



PLANNING AND ZONING CASE CHECKLIST

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

P&Z CASE # M152019-015 P&Z DATE 12/10/19 CC DATE 12/10/19 APPROVED/DENIED _____
ARCHITECTURAL REVIEW BOARD DATE _____ HPAB DATE _____ PARK BOARD DATE _____

ZONING APPLICATION
<input type="checkbox"/> SPECIFIC USE PERMIT
<input type="checkbox"/> ZONING CHANGE
<input type="checkbox"/> PD CONCEPT PLAN
<input type="checkbox"/> PD DEVELOPMENT PLAN

SITE PLAN APPLICATION
<input type="checkbox"/> SITE PLAN
<input type="checkbox"/> LANDSCAPE PLAN
<input type="checkbox"/> TREESCAPE PLAN
<input type="checkbox"/> PHOTOMETRIC PLAN
<input type="checkbox"/> BUILDING ELEVATIONS
<input type="checkbox"/> MATERIAL SAMPLES
<input type="checkbox"/> COLOR RENDERING

PLATTING APPLICATION
<input type="checkbox"/> MASTER PLAT
<input type="checkbox"/> PRELIMINARY PLAT
<input type="checkbox"/> FINAL PLAT
<input type="checkbox"/> REPLAT
<input type="checkbox"/> ADMINISTRATIVE/MINOR PLAT
<input type="checkbox"/> VACATION PLAT
<input type="checkbox"/> LANDSCAPE PLAN
<input type="checkbox"/> TREESCAPE PLAN

<input type="checkbox"/> COPY OF ORDINANCE (ORD.# _____)
<input checked="" type="checkbox"/> APPLICATIONS
<input checked="" type="checkbox"/> RECEIPT
<input type="checkbox"/> LOCATION MAP
<input type="checkbox"/> HOA MAP
<input type="checkbox"/> PON MAP
<input type="checkbox"/> FLU MAP
<input type="checkbox"/> NEWSPAPER PUBLIC NOTICE
<input type="checkbox"/> 500-FT. BUFFER PUBLIC NOTICE
<input type="checkbox"/> PROJECT REVIEW
<input type="checkbox"/> STAFF REPORT
<input type="checkbox"/> CORRESPONDENCE
<input type="checkbox"/> COPY-ALL PLANS REQUIRED
<input type="checkbox"/> COPY-MARK-UPS
<input type="checkbox"/> CITY COUNCIL MINUTES-LASERFICHE
<input type="checkbox"/> MINUTES-LASERFICHE
<input type="checkbox"/> PLAT FILED DATE _____
<input type="checkbox"/> CABINET # _____
<input type="checkbox"/> SLIDE # _____
NOTES: _____

ZONING MAP UPDATED _____



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY.

PLANNING & ZONING CASE NO.

M5209-015

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)¹
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

- Tree Removal (\$75.00) /Mitigation
- Variance Request (\$100.00)

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address 2500 Summer Lee Dr. Rockwall, TX 75032

Subdivision HARBOR DISTRICT

Lot

Block

General Location APPROXIMATE INTERSECTION OF SUMMER LEE AND HORIZON ROAD

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning PD-32 INTERIOR SUBDISTRICT

Current Use APARTMENTS

Proposed Zoning PD-32 INTERIOR SUBDISTRICT

Proposed Use APARTMENTS

Acreage +/1 2.25

Lots [Current] 1

Lots [Proposed] 1

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

Owner ATTICUS HARBOR VILLAGE, LLC

Applicant ATTICUS HARBOR VILLAGE, LLC

Contact Person MICHAEL GUERRERO

Contact Person MICHAEL GUERRERO

Address 5339 ALPHA ROAD
SUITE 300

Address 5339 ALPHA ROAD
SUITE 300

City, State & Zip DALLAS, TX 75240

City, State & Zip DALLAS, TX 75240

Phone (972)701-9636

Phone (972)701-9636

E-Mail MICHAEL@ATTICUSRE.COM

E-Mail MICHAEL@ATTICUSRE.COM

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared MICHAEL GUERRERO [Owner] the undersigned, who stated the information on this application to be true and certified the following:

Mark Humphreys

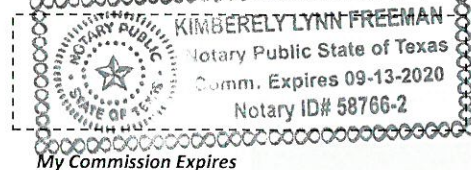
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ 75.00, to cover the cost of this application, has been paid to the City of Rockwall on this the 14TH day of NOVEMBER, 20 19. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to records requests information."

Given under my hand and seal of office on this the 14TH day of NOVEMBER, 20 19.

Owner's Signature

Notary Public in and for the State of Texas

Kimberly L. Freeman





**DEVELOPMENT REVIEW COMMITTEE (DRC)
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT**

Phone: (972) 771-7745

Email: Planning@Rockwall.com

External Review: Wayne Carter, Charter Communications
Jim Friske, Charter Communications
Dinah Wood, Atmos
Randy Voight, Oncor
Phillip Dickerson, Oncor
Brian Duncan, AT&T
Javier Fernandez, RISD
Brenda Callaway, TXDOT
Stephen Geiger, Farmer's Electric
Frank Spataro, Farmer's Electric

Internal Review: Amy Williams, Engineering
John Shannon, Building Inspections
Ariana Hargrove, Fire
Andy Hesser, Parks
Andy Villarreal, Police

From: Planning & Zoning Department

Date: 11/19/2019

To assist the Planning Department in evaluating the attached request, we are sending it to you for your review and comments. Please return any comments and/or plan mark-ups to us within five (5) days. Internal staff will also be required to have all comments input into CRW no later than Friday, 11/21/2019. Planning staff will assemble all comments received in time for our regularly scheduled DRC meeting on 11/26/2019 at 2:00 p.m. The Planning and Zoning Commission work session will be held on 11/26/2019 at 6:00 p.m. You are welcome to attend both meetings. If you have any questions, please contact us at (972) 771-7745.

Project Number: MIS2019-015
Project Name: Tree Mitigation
Project Type: MISCELLANEOUS
Applicant Name: ATTICUS HARBOR VILLAGE, LLC
Owner Name: ATTICUS HARBOR VILLAGE, LLC
Project Description:



RECEIPT

Project Number: MIS2019-015
Job Address: 2500 SUMMER LEE DR
ROCKWALL, TX 75032

Receipt Number: B87450

Printed: 11/19/2019 11:22 am

Fee Description	Account Number	Fee Amount
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TREE REMOVAL APPLICATION		
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	01-4280	
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		\$ 75.00
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Total Fees Paid:

\$ 75.00

Date Paid: 11/19/2019 12:00:00AM

Paid By: HARBOR URBAN CENTER LLC

Pay Method: CHECK 4165

Received By: LM



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Planning and Zoning Commission

FROM: Michael Guerrero; *Atticus Harbor Village, LLC*

DATE: November 26, 2019

SUBJECT: MIS2019-015; *Alternative Tree Mitigation Settlement Agreement*

The applicant, Michael Guerrero of Atticus Harbor Village, LLC, is requesting approval of an alternative tree mitigation settlement agreement for the subject property. On December 13, 2016, the Planning and Zoning Commission approved two (2) site plans for the subject property laying out a 228-unit condominium development and a 48-unit townhome development [*i.e. SP2016-030 & SP2016-031*]. At the time of approval, the treescape plans for these cases indicated a total of 3,561 caliper-inches of trees would be removed from the subject property. The approved landscape plans for these cases indicated a total of 1,032 caliper inches would be added back to the subject property. This left an outstanding mitigation balance of 2,529-inches.

To address the outstanding balance the applicant has provided an invoice to staff indicating the cost of providing the City with 843, three (3) caliper inch trees (*i.e. 596 Cedar Elms & 247 Eastern Red Cedars x 3" = 2,529"*). The invoice includes the cost of the trees and a delivery fee for a total of \$125,000. According to Section 5.6 of Article IX, *Tree Preservation*, of the *Unified Development Code* (UDC), the mitigation balance may be satisfied by one (1) or a combination of the following:

- (1) The developer can provide trees on site to off-set the mitigation balance.
- (2) The developer may petition the Parks and Recreation Department to accept the required number of trees to off-set the mitigation balance.
- (3) Tree preservation credits may be purchased at a rate of \$200.00 per inch for up to 20 percent of the total replacement inches. Additionally, if the developer plants a tree on the property, the developer would be eligible for a reduction in the cost of tree preservation credits of up to 50 percent (*i.e. \$100.00 per inch*).

Based on these choices, the applicant could purchase 20% of the total replacement inches (*i.e. 505" = \$50,580.00*), which would leave a mitigation balance of 2,023-inches. The remaining mitigation balance would translate to 674, three (3)-caliper inch trees, which would need to be provided to the Parks and Receptions Department for off-site planting. In lieu of providing the trees the applicant has submitted an offer indicating they would like to settle the mitigation balance through an alternative tree mitigation settlement agreement.

Section 5.7, *Alternative Tree Mitigation Settlement Agreements*, of Article IX, *Tree Preservation*, of the Unified Development Code (UDC), this gives the City Council the ability to approve an alternative tree mitigation plans on a case-by-case basis pending a recommendation from the Planning and Zoning Commission. Should this request be approved, the applicant is proposing to satisfy the mitigation balance by providing a check in the amount of \$125,000. These funds will be deposited in the City's tree mitigation fund and will be used for planting trees in the city's parks, medians, and other similar areas. If the City Council does not approve an alternative tree mitigation settlement agreement, the applicant intends to provide the full balance to the Parks Department to be used in other areas of the City.

Should the Planning and Zoning Commission have any questions staff will be available at the November 26, 2019 meeting.



October 28, 2019

FLORANCE - ROCKWALL TREE MITIGATION

Take Off Date: NA

Per Landscape Plans Dated: NA

<i>Quantity</i>	<i>UOM</i>	<i>Description</i>	<i>Size</i>	<i>Price</i>	<i>Total</i>
<u>TREE MITIGATION</u>					
596		CEDAR ELM	3" CAL	\$160.00	\$95,360.00
247		EASTERN RED CEDAR	3" CAL	\$120.00	\$29,640.00
PROJECT TOTAL					<u>\$125,000.00</u>

GENERAL NOTES:

- * ALL TREES PROPOSED AS B&B UNLESS OTHERWISE NOTED ABOVE
- * PRICING INCLUDES 2,529 CALIPER INCHES OF TREES FOR MITIGATION PURPOSES
- * PRICING IS FOR DELIVERY ONLY, NO GUARANTEE, NO INSTALLATION.
- * ALL TAXES ASSOCIATED WITH NEW CONSTRUCTION
- * PRICE GUARANTEED FOR 30 DAYS FROM DATE OF PROPOSAL

FLORANCE - ROCKWALL TREE MITIGATION

AUSTIN OFFICE
1901 FLEISCHER DRIVE
AUSTIN, TX 78728

CORPORATE OFFICE
1437 HALSEY WAY
CARROLLTON, TX 75007

DENVER OFFICE
8501 QUEBEC STREET
COMMERCE CITY, CO 80022



MIS2019-015 - ATTICUS TREE MITIGATION
 MISCELLANEOUS - LOCATION MAP =



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





CITY OF ROCKWALL
CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
CC: Rick Crowley, *City Manager*
Mary Smith, *Assistant City Manager*
Joey Boyd, *Assistant City Manager*
FROM: Ryan Miller, *Director of Planning and Zoning*
DATE: December 2, 2019
SUBJECT: MIS2019-015; *Alternative Tree Mitigation Settlement Agreement*

The applicant, Michael Guerrero of Atticus Harbor Village, LLC, is requesting approval of an *Alternative Tree Mitigation Settlement Agreement* for the subject property. On December 13, 2016, the Planning and Zoning Commission approved two (2) site plans for the subject property laying out a 228-unit condominium development and a 48-unit townhome development [*i.e. SP2016-030 & SP2016-031*]. At the time of approval, the treescape plans for these cases indicated a total of 3,561 caliper-inches of trees would be removed from the subject property. The approved landscape plans for these cases indicated a total of 1,032 caliper inches would be added back to the subject property. This left an outstanding mitigation balance of 2,529-inches.

To address the outstanding balance the applicant has provided an invoice to staff indicating the cost of providing the City with 843, three (3) caliper inch trees (*i.e. 596 Cedar Elms & 247 Eastern Red Cedars x 3" = 2,529"*). The invoice includes the cost of the trees and a delivery fee for a total of \$125,000. According to Section 5.6 of Article IX, *Tree Preservation*, of the *Unified Development Code (UDC)*, the mitigation balance may be satisfied by one (1) or a combination of the following:

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According to Section 5.7, *Alternative Tree Mitigation Settlement Agreements*, of Article IX, *Tree Preservation*, of the *Unified Development Code (UDC)*, this gives the City Council the ability to approve alternative tree mitigation plans on a case-by-case basis -- *pending a recommendation from the Planning and Zoning Commission*. Should this request be approved, the applicant is proposing to satisfy the mitigation balance by providing a check in the amount of \$125,000. These funds will be deposited in the City's tree mitigation fund and will be used for planting trees in the city's parks, medians, and other similar areas. If the City Council does not approve an alternative tree mitigation settlement agreement, the applicant intends to provide the full balance to the Parks Department to be used in other areas of the City.

On November 26, 2019, the Planning and Zoning Commission made a motion to recommend approval of the proposed *Alternative Tree Mitigation Settlement Agreement*. The motion was approved by a vote of 4-0, with Commissioners Chodun, Logan, and Fishman absent. The approval of the applicant's request is a discretionary decision for the City Council. Staff will be available at the December 2, 2019 meeting.



October 28, 2019

FLORANCE - ROCKWALL TREE MITIGATION

Take Off Date: NA

Per Landscape Plans Dated: NA

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<u>TREE MITIGATION</u>					
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GENERAL NOTES:

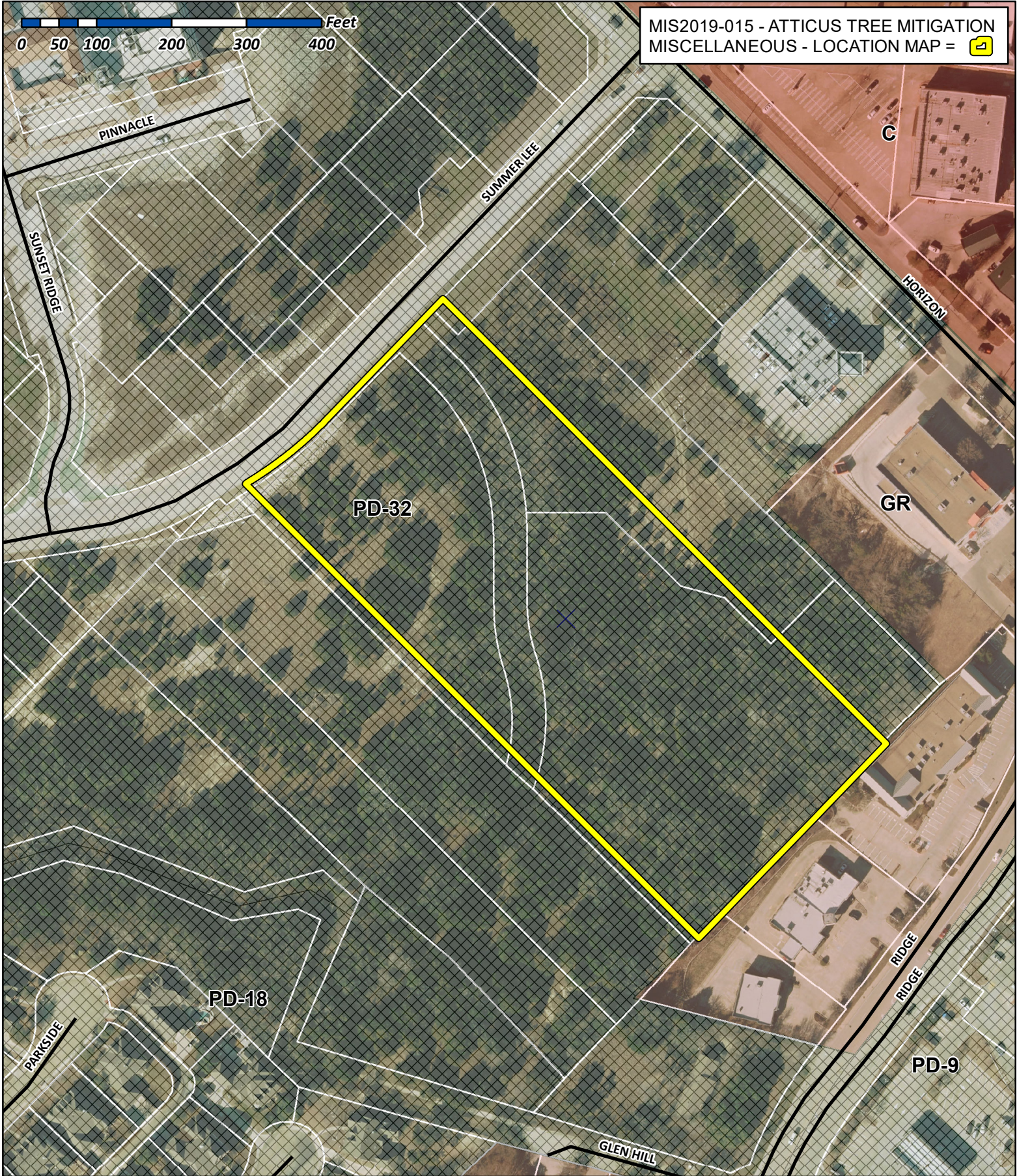
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FLORANCE - ROCKWALL TREE MITIGATION

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1437 HALSEY WAY
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December 3, 2019

ATTN: MICHAEL GUERRERO
ATTICUS HARBOR VILLAGE, LLC
5339 ALPHA ROAD, SUITE 300
Dallas, TX 75240

RE: MISCELLANEOUS (MIS2019-015), Alternative Tree Mitigation Settlement Agreement

Dear Applicant:

This letter serves to notify you that the above referenced case that you submitted before the City of Rockwall was approved by the City Council on 12/02/2019. The following is a record of all recommendations, voting records and conditions of approval:

PLANNING AND ZONING COMMISSION

On November 26, 2019, the Planning and Zoning Commission made a motion to recommend approval of the proposed Alternative Tree Mitigation Settlement Agreement. The motion was approved by a vote of 4-0, with Commissioners Chodun, Logan, and Fishman absent.

CITY COUNCIL

On December 2, 2019, the City Council made a motion to approve the tree mitigation settlement agreement in the amount of \$125,000 to be paid into the City's Tree Fund. The motion was approved by a vote of 6-0, with Mayor Pruitt absent.

Please contact the City of Rockwall Planning Staff at (972) 771-7745 with any questions regarding this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'David Gonzales', is written over a circular blue stamp or seal.

David Gonzales, AICP
Planning and Zoning Manager
Planning & Zoning Department
City of Rockwall, TX