



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: John Delin, *R. W. Ladera, LLC*

DATE: April 30, 2019

SUBJECT: MISC2019-005; *Alternative Tree Mitigation Settlement Agreement*

The applicant, John Delin of R. W. Ladera, LLC, is requesting an *Alternative Tree Mitigation Settlement Agreement* in conjunction with the Ladera of Rockwall Addition for the purpose of offsetting a portion of the required tree mitigation. Specifically, the applicant is requesting relief associated with the trees (*i.e. 699.5-caliper inches of trees*) that will be removed to construct an off-site, 12-inch sanitary sewer line that will serve the development. On June 26, 2018, the Planning and Zoning Commission approved an amended treescape plan allowing for the removal of an additional 977.75-caliper inches that were associated with the construction of this sanitary sewer line. This approval brought the total mitigation balance due to 1,443.25 caliper-inches. On March 12, 2019, a revised treescape plan was submitted with the final plat application [*Case No. P2019-010*] indicating the need for the removal of an additional 283.5-caliper inches of tree to allow the installation of the 12-inch sanitary sewer line. This increased the total mitigation balance due to 1,726.75-caliper inches. Currently, the applicant's approved mitigation plan calls for providing all 1,726.75-caliper inches on-site.

The applicant's proposal requests that the City Council consider one (1) of the two (2) following alternatives:

1. The City Council waive the 699.5-caliper inches associated with the offsite installation of the 12-inch sanitary sewer line; or,
2. The City Council consider reducing the tree mitigation balance associated with the off-site improvements by $\frac{1}{2}$ the amount (*i.e. 349.75-caliper inches*). This balance would then be donated to the Parks Department to save the applicant the expense of planting and caring for the trees on-site.

If the City Council does not approve one (1) of the two (2) alternatives, the applicant has stated that they intend to provide the full balance to the Parks Department to be used in other areas of the City. According to *Section 7, Alternative Tree Mitigation Settlement Agreement*, of *Article X*, of the *Unified Development Code (UDC)*, the City Council -- *upon recommendation from the Planning and Zoning Commission* -- may consider an *Alternative Tree Mitigation Settlement Agreement* where, due to hardship, the applicant is unable to meet the requirements of this article or where it is determined that adherence to the tree mitigation requirements will create a hardship for an applicant.

Attached to this memo is the applicant's letter requesting the alternatives and an exhibit indicating the tree's that will be required to be removed with the 12-inch sanitary sewer line. Should the Planning and Zoning Commission have any questions staff will be available at the *April 30, 2019* meeting.

City of Rockwall Project Plan Review History



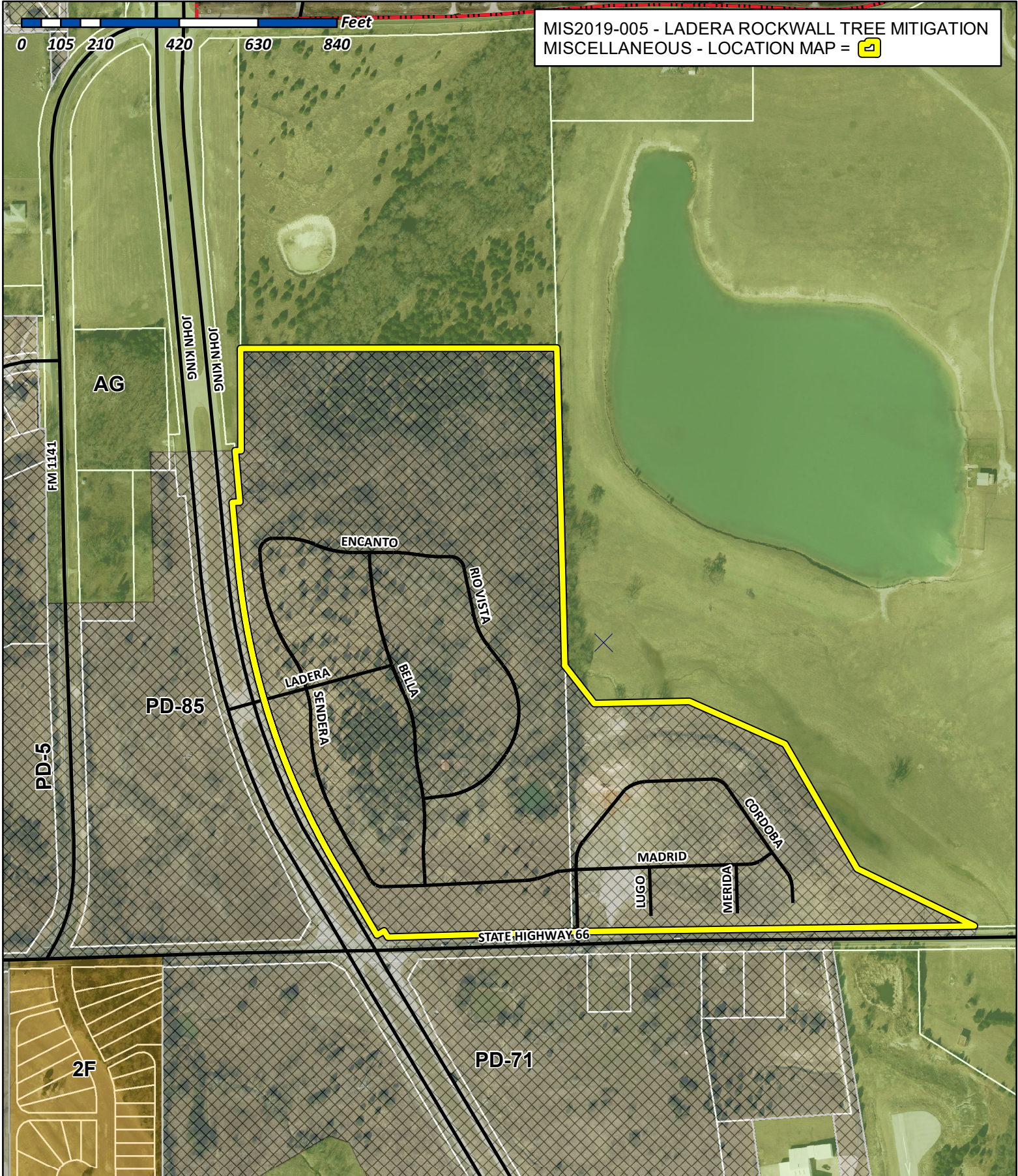
Project Number P2019-019	Owner RACK, PARTNERS LTD	Applied 4/16/2019 LM
Project Name Lot 11, Block A, 205 Business Park	Applicant MIKE SAMPLES	Approved
Type PLAT		Closed
Subtype FINAL		Expired
Status P&Z HEARING		Status 4/25/2019 DG

Site Address 125 NATIONAL DR	City, State Zip ROCKWALL, TX 75032	Zoning
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Subdivision	Tract 2-16	Block	Lot No 2-16	Parcel No 0128-0000-0002-16-OR	General Plan
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Type of Review / Notes	Contact	Sent	Due	Received	Elapsed	Status	Remarks
BUILDING	Russell McDowell	4/16/2019	4/23/2019	4/18/2019	2	APPROVED	
ENGINEERING (4/18/2019 11:36 AM SH) Note 4 should read, "Property owner shall be responsible for all maintenance, repair, and reconstruction of all drainage and detention systems in easements."	Sarah Hager	4/16/2019	4/23/2019	4/18/2019	2	COMMENTS	
FIRE	Ariana Hargrove	4/16/2019	4/23/2019	4/22/2019	6	APPROVED	
GIS	Lance Singleton	4/16/2019	4/23/2019	4/18/2019	2	APPROVED	
PLANNING	David Gonzales	4/16/2019	4/23/2019	4/25/2019	9	COMMENTS	See comments

Type of Review / Notes	Contact	Sent	Due	Received	Elapsed Status	Remarks
						<p>Consider a request by Mike Samples for the approval of a final plat for Lot11, Block A, 205 Business Park Addition being a 1.50-acre tract of land identified as Tract 2-16 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, addressed as 125 National Drive, and take any action necessary.</p> <p>The following staff comments are to be addressed and resubmitted no later than Tuesday May 7, 2019. Please provide one (1) large copy [24" X 36" FOLDED] and one PDF version for a final review by staff:</p> <p>** Planning Department General Comments to be addressed:</p> <p>The following staff comments are to be addressed and resubmitted no later than Tuesday May 7, 2019. Please provide one (1) large copy [24" X 36" FOLDED] and one PDF version for a final review by staff:</p> <p>** Planning Department General Comments to be addressed:</p> <ol style="list-style-type: none"> 1. The final plat shall conform to all standards and requirements of the Unified Development Code(UDC), the staff comments provided by the Planning Engineering, Building Inspections, and Fire Department as indicated in the Project Plan Review document 2. Provide a label indicating "Case No. P2019-019" on the lower right corner on all pages of the revised final plat 3. Correct Title Block to read as follows: Final Plat Lot 11, Block A, 205 Business Park Addition being 1-Lot containg 1.50-acres or 65,338 SF Identified as Tract2-15 of the J.R. Johnson Survey, Abstract 128 An Addition to the City of Rockwall, Rockwall County, Texas <p>** As a note and once the plat has been approved by the Planning and Zoning Commission and City Council, all staff comments are to be addressed and all revisions are to be approved (by staff) prior to the plat being submitted on mylar for filing **</p> <p>** Although on this case is on the Consent Agenda, staff would recommend that you and/or your representative(s) are in attendance for this request. If you have any questions regarding this case, please feel free to contact David Gonzales, AICP with the Planning Department at 972-771-7745.</p> <p>Meeting Dates to Attend</p> <p>Planning - Consent Agenda: April 30, 2019 (Tuesday at 6:00 p.m.)</p> <p>City Council - Consent Agenda: May 6, 2019 (Monday at 6:00 p.m.)</p>



MIS2019-005 - LADERA ROCKWALL TREE MITIGATION
 MISCELLANEOUS - LOCATION MAP =

Feet

0 105 210 420 630 840

AG

JOHN KING

FM 1141

PD-5

PD-85

ENCANTO

ROMISTA

LADERA
SENDERA

BELLA

CORDOBA

MADRID

LUGO

MERIDA

STATE HIGHWAY 66

2F

PD-71



City of Rockwall

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

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Gonzales, David

From: Miller, Ryan
Sent: Wednesday, April 17, 2019 11:51 AM
To: Gonzales, David
Subject: Fwd: Request for Hearing on Tree Mitigation

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Attached is John Delin's request. I will prepare a caption this afternoon. Thanks.

Ryan C. Miller, AICP

Director of Planning and Zoning
Planning and Zoning Department
City of Rockwall, Texas

Please excuse any errors, this was sent from my mobile device.

----- Original message -----

From: John Delin <john@integritygroups.com>
Date: 4/17/19 10:16 AM (GMT-06:00)
To: "Miller, Ryan" <RMiller@rockwall.com>
Subject: Request for Hearing on Tree Mitigation

Ryan,

Per our phone call earlier, we are submitting a request to have a hearing on the Tree Mitigation associated with our Ladera Rockwall project, *only* in reference to the Offsite Utilities portion of the project.

As you know we are installing \$500,000 for water & sewer expansion for the City which will feed future growth and unfortunately receive no Pro-rata return for this work. Additionally we are faced with almost 500 inches of tree mitigation for areas which there is considerable tree growth anyway. We would propose;

1. A waiver of the Mitigation in Total for the Offsite Utility portion of the project or,
2. Reduce by ½ the amount to be Mitigated and provide the balance as a donation to the City for its use, without us expensing the cost for labor for planting and care.
3. Provide the appropriate number of inches in a donation to the City for use in other areas, without us expensing the cost for labor for planting and care.

Let me know if we can get this on the agenda.

Best,

John Delin

817.252.4281 **D**
817.919.8111 **C**
john@integritygroups.com

IntegrityGroups.com | LaderaTexas.com
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Main Office (817) 430-3318

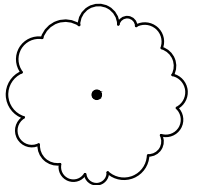
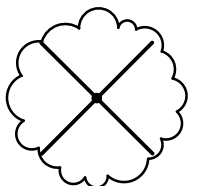
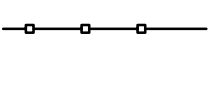




Confidentiality Notice:

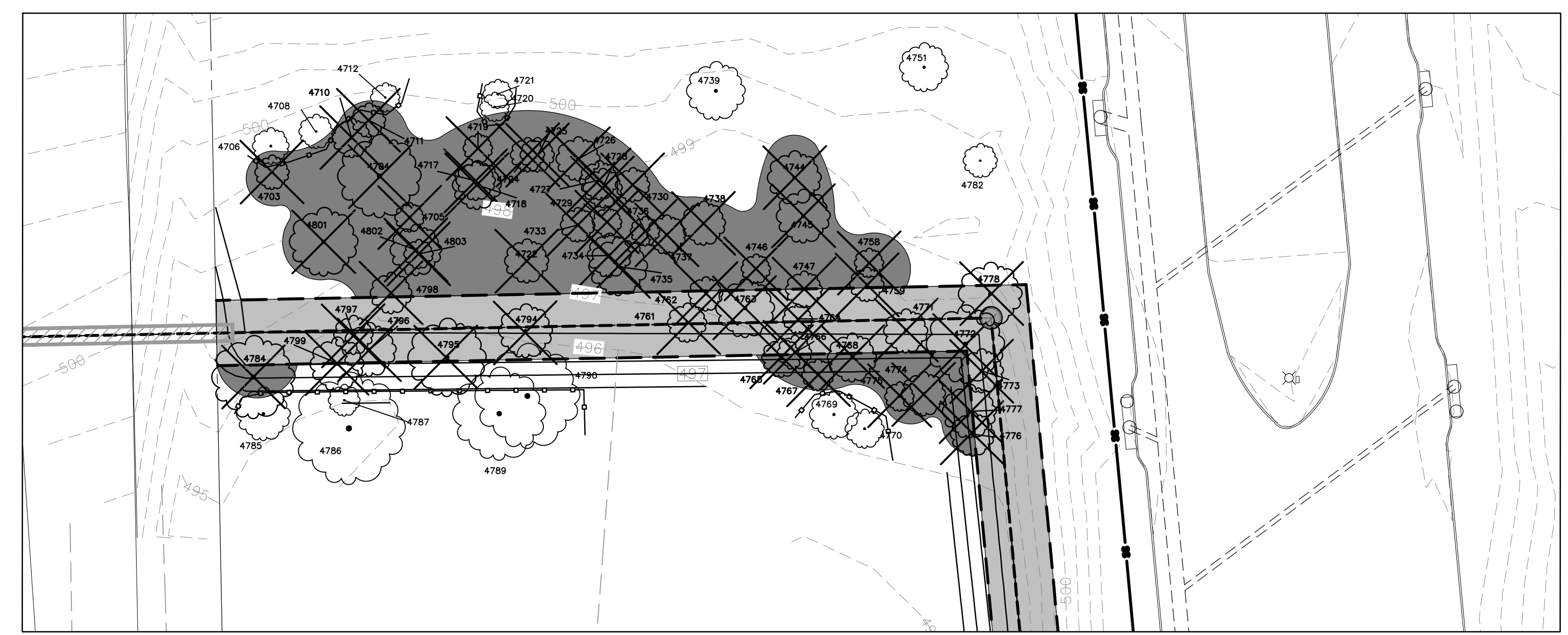
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Approx. Limits of 100-Year Fully Developed Floodplain per Ultimate model. Refer to "Hydrologic and Hydraulic study in support of Ladera Rockwall Development" prepared by JEA-HydroTech Engineering, Inc. Dated March 13, 2019.

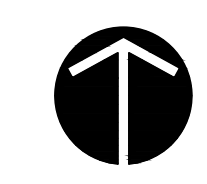
LEGEND

-  PROTECTED TREE TO REMAIN
-  PROTECTED TREE TO BE REMOVED
-  TREE PROTECTION FENCING (TPF)
-  OFF-SITE SEWER EASEMENT AREA
-  AREAS DIRECTLY AFFECTED BY OFF-SITE SEWER LINE

NOTE: 301 PROTECTED INCHES ARE PROPOSED FOR REMOVAL OUTSIDE OF THE OFF-SITE SEWER EASEMENT DUE TO GRADING SPECIFICALLY REQUIRED FOR PROPOSED SEWER LINE.

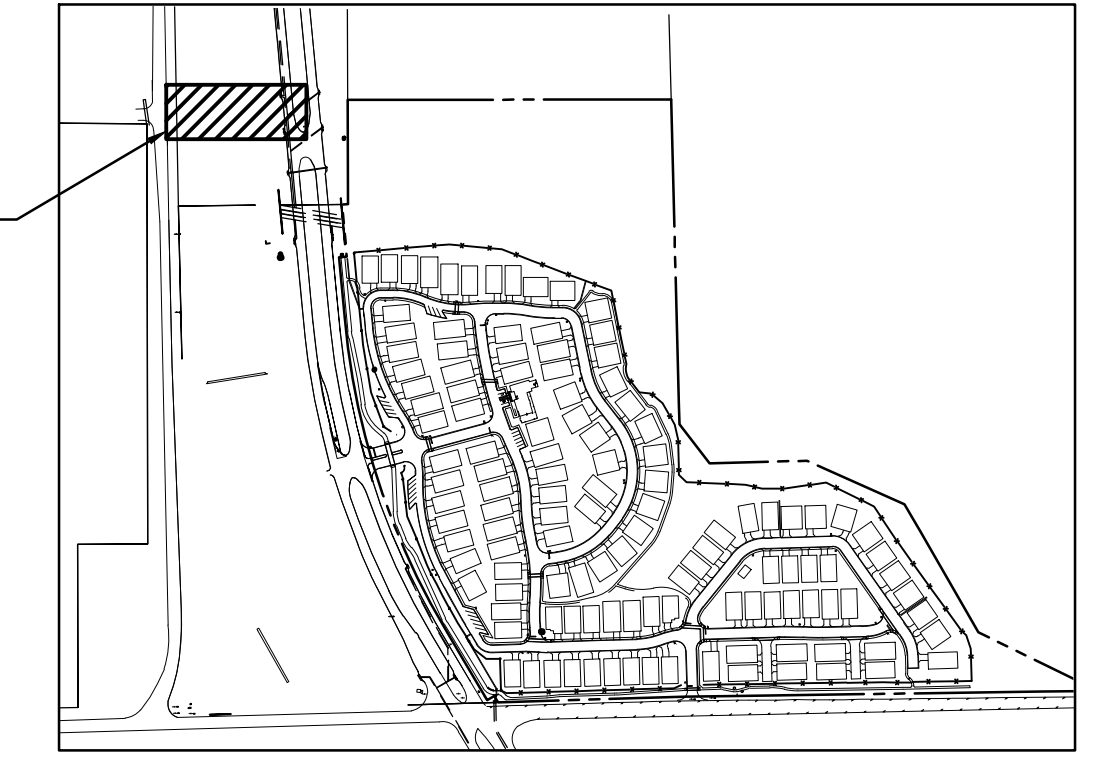


NORTHWEST OFF-SITE SEWER CONNECTION

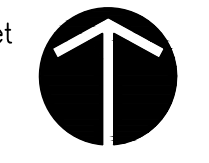


30 0 30 60 90 Feet
SCALE: 1"=30'

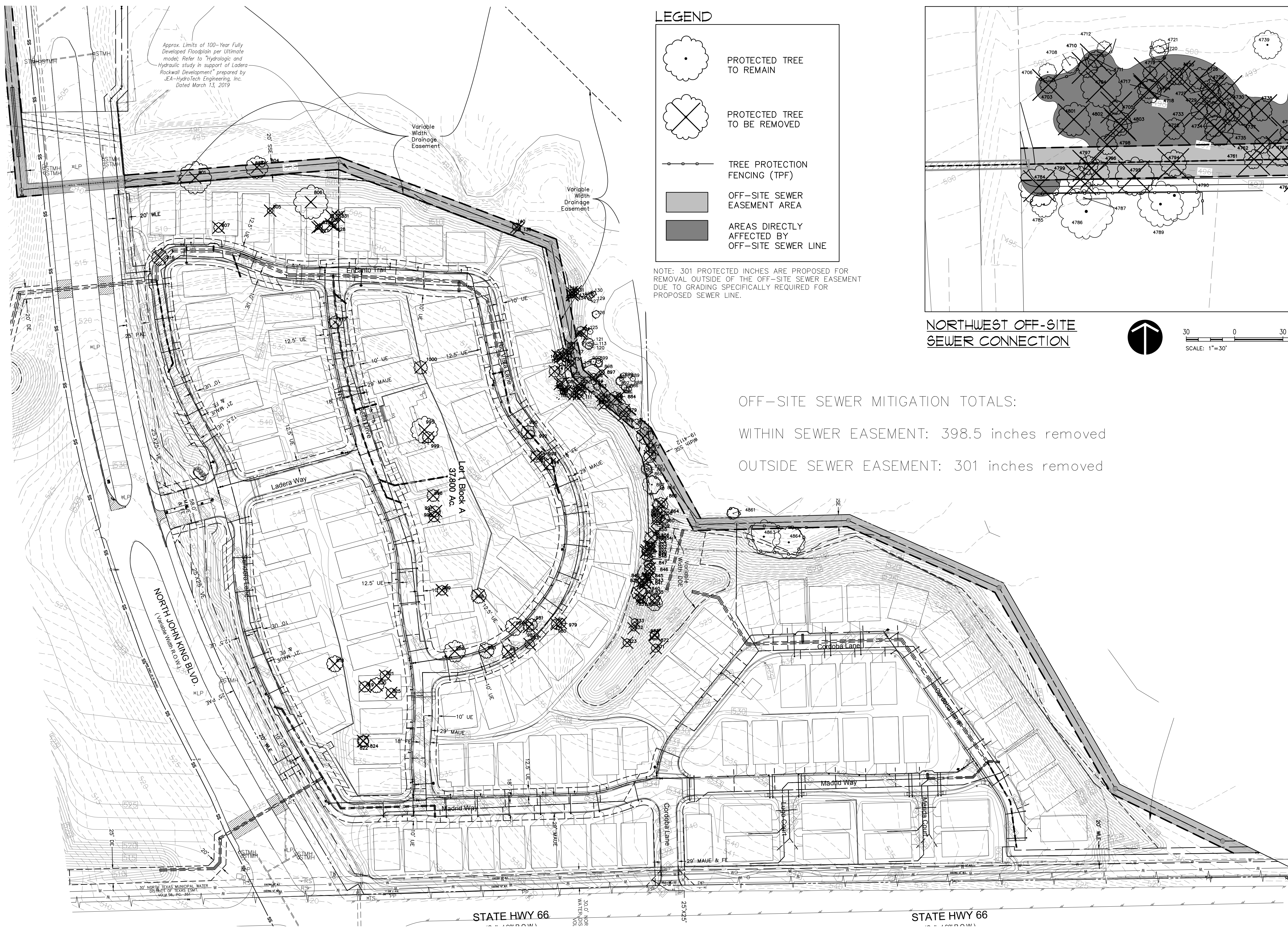
CONTEXT MAP



500 0 500 1000 1500 Feet
SCALE: 1"=500'

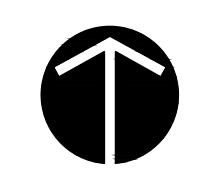


OFF-SITE SEWER MITIGATION TOTALS:
WITHIN SEWER EASEMENT: 398.5 inches removed
OUTSIDE SEWER EASEMENT: 301 inches removed



MAIN SITE OF DEVELOPMENT

80 0 80 160 240 Feet
SCALE: 1"=80'



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www.mcadamsco.com



**Off-Site Sewer Tree Removal
Ladera Rockwall**

Town of Rockwall
Rockwall County, Texas

G&A Job No. 17191 Date: April 24, 2019 By: VC
Z:\2017\17191\Drawings\FP & Const Plans\Sheets\17191_TS.dwg
This concept plan is intended for conceptual developmental use and shall not be interpreted as an official or submitted document. All aerial and map images were obtained from best available information. This plan is subject to change.