



Council Agenda Report

From: Darren Nash, Associate Planner

Subject: OTR 16-004 - A request by Bruce Eisengart (property owner / applicant) to approve the removal of one 44-inch Valley Oak tree at 1803 Spring Street.

Date: October 4, 2016

Facts

1. The 44-inch Valley Oak tree is located on the former Hometown Nursery site located at 1803 Spring Street, see Vicinity Map (Attachment 1).
2. The site has not been occupied since the nursery was relocated from the site in 2007. The property is currently for sale.
3. There are a total of three large oak trees located on the site. The subject tree is a 44-inch Valley Oak. The two other oak trees on the site would remain. See site plan, Attachment 2.
4. Chip Tamagni of A&T Arborists provided a letter dated March 29, 2016, indicating that the tree is diseased, has a significant cavity, and concludes that the tree is hazardous and needs to be removed. See letter dated March 29, 2016 (Attachment 4, Exhibit A).
5. On June 2, 2016, staff met with Mr. Eisengart and Chip Tamagni on the site to inspect the tree. Chip Tamagni explained his concerns with the tree, focusing on the cavity in the trunk of the tree. Staff indicated that the tree in general appears to be a healthy and has good aesthetics. Chip Tamagni indicated that he could perform additional tests to see how much of the trunk was in decay and provide additional analysis.
6. On August 22, 2016, staff received the addendum to the Arborist Letter, which provided results of the micro drill testing that was done on the trunk to determine how much of the trunk was decayed. Chip Tamagni concludes that approximately 30-percent of the trunk is decayed. Mr. Tamagni indicates that it is possible that trimming could help the situation, although he concludes that the tree should be removed since there is likely additional decay in other areas of the tree. See letter dated July 10, 2016 (Attachment 4, Exhibit B).
7. Planning Staff inspected the site to review the trees. Since the trees has a full canopy and health leaf growth the 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.

Options

1. Refer the item back to staff for additional analysis of the tree's structural integrity.
2. Approve Draft Resolution A, denying the request to remove the oak tree based on findings.
3. Approve Draft Resolution B, approving OTR 16-004, allowing the removal of one 44-inch Valley Oak tree, based on the Arborist report that the tree is in poor condition, as indicated by the evidence of the cavity of decay in the tree trunk, and require seven (7) 1.5-inch diameter Valley Oak replacement trees to be planted on site, at the direction of the Arborist.
4. Amend the above options.

Analysis and Conclusions

Option 1:

Based on the tree's aesthetic quality and prominence along Spring St, it may be prudent to have additional testing performed to better evaluate the tree's condition. Additional testing would help to verify the level of hazard the tree presents. Testing with ultrasonic tomography, a process where the images are created of the internal structure of the tree to measure the tree density, could provide further evidence to help determine the structural integrity of the tree. Since the site is currently vacant, the tree does not pose an eminent risk at this time, allowing time for additional testing. Any testing or further review by an Arborist would be at the cost of the applicant. Ultrasonic testing would likely cost between \$2,500 and \$5,000.

Option 2:

The Arborist Report indicates that trimming is an option and that the percentage of decay is at or below the minimum ISA threshold of being an action/hazard tree. Since there is no development proposed at this time, a reasonable option seems to be to leave the tree on site and preform mitigation pruning. The tree can be reevaluated in the future in conjunction with a development plan for the site to determine whether the tree would need to be removed or not. This option would allow the 44-inch Valley oak that has significant aesthetic value, to remain on site until it can be re-evaluated with future development plans.

Option 3:

Council may determine that there is enough information to allow removal of the tree, based on the arborist report. On-site replacement trees would be required as mitigation to the tree removal.

Option 4:

Council may wish to approve an amended version of one of the options listed above.

Fiscal Impact

There is not a fiscal impact to the City related to this oak tree removal request. Any additional review by an Arborist or special testing would need to be funded by the applicant. Oak trees can provide value to a property, and be an aesthetic value to the City as a whole.

Recommendation

Option 1. Since there is not complete information regarding the hazard level of the tree additional testing is prudent.

Attachments

1. Vicinity Map/Oak Tree Location Plan
2. Photo of Tree
3. Resolution A - Denial of the removal of the tree
4. Resolution B - Approval the removal of the tree
 - a. March 29th – A&T Arborist Report – includes photos of cavity
 - b. July 10th – A&T Arborist Report (addendum)



18th St

Spring St



Attachment 1
Vicinity Map

Attachment 2
Tree Photo



RESOLUTION 16-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
DENYING THE REMOVAL OF ONE 44-INCH DIAMETER VALLEY OAK TREE
AT 1803 SPRING (OTR 16-004)
(EISENGART – HOMETOWN NURSERY)

WHEREAS, Bruce Eisengart has submitted a request to remove one oak tree, on the lot located at 1803 Spring Street; and

WHEREAS, the trees proposed to be removed is one 44-inch diameter Valley Oak; and

WHEREAS, the site has not been occupied since Hometown Nursery relocated from the site in 2007; the site is currently for sale; and

WHEREAS, the 44-inch diameter Valley Oak tree has a full canopy with health leaf growth, a high aesthetic quality and is prominently located along Spring St. in the center of Downtown; and

WHEREAS, Chip Tamagni, Arborist has provided information indicating that the tree trunk contains 30-percent decay through the trunk at the 4.5-foot level, and that there could be additional decay in other areas of the tree, and recommends that the tree be removed to prevent future hazard; and

WHEREAS, the Arborist Report also indicates that trimming is an option and that the percentage of decay is at or below the minimum ISA threshold of being an action/hazard tree; and

WHEREAS, since there is no development proposed at this time, a reasonable option seems to be to leave the tree on site until the tree can be further evaluated in the future in conjunction with a development plan for the site to determine whether the tree would need to be removed or not; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby deny the request to remove the 44-inch Valley oak tree located at 1803 Spring Street, since there does not appear to be sufficient information indicating that the tree is a significant hazard, and since there is no development proposed at this time, the tree can be re-evaluated at some point in the future in conjunction with a development plan for the site.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 10th day of June 2016 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Steven W. Martin, Mayor

Kristen L. Buxkemper, Deputy City Clerk

RESOLUTION 16-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AUTHORIZING THE REMOVAL OF ONE 44-INCH DIAMETER VALLEY OAK TREE
AT 1803 SPRING (OTR 16-004)
(EISENGART – HOMETOWN NURSERY)

WHEREAS, Bruce Eisengart has submitted a request to remove one oak tree, on the lot located at 1803 Spring Street; and

WHEREAS, the trees proposed to be removed is one 44-inch diameter Valley Oak; and

WHEREAS, the site has not been occupied since Hometown Nursery relocated from the site in 2007; the site is currently for sale; and

WHEREAS, Chip Tamagni, Arborist has provided information indicating that the tree trunk contains 30-percent decay through the trunk at the 4.5-foot level, and that there could be additional decay in other areas of the tree, and recommends that the tree be removed to prevent future hazard in Exhibit A and B; and

WHEREAS, if the tree is approved to be removed, there are two other oak trees on the lot that would be preserved; 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

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

1. Authorize the removal of the 44-inch Valley oak, based on the Arborist concluding that the tree is a hazard as a result of decay in 30% of the trunk area, as indicated in Exhibit A and B.
2. Require seven (7) 1.25-inch diameter oak tree replacement trees to be plated on site at the direction of the Arborist to mitigate the visual impact of the tree's removal.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 4th day of October 2016 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Steven W. Martin, Mayor

Kristen L. Buxkemper, Deputy City Clerk

Exhibits

- A. March 29th – A&T Arborist Report – includes photos of cavity
- B. July 10th – A&T Arborist Report (addendum)

Exhibit A



3-29-16

Bruce

Re: Old Hometown Nursery Valley Oak Tree

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APR 11 2016

City of Paso Robles
Community Development Dept.

This report is in regard to the diseased 44" valley oak (*Quercus lobata*) located at the old hometown nursery site in the 18th block of Spring Street. We inspected the trees on this property many years ago for potential development and this tree concerned us back then as far as safety is concerned. The tree has a significant cavity that encompasses well over the 30% cross sectional threshold that would dictate it as a hazard tree. The cavity is located at about four feet above the ground as seen in the photograph. There are two nesting holes that extend deep into the cavity. Concern is that this tree may fail at this location which would result in entire tree failure. This consequences could be catastrophic as a large portion of this tree extends over Spring Street. We strongly recommend removal at this point in time. Pruning at this point in time will not sufficiently reduce the hazard.

Please feel free to contact us with any questions

Chip Tamagni
Certified Arborist #WE 6436-A
California State Pest Control Advisor #75850
Certified Hazard Risk Assessor #1209
Cal Poly B.S. Forestry and Natural Resources Management



Notice the nesting holes at the upper left and top of the cavity.



This view is from the backside of the tree illustrating the cavity extends through the entire trunk.



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AUG 22 2016

City of Paso Robles
Community Development Dept.

7-10-16

Warren Frace, City of Paso Robles

Re: Old Hometown Nursery Valley Oak Tree

I revisited the site and drilled into the tree in various locations and angles through both areas of decay and found the following that corresponds to the diagram:

- When drilling from the north facing cavity, sound wood was reached at 8" drilling to the southwest, 9 inches to the south and I buried the 12" drill and hit no sound wood when drilling to the south/southeast.
- When drilling from the eastern cavity, sound wood was reached at 8" when drilling due west, no sound wood was reached when drilling to the northwest, and no sound wood was found when drilling to the south west.

From the diagram, it appears that there is at least 25-30% decay across the plane of the tree. Most likely, the decay extends to at least 30% which is the ISA threshold for action to the tree. That action could be trimming to reduce weight which may prevent failure at this time, however, that may be "kicking the can down the road" if the tree continues to decay. Furthermore, the test drilling was done in one plane at approximately 4.5 feet above the ground. There most likely are additional pockets of decay either above or below the testing area. The tree appears to be trying very hard to compartmentalize this decay by trying to close up the wounds which could have been a result of excess water throughout the years when the nursery was in operation.

Included is a diagram illustrating the approximate locations of the decay at the 4.5 foot level. We feel this tree is potentially hazardous and consideration should be given to removing this tree before it collapses onto Spring Street.

While this tree is an aesthetically important tree, it appears to be in a hazardous condition from the testing that we performed. Granted, it is a difficult decision to remove it, however, public safety has to take precedence in this situation.

Chip Tamagni

Certified Arborist #WE 6436-A

California State Pest Control Advisor #75850

Certified Hazard Risk Assessor #1209

Cal Poly B.S. Forestry and Natural Resources Management

Old Hometown Nursery Valley Oak

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AUG 22 2016

City of Paso Robles
Community Development Dept

