



## **AGENDA**

### **TOWN OF FLOWER MOUND ENVIRONMENTAL CONSERVATION COMMISSION**

#### **REGULAR MEETING**

**August 3, 2021**

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

**6:30 P.M.**

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AN AGENDA INFORMATION PACKET IS AVAILABLE ONLINE AT  
[HTTPS://TX-FLOWER MOUND.CIVICPLUS.COM/AGENDACENTER](https://tx-flowermound.civicplus.com/agendacenter)  
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Comments regarding any item on this agenda can be sent to the Commission Members  
by Emailing: [ECC@flower-mound.com](mailto:ECC@flower-mound.com) or Calling: 972.874.6005

**A. CALL REGULAR MEETING TO ORDER**

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

**C. PUBLIC COMMENT**

The purpose of this item is to allow the public an opportunity to address the ECC on issues that are not indicated as a "Public Hearing" on this agenda. Issues regarding daily operational or administrative matters should first be dealt with by calling Environmental Services at 972-874-6340 during business hours.

**D. STAFF REPORT**

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

**E. 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 A member of the Environmental Conservation Commission may request an item(s) be withdrawn from the consent agenda and moved to regular agenda for discussion by making such request prior to a motion and vote on the Consent Agenda.

1. Consider approval of minutes from the regular meeting of the Environmental Conservation Commission held on July 6, 2021.

**F. REGULAR ITEM**

2. Consider an application for a tree removal permit (TRP21-0014) for four (4) specimen trees on property proposed for development as Emerald Place. The property is generally located west of Wager Road and north of Trails End Drive.

**G. SUBCOMMITTEE REPORT**

Receive updates and status reports related to subcommittee tasks, activities, and projects.

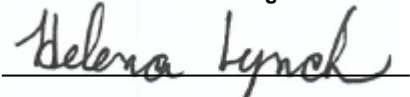
**H. COORDINATION OF FUTURE AGENDAS/MEETINGS**

**I. 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: July 30, 2021, 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

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**DATE:** August 3, 2021  
**FROM:** Helena Lynch, Administrative Assistant  
**ITEM:** Consider approval of minutes from the regular meeting of the Environmental Conservation Commission held on July 6, 2021.

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**BACKGROUND INFORMATION:** This agenda item is to consider approval of the minutes from the July 6, 2021, 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 July 6, 2021, regular meeting of the Environmental Conservation Commission.

**RECOMMENDATION:** Move to approve the minutes from the July 6, 2021, regular meeting of the Environmental Conservation Commission.

**THE FLOWER MOUND ENVIRONMENTAL CONSERVATION COMMISSION MEETING  
HELD ON THE 6TH DAY OF JULY 2021, 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 Seastrom  
Sandy Fambrough  
Marilyn Lawson  
Alton Bowman  
Elaine Takacs  
Deanna Soper  
Anna Athappan  
Kathryn Wells

Vice Chair  
Commission Member, Place 1  
Commission Member, Place 4  
Commission Member, Place 5  
Commission Member, Place 6  
Commission Member, Place 7  
Commission Member, Place 9  
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:

Russell McNamer  
Rich Murchek

Chair  
Commission Member, Place 8

And the following members of Town staff present:

Matthew Woods  
Helena Lynch  
Jimmy Hoefert  
Joe Whiteley  
Tyler Leverenz

Director of Environmental Services  
Administrative Assistant  
Environmental Review Analyst  
Environmental Review Analyst  
Environmental Education 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 May 4, 2021.**

### Commission Deliberation

Commission Member Fambrough made a motion to approve the May 4, 2021, minutes as presented. Commission Member Lawson seconded the motion.

### VOTE ON THE MOTION

**AYES:** Fambrough, Lawson, Bowman, Takacs, Seastrom, Soper, Wells  
**NAYS:** None  
**ABSTAIN:** None

The motion passed with a vote of 7-0-0

### F. REGULAR ITEM

2. Consider an application for a tree removal permit for forty-eight (48) specimen trees on property proposed for development as Silveron Flower Mound Duke. The property is generally located north of Long Prairie Road and east of Silveron Boulevard.

Jimmy Hoefert, Environmental Review Analyst, gave a presentation with the following items included:

- Silveron Flower Mound Duke Tree Removal Permit Application
- Project Information
- Project Information Cont.
- General Location
- Detailed Location
- Specimen Tree Survey
- Tree Preservation Plan p. 1
- Tree Preservation Plan p. 2
- Landscape Plan
- Overall Landscape Plan
- A few of the Specimen Trees
- Motion/Recommendation

Jeff Thornton, 6529 Riverhill Dr., Plano, TX 75024, Regional Vice President for Duke Realty gave a presentation with the following items included

- Silveron a Proposed Development by Duke Realty, The Preserve at Silveron
- ESG Embedded in Corporate Culture
- Summary of Key Comments & Concepts from the Town
- Silveron & The Preserve at Silveron Site Plan
- Enhanced Open Spaces slides 1 and 2
- Landscaping & Buffering
- Green Building
- Tree Overview
- 352 New Canopy Trees
- 251 New Evergreen/Ornamental Trees

Traffic – Ingress/Egress  
Sightline A  
Sightline B  
Sightline C  
Sightline D  
Sightline E  
Sightline F  
Sightline G  
3-D Flyover  
Why Duke Realty

Kori Haug, 245 North Central Expy, Dallas, TX 75205, with Belle Firma answered landscaping questions

Jeff Dolan, 13455 Noel Rd, Dallas, TX 75240 with Kimley Horn answered questions about drainage, waterways, and flooding.

### **Commission Deliberation**

Vice Chair Seastrom made a motion to recommend approval of the requested permit for the removal of forty-eight (48) specimen trees on property proposed for development as Silveron Flower Mound Duke. The property is generally located north of Long Prairie Road and east of Silveron Boulevard. Commission Member Soper seconded the motion.

### **VOTE ON THE MOTION**

**AYES:** Fambrough, Lawson, Bowman, Takacs, Seastrom, Soper, Wells  
**NAYS:** None  
**ABSTAIN:** None

**The motion passed with a vote of 7-0-0**

### **3. Consider a recommendation to Town Council to increase the per-caliper-inch tree mitigation fee.**

Jimmy Hoefert, Environmental Review Analyst, gave a presentation with the following items included:

Background Information  
Comparison of Mitigation Rates  
Tree Mitigation Cost Analysis

### **Commission Deliberation**

Commission Member Wells made a motion to recommend an increase to the per-caliper-inch tree mitigation fee from \$125.00 currently to \$200.00. Commission Member Lawson seconded the motion.

### **VOTE ON THE MOTION**

**AYES:** Fambrough, Lawson, Bowman, Takacs, Seastrom, Soper, Wells  
**NAYS:** None  
**ABSTAIN:** None

The motion passed with a vote of 7-0-0

**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 – 8:19 PM**

**TOWN OF FLOWER MOUND, TEXAS**

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**JAMES SEASTROM, VICE CHAIRMAN**

**ATTEST:**

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**HELENA LYNCH, ADMINISTRATIVE ASSISTANT**



## ENVIRONMENTAL CONSERVATION COMMISSION AGENDA ITEM NO. 2

### REGULAR ITEM

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**DATE:** August 3, 2021  
**FROM:** James Hoefert, Environmental Review Analyst  
**PRESENTER:** Reginald Rembert, with Rembert Enterprises, Inc.  
**ITEM:** **Consider an application for a tree removal permit (TRP21-0014) for four (4) specimen trees on property proposed for development as Emerald Place. The property is generally located west of Wager Road and north of Trails End Drive.**

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#### BACKGROUND INFORMATION:

The Emerald Place residential development is generally located west of Wager Road and north of Trails End Drive. The site is currently zoned for Agricultural (A) uses and master planned for Estate Residential. According to the tree survey for the project, the site contains five (5) specimen trees. The applicant is requesting to rezone the site to Planned Development District No. 183 (PD-183) with Single Family District-10 (SF-10) and amend the land use plan to Medium Density Residential. The applicant is requesting to remove four (4) of the specimen trees. The specimen trees proposed for removal are in good to fair condition and located within the proposed buildable area on residential lots. All four (4) specimen trees happen to also be located in Upland Habitat.

The following is a list of the four (4) specimen trees being requested for removal:

Tree #109 – 25" hickory (fair condition);  
Tree #306 – 24" post oak;  
Tree #322 – 33" post oak;  
Tree #455 – 34" hickory;

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 four (4) specimen trees are located in Upland Habitat, the Upland Habitat mitigation fee of \$15,000/acre would be assessed instead. The current plan shows 2.66 acres, out of 3.16 total acres of Upland Habitat to be impacted. Based on that amount of acreage impacted versus what is being preserved, \$32,400 would be owed for Upland Habitat mitigation.

**CITIZEN FEEDBACK:** As of July 29, 2021, 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 four (4) specimen trees on property proposed for development as Emerald Place. The property is generally located west of Wager Road and north of Trails End Drive.



*Rembert Enterprises, Inc.*

3625 Bonanza Lane Flower Mound, TX 75022

June 21, 2021

James Hoefert  
Town of Flower Mound  
2121 Cross Timbers Road  
Flower Mound, TX 75028

RE: Application for Tree Removal Permit  
Emerald Place Flower Mound (Community)

Dear Mr. Hoefert,

Please accept this as our formal Letter of Intent to describe and explain the requested application for a Tree Removal Permit.

There are 200+ protected trees on this site, which includes 6 specimen trees. I have attached an updated Specimen Tree Survey for your review.

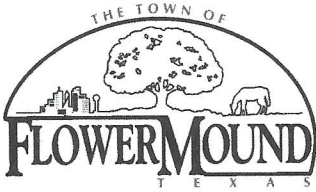
We are requesting the removal of 4 specimen trees.

- |             |              |                |
|-------------|--------------|----------------|
| • Tree #109 | 25" Hickory  | Buildable Area |
| • Tree #322 | 33" Post Oak | Buildable Area |
| • Tree #306 | 24" Post Oak | Buildable Area |
| • Tree #455 | 34" Hickory  | Buildable Area |

The reason for the proposed removal of the above mentioned specimen trees are they fall within a buildable area. A photograph of each tree is attached.

Sincerely,

Reginald Rembert



**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](http://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:**

John St. Clair

St. Clair Design Group, Inc.

**Address:**

P.O. Box 12519

Dallas, TX 75225

**Phone:**

214-454-9934

**Applicant's Legal Interest in the Property:**

Landscape Architect retained by property owner for Landscape representation.

**2. Property Owner(s)**

**Name(s):** Lewisville ISD

**Address:** P.O. BOX 217

LEWISVILLE, TX 75067

**3. Location and Legal Description of Property:**

LOCATION: 3101 Wager Road

LEGAL DESCRIPTION: WAGER ROAD SCHOOL ADDN BLK A LOT 2

#### 4. Owner's Authorization of Representation

I, See ATTACHED OWNERS Consent, 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 of Owner

Given Under My Hand and Seal of Office  
This the \_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public  
In and For \_\_\_\_\_ County, Texas.

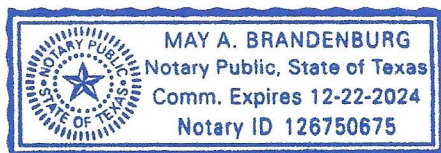
#### 5. Applicants Affidavit- Note: Applicant must be an ISA certified arborist, certified forester, or a registered landscape architect.

Subject to criminal penalties contained in Subpart B, the Land Development Regulations of the Town of Flower Mound, Texas Code of Ordinances, I  
John St. Clair, 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. 2210  
State of Licensure TEXAS  
Or ISA Certified Arborist No. \_\_\_\_\_  
Or Certified Forester No. \_\_\_\_\_



Given Under My Hand and Seal of Office  
This the 21 Day of June, 2021  
May A Brandenburg  
Notary Public  
In and For Denton County, Texas

6. Received by Town of Flower Mound on (Date) 7/29/2021 by  
(initials) JRH.

March 31, 2021

Planning Department  
Town of Flower Mound  
2121 Cross Timbers Road  
Flower Mound, Texas 75028

RE: 3227 Wager Road, Flower Mound, TX 75028 (the "Property")

Dear Planning Staff:

On January 29, 2021, the Lewisville Independent School District ("District" or "Owner") and Rembert Enterprises ("Buyer") entered into a Contract of Sale for the above referenced Property. The Property will require a change of zoning based on the proposed residential development of the Buyer.

Therefore, I, Dr. Kevin Rogers, Superintendent of Schools for the District, authorize the Buyer and/or the Buyer's engineer, Ridinger Associates, Inc. (the "Engineer"), to submit zoning change request documents and other related applications to the Town of Flower Mound as "Applicant" for the Property.

Documents for submittal include: (i) Master Plan Amendment Application; (ii) Zoning Planned Development Application; (iii) Development Plan Application; and (iv) Record Plat Application.

The contact information for the Buyer and Engineer is as follows:

Rembert Enterprises, Inc.  
3625 Bonanza Lane  
Flower Mound, Texas 75022  
Ph: (214) 213-5982

Ridinger Associates, Inc.  
550 South Edmonds Lane, Suite 101  
Lewisville, Texas 75067  
Ph: (972) 353-8000

If needed, please feel free to contact me via the contact information below.

Regards,

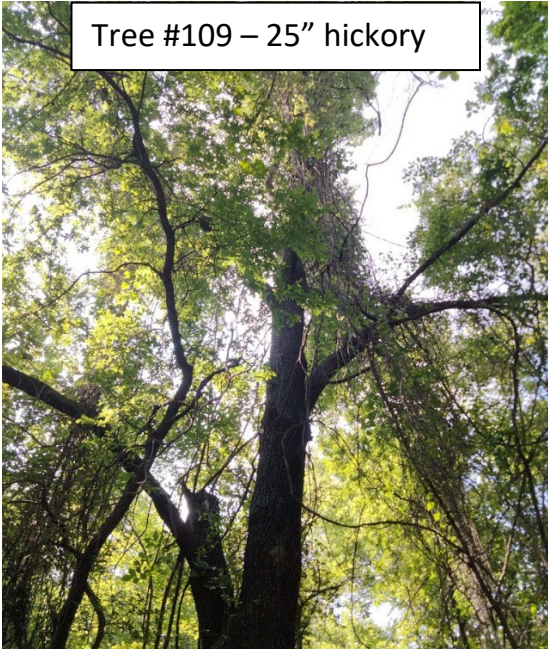
  
Dr. Kevin Rogers, Superintendent of Schools

4/7/2021  
Date

Lewisville Independent School District  
1565-A West Main Street  
Lewisville, Texas 75067  
Ph: (469) 713-5200

Emerald Place -  
Specimen trees proposed for removal

Tree #109 – 25" hickory



Tree #306 – 24" post oak



Tree #455 – 34" hickory



Tree #322 – 33" post oak



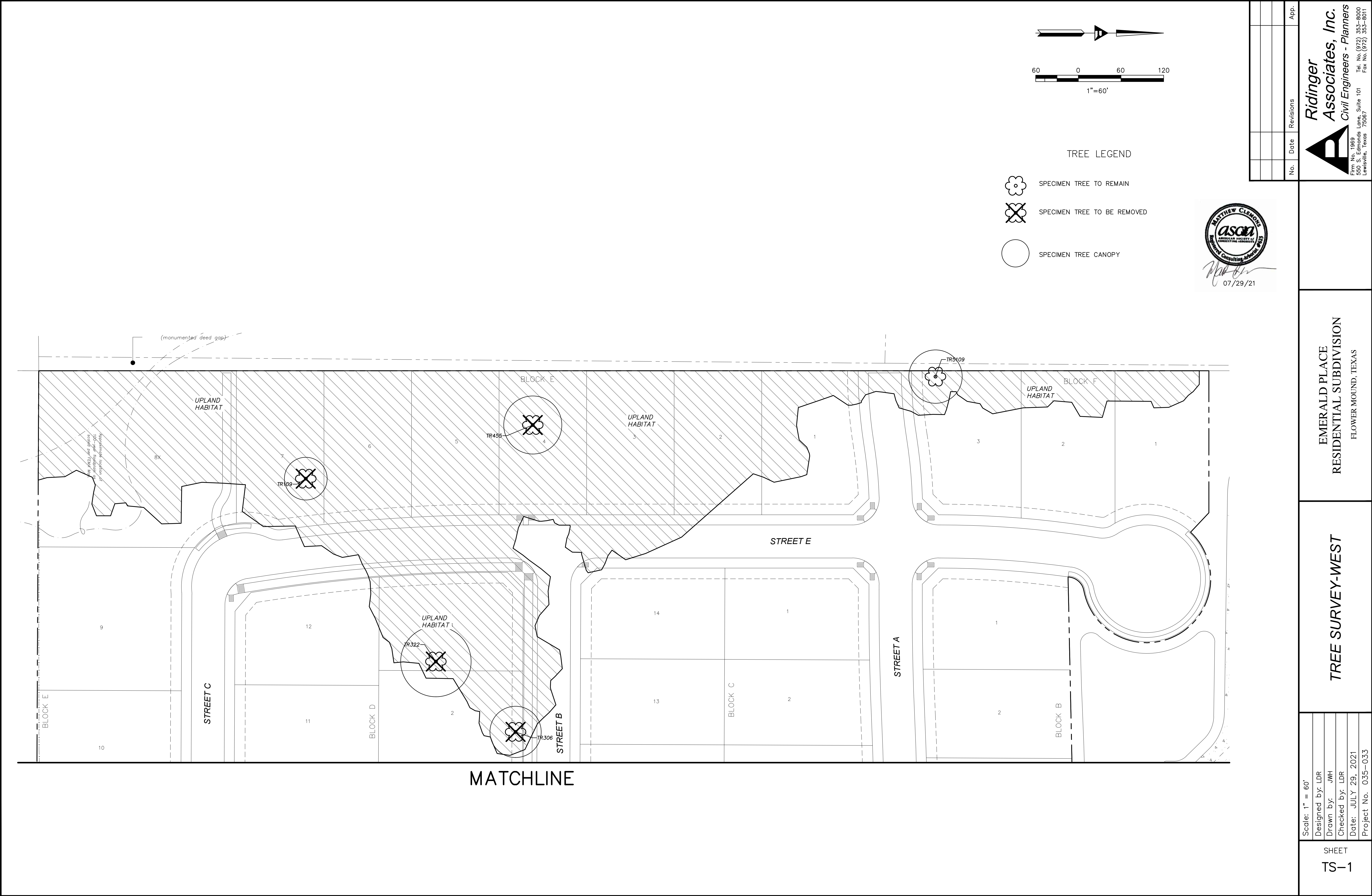
# Tree Removal Request Signage

The first along Wager Rd.



The second along Wager Rd.



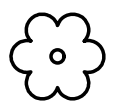
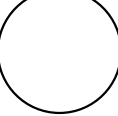


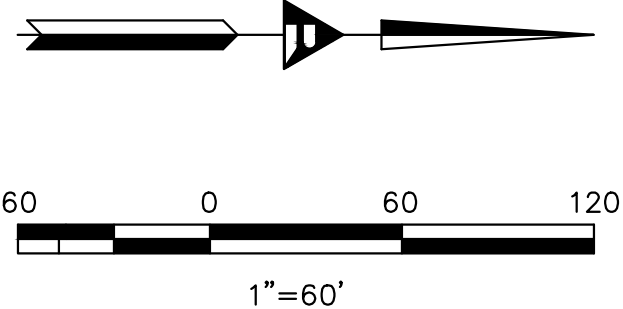
| TAG NO. | CALIPER (IN.) | COMMON NAME / SCIENTIFIC NAME | PROTECTED / SPECIMEN | LOCATION       | ESAs           | STATUS   | CONDITION | COMMENTS | CANOPY SPREAD |
|---------|---------------|-------------------------------|----------------------|----------------|----------------|----------|-----------|----------|---------------|
| 109     | 25            | HICKORY/CARYA SPECIES         | SPECIMEN             | BUILDABLE AREA | UPLAND HABITAT | REMOVE   | POOR      | DECAY    | 1256          |
| 306     | 24            | POST OAK/QUERCUS STELLATA     | SPECIMEN             | BUILDABLE AREA | UPLAND HABITAT | REMOVE   | GOOD      |          | 1809          |
| 322     | 33            | POST OAK/QUERCUS STELLATA     | SPECIMEN             | BUILDABLE AREA | UPLAND HABITAT | REMOVE   | GOOD      |          | 3419          |
| 455     | 34            | HICKORY/CARYA SPECIES         | SPECIMEN             | BUILDABLE AREA | UPLAND HABITAT | REMOVE   | GOOD      |          | 2323          |
| 5109    | 25            | POST OAK/QUERCUS STELLATA     | SPECIMEN             | BUILDABLE AREA | UPLAND HABITAT | PRESERVE | GOOD      |          | 1963          |

253 NON-ESA PROTECTED TREES ON-SITE.

MATCHLINE (SEE TS-1)

TREE LEGEND

-  SPECIMEN TREE TO REMAIN
-  SPECIMEN TREE TO BE REMOVED
-  SPECIMEN TREE CANOPY



No.

Date

Revisions

App.

Ridinger Associates, Inc.

Civil Engineers - Planners

Firm No. 1969  
350 W. Edwards  
Lewisville, Texas 75067

Tel. No. (972) 353-8900  
Fax No. (972) 353-8011

EMERALD PLACE  
RESIDENTIAL SUBDIVISION  
FLOWER MOUND, TEXAS

TREE SURVEY-EAST

Scale: 1" = 60'

Designed by: LDR

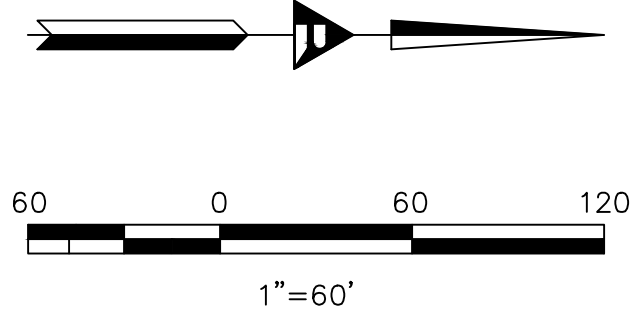
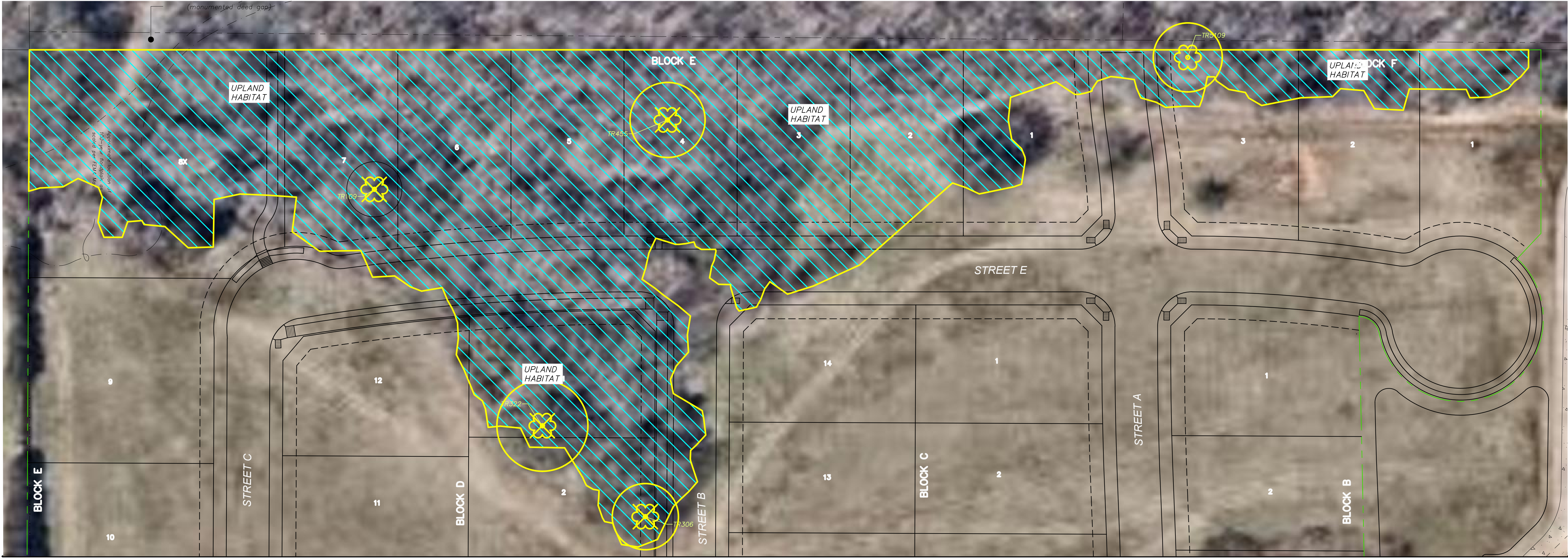
Drawn by: JWH

Checked by: LDR

Date: JULY 29, 2021

Project No. 035-033

SHEET  
TS-2

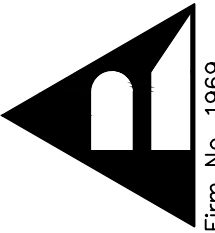


TREE LEGEND

-  SPECIMEN TREE TO REMAIN
-  SPECIMEN TREE TO BE REMOVED
-  SPECIMEN TREE CANOPY



| No. | Date | Revisions | App. |
|-----|------|-----------|------|
|     |      |           |      |
|     |      |           |      |
|     |      |           |      |



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Civil Engineers - Planners  
Firm No. 1969  
350 S. Edmonds  
Louisville, Texas 75087  
Tel. No. (972) 353-8000  
Fax No. (972) 353-8011

EMERALD PLACE  
RESIDENTIAL SUBDIVISION  
FLOWER MOUND, TEXAS

TREE SURVEY-WEST  
WITH AERIAL

|                     |
|---------------------|
| Scale: 1" = 60'     |
| Designed by: LDR    |
| Drawn by: JWH       |
| Checked by: LDR     |
| Date: JULY 29, 2021 |
| Project No. 035-033 |

| TAG NO. | CALIPER (IN.) | COMMON NAME / SCIENTIFIC NAME | PROTECTED / SPECIMEN | LOCATION       | ESAs           | STATUS   | CONDITION | COMMENTS | CANOPY SPREAD |
|---------|---------------|-------------------------------|----------------------|----------------|----------------|----------|-----------|----------|---------------|
| 109     | 25            | HICKORY/CARYA SPECIES         | SPECIMEN             | BUILDABLE AREA | UPLAND HABITAT | REMOVE   | POOR      | DECAY    | 1256          |
| 306     | 24            | POST OAK/QUERCUS STELLATA     | SPECIMEN             | BUILDABLE AREA | UPLAND HABITAT | REMOVE   | GOOD      |          | 1809          |
| 322     | 33            | POST OAK/QUERCUS STELLATA     | SPECIMEN             | BUILDABLE AREA | UPLAND HABITAT | REMOVE   | GOOD      |          | 3419          |
| 455     | 34            | HICKORY/CARYA SPECIES         | SPECIMEN             | BUILDABLE AREA | UPLAND HABITAT | REMOVE   | GOOD      |          | 2323          |
| 5109    | 25            | POST OAK/QUERCUS STELLATA     | SPECIMEN             | BUILDABLE AREA | UPLAND HABITAT | PRESERVE | GOOD      |          | 1963          |

253 PROTECTED TREES ON-SITE.

MATCHLINE (SEE TS-1)



SPECIMEN TREE TO REMAIN



SPECIMEN TREE TO BE REMOVED



PROTECTED TREE TO BE REMOVED



SPECIMEN TREE CANOPY

TREE LEGEND

  
  
1"=60'



No.

Date

Revisions

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Firm No. 1969  
350 W. Edwards  
Lewisville, Texas 75067

Lane, Suite 101  
Tel. No. (972) 353-8900  
Fax. No. (972) 353-8011

EMERALD PLACE  
RESIDENTIAL SUBDIVISION  
FLOWER MOUND, TEXAS

TREE SURVEY-EAST  
WITH AERIAL

|                     |
|---------------------|
| Scale: 1" = 60'     |
| Designed by: LDR    |
| Drawn by: JWH       |
| Checked by: LDR     |
| Date: JULY 29, 2021 |
| Project No. 035-033 |

SHEET  
TS-2