

H-4

Consider a resolution for an appeal to the City of Keller Unified Development Code, Article 8, Zoning Districts, Development Standards, and Tree Preservation, Section 8.19, Tree and Natural Feature Preservation to allow advanced tree removal and lot grading for residential Lots 13-32, Block B; Lots 8-14, Block F; Lots 1-14, Block G, and one open space lot of Gean Estates Phase 3, a residential development consisting of forty-one (41) residential lots and two (2) open space lots, located on approximately 40.73 acres of land, on the south side of Bancroft Road, approximately 2,550 feet east of the Bancroft and Bourland Road Intersection, at 740 Bancroft Road, and zoned Single Family Residential-36,000 square foot minimum (SF-36). Kyle Dickerson, Lennar Homes of Texas Land and Construction, owner/applicant. LJA Engineering, Inc., Engineer. (TB-18-0001).

H-4



North

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H-4

- Request:** Remove trees from 40 of the 41 residential lots and one open space lot in Phase 3 to perform advanced-lot grading. The Applicant must provide mitigation for **648 trees equal to 2,252.4 caliper-inches.**
- Mitigation:** The Applicant proposes two alternatives. Both options include planting additional trees, upsizing trees, and utilizing the remaining 100.4 inches from the mitigation bank. In addition to this:
- **Alternative One** calls for planting 484, 3"-caliper trees on 25' centers in open space on Gean Estates Phase 1 to meet the mitigation requirement.
 - **Alternative Two** calls for planting 242, 3"-caliper trees on 50' centers in open space lots on Gean Estates Phase 1 and paying \$108,600 into the Tree Restoration Fund.

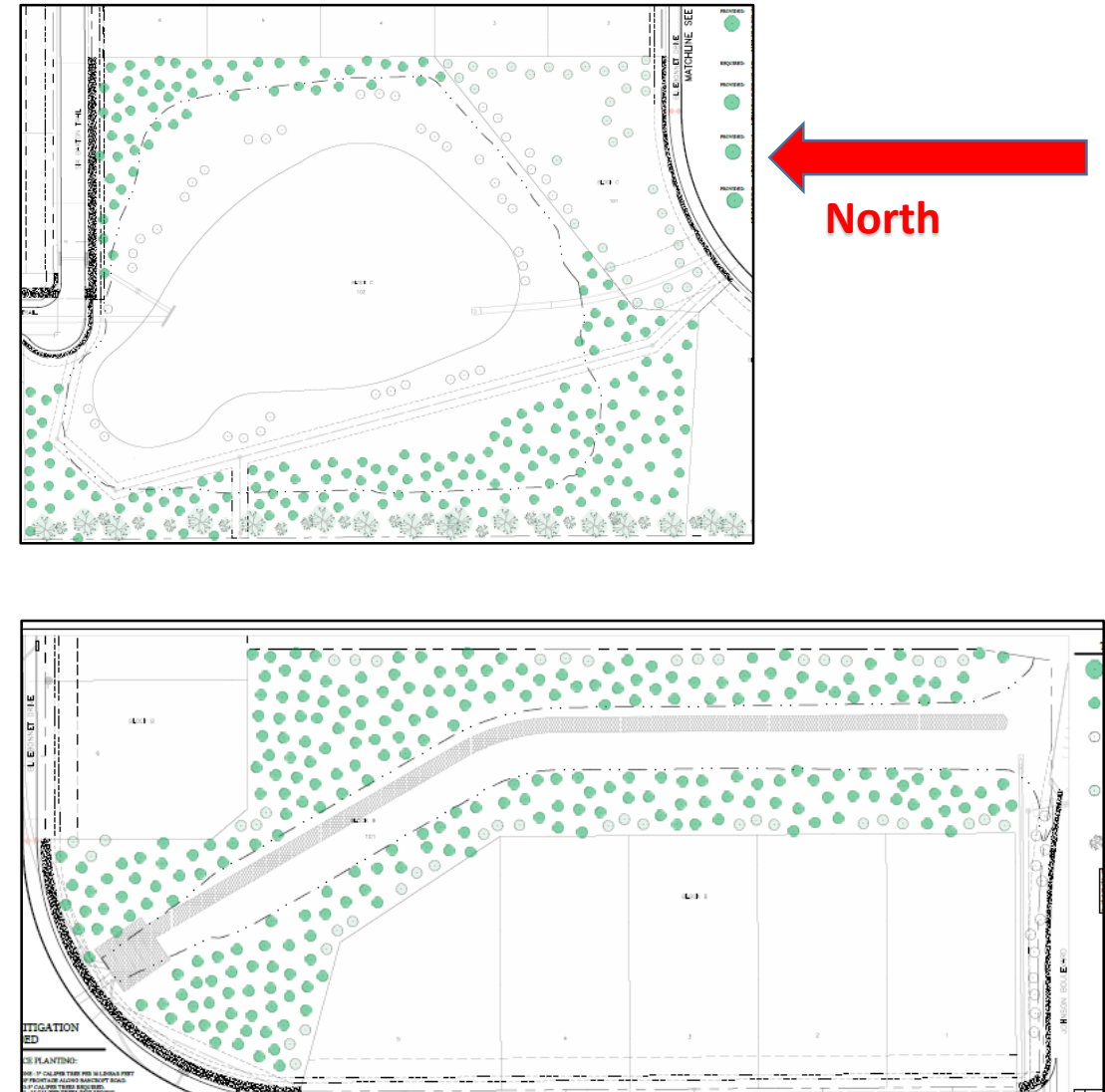
H-4



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H-4

Alternative One	Cal/inches
Use Bank Mitigation Credit	100.4
Phase 3	
• Plant 100, 5" Add'l Trees	500
• Upsizing 100 Trees by 2"	200
Phase 1	
• Plant 484, 3" Trees (25-ft on Center)	1452
Total Mitigation:	2,252.4"



H-4

Alternative Two Cal/inches

Use Bank Mitigation Credit 100.4

Phase 3

- Plant 100, 5" Add'l. Trees 500
- Upsizing 100 Trees by 2" 200

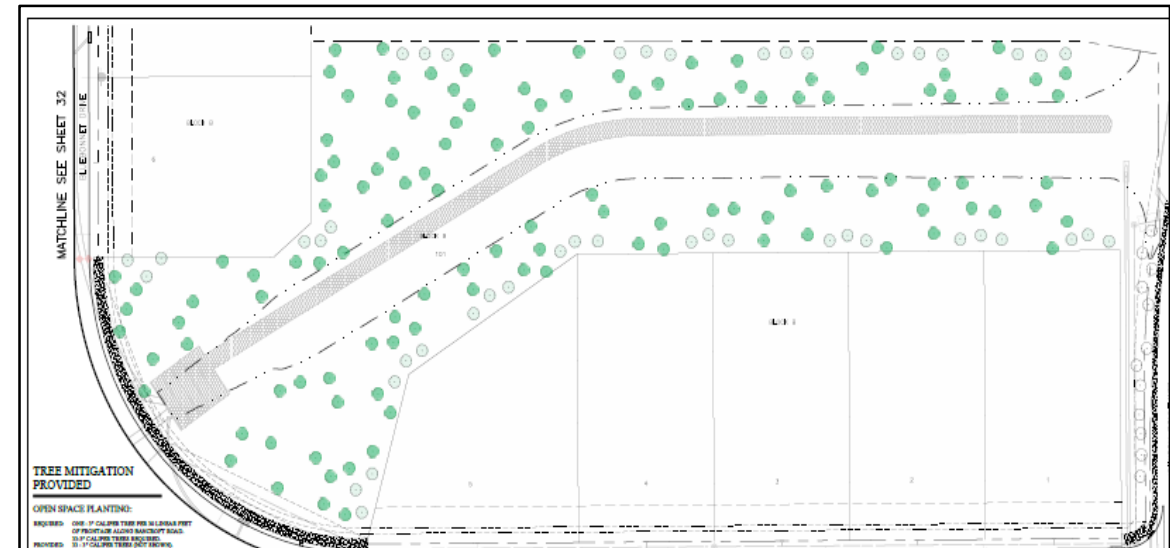
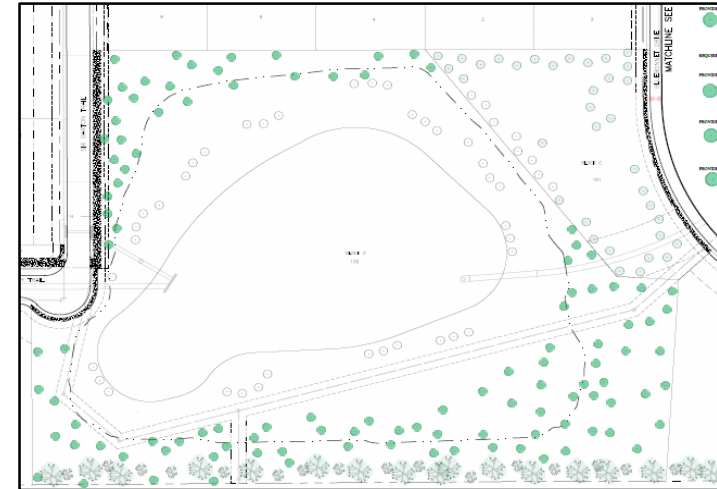
Phase 1

- Plant 242, 3" Trees
(50-ft on Center) 726

Restoration Fund

- Pay \$108,600 726

Total Mitigation: 2,252.4"



H-4

Planning and Zoning Recommendation

On June 24, 2019, the Planning and Zoning Commission considered the request.

- They appreciated Gean Estates working with Staff to find places to plant additional trees in Gean Estates Phases 1.
- Because Alternative One relies on 25-foot centers, they were concerned about such dense planting and the trees' ability to reach maturity and provide a healthy canopy.
- Based on this concern, the Commission unanimously (7-0) voted to recommend approval of Alternative Two with conditions as follows:

H-4

The advanced lot grading and tree removal of 2,252.4 caliper-inches shall be mitigated by:

1. Upsizing 100 trees from three-inch caliper to five-inch caliper trees on 32 lots (200 caliper-inches).
2. Adding 100, five-inch caliper trees on 41 lots (500 caliper-inches).
3. Planting 242, three-inch caliper trees in open space in Gean Estates Phase 1 (726 caliper-inches).
4. Utilizing the remaining 100.4 banked caliper-inches from Phase 1 and 2.
5. Paying \$108,600 into the Tree Restoration Fund (726 caliper-inches).
6. Escrowing \$213,900 (for 1,426 caliper-inches) with the City of Keller to be refunded at the final approval of the 41st developed lot/home or when the final trees required by the Tree Preservation Plan are planted.
7. If 18 months from the effective date of the final acceptance of public improvements five (5) building permits have not been obtained, the escrowed funds shall be forfeited to the City less any mitigated amount for the installation of trees as required by the Tree Preservation Plan.
8. The Covenants, Conditions and Restrictions for Gean Estates shall include the requirements of the Tree Preservation Plan as approved by City Council.

H-4

City Council has the following options when considering this appeal to the UDC Tree Preservation for Gean Estates Phase 3 Mitigation Requirements:

- Approval of Alternative Two of the Tree Preservation Plan as recommended by the Planning and Zoning Commission with additional conditions
- Approval of Alternative One of the Tree Preservation Plan as presented by the Applicant with or without additional conditions
- Tabling the agenda item to a specific date with clarification of intent and purpose
- Denial



Questions?
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