



# City of Keller

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## Legislation Text

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**File #:** 21-562, **Version:** 1

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**To:** Mark Hafner, City Manager

**From:** Julie Smith, Community Development Director

**Subject:**

Consider a resolution approving 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 payment into the Tree Reforestation Fund for the Oakbrook Hills Subdivision, a single-family residential subdivision consisting of twenty (20) residential lots, six (6) open space lots, and two (2) hike and bike trail lots, located on approximately 13.346 acres of land, on the southeast corner of the Knox Road and Roanoke Road intersection, and zoned PD-SF-20 (Planned Development-Single Family Residential-20,000 square-foot minimum lot). Silveroak Land Development Co., Owner/Developer. Curtis Young, Sage Group, Inc., Applicant. (TB-21-0001)

**Request:**

The Developer of the Oakbrook Hills Subdivision is proposing to pay \$153,300 into the Tree Reforestation Fund in lieu of planting replacement trees to prevent overcrowding within open space lots.

**Why Action is Required:**

UDC section 8.19 (I)(3), states the Applicant may request to make a payment into the Tree Reforestation Fund in lieu of planting the replacement trees if planting is not feasible.

**Background:**

Curtis Young from Sage Group (Applicant) came forward in 2015 with a tree appeal case to the Tree Board (Planning and Zoning Commission) and was approved to mitigate for 1,370 caliper inches by planting 1,220 caliper inches on-site. However, the Applicant stated they have reached the maximum possible planting (198 caliper inches) without causing an over-crowded condition within the open space lots. Silveroak Real Estate Group (Developer) is required to pay the balance into the reforestation fund for \$153,300 for the remaining 1,022 caliper inches.

**Citizen Input:**

An appeal to the Tree Ordinance does not require a public hearing, so no public hearing notifications were sent out to the surrounding property owners for this request. The public will have an opportunity to speak on this agenda item during the "Persons To Be Heard."

**Planning and Zoning Recommendation:**

On August 10, 2021, the Planning and Zoning Commission unanimously recommended approval of the appeal to allow payment into the Tree Reforestation Fund. Commissioner Sagar provided a detailed background into the history of the Oakbrook Hills subdivision. The Commission agreed this resolution would allow the subdivision the opportunity to move forward. The applicant was present.

No person spoke in favor or opposition.

**Alternatives:**

The City Council has the following options when considering an appeal to the tree preservation:

Approve as submitted.

Approve with modifications or additional condition(s).

Table the agenda item to a specific date with clarification of intent and purpose.

Deny.