

RESOLUTION NO. 16-046

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES RECOMMENDING
THE CITY COUNCIL APPROVE OAK TREE REMOVAL 16-003
36TH & OAK STREETS
(JIM WEBB)
APN: 008-031-029, 030 & 033**

WHEREAS, Planned Development 16-001 has been submitted by Warren Hamrick, Architect, on behalf of Jim Webb, requesting to construct a 10-unit apartment complex; and

WHEREAS, the project is located at the southeast corner Oak Street at 36th Street; and

WHEREAS, in conjunction with PD 16-001, the applicants have submitted an application for OTR 16-003, requesting to remove two oak trees located within the 36th Street right of way; and

WHEREAS, the Arborist Report has been prepared by Henry Curtis, Arborist, which indicates that the two trees are in extremely poor condition as a result of several years of pruning for clearance from the overhead utility lines; 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, a public hearing was conducted by the Planning Commission on June 14, 2016, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed development plan; and

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

1. Authorize the removal of Tree 2 (11-inch Live Oak) and Tree 3 (12-inch Live Oak) based on the trees being in poor health, as indicated in the Arborist Report, attached as Exhibit A;
2. Require four (4) 1.5-inch diameter oak replacement trees to be planted at the direction of the Arborist, or the necessary funds donated to the City's Oak Tree Replacement Fund.

PASSED AND ADOPTED THIS 14th day of June, 2016 by the following roll call vote:

AYES: Commissioners Barth, Donaldson, Rollins, Brennan, Burgett and Agredano

NOES:

ABSENT: Commissioner Davis

ABSTAIN:



BOB ROLLINS, CHAIRMAN

ATTEST:



WARREN FRACE, PLANNING COMMISSION SECRETARY