AGENDA ITEM NO. 3

AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: November 10, 2026
PREPARED BY: Michael Burrell, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a request to remove a 29" Elm Heritage Tree at the Emblem at Tower Road Apartments located at 12100 Tower Rd, Manor, TX.

Applicant: BKV Group
Owner: Dominium

BACKGROUND:

The Emblem at Tower Road Apartments, which is being constructed in partnership with the city's Public Facilities Corporation (PFC), which provides for affordable housing, is requesting removal of a 29" Elm tree. Under the city's code, Elm trees, and a handful of other species, over 25 caliper inches are considered Heritage Trees and require Planning and Zoning Commission approval before they can be removed. This tree was shown as preserved on the approved Site Development Plan, but once the buildings were constructed, it was determined that its extent could impact the building's façade and cause future maintenance problems.

City staff visited the site and took pictures of the tree and inspected the tree's condition. The tree was showing multiple broken limbs, as well as limbs that had already been trimmed back. Staff has requested a letter from a certified arborist to assess the tree's overall health and the viability of additional pruning, rather than outright removal. Staff will provide this assessment to the Commission if it is available before the meeting. If the letter is not available, staff will recommend postponement of this item to the December 9th P&Z meeting.

If the tree is approved for removal, no additional trees need to be planted to mitigate for its removal, and no fee-in-lieu would be required from the City Council. The development is planting 179 Type A or B trees (large and medium), which are required to be a minimum of 3 caliper inches at planting. This equates to 537 caliper inches of new trees within the development. The project's current mitigation rate for the removal of non-heritage trees is 352 caliper inches. The mitigation rate for a removed heritage tree is 3:1, so the replacement rate for this 29" Elm tree is an additional 87 caliper inches. 352" + 87" equals 439 caliper inches of required mitigation, which is still 98 caliper inches below what they are already approved to plant (537 caliper inches).

LEGAL REVIEW: Not Applicable
FISCAL IMPACT: Not Applicable
PRESENTATION: No
ATTACHMENTS: Yes

- Letter of intent
- Tree removal plans
- Tree Images

ACTIONS:

Discretion	Discretionary
Subdivision Review Type	Not Applicable
Actions	Approve, Approve with Conditions, Deny, Postpone

STAFF RECOMMENDATION:

It is the City Staff's recommendation that the Planning and Zoning Commission take action as recommended by city staff.

PLANNING & ZONING COMMISSION: **Recommend Approval** **Disapproval** **None**