# Perkins&Will

1.22.2020

The Honorable Jim Pruitt, Mayor of Rockwall and Members of the Rockwall City Council Rockwall City Hall 385 S Goliad St. Rockwall, Texas 75087

Re: SP2019-051

**Texas Health Hospital Rockwall** 

**Request for Partial Relief of Tree Mitigation Requirements** 

Dear Mayor Pruitt and Members of the City Council,

Texas Health Hospital Rockwall is planning a significant expansion of this community's hospital. The building has been approved by the Planning and Zoning Commission based on recommendation of the Architectural Review Board. We are seeking relief from City Council for of a portion of the Tree Mitigation requirements per the Unified Land Development Code. This letter explains our current Tree Mitigation Plan and our proposed Alternative Mitigation. We respectfully request your consideration of our request.

### **Proposed Tree Mitigation Plan**

The proposed tree mitigation plan is designed in two parts:

Part A:

We are mitigating the trees that will be removed for the expanded hospital footprint, related parking, and drives. Mitigation for the removal of these tress is satisfied by the new trees located on the site.

#### Part B:

We are removing thirty-four [34] Bald Cypress trees along the north side of the Hospital and Medical Office Building No.1 (MOB). These trees were originally planted above and beyond the Unified Development Code provisions at the time.

The original campus design located these trees at 15 feet on center. Bald Cypress trees are large caliper and long-lived trees (horticultural best practice is to plant them 30 feet on center). As planted, limit the visibility of the building and signage on

2218 Bryan Street, Suite 200 Dallas, Texas 75201

## Perkins&Will

1.22.2020 SP2019-051 Texas Health Hospital Rockwall Alternative Tree Mitigation Proposal

the site. This makes it difficult for visitors to the hospital to make their way to the appropriate entrance. The trees, also, discharge a lot of leaf litter on the sidewalks challenging pedestrians arriving from the parking lot.

#### Calculations

Total caliper inches of trees being removed: 818

Part A Mitigation = 426 caliper inches Part B Mitigation = 392 caliper inches

New trees to be installed per treescape plan = 460 caliper inches (115 trees x 4 caliper inches per tree)

Percentage of total caliper inches of mitigation installed on site: 56%

### **Mitigation Plan for Remaining Caliper Inches**

Texas Health Hospital Rockwall proposes payment of tree preservation credits equal to 20% of the total project caliper inches (164 caliper inches).

City Council grants relief for the balance of the unmitigated 194 caliper inches.

The requested relief is approximately equivalent to the overplanting of the original design, about half of the caliper inches of Bald Cypress being removed.

We appreciate your time and thoughtful consideration of this request.

Sincerely,

Perkins and Will

Juber

Rachel Gruber Architect

Attachment: Exhibit A: Tree Mitigation Plan Diagram, Dated 01/22/2020

# **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:	David Gonzales; Planning and Zoning Manager
DATE:	January 28, 2020
SUBJECT:	MIS2020-004; Alternative Tree Mitigation Settlement Agreement

The applicant, Rachel Gruber of Perkins and Will, is requesting approval of an alternative tree mitigation settlement agreement in conjunction with an approved site plan for the Presbyterian Hospital expansion. On January 14, 2020, the Planning and Zoning Commission approved a site plan for the subject property laying out an expansion for the hospital totaling ~84,002 SF [Case No. SP2019-051]. At the time of approval, a treescape plan for this case indicated a total of 712-caliper inches of trees to be removed for the development of the site. The landscape plan indicated a total of 280-caliper inches being added back to the site. This left an outstanding mitigation balance due of 432-inches. As part of this case, the applicant had requested the Planning and Zoning Commission consider a request for an alternative tree mitigation settlement agreement for the relief or total waiver of the 432-inch mitigation balance. When considering a request for an alternative tree mitigation settlement agreement, the Planning and Zoning Commission is tasked with determining if the applicant has demonstrated a hardship, and is unable to meet the requirements of the ordinance. After the applicant's presentation, the Planning and Commission made a motion to recommend denial of the applicant's request for the total waiver of the mitigation balance. This motion failed to be approved by a vote of 3-3. Since the motion failed to be approved, this results in a recommendation of denial with prejudice to be forwarded to the City Council. Based on this, the applicant informed staff that they did not want to pursue this request with the City Council, and have chosen to revise the request for the reconsideration of the Planning and Zoning Commission.

To address the outstanding balance the applicant has provided a letter, and revised treescape and landscape plans indicating the removal of 818-inches with 460-inches to be replanted on the site. This means the remaining mitigation balance is 358-inches. The applicant is requesting to purchase tree preservation credits equal to 20% of the overall mitigation balance due [*i.e.* 818-inches x 20% = 164-inches]. This would result in a payment of \$16,400 [*i.e.* 164-inches x \$100 per inch] that would be deposited into the City's *Tree Mitigation Fund*. This would leave a mitigation balance due of 194-inches.

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 has indicated their desire to purchase 20% tree preservation credits, and is requesting relief or a waiver for the remaining 80% of the mitigation balance (*i.e. 194-inches*). The applicant's letter cites that the waiver being requested would equate to approximately half of the Bald Cypress trees that were initially overplanted at the time of their original landscape design.

Section 5.7, Alternative Tree Mitigation Settlement Agreements, of Article IX, Tree Preservation, of the Unified Development Code (UDC), 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 20% of the mitigation balance by providing a check in the amount of \$16,400. 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 would be required to provide the full balance due 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 <u>January</u> <u>28, 2020</u> meeting.

# **City of Rockwall**

### **Project Plan Review History**



1/23/2020 AG

Applied

Subdivision		Tract	Block	Lot No	Parcel No 0097-0000-0001	General Plan	
Site Address 3076 HAYS RD		<b>City, State Zip</b> ROCKWALL, TX 75087				Zoning	
Status	Staff Review					Status	
Type Subtype	MISCELLANEOUS					Expired Status	
Project Name	MIS2020-004 3150 Horizon Rd	Applicant	JASON LI RACHEL (			Closed	
Project Number	MIS2020 004	Owner		NECOTT		Approved	AU

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed Status	Remarks
PLANNING	David Gonzales	1/24/2020	1/31/2020	1/24/2020	COMMENTS	See comments
(1/24/2020 3·01 PN	4 DG)					

(1/24/2020 3:01 PIVI DG)

MIS2020-004; Alternative Tree Settlement Agreement for 3050 Horizon Road - Presbyterian Hospital

Please address the following comments (M= Mandatory Comments; I = Informational Comments)

1.1 This is a request for the approval of an Alternative Tree Mitigation Settlement Agreement in conjunction with an approved site plan for a hospital (Presbyterian Hospital) on a 18.871-acre parcel of land identified as Lot 23, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, addressed as 3150 Horizon Road.

1.2 For questions or comments concerning this case please contact David Gonzales in the Planning Department at (972) 772-6488 or email dgonzales@rockwall.com.

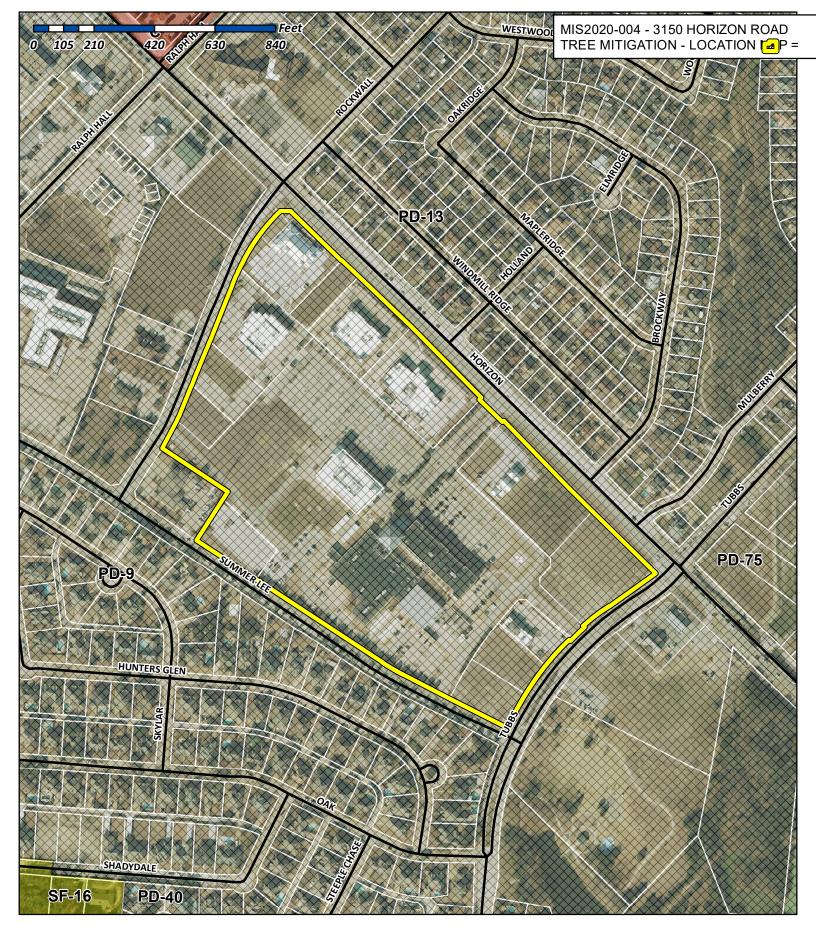
M.3 For reference, include the case number (MIS2020-004) in the lower right-hand corner of all pages of all revised plan submittals (i.e. Treescape and Landscape Plans).

1.4 This project is subject to all requirements stipulated by the Unified Development Code (UDC), Planned Development District No. 9 (PD-9), and the Article 09, Tree Preservation, of the Unified Development Code (UDC) that are applicable to the subject property.

1.5 The Planning and Zoning Work Session will be held on January 28, 2020.

1.6 The City Council meeting for this case is scheduled to be held on February 3, 2020.

1.7	Staff recommends that a representative be present for the meetings as scheduled above	. The meetings will be held in the City's Council Chambers and begin at
6:0	0 p.m.	





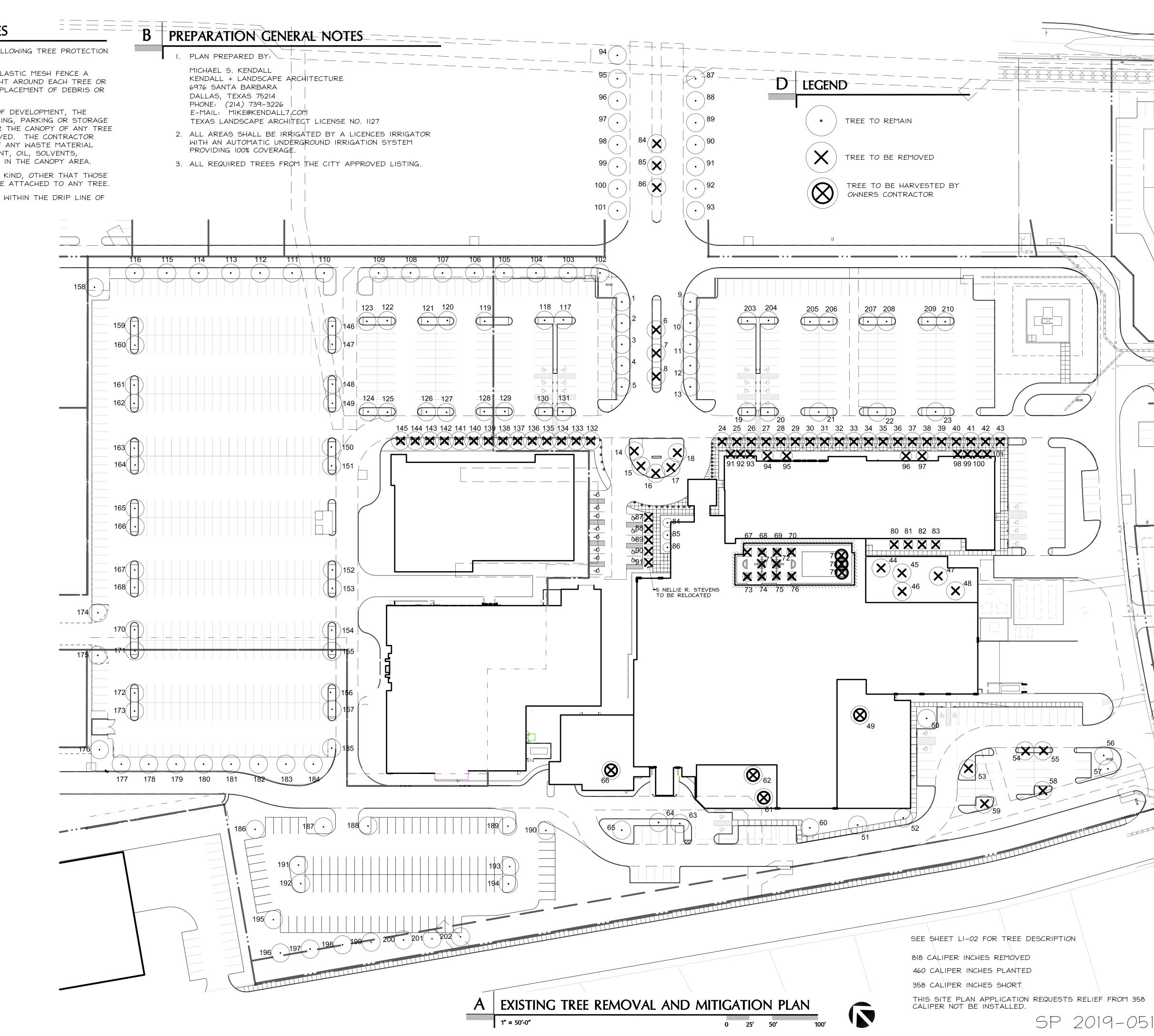
## City of Rockwall Planning & Zoning Department 385 S. Goliad Street

Planning & Zoning Departm 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.



CONTRACTOR SHALL ADHERE TO THE FOLL MEASURES:
<ol> <li>THE CONTRACTOR SHALL ERECT A PLA MINIMUM OF FOUR (4') FEET IN HEIGHT GROUP OF TREES TO PREVENT THE PL FILL WITHIN THE DRIP LINE.</li> <li>DURING THE CONSTRUCTION PHASE OF CONTRACTOR SHALL PROHIBIT CLEANING OF EQUIPMENT OR MATERIALS UNDER TO OR GROUP OF TREES BEING PRESERVED SHALL NOT ALLOW THE DISPOSAL OF A SUCH AS, BUT NOT LIMITED TO, PAINT ASPHALT, CONCRETE, MORTAR, ETC. IN</li> <li>NO ATTACHMENTS OR WIRES OF ANY K OF A PROTECTIVE NATURE, SHALL BE</li> <li>NO FILL OR EXCAVATION MAY OCCUR W A TREE TO BE PRESERVED.</li> </ol>

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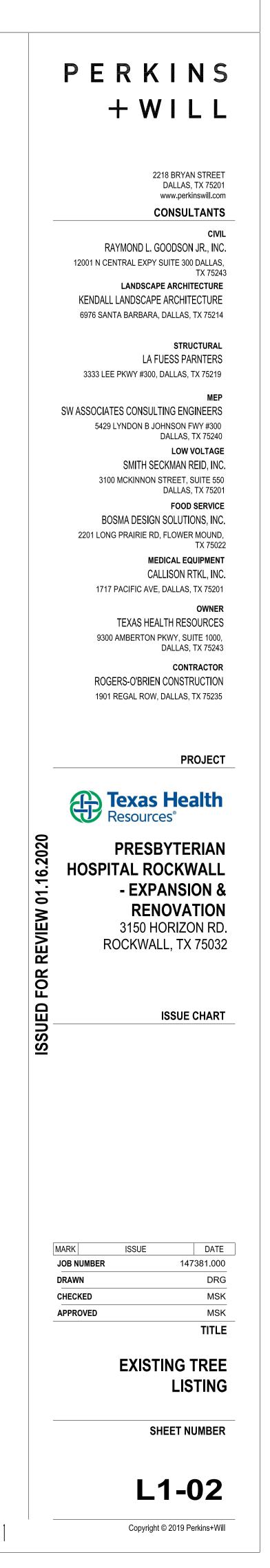
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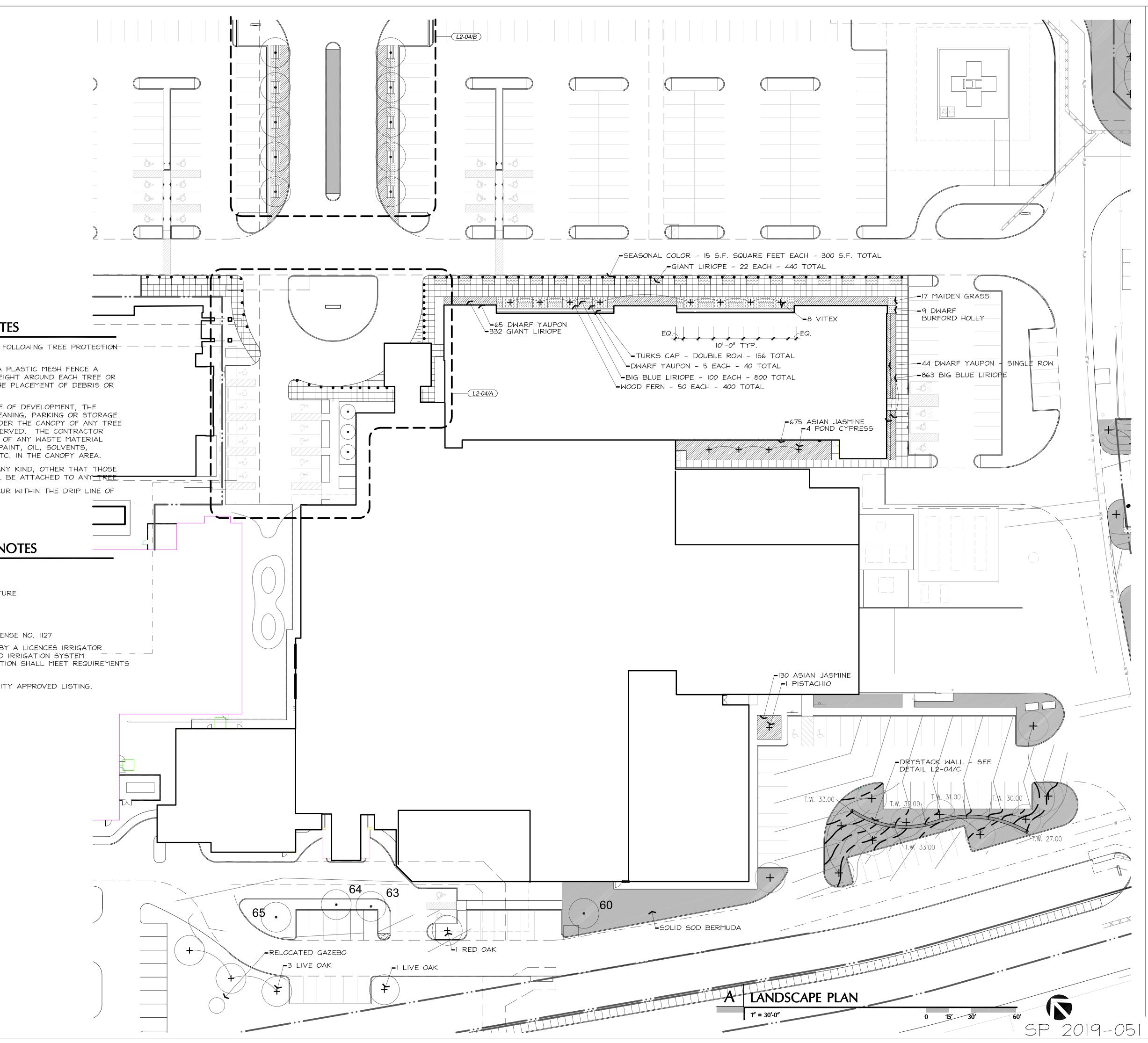
818 CALIPER INCHES REMOVED 460 CALIPER INCHES PLANTED 358 CALIPER INCHES SHORT

THIS SITE PLAN APPLICATION REQUESTS RELIEF FROM 358 CALIPER NOT BE INSTALLED.



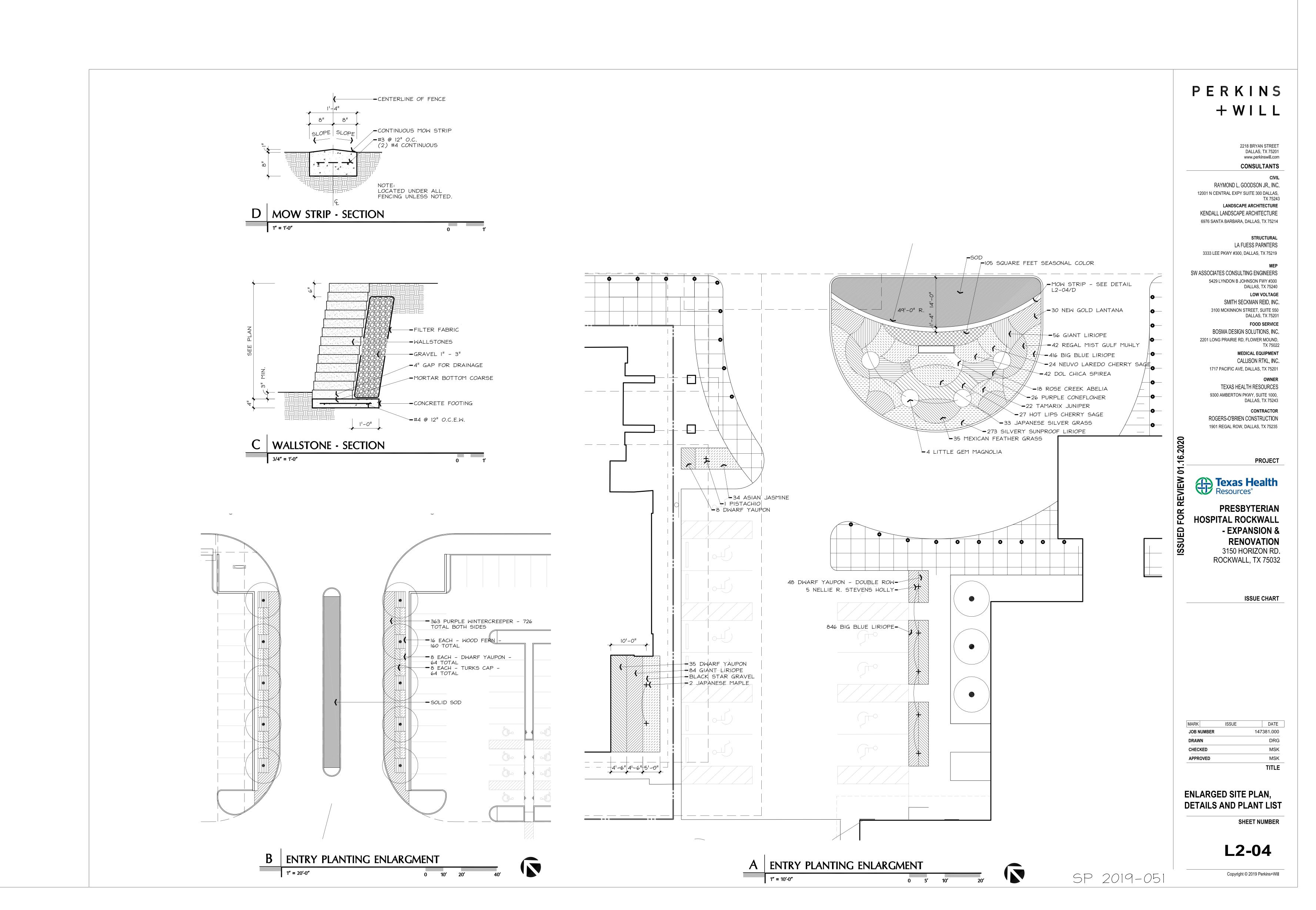
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B	<ul> <li>PREPARATION CENERAL N</li> <li>PLAN PREPARED BY: <ul> <li>MICHAEL S. KENDALL</li> <li>KENDALL + LANDSCAPE ARCHITECTU</li> <li>G976 SANTA BARBARA</li> <li>DALLAS, TEXAS 75214</li> <li>PHONE: (214) 739-3226</li> <li>E-MAIL: MIKE@KENDALL7.COM</li> <li>TEXAS LANDSCAPE ARCHITECT LICEI</li> </ul> </li> <li>ALL AREAS SHALL BE IRRIGATED BY <ul> <li>WITH AN AUTOMATIC UNDERGROUND</li> <li>PROVIDING 100% COVERAGE. IRRIGATION</li> <li>OF THE UDC</li> </ul> </li> <li>ALL REQUIRED TREES FROM THE CITES</li> </ul>



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ISSUE DATE R 147381.000 DRG MSK MSK TITLE	- EXPANSION & RENOVATION 3150 HORIZON RD ROCKWALL, TX 75032 ISSUE CHART	PROJECT Texas Health Resources® PRESBYTERIAN PITAL ROCKWALL	OWNER TEXAS HEALTH RESOURCES 300 AMBERTON PKWY, SUITE 1000, DALLAS, TX 75243 CONTRACTOR DGERS-O'BRIEN CONSTRUCTION 101 REGAL ROW, DALLAS, TX 75235	FOOD SERVICE BOSMA DESIGN SOLUTIONS, INC. DNG PRAIRIE RD, FLOWER MOUND, TX 75022 MEDICAL EQUIPMENT CALLISON RTKL, INC. 717 PACIFIC AVE, DALLAS, TX 75201	MEP IATES CONSULTING ENGINEERS 29 LYNDON B JOHNSON FWY #300 DALLAS, TX 75240 LOW VOLTAGE SMITH SECKMAN REID, INC. 3100 MCKINNON STREET, SUITE 550 DALLAS, TX 75201	ANTA BARBARA, DALLAS, TX 75214 STRUCTURAL LA FUESS PARNTERS LEE PKWY #300, DALLAS, TX 75219	CIVIL RAYMOND L. GOODSON JR., INC CENTRAL EXPY SUITE 300 DALLAS, TX 75243 LANDSCAPE ARCHITECTURE	2218 BRYAN STREET DALLAS, TX 75201 www.perkinswill.com CONSULTANTS

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	D	PARKING LOT PLANT
		ALL SIZES SHOWN ARE MINIMUM. IF QUANTITIES ARE SHOWN, CON
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		CYNDON

# LIST

	COMMON NAME	SIZE	DESCRIPTION
	POND CYPRESS	100 GALLON CONTAINER, 4"-4 1/2" CALIPER, 9' - 10' HEIGHT, 5'-6' SPREAD	SINGLE STRAIGHT LEAD
	BALD CYPRESS	100 GALLON CONTAINER, 4"-4 1/2" CALIPER, 9' - 10' HEIGHT, 5'-6' SPREAD	SINGLE STRAIGHT LEAD
	LIVE OAK	100 GALLON CONTAINER, 4"-4 1/2" CALIPER, 9' - 10' HEIGHT, 5'-6' SPREAD	SINGLE STRAIGHT LEAD
	BUR OAK	100 GALLON CONTAINER, 4"-4 1/2" CALIPER, 9' - 10' HEIGHT, 5'-6' SPREAD	SINGLE STRAIGHT LEAD
	CEDAR ELM	100 GALLON CONTAINER, 4"-4 1/2" CALIPER, 9' - 10' HEIGHT, 5'-6' SPREAD	SINGLE STRAIGHT LEAD
	VITEX	65 GALLON CONTAINER, 4"-4 1/2" CALIPER, 7' - 8' HEIGHT, 5'-7' SPREAD	MULTI-TRUNK - 3 CAN
	EASTERN RED CEDAR	65 GALLON CONTAINER, 4"-4 1/2" CALIPER, 7' - 8' HEIGHT, 5'-7' SPREAD	MULTI-TRUNK - 3 CAN
	TREE YAUPON	65 GALLON CONTAINER, 4"-4 1/2" CALIPER, 7' - 8' HEIGHT, 5'-7' SPREAD	MULTI-TRUNK - 3 CAN
	LITTLE GEM MAGNOLIA	65 GALLON CONTAINER, 4"-4 1/2" CALIPER, 7' - 8' HEIGHT, 5'-7' SPREAD	MULTI-TRUNK - 3 CANI
	DWARF YAUPON HOLLY	3 GALLON	24" ON CENTER
Д	DWARF BURFORD HOLLY	3 GALLON	24" ON CENTER
4	DMARI DURI ORD HULLI	J GALLUN	24 ON CLITER
-A'	PURPLE WINTERCREEPER	1 GALLON	18" ON CENTER
	GIANT LIRIOPE	I GALLON	15" ON CENTER

### LANDSCAPE ORDINANCE - ROCKWALL, TEXAS - SOUTH PARKING Ε

I. 10' LANDSCAPE BUFFER

PROVIDED AT ROCKWALL PARKWAY 2. SCREENING OF OFF-STREET LOADING AREAS

NOT APPLICABLE

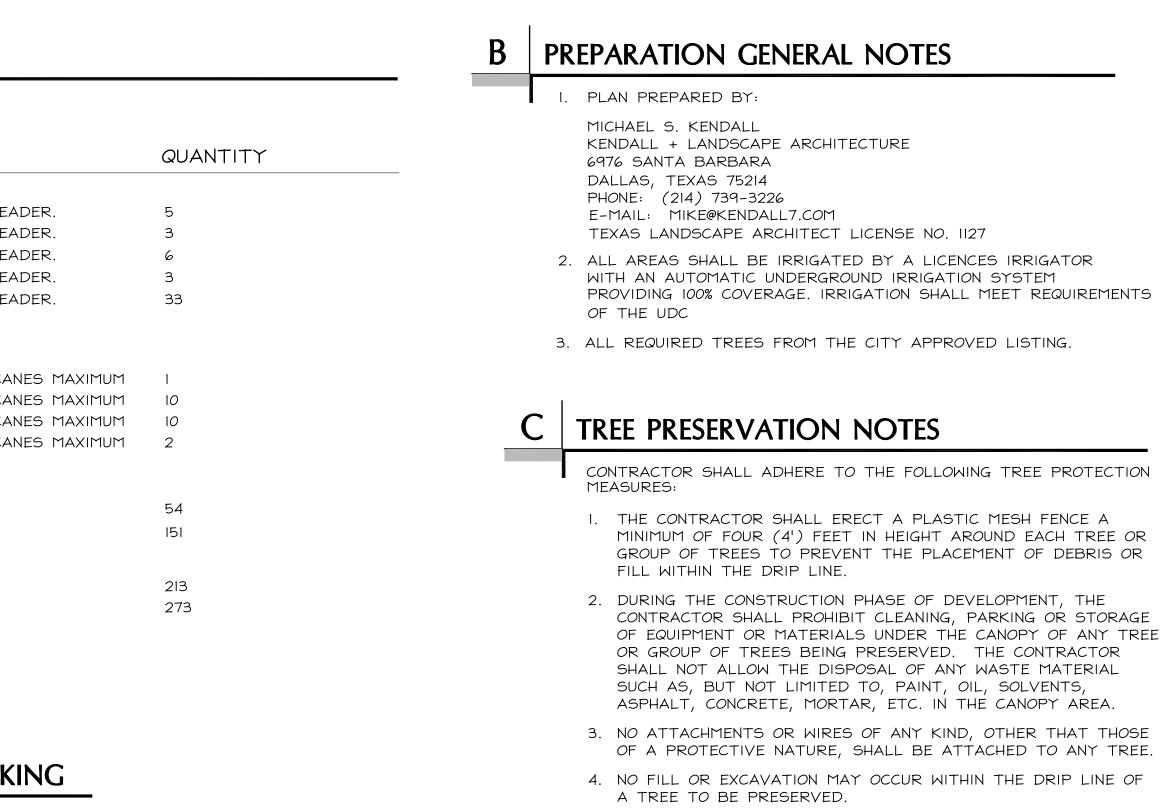
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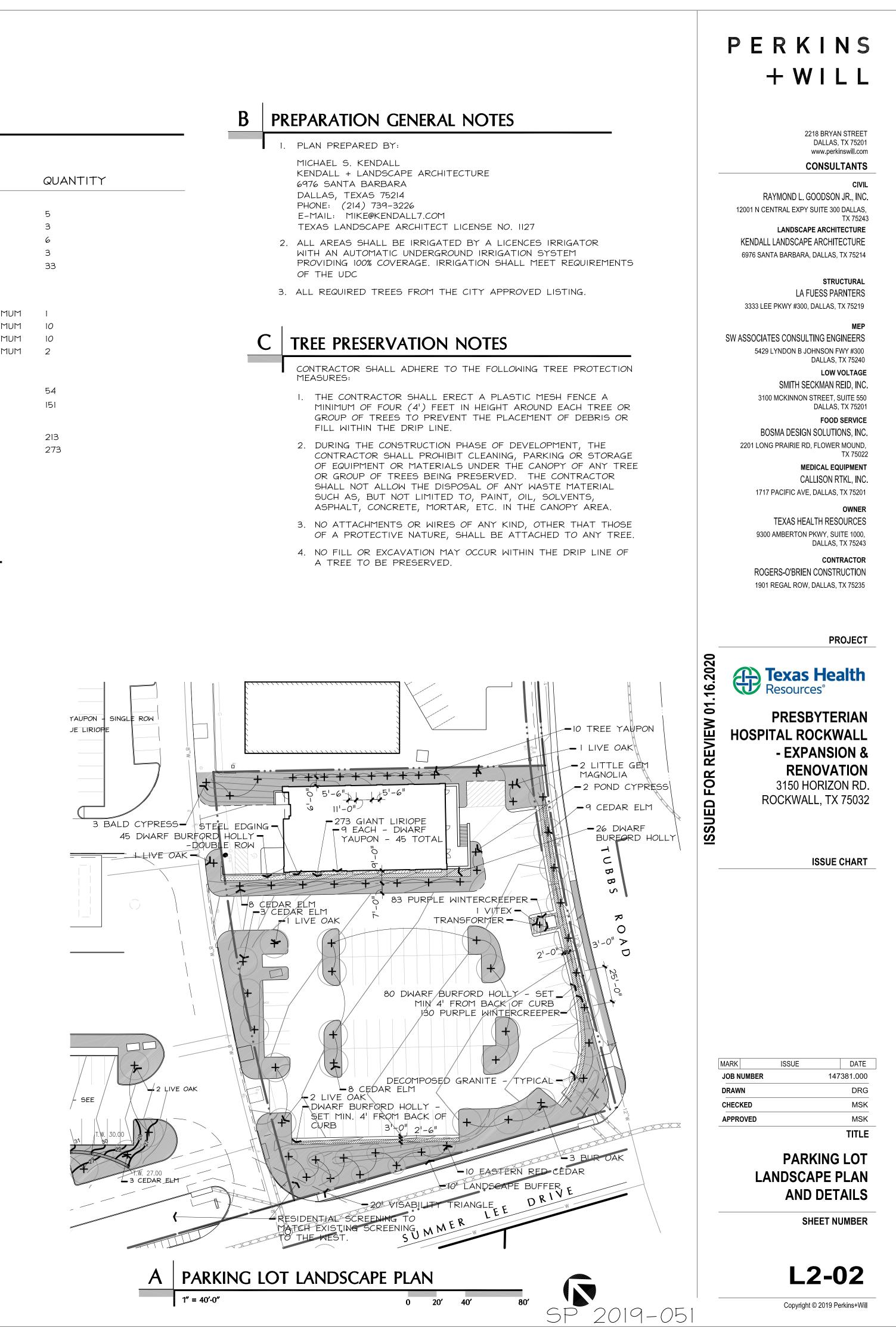
3. RESIDENTIAL ADJACENCY

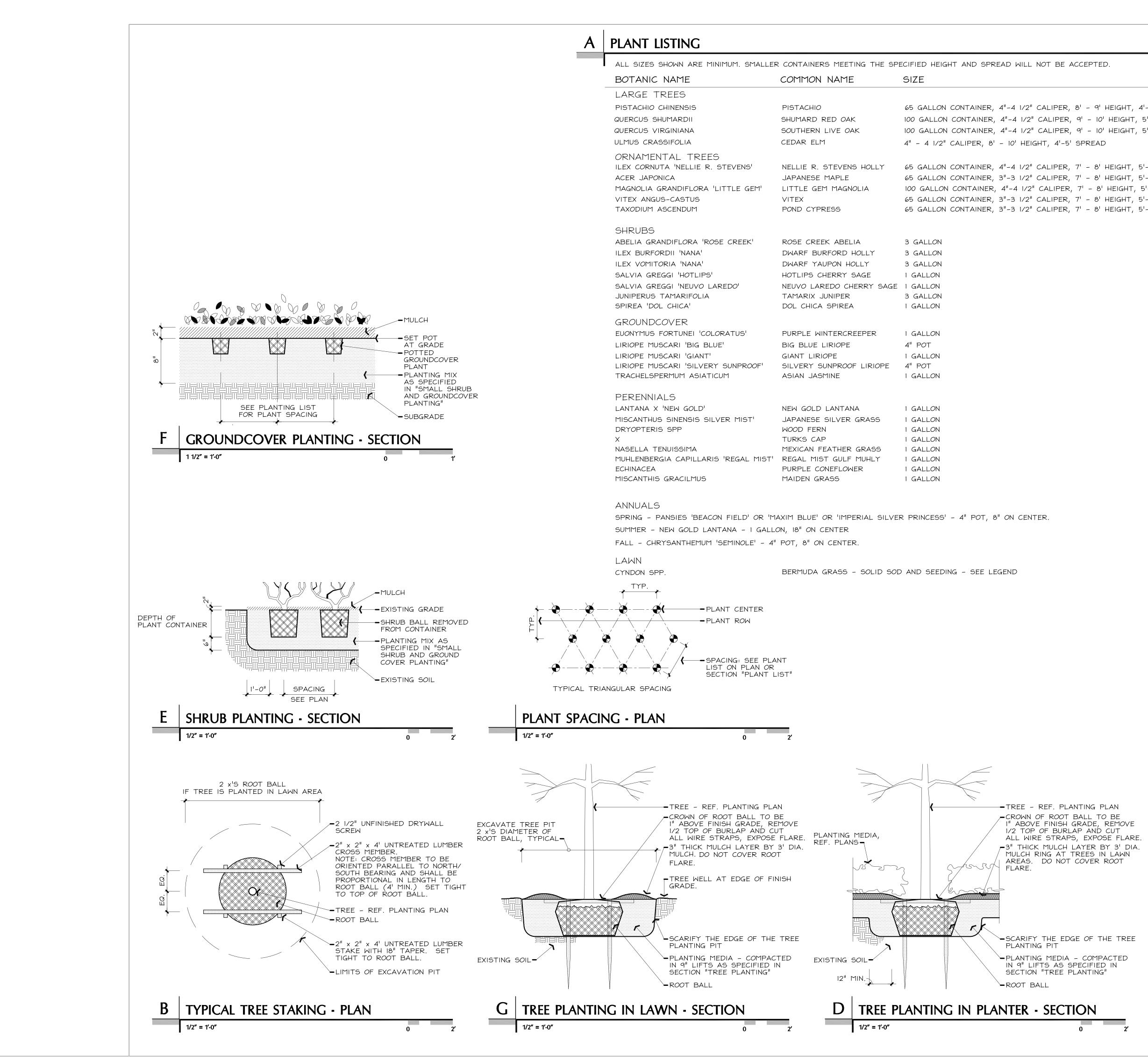
MATCHING EXISTING SCREENING ALONG THE BALANCE OF THE PROJECT.

4. BUFFER LANDSCAPING   TREE PER 50	LINEAR FEET		
TUBBS	165	/50	3 TREES REQUIRED
			8 TREES PROVIDED
SUMMER LEE DRIVE	240	/50	5 TREES REQUIRED
			13 TREES PROVIDED
5. PARKING LOT LANDSCAPING	33,600	*.05	1,680 REQUIRED SQUARE FEET
			7,700 PROVIDED SQUARE FEET

6. OPEN SPACE		.,	TROVIDED SQUARE TEET
OFFICE ZONING REQUIRES 20%	47,500 *		REQUIRED SQUARE FEET PROVIDED SQUARE FEET

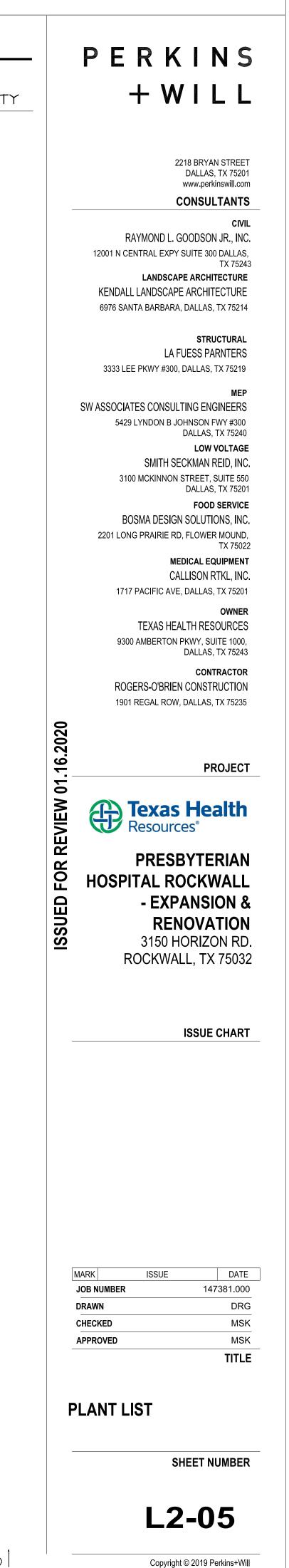






FIED HEIGHT AND SPREAD WILL NOT BE ACCEPTED.		
IZE	DESCRIPTION	QUANTITY
5 GALLON CONTAINER, 4"-4 1/2" CALIPER, 8' - 9' HEIGHT, 4'-5' SPREAD	SINGLE STRAIGHT LEADER	2
0 GALLON CONTAINER, 4"-4 1/2" CALIPER, 9' - 10' HEIGHT, 5'-6' SPREAD	SINGLE STRAIGHT LEADER.	4
0 GALLON CONTAINER, 4"-4 1/2" CALIPER, 9' - 10' HEIGHT, 5'-6' SPREAD	SINGLE STRAIGHT LEADER.	7
- 4 1/2" CALIPER, 8' - 10' HEIGHT, 4'-5' SPREAD	BALLED AND BURLAPPED, SINGLE STRAIGHT LEADER.	5
5 GALLON CONTAINER, 4"-4 1/2" CALIPER, 7' - 8' HEIGHT, 5'-7' SPREAD	MULTI-TRUNK - 3 CANES MAXIMUM	5
5 GALLON CONTAINER, 3"-3 1/2" CALIPER, 7' - 8' HEIGHT, 5'-7' SPREAD	MULTI-TRUNK - 3 CANES MAXIMUM	2
0 GALLON CONTAINER, 4"-4 1/2" CALIPER, 7' - 8' HEIGHT, 5'-7' SPREAD	MULTI-TRUNK - 3 CANES MAXIMUM	4
5 GALLON CONTAINER, 3"-3 1/2" CALIPER, 7' - 8' HEIGHT, 5'-7' SPREAD	MULTI-TRUNK - 3 CANES MAXIMUM	8
5 GALLON CONTAINER, 3"-3 1/2" CALIPER, 7' - 8' HEIGHT, 5'-7' SPREAD	MULTI-TRUNK - 3 CANES MAXIMUM	4
GALLON	30" ON CENTER	18
GALLON	24" ON CENTER	17
GALLON	24" ON CENTER	296
GALLON	24" ON CENTER	27
GALLON	24" ON CENTER	24
GALLON	24 ON CENTER	22
GALLON	18" ON CENTER	42
GALLON	18" ON CENTER	726
POT	8" ON CENTER	2,925
GALLON	15" ON CENTER	912
' POT	8" ON CENTER	273
GALLON	15 ON CENTER	839
GALLON	24" ON CENTER	30
GALLON	18" ON CENTER	33
GALLON	15" ON CENTER	560
GALLON	18" ON CENTER	220
GALLON	15" ON CENTER	35
GALLON	18" ON CENTER	42
GALLON	18" ON CENTER	26
GALLON	18" ON CENTER	17

405 SQUARE FEET





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, <i>City Manager</i> Mary Smith, <i>Assistant City Manager</i> Joey Boyd, <i>Assistant City Manager</i>
FROM:	Ryan Miller, Director of Planning and Zoning
DATE:	February 3, 2020
SUBJECT:	MIS2020-004; Alternative Tree Mitigation Settlement Agreement

The applicant, Rachel Gruber of Perkins and Will, is requesting approval of an Alternative Tree Mitigation Settlement Agreement in conjunction with an approved site plan for the expansion of the Presbyterian Hospital [*SP2019-051*]. This site plan was approved by the Planning and Zoning Commission on January 14, 2020 by a vote of 6-0, with Commissioner Logan absent. A subsequent motion requesting to waive a total of 432-inches of tree mitigation failed by a vote of 3-3. Based on this the applicant choose to withdraw the request and resubmit an updated Alternative Tree Mitigation Settlement Agreement.

The updated plan submitted by the applicant proposes to satisfy the total mitigation balance of 818inches by [1] planting 460-inches on-site and [2] paying for tree credits equal to 20% of the inches or \$16,400.00 for 164-inches. This would leave a remaining balance of 194-inches of mitigation, which the applicant is requesting be waived by the City Council. Staff should note, that this was originally misstated as 80% in the case memo provided to the Planning and Zoning Commission; however, the applicant corrected this during the Planning and Zoning Commission meeting on January 28, 2020 indicating that this represented a waiver of 24% of the total mitigation cost. The applicant also stated that the purpose of the waiver was due to the hospital originally planting trees above and beyond the requirements of the Unified Development Code (UDC). Staff did review this claim and found that the additional trees were planted in 2006 in order to satisfy a previous mitigation balance tied to the original removal of trees resulting from the development of the hospital. This mitigation plan was approved by the then City Council on June 19, 2006.

According to Section 5.7, Alternative Tree Mitigation Settlement Agreement, of Article IX, Tree Preservation, of the UDC the City Council has the authority to grant an Alternative Tree Mitigation Settlement Agreement on a case-by-case basis pending a recommendation from the Planning and Zoning Commission. As stated above, the Planning and Zoning Commission reviewed this request on January 28, 2020 and motioned to recommend denial of the Alternative Tree Mitigation Settlement Agreement due to the requested waiver of 194-inches of tree mitigation. This motion was approved by a vote of 4-1, with Commissioner Welch dissenting and Commissioners Moeller and Fishman absent. If the City Council chooses to approve the applicant's request for a waiver of the balance due of 194-inches of tree mitigation, a check for \$16,400.00 would be deposited into the City's tree fund. If the request is denied the applicant will be required to work with the Parks and Recreation Department to provide the 194-inches of mitigation (*i.e. 49, four [4] inch caliper trees*). Staff should note that since this is a settlement agreement the City Council has broad authority to allow the waiver of all or none of the mitigation or accept cash-in-lieu of mitigation at an amount specified by the City Council. Should the City Council have any questions staff will be available at the meeting on February 3, 2020.