

TO: JAMES L. APP, CITY MANAGER
FROM: ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: REQUEST TO REMOVE ONE OAK TREE – 2503 STARLING DR.
(ROGER & PATRICIA GREENE)
DATE: MARCH 1, 2005

Needs: For the City Council to consider a request to remove one 40-inch White Oak Tree.

Facts:

1. On January 18, 2005, the City received an application from Roger and Patricia Greene, requesting the removal of the 40-inch White Oak tree located in the rear yard of their property located at 2503 Starling Drive.
2. An arborist report was submitted by Chip Tamagni, received on January 18, 2005. The report concluded that the tree appears to be 50-percent dead and will most likely not survive in its current condition.

Analysis

And Conclusion: According to the Arborist Report, the decline of this tree is a result of an improperly installed drainage system as well as improper trimming of the tree during the construction of the house.

The approval of the subdivision (Tract 1983) creating the Greene's parcel, was approved by the City in December 1990, prior to the current Oak Tree Ordinance requirement that construction occur out of the Critical Root Zone of Oak Trees.

The Greene's are also requesting that the Council not require replacement trees, based on the Arborist concluding that the decline of the tree was caused by improper mitigation by the home builder prior to the Greene's living in the house.

Policy

Reference: Paso Robles Municipal Code Section 10.01

Fiscal

Impact: None.

- Options:**
- a.** Adopt Resolution of Intention No. 05-xx approving the removal of one 40-inch White Oak tree at 2503 Starling Drive based on the findings, conclusions, and recommendations of the Arborist Report identifying that the tree is in poor health; and that replacement trees are not required, based on the tree's decline not being the fault of the current property owners.

 - b.** Amend, modify, or reject the above option.

Attachments:

1. Letter from Roger and Patrica Greene, dated January 18, 2005
2. Tamagni Arborist report received on January 18, 2005
3. Resolution to Approve

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RESOLUTION NO. 05-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AUTHORIZING THE REMOVAL OF ONE OAK TREE AT 2503 STARLING DRIVE
(ROGER & PATRICIA GREENE)

WHEREAS, the City has received an application by Roger & Patricia Greene, to remove one (1) White Oak tree (the tree has a diameter of 40-inches) located at 2503 Starling Drive; and

WHEREAS, an arborist report was submitted by Chip Tamagni, received on January 18, 2005, where the report concluded that the tree appears to be 50-percent dead and will most likely not survive in its current condition; and

WHEREAS, according to the Arborist Report, the decline of this tree is a result of an improperly installed drainage system as well as improper trimming of the tree during the construction of the house; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby:

1. Authorize the removal of one (1) 40-inch White Oak tree located at 2503 Starling Drive;
2. Not require the property owner to plant replacement trees, based on the arborist reports indicating that the trees decline was not at the fault of the owner, that the damage was done by an improperly installed drainage system in conjunction with the construction of the house.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 1st day of March 2005 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

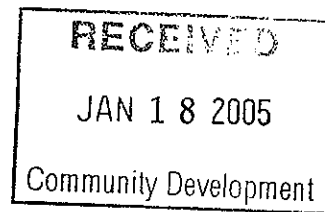
Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

January 18, 2005

Roger & Patricia Greene
2503 Starling Drive
Paso Robles, Ca. 93446



Dear Sir,

My husband and I are applying for a permit to remove a partially dead Oak Tree located on our property. We are also asking to be excused from the replacement requirements. I am submitting our report from Chip Tamagni, Arbor Tree Surgery. This tree is dead in our opinion due to the total lack of care while construction was done, and also because this lot is not large enough. The house sits on a large part of the drip line. Also the aeration system installed has never been scientifically proven to work and is not recommended per the book Arboriculture third edition by Richard Harris, James R. Clark and Nelda P. Matherny page 319.

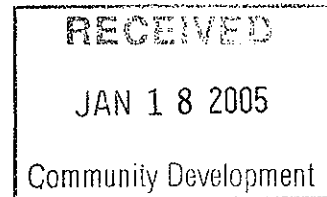
We are very concerned that large branches hanging over the house will break and do damage to the roof or one of us if we are outside. As the pictures in the report show that the tree was not properly pruned before construction started. We invited council members to come and see the condition of the tree. Mr Mecham, Mr Heggarty and Mr Nemeth accepted our invitation. I would ask that someone in this department call and ask their opinion in regards to the condition of this tree.

Again, I respectfully request that we be granted the permit to remove this tree and also be excused from the replacement requirements, as we had nothing to do with the building of the house so close to the tree, that was a decision made by the city.

Sincerely,

Signature

*Roger L. Greene Sr.
Patricia Greene*



3-07-04
Mr. And Mrs. Green
2503 Starling Drive
Paso Robles, CA 93446

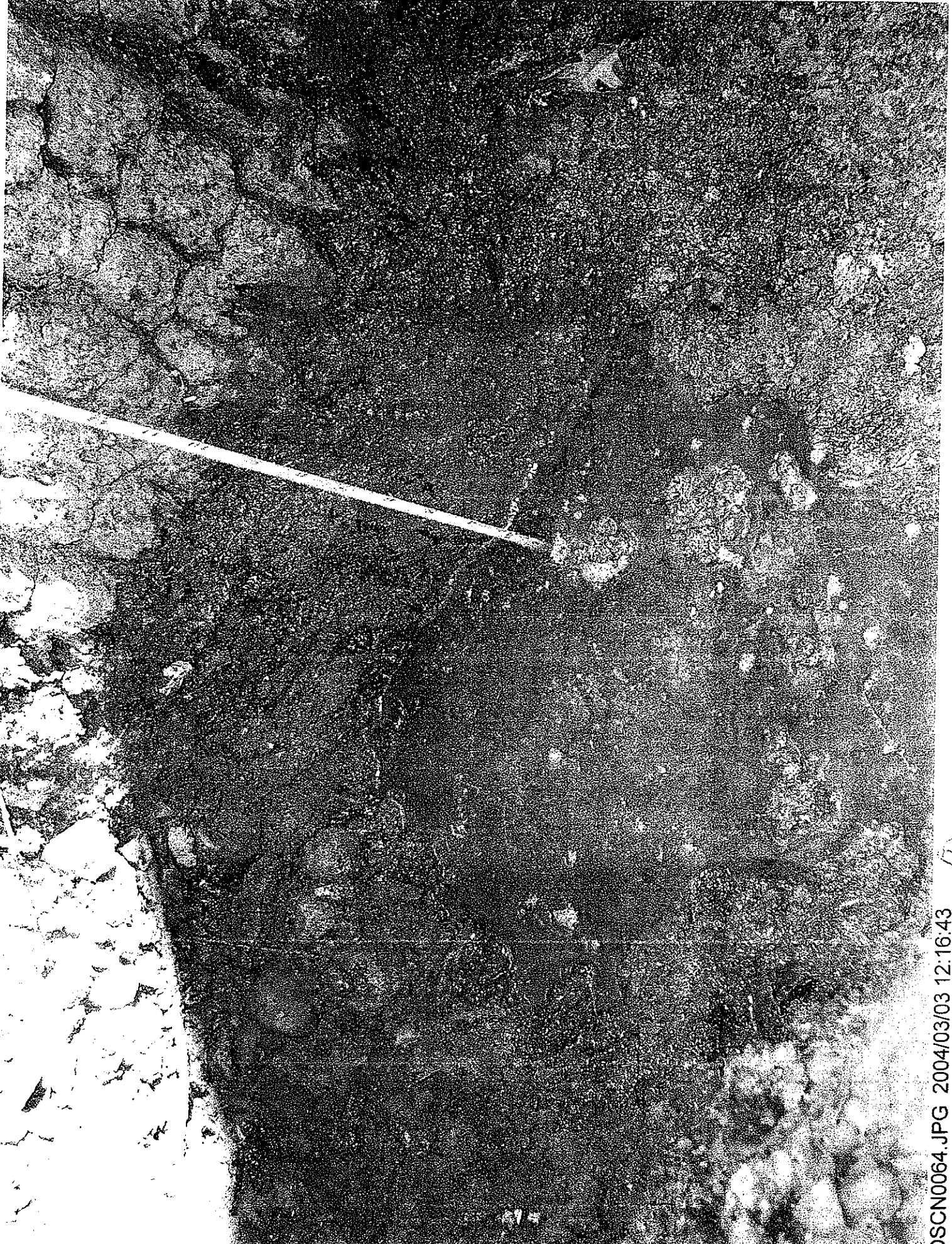
I am providing this report per your request regarding the condition of your white oak tree (*Quercus lobata*) located in your backyard. At the time of your home construction, a well was placed around the tree at a distance of approximately three to four feet from the main stem. Outside of the well, approximately four feet of fill soil was deposited. Drainage tiles were placed in radial configurations that were intended to provide gas exchange for the roots.

On 3-04-04, I removed soil next to the main stem attempting to determine the original grade inside the well. I came to the conclusion, approximately eight inches of soil was added in this area by digging until I discovered the root flair. Within minutes, the hole I excavated filled with water. Pictures #1 and #2 illustrate the amount excavated and the resulting water that filled the hole. Oak trees cannot withstand constant water in the soil column. The drainage tiles installed during construction are 10 inches above the current water level providing absolutely no benefit to the tree. I can only ascertain, the original grading provided improper drainage for the lot that is resulting in this ponding effect.

Additional damage to the tree was also noted. Pictures #3-#5 illustrate the improper pruning techniques performed on the tree. According to the International Society of Arboriculture, proper pruning requires pruning a limb back to a lateral branch at least one-third the diameter of the parent limb. This allows the secondary branch to assume dominance. This also allows for the formation of proper callous tissue to close the wound thereby preventing disease/decay. There are currently close to one dozen improper cuts that were made for home and yard clearance. The pictures also show some of the cuts are greater than six inches in diameter which requires a signed permit in the City of Paso Robles. Picture #6 illustrates probable tractor damage to one of the limbs during construction. There is also a broken limb approximately five inches in diameter that most likely is the result of tractor damage.

At this point in time, the tree appears to be approximately 50% dead. This was determined by observing the amount of live crown left on the tree. This tree will most likely not survive in its current condition unless the original grade is re-established under 70% of the drip-line with proper drainage provided and additional pruning is performed.

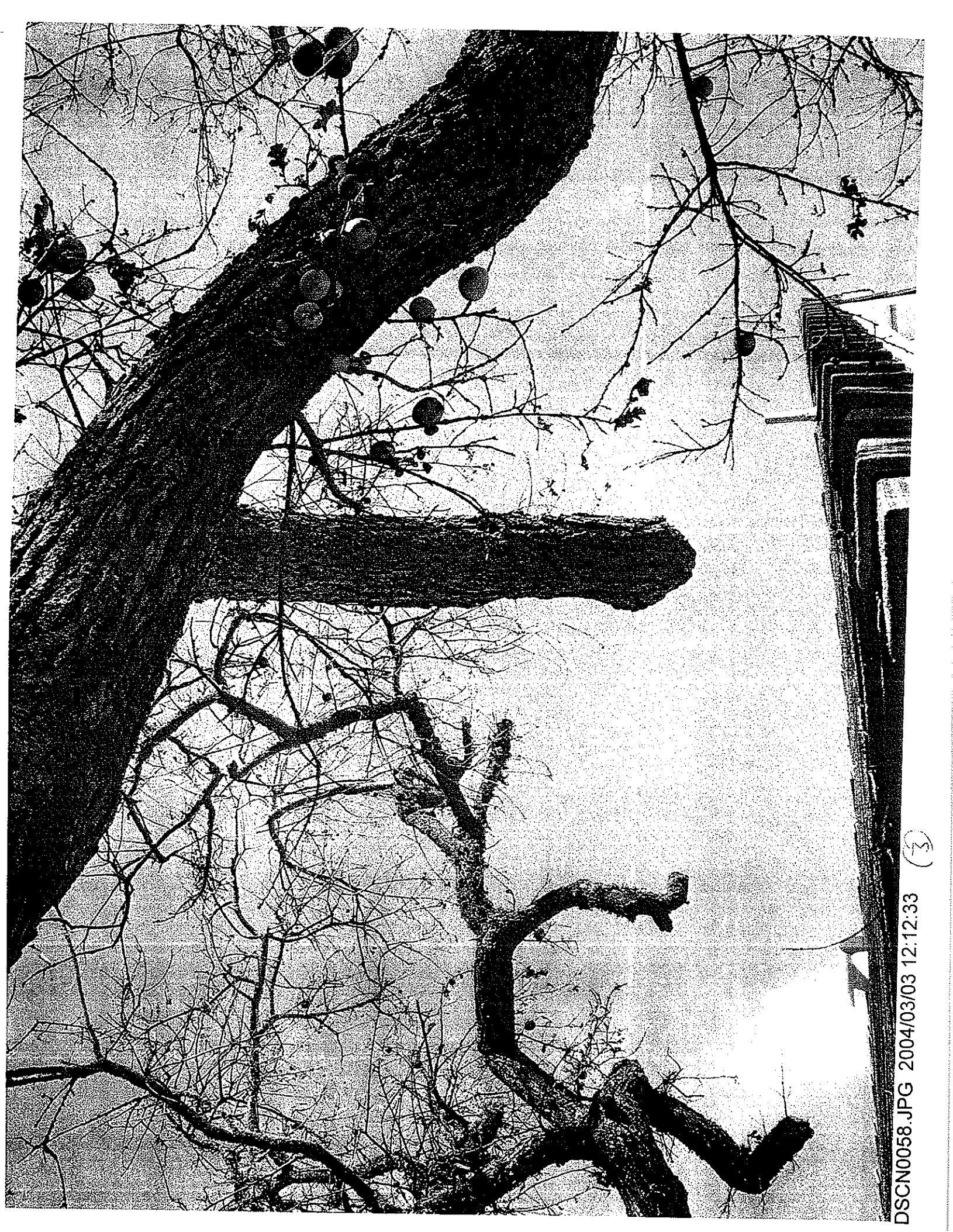
Chip Tamagni, Certified Arborist #WE-6436-A, Arbor Tree Surgery



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