

**CITY OF COPPELL  
PLANNING DEPARTMENT**

**STAFF REPORT**

**CASE NO.: PD-263R2-SF-9, The Preserve at Oak Grove**

**P&Z HEARING DATE:** March 19, 2015 (Continued to April 16, 2015)  
**C.C. HEARING DATE:** April 14, 2015 (now scheduled for the May 12, 2015 Council meeting)

**STAFF REP.:** Gary L. Sieb, Director of Planning

**LOCATION:** The extension of Oak Grove Lane

**SIZE OF AREA:** 3.56 acres of property

**CURRENT ZONING:** PD-263R-SF-9 (Planned Development-263 Revised-Single Family-9)

**REQUEST:** A zoning change request to PD-263R2-SF-9 (Planned Development-263 Revision 2-Single Family-9), to attach a revised tree preservation/mitigation plan on 3.56 acres of property zoned for nine (9) single-family lots.

**APPLICANT:**

<b>Owner</b>	<b>Applicant</b>
Nine Oaks Realty, LLC	Kadleck and Associates
Ram Dora Sunkavalli	Lynn Kadleck
2309 Sunflower Lane	2000 N. Central Expressway
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**HISTORY:** This property was rezoned from SF-12 to Planned Development for nine single-family residences in May of 2014. At that time, a tree mitigation plan was submitted showing a number of trees being removed to accommodate residential building sites. In subsequent review of the plan, the owner of this property needs to revisit the mitigation plan to eliminate additional trees on the individual lots, hence, this application.

**HISTORIC COMMENT:** When this property was initially considered for rezoning in 2014, there was a historic comment that stated there were seven homes on Oak Grove Lane (outside the area of this request) identified in the Historic Resource Survey prepared in 2009 for the Coppell Historic Society as being constructed in the Minimal Traditional style—single-story, gable roof, lack of ornamentation, etc. They were identified as Lots 2, 5, 6, 10, 20, 21, and 26. They are not a part of this request. After supporting the nine-lot residential proposal last year, the Planning Commission authorized the calling of a public hearing to determine the appropriate zoning for the remainder of Oak Grove

Lane including the lots specified above. The Commission's recommendation of residential Planned Development at the same density as that approved for the nine lots heard earlier was endorsed by the land owners and approved by Council in June of 2014.

**TRANSPORTATION:** Oak Grove Lane is a 27-foot wide, asphalt, substandard residential street with no curb, gutter, or sidewalk contained within a 60-foot right-of-way.

**SURROUNDING LAND USE & ZONING:**

**North:** single-family residential: PD-100-SF-9, Planned Development for detached single-family uses

**South:** non-conforming mobile home park; 2F-9, duplex zoning

**East:** single-family residences; SF-7, single family detached uses

**West:** office/warehouse; LI, Light Industrial uses

**COMPREHENSIVE PLAN:**

*Coppell 2030, A Comprehensive Master Plan*, shows this land as appropriate for residential uses as an Urban Residential Neighborhood

**DISCUSSION:**

When this case was originally heard, neighborhood opposition was centered on the loss of a substantial numbers of trees. That concern was addressed by the developer in the form of a \$47,000 mitigation fee required for zoning approval. After further engineering of this nine-lot residential project, and a more detailed analysis of the grading work that must be done to provide buildable sites for residential construction, additional trees must be removed from the site (Exhibit 10A). Specifically, this revised and more detailed analysis of additional tree removal required for grading and workable building footprints, reflects an additional \$45,000 fee to address the added tree removal. Bottom line, tree mitigation fees are totaling over \$90,000. Because of this, and the low lot count in this subdivision, the applicant has requested a modification to the approved Planned Development, hence this zoning request.

The developer of this project has offered a rather innovation proposal to eliminate these expenses. Basically, he is proposing a tree preservation easement on an adjoining lot to more than compensate for the value of the trees he is removing. You will recall that this subdivision was carved out of a larger 11-acre lot, all owned by Alford Media. A Tree Preservation Easement Agreement between Alford Media and the owner of this property conveys an 80-foot width along the north boundary of the Alford site and a 50-foot wide parcel along the east portion of the Alford site for permanent tree easement use (Exhibit 10C). Included in the Agreement is a legal description of the preservation area, a detailed tree survey of that area and a map outlining in graphic form the easement land. All said, the easement area contains far more trees than the requested additional tree removal on the residential lots. As stated in the attached engineer's letter of January 22, the tree mitigation requirement is 1,678 inches. The proposal before you here reflects a tree credit of 2003 caliper inches. That being the case, we can support the applicant's request.

**The Commission had several questions revolving around the means by which the 1.7 acre tree preservation area would be maintained by the Home Owners Association. We have reviewed the HOA document with our city attorney and**

are comfortable that the agreement provides for perpetual maintenance of the area. Being a part of the Homeowners Agreement document, each property owner will know the responsibility they have regarding the tree preservation area. As we recommended at the March public hearing, we continue to recommend approval of this request. A copy of the HOA document is attached for your review, titled “Declaration of Covenants, Conditions and Restrictions”.

**RECOMMENDATION TO THE PLANNING AND ZONING COMMISSION:**

Staff is recommending APPROVAL of this request with no outstanding conditions.

**ALTERNATIVES:**

1. Recommend approval of the request
2. Recommend disapproval of the request
3. Recommend modification of the request
4. Take under advisement for reconsideration at a later date

**ATTACHMENTS:**

1. Engineer’s letter of January 22, 2015
2. Tree Easement Agreement (11 pages including exhibits)
3. Detailed Site Plan
4. Tree Survey Removal Plan (Sheet 10A)
5. Tree Inventory List (Sheet 10B)
6. Combined Tree Preservation Easement/Site Plan and Tree Survey Exhibits (Sheets 10C and 10D)
7. **Copy of HOA Document titled “Declaration of Covenants, Conditions, and Restrictions” (pgs. 1-17) and “Nine Oaks Association Bylaws (pgs. 24-28)**