



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** December 3, 2025  
**PREPARED BY:** Michael Burrell, Director  
**DEPARTMENT:** Development Services

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### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action to remove a Heritage Tree in the Manor Downs Industrial project, being a 29" Pecan tree identified as #5019 in the tree survey for said project, and being located at 8916 Hill Lane, Manor, TX.

*Applicant: Bowman Consulting Group, LTD*

*Owner: DG Manor Downs Property Owner, LP*

### BACKGROUND/SUMMARY:

Sections 15.03.036(c)(4) and 15.03.048(c) provide the Planning and Zoning Commission authority to authorize the removal of a non-hazardous Heritage Tree after determining one or more of the following conditions exist:

- (1) Prevents substantial economically viable use of the property;
- (2) Prevents reasonable use of or access to the property;
- (3) Is dying or dead;
- (4) Is diseased and restoration is not practicable, or the disease may be transmitted to other trees;
- (5) Poses a high risk of property damage or personal injury that cannot reasonably be mitigated without removing the tree (reasonable mitigation may include lightening protection measures);
- (6) Is located on public property, street or easement;
- (7) Prevents the opening of necessary vehicular traffic lanes in a street or alley; or
- (8) Prevents the construction of utility or drainage facilities that may not feasibly be rerouted due to physical constraints.**

The requested Heritage Tree is located within the basin of a proposed detention pond, Pond 1. Pond 1 is located in an area downstream from impervious improvements (building, parking, drive aisles) and is intended to capture stormwater flows from the upstream impervious improvements before discharging to "POA B", where existing stormwater flows are currently discharging. The east side of Pond 1 is adjacent to existing gas lines and easements, the south side is adjacent to Hill Lane right-of-way and easements, and the north and west sides are adjacent to proposed drive aisles.

The total caliper inches required to be mitigated across the entire property, Site Plans A & B, is 1,774 inches. This includes the requested Heritage Tree. The proposed landscaping plan includes the planting of 1,110 trees at a minimum of 3 caliper inches, totaling 3,330 caliper inches added to the property. This is 1,556 caliper inches above the minimum based on the number, type, and size of removed trees.

This item was postponed to give the applicant time to provide proper evidence of due diligence, indicating that the current configuration is the only feasible option.

On November 12, 2025, this item was presented to the commission to provide information regarding the due diligence conducted to ensure that all possible routes for preserving the subject tree had been explored by the developer. There was an extended discussion held regarding the necessity of removing the tree instead of redesigning the site to preserve it or switching the lot being conveyed to the city. The Developer's response was that these suggestions had been contemplated long before the tree removal was brought to the commission, and ultimately are not feasible for the project. A motion was made to approve, resulting in a 3-3 vote. The motion failed, and the applicant has since requested to appeal the item to the council.

**LEGAL REVIEW:** No

**FISCAL IMPACT:** No

**FORM 1295 FILED:** No

**PRESENTATION:** No

**ATTACHMENTS:** Yes

- Letter of Intent
- Tree List
- Tree Survey with #5019 marked
- Landscaping Plan
- Existing conditions and tree survey
- Constraints Exhibit
- Drainage Report

**STAFF RECOMMENDATION:**

The city staff recommends that the City Council consider the appeal of the Planning and Zoning Commission's decision and approve the request regarding the removal of a tree for the Manor Downs Industrial Project.