

TO: JAMES L. APP, CITY MANAGER  
FROM: ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR  
SUBJECT: OTR 13-005 - REQUEST TO REMOVE FIVE OAK TREE AT 3328 SPRING STREET  
– RICK JEFFREY (UPTOWN CENTER)  
DATE: AUGUST 6, 2013

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Needs: For the City Council to consider a request by Rick Jeffrey to remove five oak trees in relation to the Uptown Center project.

- Facts
1. The site is located at 3328 Spring Street. Please see Vicinity Map (Attachment 1).
  2. There are five Coast Live Oak trees located on the site (Trees No. 1-5), that are all being requested to be removed. An Arborist Report has been provided (Attachment 3) which indicates that the trees are young and are growing into chain-link fence. Trees 1-4 are all multi-trunk, and are in the form of bushes rather than trees. Tree No. 5 is the largest of the trees and is multi-trunk tree that the Arborist indicates has structural issues.
  3. Planning Staff went out to the site to review the trees. Since all five trees show signs of growth the Director could not make the determination that the trees are "clearly dead or diseased beyond correction." Therefore, Section 10.01.050.C of the Oak Tree Ordinance would consider the trees "healthy" and require that the City Council make the determination of whether the tree should be removed or not, after consideration of the factors listed in Section 10.01.050.D.
  4. The Planning Commission discussed the oak tree removal request along with their review and approval of the Uptown Center project on July 9, 2013. The Commission recommended that the City Council approve the removal of the five trees.
  5. Mr. Jeffrey has indicated that he would be willing to pay the required replacement funds in to the City's Oak tree replacement fund. This would require payment for twelve (12) 1.5-inch diameter trees (\$200 per tree, for a total of \$2,400).

Analysis  
And

Conclusion: The Arborist Report prepared for this project indicates that Trees No. 1-4 are young trees that have grown within the existing chain link fence that has been on site for many years. Tree No. 5 is the largest of the trees and also has bush-like characteristics. It also has grown into the chain link fence and according to the Arborist Report, the crotch of the tree, where the multiple trunks come together is weak and in poor condition.

The trees are young trees that do not appear to have been cared for or pruned in the past. While the trees are healthy and could be designed around, given their location and low aesthetic value, the applicant is requesting that the trees be removed and replacement trees be planted in more useful focal areas and that can be used for shade. It is the City Council's discretion to determine if the trees warrant removal. If the Council does not approve removal, a condition of approval has been added to the PD resolution that would require the applicant to bring the project back to the DRC to demonstrate a redesign of the site plan to preserve the oak trees can be achieved.

It should be noted that in 2007 the City Council approved the removal of Tree No. 1, with a previous project proposed by Mr. Jeffrey on this site. The tree was located within the entrance driveway of the project on 34<sup>th</sup> Street, which is the same situation for this project.

Policy

Reference: Paso Robles Municipal Code Section 10.01.010 (Oak Tree Ordinance)

Fiscal

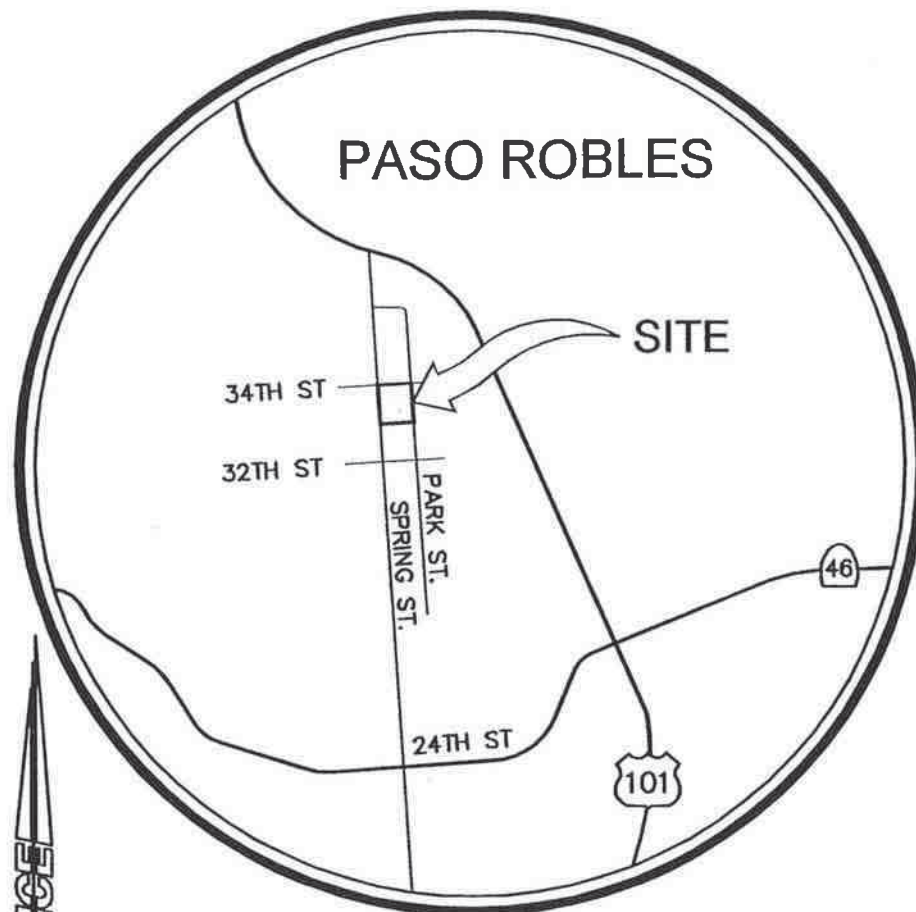
Impact: None.

Options:

- A. Adopt Resolution No. 13-xx approving OTR 13-005, allowing the removal of five Coast Live Oak Trees, in relation to the Uptown Center project, and require twelve (12) 1.5-inch diameter Coast Live Oak replacement trees, or the payment of \$2,400 into the City's oak tree replacement fund.
- B. Amend, modify or reject the above options.

Attachments:

- 1. Vicinity Map
- 2. Oak tree location map
- 3. Arborist Report
- 4. Resolution

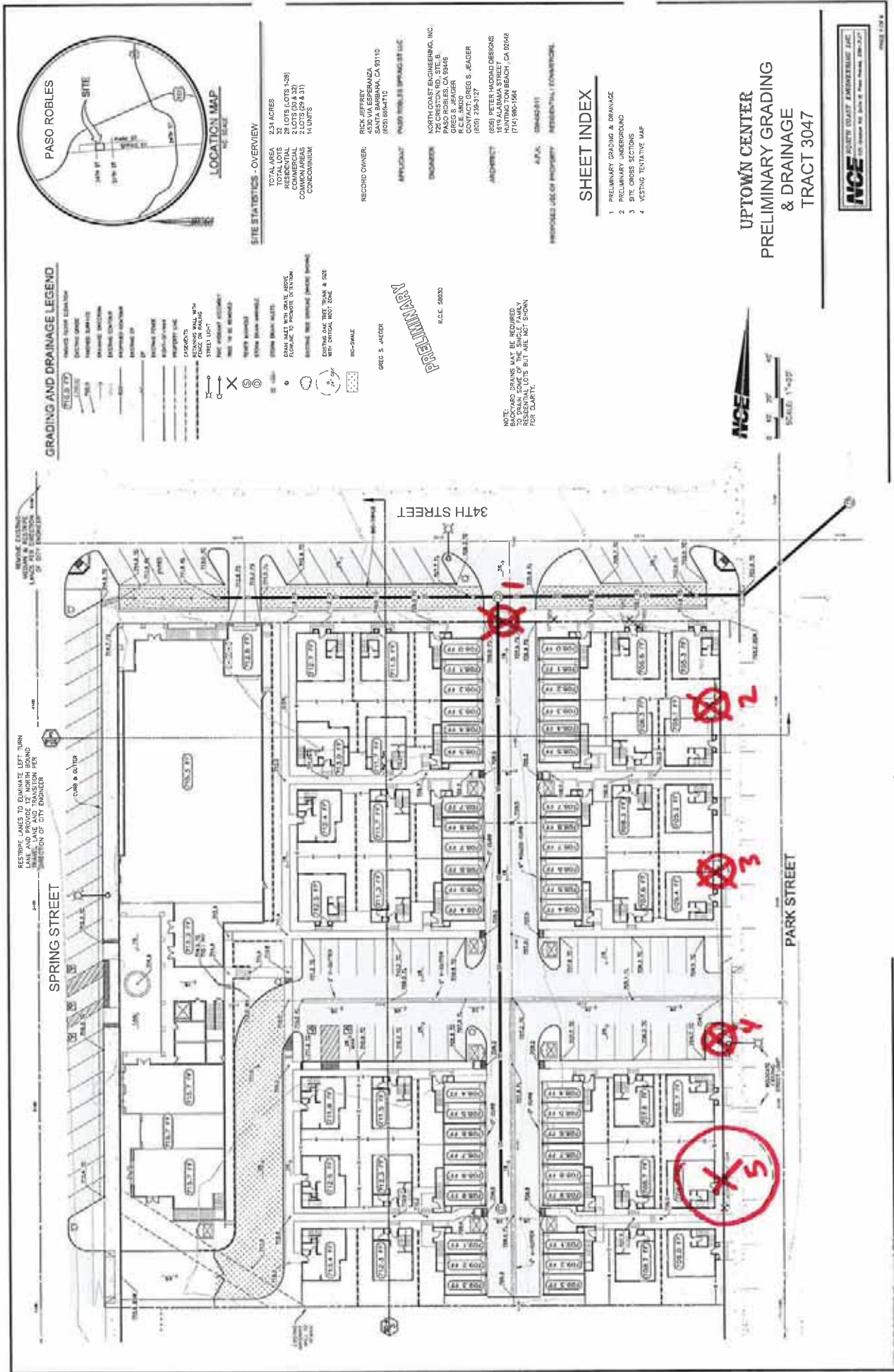


**LOCATION MAP**

NO SCALE

**Attachment 1  
Vicinity Map**

PD 13-001 & Tract 3047  
(Uptown Center)



**GRADING AND DRAINAGE LEGEND**

- 1. 1" = 10' GRADE
- 2. 1" = 10' UNDERGROUND
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- 100. 1" = 10' UNDERGROUND

**SITE STATISTICS - OVERVIEW**

TOTAL ACRES: 3.41  
 TOTAL LOTS: 32  
 28 LOTS LOTS 1-28)  
 2 LOTS (29 & 30)  
 2 LOTS (31 & 32)  
 CONDOMINIUM  
 14 UNITS

RECORD OWNER:  
 RICK JEFFREY  
 4300 VIA ESPERANZA  
 SANTA BARBARA, CA 93110  
 (805) 884-7710

APPLICANT:  
 PASEO ROBLES SPRING 88 LLC

DRAWN BY:  
 NORTH COAST ENGINEERING, INC.  
 10000 N. GARDEN STREET  
 PASO ROBLES, CA 93446  
 GREG S. JEFFREY  
 CONTACT: GREG S. JEFFREY  
 (805) 238-3127

PROJECT:  
 (605) PETER HADDAD DESIGNS  
 1819 ALABAMA STREET  
 PASO ROBLES, CA 93446  
 (714) 990-1581

A.P.A. (6042-011)  
 PROPOSED USE OF PROPERTY: RESIDENTIAL (CONDOMINIUM)

**SHEET INDEX**

1. PRELIMINARY GRADING & DRAINAGE
2. PRELIMINARY UNDERGROUND
3. SITE CROSS SECTIONS
4. TESTING TESTIMATE MAP



**UPTOWN CENTER  
 PRELIMINARY GRADING  
 & DRAINAGE  
 TRACT 3047**



**Attachment 2**  
 Oak Tree Location Plan  
 OTR 13-005  
 (Jeffrey)

# A & T ARBORISTS

P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131



5-2-13

Rick Jefferey  
Beachfront Construction  
Tract 3047, Paso Robles, CA

This report is in regard to five coast live oak trees (*Quercus agrifolia*) located on Tract 3047 (old Ford dealership) on Spring Street in Paso Robles. Included in this report are photographs and the city required removal form.

Four of the five trees are fairly young. They range in size from eight to 14 inches in diameter. All of these young trees have either major branches or the trunk growing through the cyclone fence that will definitely affect their growth later on. Often, smaller oaks of this size can be transplanted, however, we don't recommend it with the wire through the trees. The largest tree is located along Park Street at the south east corner of the property. This tree although 30 inches in diameter is probably no more that 35 years old. We have examined large coast live oaks over 72 inches in diameter at Oak Park nearby and they were not visible in old aerial photographs dated in 1942.

All five trees are being proposed for removal with the development of this property. 74 diameter inches are being proposed for removal. Per the Paso Robles Oak Tree Ordinance, a 25% replacement ratio is required. Therefore, 19 inches in replacement trees will need to be planted either on site or another approve property within city limits. Replacement trees are normally 24 inch box size with an approximate diameter of 1.5 inches each. This equals approximately 13 replacement trees. The other option is to donate funds equal to \$200.00 per replacement tree to the city for planting in city right of ways or parks.

Please feel free to call us with any questions

Chip Tamagni  
Certified Arborist #WE 6436-A

A handwritten signature in blue ink, appearing to read "CTA", located below the printed name and title of the arborist.



**Attachment 3**  
Arborist Report  
OTR 13-005

(Jeffrey)



TREE PROTECTION SPREAD SHEET

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE COND.	CONST. STATUS	CRZ % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	GAESTH. VALUE	FIELD NOTES	NS EW	LTSI H-M-L-N	USEFUL LIFE EXP.
1	LO	Q. agrif.	12	2	R	100%	GR	replace	NO		good	growing in fence			60
2	LO	Q. agrif.	10	2	R	100%	GR	replace	NO		good	growing in fence			60
3	LO	Q. agrif.	14	2	R	100%	GR	replace	NO		good	growing in fence			60
4	LO	Q. agrif.	8	2	R	100%	GR	replace	NO		good	growing in fence			60
5	LO	Q. agrif.	30	4	R	100%	GR	replace	NO		good	poor crotch			100
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9 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING, 16 = USEFUL LIFE EXPECTANCY

10 = ARBORIST MONITORING REQUIRED: YES/NO

11 = PERSCRIBED PRUNING: CLASS 1-4

12= AESTHETIC VALUE

13= FIELD NOTES

13= NORTH SOUTH/ EAST WEST CANOPY SPREAD

14= CANOPY SPREAD

15= LONG TERM SIGNIFICANT IMPACTS: HIGH, MEDIUM, LOW, NONE

1 = TREE #: MOSTLY CLOCKWISE FROM DUE NORTH

2 = TREE TYPE: COMMON NAME IE W.O = WHITE OAK

3= SCIENTIFIC NAME

4 = TRUNK DIAMETER @ 4'

5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT

6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL

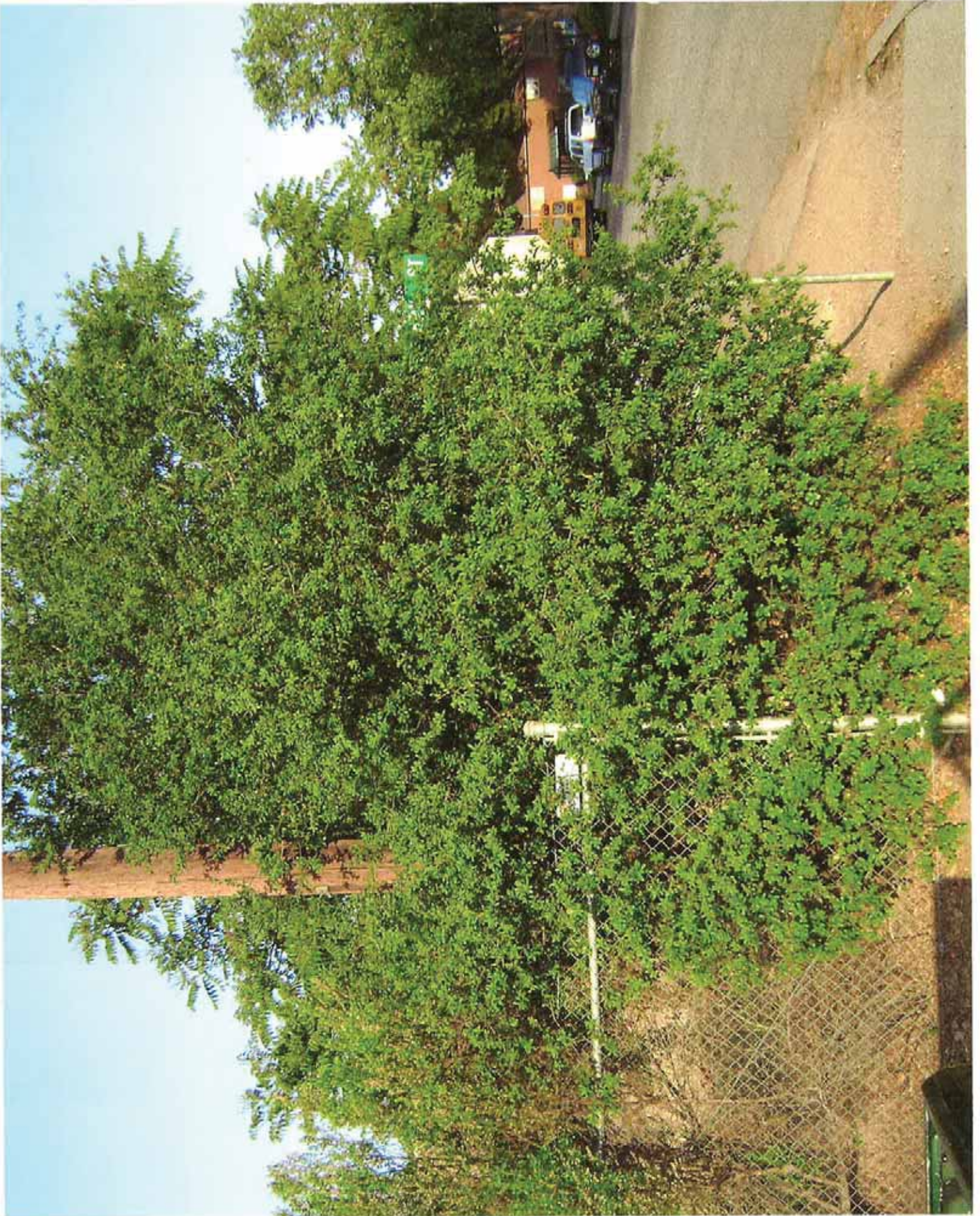
7 = CRZ: PERCENT OF IMPACTED CRITICAL ROOT ZONE

8= CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING, FILL



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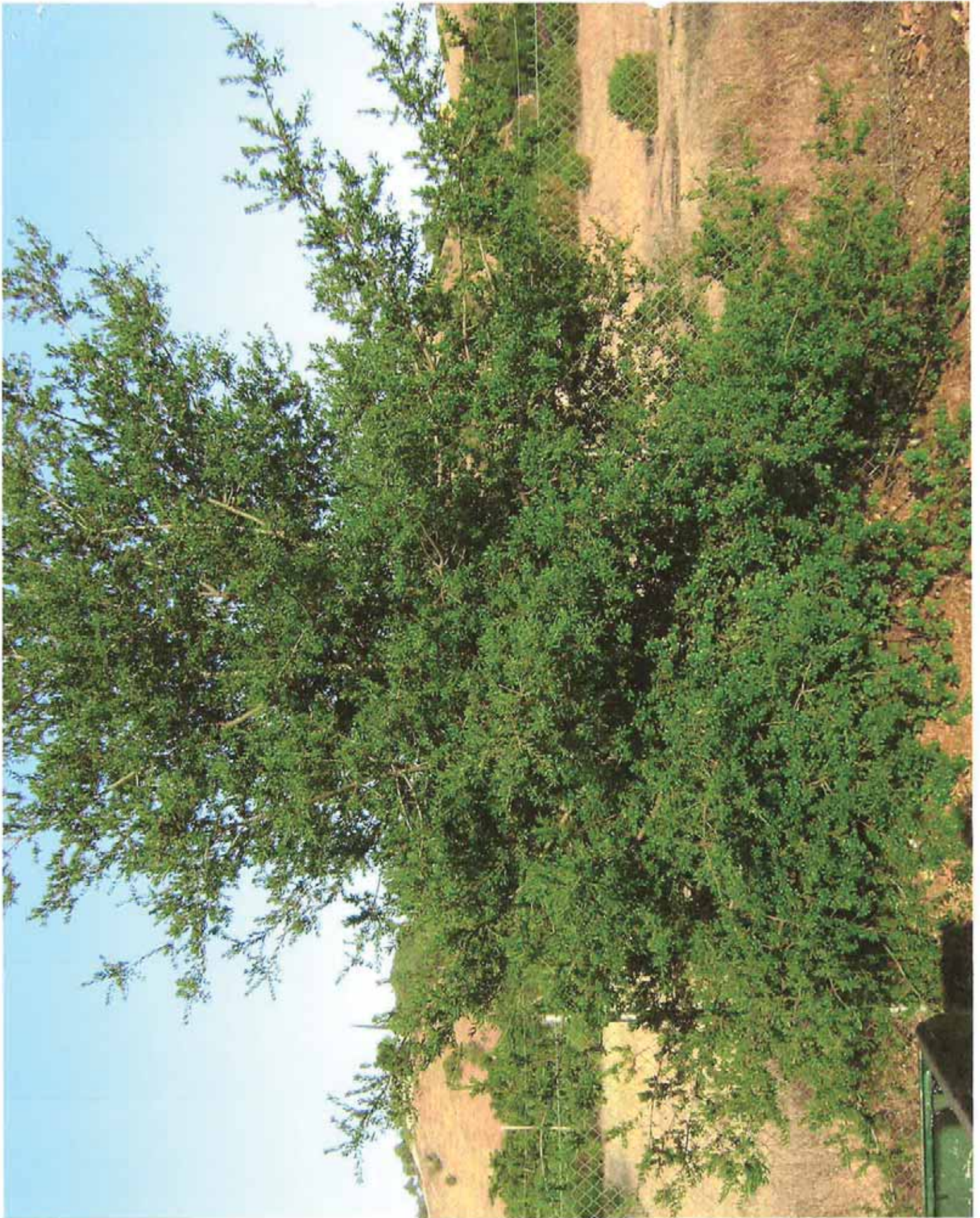
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5



RESOLUTION NO. 13-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
AUTHORIZING THE REMOVAL OF FIVE OAK TREES AT 3328 SPRING STREET  
(UPTOWN CENTER – RICK JEFFREY)

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WHEREAS, Rick Jeffrey has submitted a request to remove five Coast Live Oak trees in relation to the Uptown Center project located at 3328 Spring Street; and

WHEREAS, the Community Development Director could not make the determination that the tree is "clearly dead or diseased beyond correction," and therefore, Section 10.01.050.C of the Oak Tree Ordinance would consider the tree "healthy" and require that the City Council make the determination of whether the tree should be removed or not, after consideration of the factors listed in Section 10.01.050.D; and

WHEREAS, Chip Tamagni of A & T Arborists submitted an Arborist Report indicating that the trees are young, and have not been maintained in the past; and

WHEREAS, on July 9, 2013, with the review of the Uptown Center project, the Planning Commission recommended that the Council approve the removal of the five trees in order to accommodate the Uptown Center project.

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

1. Authorize the removal of five (5) Coast Live Oak trees based on the trees being in poor locations, having low aesthetic value, and allowing reasonable use of the property for the purpose in which it is zoned;
2. Require twelve (12) 1.5-inch diameter Coast Live Oak replacement trees, or the payment of \$2,400 into the City's oak tree replacement fund. Planting of the trees or payment into the fund is required prior to the issuance of the Permit for removal of the oak trees.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 6<sup>th</sup> day of August 2013 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Duane Picanco, Mayor

ATTEST:

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Caryn Jackson, Deputy City Clerk