420 three-inch caliper trees, will be required for the twenty-five (25) specimen trees being requested for removal on this site. In addition, protected trees removed from the buildable area will also require replacement at a tree-for-tree rate. The developer is proposing to preserve existing protected and specimen trees on the site, so there will be credits available for the preservation of those trees.

CITIZEN FEEDBACK: As of October 29, 2020, staff has not received feedback related to this item.

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Letter from the applicant indicating the reason(s) for the tree removal permit request.
2. Specimen tree removal permit application.
3. Photographs of the specimen trees proposed for removal.
4. Photographs of approved signage onsite.
5. Tree Survey.

RECOMMENDATION: Move to recommend approval or denial of the requested permit for the removal of twenty-five (25) specimen trees on property proposed for development as Niagara Conservation. The property is generally located north of Enterprise Road and east of Old Gerault Road.



Beautiful Landscapes.
Signature Services.

bellefirma.com

October 15, 2020

Mr. James Hoefert

Environmental Review Analyst
Town of Flower Mound
2121 Cross Timbers Road
Flower Mound, TX 75028

Re: **Letter of Intent – Specimen Tree Removal for Niagra**
300 Old Gerault Road, Flower Mound, Texas

Dear Mr. Hoefert:

Niagra has proposed development for a 127,810 square foot building on 7.53 acres along Gerault Road. This is a challenging site to develop, and as we are requesting to remove several significant and protected trees. We have worked closely with the civil engineer, architect, and developer to save as many trees on site as possible.

The intent of this letter is to summarize the total amount of Specimen Trees located at 300 Old Gerault Road and to individually identify those trees being proposed for removal along with an explanation why removal is necessary and comments on tree health if applicable. All tree information listed below references the Tree Survey Field Data, tree locations, and proposed site development as reflected on sheet L1.00, "Specimen Tree Plan" dated September 30, 2020. Also attached to this letter are labeled photos of the existing specimen trees listed below.

The site contains a total of thirty-two (32) Specimen Trees. Twenty-five (25) of these trees are being proposed for removal, individually identified with reason for removal as follows:

# 36	19"	Cedar Elm to be removed for site grading.
# 129	20.5"	Cedar Elm to be removed for site grading.
# 133	25.5"	Cedar Elm to be removed for drive aisle.
# 134	19.5"	Cedar Elm to be removed for drive aisle.
# 147	20"	Cedar Elm within building footprint.
# 153	19"	Cedar Elm to be removed for drive aisle.
# 155	19.5"	Cedar Elm to be removed for drive aisle.
# 165	24"	Cedar Elm to be removed for drive aisle.
# 189	28"	Post Oak to be removed for site grading
# 234	30"	Post Oak to be removed for Old Gerault Road curb.
# 250	28"	Post Oak in poor condition to be removed for Old Gerault Road curb.
# 274	19.5"	Cedar Elm to be removed for drive aisle.
# 285	31"	Post Oak to be removed for drive aisle.
# 313	32.2"	Post Oak to be removed for drive aisle.
# 327	24.5"	Post Oak within building footprint.
# 328	22.5"	Post Oak within building footprint.
# 329	25.5"	Post Oak within building footprint.
# 330	33.5"	Post Oak within building footprint.
# 337	26"	Post Oak within building footprint.
# 393	33"	Post Oak within building footprint.

# 398	27"	Post Oak within building footprint.
# 407	31"	Post Oak within building footprint.
# 408	30.5	Post Oak within building footprint.
# 409	23"	Post Oak within building footprint.
# 417	22"	Cedar Elm in poor condition within building footprint.

In addition to the Specimen Trees referenced above, there are one hundred and sixty-four (164) Protected Trees, with one hundred and fifty-four (154) Protected Trees proposed for removal. All of these trees, with the exception of two (2), are located within "Buildable Area" or "Dedicated R.O.W. Buildable Area" and all of the Protected Trees are indicated to be in good health.

Thank you for your time and consideration with this matter and please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kori Haug', with a stylized flourish at the end.

Kori Haug, ASLA, CLARB
President
Belle Firma, Inc.



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:

Kori Haug, ASLA, CLARB

Address:

4245 N. Central Expressway, Suite 501

Dallas, Texas 75205

Phone:

(214) 865-7192

Applicant's Legal Interest in the Property:

Landscape Architect

2. Property Owner(s)

Name(s): Kyle Cutler

Address: 1200 Lakeside Pkwy #450 Flower Mound, Texas 75028

3. Location and Legal Description of Property:

300 Old Gerault Road Flower Mound, Texas 75028

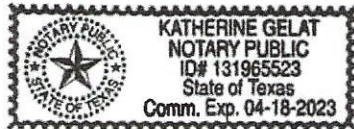
See attached for Legal Description

Page 2 of 3.

4. Owner's Authorization of Representation

I, Kyle Cuthr, the owner of the above described real property, do hereby authorize _____ 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



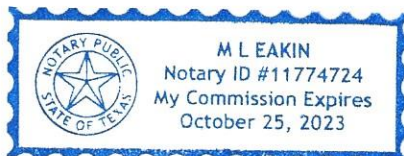
Given Under My Hand and Seal of Office
This the 9 Day of October, 2020
Katherine R Gelat
Notary Public
In and For Dallas County, Texas.

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 Kori Haug, 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.

Kori Haug
Signature of Applicant

Landscape Architect License No. 2546
State of Licensure Texas
Or ISA Certified Arborist No. _____
Or Certified Forester No. _____



Given Under My Hand and Seal of Office
This the 9 Day of October, 2020
M. L. Eakin
Notary Public
In and For Dallas County, Texas

6. Received by Town of Flower Mound on (Date) 10/09/2020 by
(initials) JRH.

Niagara Conservation -
Specimen trees proposed for removal

Tree #36 – 19" cedar elm



Tree #129 – 20" cedar elm



Tree #133 – 25" cedar elm



Tree #134 – 19" cedar elm













Tree #417 – 22" post oak



Tree Removal Request Signage

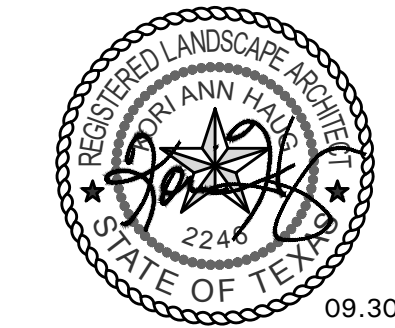
Along Old Gerault Rd.





BUILT TO SUIT FOR
NIAGARA CONSERVATION ON OLD GERAULT
TEXAS
FLOWER MOUND,

MEINHARDT & ASSOCIATES
ARCHITECTS, P.L.L.C.
1440 DALLAS PARKWAY
SUITE 400
DALLAS, TEXAS 75244
(972) 960-0800

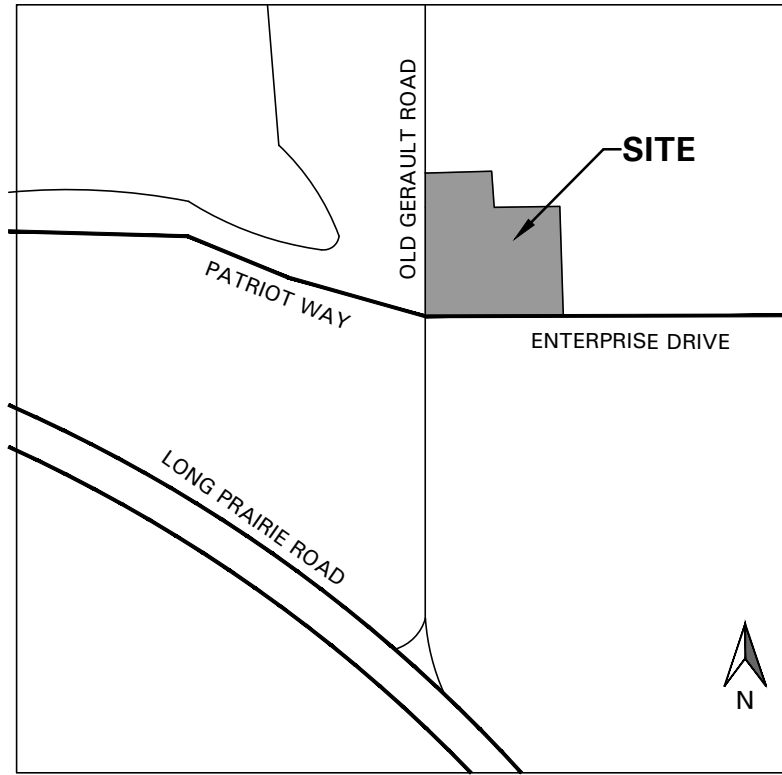


DATE: 08.03.2020
JOB # 20-204
SPECIMEN TREE PLAN
SHEET:

L1.00

• 4245 North Central Expy
• Suite 501
• Dallas, Texas 75205
• 214.865.7192 office

VICINITY MAP
NOT TO SCALE



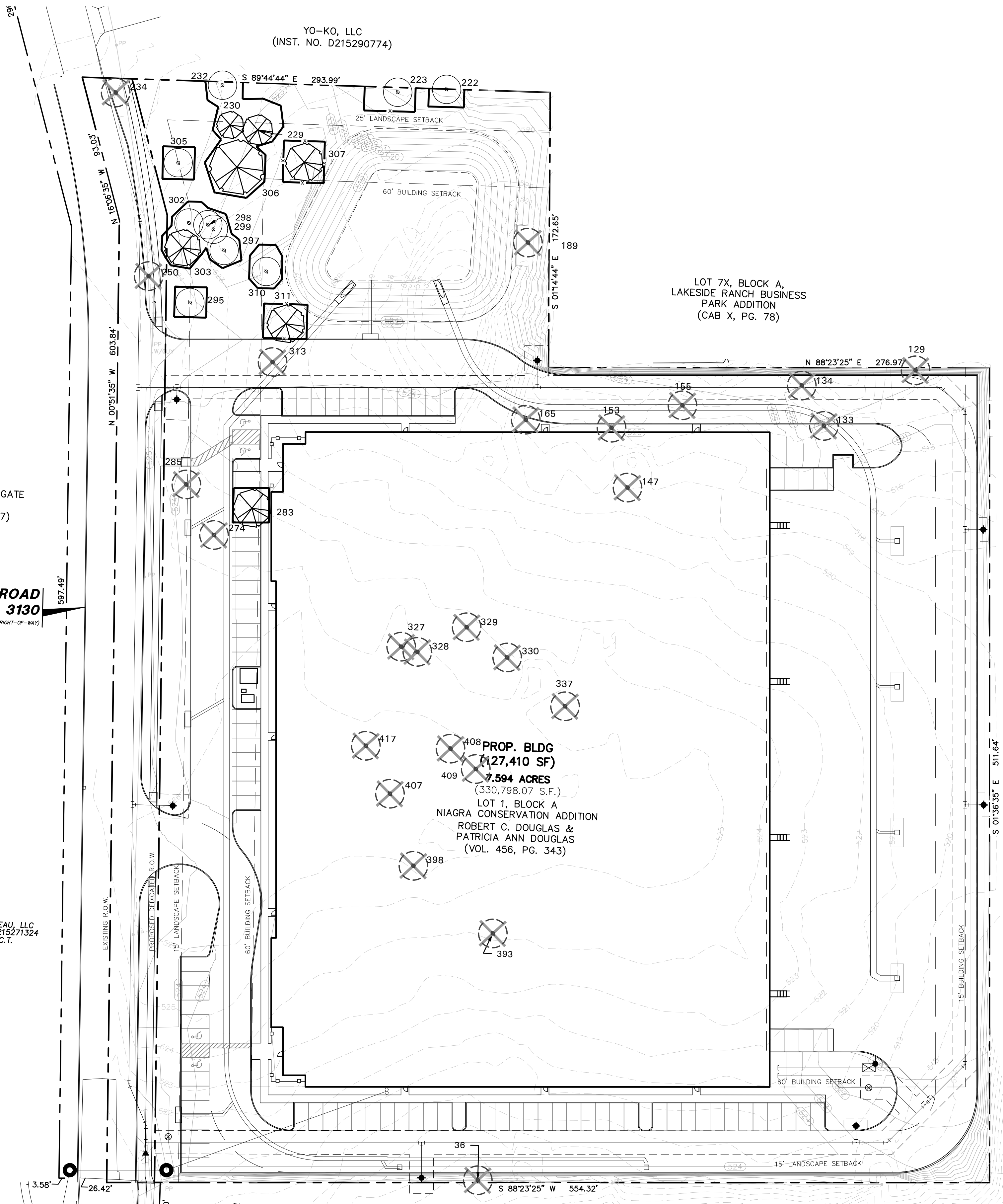
TREE SURVEY FIELD DATA							
No.	Dia. (inches)	Species (common name)	Species (botanical name)	Status	Protected	Health	Remarks
36	19	CEDAR ELM	ULMUS CRASSIFOLIA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
129	20.5	CEDAR ELM	ULMUS CRASSIFOLIA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
133	25.5	CEDAR ELM	ULMUS CRASSIFOLIA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
134	19.5	CEDAR ELM	ULMUS CRASSIFOLIA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
147	20	CEDAR ELM	ULMUS CRASSIFOLIA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
153	19	CEDAR ELM	ULMUS CRASSIFOLIA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
155	19.5	CEDAR ELM	ULMUS CRASSIFOLIA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
165	24	CEDAR ELM	ULMUS CRASSIFOLIA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
189	28	POST OAK	QUERCUS STELLATA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
229	26	CEDAR ELM	ULMUS CRASSIFOLIA	TO REMAIN	PROTECTED-SPECIMEN	GOOD	5 BUILDABLE AREA
230	23	CEDAR ELM	ULMUS CRASSIFOLIA	TO REMAIN	PROTECTED-SPECIMEN	GOOD	4 BUILDABLE AREA
234	30	POST OAK	QUERCUS STELLATA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
250	28	POST OAK	QUERCUS STELLATA	TO BE REMOVED	PROTECTED-SPECIMEN	POOR	
274	19.5	CEDAR ELM	ULMUS CRASSIFOLIA	TO BE REMOVED	PROTECTED-SPECIMEN	FAIR	
283	31.5	POST OAK	QUERCUS STELLATA	TO REMAIN	PROTECTED-SPECIMEN	GOOD	6 BUILDABLE AREA
285	31	POST OAK	QUERCUS STELLATA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
303	24	POST OAK	QUERCUS STELLATA	TO REMAIN	PROTECTED-SPECIMEN	FAIR	1
306	36	CEDAR ELM	ULMUS CRASSIFOLIA	TO REMAIN	PROTECTED-SPECIMEN	GOOD	6 BUILDABLE AREA
307	23.5	CEDAR ELM	ULMUS CRASSIFOLIA	TO REMAIN	PROTECTED-SPECIMEN	GOOD	4 BUILDABLE AREA
311	30.5	POST OAK	QUERCUS STELLATA	TO REMAIN	PROTECTED-SPECIMEN	GOOD	6 BUILDABLE AREA
313	32.2	POST OAK	QUERCUS STELLATA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
327	24.5	POST OAK	QUERCUS STELLATA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
328	22.5	POST OAK	QUERCUS STELLATA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
329	25.5	POST OAK	QUERCUS STELLATA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
330	33.5	POST OAK	QUERCUS STELLATA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
337	26	POST OAK	QUERCUS STELLATA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
393	33	POST OAK	QUERCUS STELLATA	TO BE REMOVED	PROTECTED-SPECIMEN	FAIR	
398	27	POST OAK	QUERCUS STELLATA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
407	31	POST OAK	QUERCUS STELLATA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
408	30.5	POST OAK	QUERCUS STELLATA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
409	23	POST OAK	QUERCUS STELLATA	TO BE REMOVED	PROTECTED-SPECIMEN	GOOD	
417	22	CEDAR ELM	ULMUS CRASSIFOLIA	TO BE REMOVED	PROTECTED-SPECIMEN	POOR	Measurement taken at 1' ht.
Total Caliper Inches of Specimen Trees on Site to be Removed (Total: 32 Specimen Trees)							828.7
Total Caliper Inches of Specimen Trees to be Removed							634.2
Total Mitigation Required for Specimen Trees Removed							1,268.4
Replacement Trees Required for Specimen Trees to be Removed							422.8
Total Tree Credits for Specimen Trees to Remain							32.0
Total Protected Trees on Site							164.0

EXISTING TREE LEGEND

- SPECIMEN TREE TO REMAIN
- SPECIMEN TREE TO BE REMOVED
- TREE PROTECTION FENCING TO REMAIN



SCALE: 1" = 40'-0"
0 20 40 80



60' BUILDING SETBACK LINE
(CAB. U, PAGE 484)

LOT 1X, BLOCK I
THE VILLAGES AT SOUTHGATE
PHASE THREE
(INST. NO. D218165547)

OLD GERAULT ROAD
C.R. 3130
(VARIABLE WIDTH RIGHT-OF-WAY)

LOT 1X, BLOCK I
THE VILLAGES AT SOUTHGATE
PHASE THREE
(INST. NO. D218165547)

JBL CHATEAU, LLC
INSTR. NO. D215271324
O.P.R.T.C.T.

YO-KO, LLC
(INST. NO. D215290774)

LOT 7X, BLOCK A,
LAKESIDE RANCH BUSINESS
PARK ADDITION
(CAB X, PG. 78)

PROP. BLDG
(27,410 SF)
7.594 ACRES
(330,798.07 S.F.)
LOT 1, BLOCK A
NIAGARA CONSERVATION ADDITION
ROBERT C. DOUGLAS &
PATRICIA ANN DOUGLAS
(VOL. 456, PG. 343)