

City Council

Mayor Neysa Hinton
Vice Mayor Patrick Slayter
Michael Carnacchi
Una Glass
Sarah Glade Gurney



Planning Director

Kari Svanstrom

Senior Administrative Assistant

Rebecca Mansour

City of Sebastopol Tree Board Staff Report

Meeting Date: September 18, 2019
Agenda Item: 7A
To: Tree Board
From: Kari Svanstrom, Planning Director *KS*
Krystle Rizzi, Contract Planner *KR*
Subject: Removal of 13 protected trees at Gravenstein Apartments
Recommendation: Approve with Conditions
Applicant/Owner: Burbank Housing, Marianne Lim
File Number: 2019-13
Address: 699 Gravenstein Highway North
CEQA Status: Exempt
General Plan: High Density Residential
Zoning: Planned Community

Introduction:

This staff report provides a summary of the Tree Board meeting on August 21, 2019. The project was continued for decision by the Tree Board and the applicant was advised to conduct additional outreach to residents. For a full description of the proposed tree removal, please refer to the original staff report prepared for the August 21, 2019 hearing, included herein as Attachment 1.

Summary

At its August 21, 2019 hearing the Tree Board continued the project to a date certain of September 18, 2019. There was a general consensus from the Board that the trees identified as diseased were appropriate for removal. Additionally, the Board was in consensus that the redwood trees are inappropriate for the site and location. However, based on concerns raised by the community, the Board felt it necessary for the applicant to conduct further public outreach, as well as prepare a maintenance plan and irrigation plan to ensure replacement trees will be maintained in good health. The Board required two additional conditions of approval to reflect these requirements, which are included in the recommended conditions of approval (#2 and #3).

Following the hearing, the applicant sent a letter to residents, included as Attachment 2, and reposted notices on trees proposed for removal with the September 18, 2019 Tree Board hearing date.

Public Comment:

Public comments have not been received by staff as of the writing of this report, but comments are anticipated to be forthcoming from the community.

Discussion/Recommendation:

Based on direction from the Tree Board, recommendations from the City Arborist, staff review of the project based on applicable regulations, and comments from the community, staff recommends that the Board conditionally approve the project, and has further provided the following options for consideration by the Board with regard to tree replacement.

- Option 1: Staff recommends that the Tree Board conditionally approve the project as is, which includes a 1:1 replacement ratio.
- Option 2: Staff recommends that the Tree Board conditionally approve the project and require replanting to be done at a 2:1 replacement ratio or pay the “in-lieu” fee for 13 trees to the City’s tree fund for planting elsewhere in the community.

Attachments:

1. August 21, 2019 Tree Board Staff Report
2. Letter from Burbank Housing to Residents

**TREE REMOVAL PERMIT
699 Gravenstein Hwy North
Removal of Protected Trees**

FINDINGS FOR APPROVAL

1. That the application is categorically exempt from the requirements of the California Environmental Quality Act, pursuant to Section 15301, Class 1 which includes minor alterations to existing topographical features, such as the removal of a tree.
2. That the City Arborist found that four (4) protected trees proposed for removal are diseased.
3. That the City Arborist found that trees proposed for removal are causing damage to sidewalks, stairways, foundations of structures, and other site improvements including ADA accessible improvements.
4. That the City Arborist has recommended removal of the trees in keeping with Tree Removal Criteria 1, 3 and 4.
5. That, as conditioned, the City arborist determined the species type and number of replacement trees will be appropriate and sufficient for the site.

CONDITIONS OF APPROVAL

1. The Tree Removal Permit shall be valid for a period of three (3) years, except that the applicant may request a one (1) year extension of this approval from the Planning Director, pursuant to Section 17.400.100 of the Zoning Ordinance.
2. Prior to removal, the applicant shall submit a tree maintenance plan to the Planning Department for review and approval. No trees shall be removed prior to approval of the maintenance plan.
3. Prior to removal, the applicant shall submit an irrigation plan, including an audit of the existing irrigation system for staff review and approval. Where a lack of proper irrigation is identified, the area shall be upgraded to ensure proper irrigation and survival of replacement trees.
4. Prior to installation, final species mix and location of replacement trees shall be determined by the City Arborist. Prior to planting replacement trees, the applicant shall obtain a letter from the City Arborist confirming the species mix and location and submit this to the Planning Department for review and approval.
5. Prior to planting, the applicant shall confirm that replacement trees will be irrigated through an establishment period of 2-3 years, and describe the method of irrigation. This information shall be provided to the Planning Department for review and approval.
6. Replacement trees shall be replanted within 12 months of the removal of trees.
7. During demolition, grading, or other construction activities within the driplines of protected trees a qualified, certified arborist shall be present to observe the work. Roots shall be carefully exposed to avoid damaging them. Any roots which cannot be preserved shall be cleanly cut under the supervision of the arborist. If, in the opinion of the arborist, the number of roots which must be cut significantly compromise the health and structural stability of the tree, they will recommend mitigation procedures or possible removal of the tree.

8. An Encroachment Permit may be required prior to tree removal. Please contact the Engineering Department prior to removal if work will be performed, or materials placed, in the public right-of-way. The phone number for the Engineering Department is (707) 823-2151.
9. Tree removals shall only take place during the following hours: Monday to Friday, from 7:00 A.M. to 8:00 P.M., and Saturday and Sunday, from 8:00 A.M. to 5:00 P.M. Additionally, no tree shall be removed on any of the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Christmas Day, and Thanksgiving Day.
10. Any replacement trees that will reach a height greater than 20 feet at maturity shall not be planted within 20 feet (measured horizontally) of overhead utility lines.

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Introduction:

The project applicant is seeking approval from the Tree Board for the removal of 14 trees, 13 of which are protected and 1 non-protected, on the property located at 699 Gravenstein Hwy North, also referred to as the Gravenstein Apartments.

Project Description:

The application proposes removal of the following trees: 7 redwoods, 4 alder, 2 oak, and 1 plum (not protected) due to its smaller size. Trees proposed for removal are located throughout the site as shown in the site photos and site plan submitted by the applicant and included as attachments to this report. The applicant is seeking approval to remove the trees as they are causing damage to structures and site improvements, including sidewalks, stairways, and building foundations. Additionally, three trees have been identified as diseased, and one tree is proposed for removal due to proximity of proposed construction.

Trees proposed for replacement include Chinese Elm (8) and Pacific Wax Myrtle (5) as shown on the site plan submitted by the applicant (see attached). This represents a 1:1 replacement ratio, which is less than the required 2:1 replacement ratio generally required by the City. However, as described in the arborist report, a 1:1 replacement ratio is sufficient for the site at this time as the site is densely covered and will remain so with the removal and replacement of trees. The arborist report also states that it is anticipated that future tree removal will likely be required for other trees at the site due to disease (alder borer, etc.) Any future tree removal will need to comply with the required 2:1 replacement ratio as prescribed in the SMC.

Environmental Review:

The proposed tree removal is categorically exempt from the requirements of the California Environmental Quality Act, pursuant to Section 15301, Class 1 which includes minor alterations to existing topographical features, such as the removal of a tree.

Public Comment:

Section 8.12.060.F of the Tree Protection Ordinance states that trees proposed for removal shall be marked by City staff with a form prescribed by the City. Notice of a Tree Removal Permit application shall be posted on the subject parcel, and in at least two public places within 300 feet of the affected trees, at least ten (10) calendar days prior to the date of the Sebastopol Tree Board meeting at which the application will be considered.

Notice of the tree removal was provided by the applicant at least ten (10) days before the Tree Board meeting with one notice posted on the subject parcel and two notices posted within three-hundred (300) feet of the subject parcel.

The City has received one comment via phone from a resident of the apartment. The commenter expressed concern over the proposed removal of trees.

City Departmental Comment:

Becky Duckles, the City Arborist, reviewed the application, conducted multiple site visits, and prepared an Arborist Report on April 11, 2019 and August 15, 2019. The City arborist determined that the proposed removal of trees is appropriate as they are damaging structures and other improvements or are diseased and dying. The reports are attached, and findings contained in the reports are reflected in this staff report.

Required Findings:

Section 8.12.060.D of the Tree Protection Ordinance states that a Tree Removal Permit may be approved when an International Society of Arboriculture (ISA) Certified Arborist has verified at least one of the following conditions:

1. *The tree is diseased or structurally unsound and, as a result, is likely to become a significant hazard to life or property within the next two (2) years.*
2. *The tree poses a likely foreseeable threat to life or property, which cannot be reasonably mitigated through pruning, root barriers, or other management methods.*
3. *The property owner can demonstrate that there are unreasonably onerous recurring maintenance issues, which are deemed necessary for safety or protection of property. The property owner is responsible for providing documentation to support such a claim.*
4. *A situation exists or is proposed in which structures or improvements, including, but not limited to, building additions, second units, swimming pools, and solar energy systems, such as solar panels, cannot be reasonably designed or altered to avoid the need for tree removal.*
5. *The tree has matured to such an extent that it is determined to be out of scale with adjacent structures and utilities, or with other landscape features.*

Discussion/Recommendation:

Director Svanstrom visited the site with the City arborist on the initial April 11th site visit and concurs with the arborists assessment. Staff feels that the removal and replacement proposed is appropriate for the site. As stated above, the City generally requires a 2:1 replacement ratio of trees. However, the site is densely covered with trees and additional replacement would be difficult and would eliminate the open play areas utilized by residents of the apartments. Additionally, as this is a 100% affordable housing development, staff does not feel that requiring the applicant to pay an in-lieu fee is necessary.

If there is a consensus that the subject trees warrant removal, staff recommends that the Board approve the application based on the facts, findings, and analysis set forth and subject to the conditions of approval contained herein.

Attachments:

1. Application Submittal Materials
2. City Arborist Report(s)

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tree shall be removed on any of the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Christmas Day, and Thanksgiving Day.

- 8.** Any replacement trees that will reach a height greater than 20 feet at maturity shall not be planted within 20 feet (measured horizontally) of overhead utility lines.

OPENING DOORS. CHANGING LIVES.

Dear Gravenstein North Apartments Resident,

We are writing you to provide more information regarding the planned tree removals at Gravenstein North Apartments. We very much understand that the trees are an important part of what makes Gravenstein Apartments so unique and livable and hope this letter will explain the reasons behind the difficult decision to remove some of them.

One of our primary goals in renovating Gravenstein North is to make the site safe and accessible to individuals with disabilities. In order to accomplish this, sidewalks and driveways have to be free of trip hazards and constructed according to building codes specifically designed with the needs of disabled individuals in mind. Unfortunately, some of the large Redwood and Oak trees have damaged and lifted the sidewalks, concrete staircases and other walkways, creating trip hazards and generally unsafe conditions for anyone walking on site but especially for the disabled population.

As some of the trees on the property have matured, the root systems have expanded into the foundations of the buildings. As a result, some of the roots have started to lift building foundations. The expansion of the roots are also endangering the underground natural gas piping and other utilities. Damage to these pipes and utilities could have potentially devastating health and safety consequences for the residents as well as visitors to the property.

In determining which trees to remove from the property, we have sought the opinion of a certified arborist working for the city of Sebastopol. The arborist agrees that the trees we are proposing to remove are typically in locations where they are unlikely to succeed over time, pose a potential hazard or are currently diseased with little or no chance of survival.

Finally, we are glad to point out that while we are removing 13 out of approximately 90 trees on the property, we will be planting 13 replacement trees. These new trees will be California native species and planted in locations where they are sure to be successful, without causing the kind of damage we are seeing now.

We want to assure you that we are doing everything possible to minimize the number of trees we are removing. We will also continue to keep you informed regarding our progress. We are doing everything we can to ensure that this community will be safe and thriving for years to come.

Warmest Regards,
Your Gravenstein Management Team
Tai Wright, Regional Manager
Elisha Huckbody, Property Manager
Mike Rogers, Consulting Project Manager

Lauren Taylor, Resident Services Director
Volker Striffler, Construction Manager
Evodia Perez, Construction Liaison

Cc: City of Sebastopol Planning Department

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