

PARKS AND RECREATION COMMISSION QUESTIONS

November 3, 2021 MEETING

Item 5.1 – Heritage Tree Appeal 1610 Yale Drive

1. The application for the tree removal refers to an appendix and diagram but this was not included in the Commission packet. Could you provide that so we can review in advance of the meeting?

The appendix refers to a letter the owners sent along with a basic plan of the proposed layout of the new bedrooms and addition to the home. These are attached and image C.2 will also be included in the presentation.

2. What is the procedure when a resident wants to take out a heritage tree in order to do construction? Is there a conversation between the resident and Planning about alternative locations or additions?

Generally a homeowner will either request a removal of a heritage tree in advance of a planned project or they submit their plan set directly to building under the plan check process.

1. *If a homeowner is aware that their project will impact a heritage tree and apply for its removal early on before submitting to planning and their request is based on conforming use, staff will request that they supply a plan showing the footprint / basic plan of the project in relation to the property lines etc. so staff can assess the impact to any trees. (i.e. if the tree is in the foot print of the addition or maybe the foundation would severely impact the stability of the tree.) Staff would also provide feedback on the quality of the tree and if the tree is a very nice specimen staff would suggest changes to allow for the retention of the tree, noting the potential for an appeal. If the tree warranted consideration on its condition that would be noted in the posting reasons for removal in addition to conforming use. Through recent discussions among staff, in these circumstances moving forward, there will be an additional note on applications indicating that any tree approved based on necessity for removal based on a planned project will only be authorized for removal after the project has been submitted and approved by planning. An initial/early review by Forestry staff in these circumstances, allows for certain conditions to be identified in the field early in the project planning process and can reduce the number of submittals needed through the planning review process.*
2. *A homeowner may also submit their project plans directly to the Planning Division. Forestry staff started reviewing all submitted plans as part of the plan review process for single family projects about two years ago. Staff review the project to see if it will impact any heritage trees on the property or even on a neighboring property. Staff may deny the plan based on impacts to heritage tree(s) and suggest changes to allow the retention of the tree, staff may advise they submit an application for a heritage tree removal or that they hire an arborist to review the trees and potential impacts on their or their neighbor's tree(s). Staff would also suggest entering a discussion with the neighbor if it looked like their project would impact an offsite tree.*

3. Does the City or Planning Department have a published/written definition that it employs for the term "Conforming Use"?

The finding for removal being recommended for this application is "the necessity of the removal of the heritage tree in order to construct improvements and/or allow reasonable and conforming use of the property when compared to similarly situated properties." The City does not have a published definition for conforming use, but in general this term means a use or development which is in conformance with the applicable land use regulations of the Zoning Ordinance.

Other Questions Received:

1. Can staff provide information about number of trees removed from medians on Central Expressway, and reasons for taking them out?

Around 2014 several trees were removed for the VTA light rail project that crossed through Central Expressway for the overhead wires and warning gates. Around 7 trees were removed. There were approximately 5 Redwood trees that had to be removed in 2019 near Whisman because they had died. Any other removals over time would have been based on either being hit by vehicles, storm damage leaving a compromised tree, the tree being dead or major limb failures.

2. What mitigation measures were taken following removal of the large heritage tree at the corner of California and Castro?

Forestry staff followed up with the property manager and owner shortly after the removal. The owner paid the in-lieu fee rather than replanting. The heritage tree application is currently being changed and will have a new section to confirm the owner's commitment for replacement by the property owner prior to any removal(s) taking place. Staff made efforts and even offered to plant a tree for them but they are not interested at this time. Staff will continue to follow-up with the owner.

As the Community Tree Master Plan is updated, the Forestry Division's policies and procedures are being reviewed. This review will take place with other City departments including Community Development (Building/Planning Divisions), Public Works and City Attorney's Office.

4/7/2021

To: CITY OF MOUNTAIN VIEW, FORESTRY DIVISION
231 NORTH WHISMAN ROAD
POST OFFICE BOX 7540
MOUNTAIN VIEW, CA 94039-7540

From: Anne Brizgys
1610 Yale Drive
Mountain View, CA 94040

Dear City of Mountain View,

I am writing to you to gain approval for the removal of a heritage tree. We seek approval for this removal of this tree because we have outgrown our house yet we wish to stay in the neighborhood. The tree is preventing our expansion, and are seeking approval due to the love for this community, the changing life and work circumstances caused by the pandemic, and our desire to remain in this home and community for decades to follow.

We have lived in our home for over 10 years, I was born at El Camino Hospital over 35 years ago, and my parents moved to Mountain View 52 years ago. We have been ingrained in this community for decades. Our neighborhood has gotten us through the pandemic. The sense of community is unlike anything I have ever experienced. To give you an example, during Christmas the neighborhood parents were looking at ways to make things special for our children while maintaining social distancing guidelines. A neighbor streamed the Nutcracker on her garage door. We bundled the kids up and served hot cocoa. It was magical. My husband started a pro bono social distant youth soccer team during the pandemic when children were most isolated and struggling, it has over 20 neighborhood kids attending weekly. We want to remain in this community, and continue to improve the neighborhood.

This last year has been extremely challenging for everyone. My husband and I work full time from home and our children have been doing virtual school for the majority of this year. We have 3 children ages 8, 6 and 5. We have moved all 3 kids into one bedroom and turned the other bedroom into their learning space. While schools may open next year, both our jobs have opted for remote/work from home indefinitely. I currently work in the garage and I'm either sweating or freezing. While we know in many ways we are extremely blessed, this current work and school space will not allow for either myself nor my husband to thrive in our jobs, causing extreme anxiety of an untold future.

Our homes have become our schools, our workspaces, our gyms, movie theaters, and community centers. We are seeking approval to utilize the property we own and add an office and bedroom to the front setback within a budget we can afford. To do so, we will need to remove the heritage tree directly in the center of our front yard setbacks. While we do not take this removal lightly, we believe it is a fair use of our land, and will improve the neighborhood. As you will see in the appendix, we have drawn up plans that will require this removal as well as included all surrounding lots that have used this set back to its fullest.

We ask that you approve this heritage removal. We see this more as a replacement - we plan on replanting 3+ native trees to provide shade, decarbonization, and scenery to our yard. We will not only build a home that allows our children and work to thrive, but also enable us to continue to be strong active members of our neighborhood and community.

Thank you for your consideration.

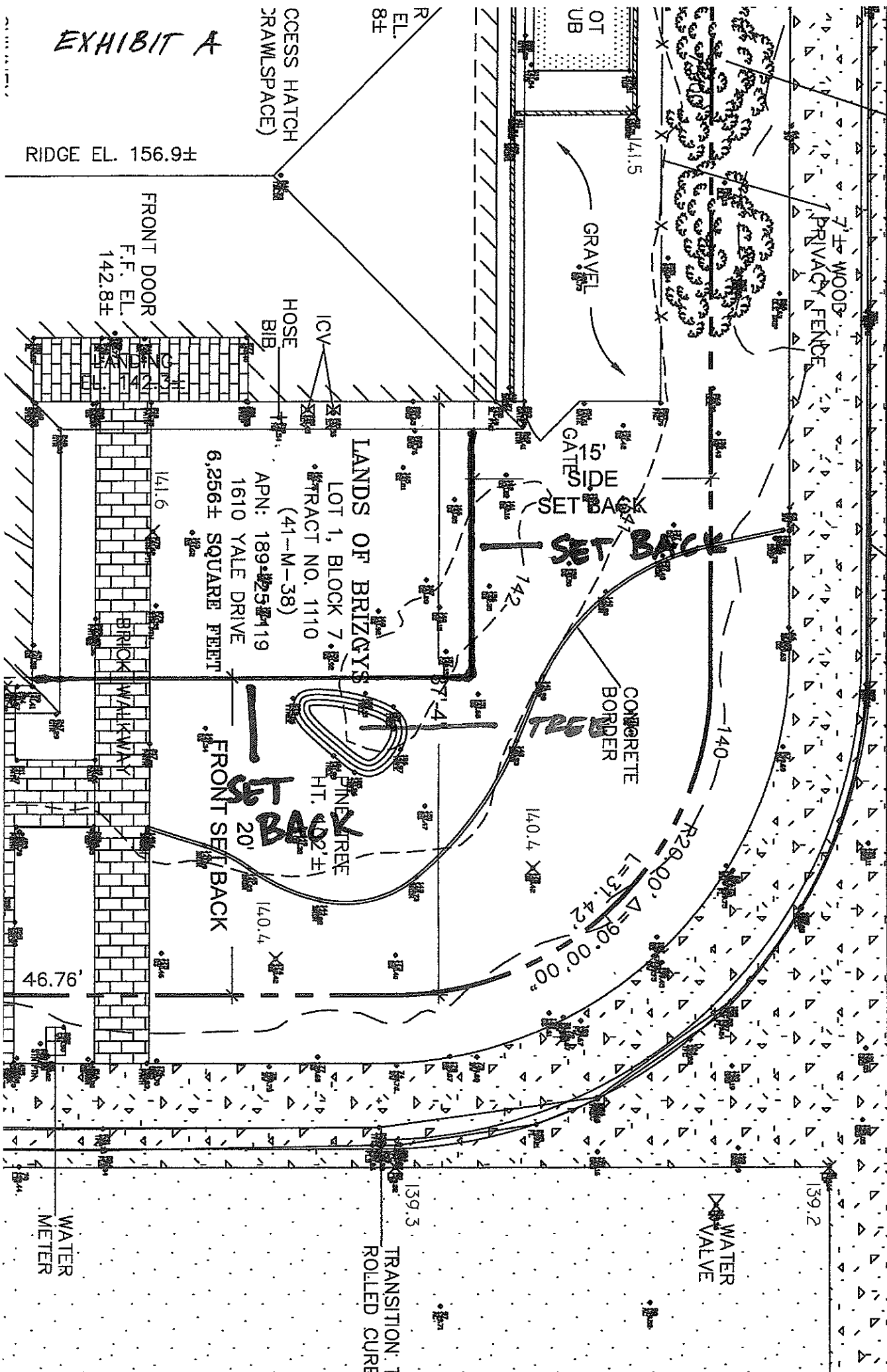
Best,

Anne Brizgys

Exhibits Attached

- **Exhibit A: Land Survey with property setbacks, and tree location. (Zoomed in)**
 - Setbacks highlighted in Blue
 - Source: quiet River Surveying
- **Exhibit B: Land Survey with property setbacks, and tree location. (Zoomed out)**
 - Proposed Add On highlighted in red
- **Exhibit C.1: Building plans for ~600 square foot addition**
 - Layout only
- **Exhibit C.2: Building plans for ~600 square foot addition**
 - Add on highlighted in Yellow
 - Tree location marked in Red
- **Exhibit D: All Similar Property Size lots w/in 3 blocks with remodel additions and max 20' setbacks**
 - 1610 Yale Drive Marked in Red
 - Front set back additions marked in Yellow
 - 22 of 54 similar size lots on Notre Dame, Columbia, and Yale have leveraged the max front set back (41% of lots)

EXHIBIT A



RIDGE EL. 156.9±

FRONT DOOR
F.F. EL.
142.8±

ACCESS HATCH
(CRAWLSPACE)

R. EL. 8±

GRAVEL

7± WOOD
1 PRIVACY FENCE

OLEANDER
BUSHES.

CONCRETE
CURB

LANDS OF BRIZGYS
LOT 1, BLOCK 7.
TRACT NO. 1110
(41-M-38)

APN: 189-25-119
1610 YALE DRIVE
6,256± SQUARE FEET

15' SIDE
GATE

SET BACK
SET BACK

CONCRETE
BORDER

SET BACK
FRONT SET BACK
20'

PINE TREE
HT. 22±

WATER
VALVE

TRANSITION ROLLED CURB

WATER
METER

ANDREA COSTANZO
650.419.9045
www.AndreaCostanzo.com

BRIZGYS RESIDENCE
1610 YALE
MOUNTAIN VIEW, CA

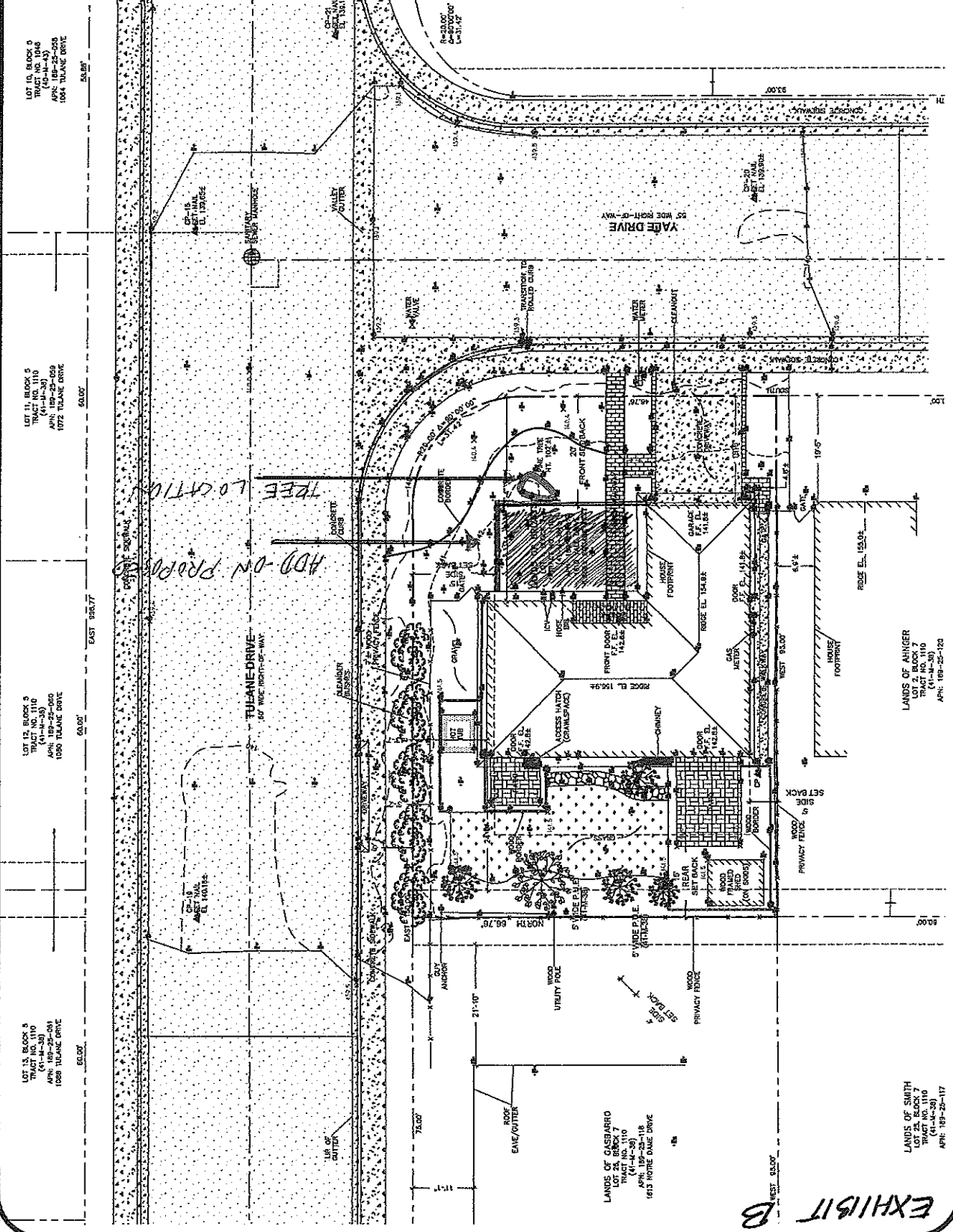
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. THIS INFORMATION IS UNCLASSIFIED DATE 02/27/21 BY 60327/21 PERMIT

Drawn by:
ANDREA COSTANZO
DATE: 02/27/21
ISSUED FOR:
PERMIT

Sheet:
SITE PLAN

Scale as shown

A-2
OF



LOT 10, BLOCK 0
TRACT NO. 1098
(41-14-33)
APNs: 189-25-009
1084 TULANE DRIVE

LOT 11, BLOCK 5
TRACT NO. 1100
(41-14-33)
APNs: 189-25-059
1072 TULANE DRIVE

LOT 12, BLOCK 5
TRACT NO. 1101
(41-14-33)
APNs: 189-25-060
1058 TULANE DRIVE

LOT 13, BLOCK 5
TRACT NO. 1102
(41-14-33)
APNs: 189-25-061
1058 TULANE DRIVE

LANDS OF GASTABRO
LOT 2A, BLOCK 7
TRACT NO. 1110
(41-14-33)
APNs: 189-25-118
1613 NOTRE DAME DRIVE

LANDS OF ANHIGER
LOT 2, BLOCK 7
TRACT NO. 1110
(41-14-33)
APNs: 189-25-120

EXHIBIT B

EXHIBIT C.1

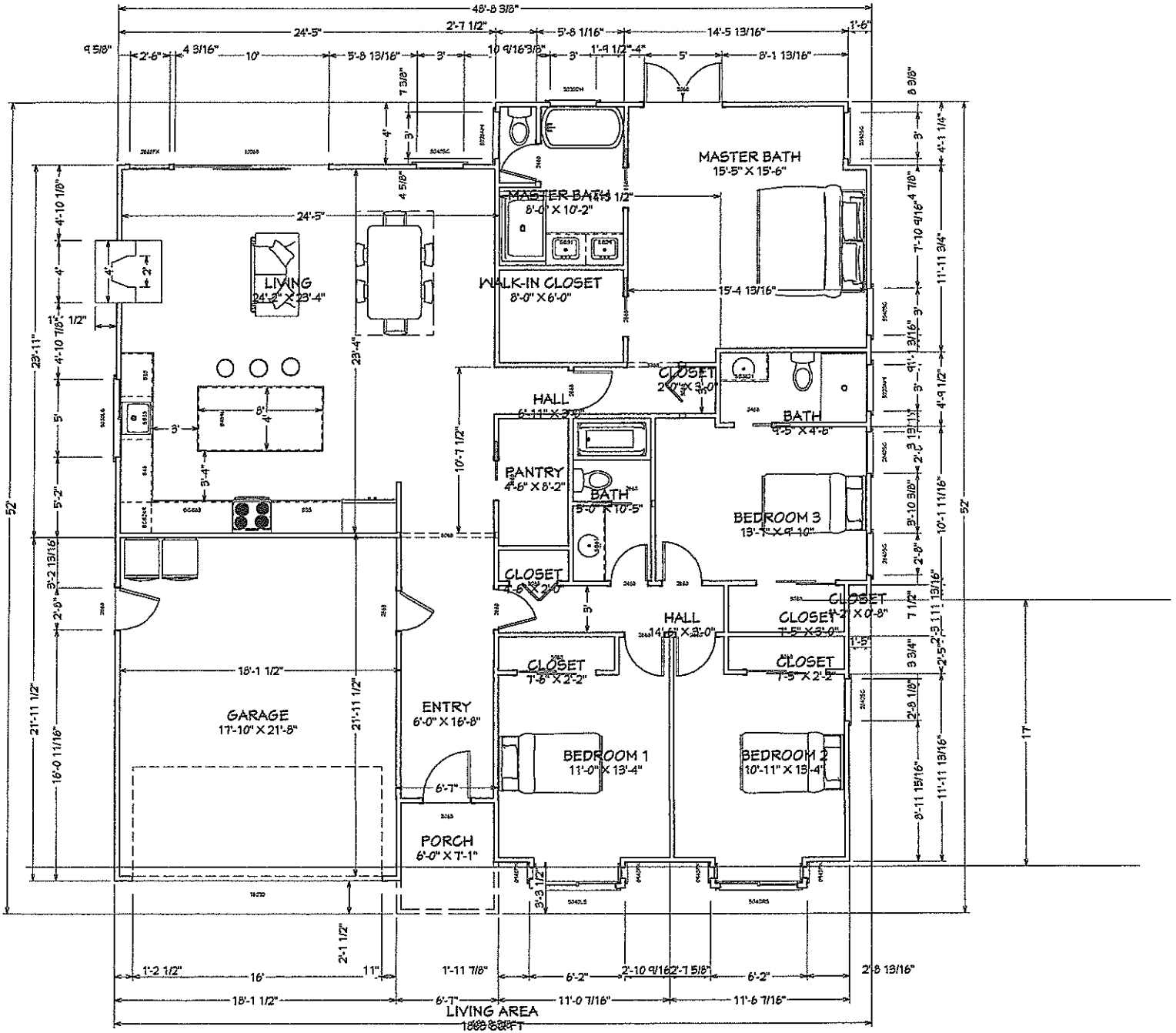
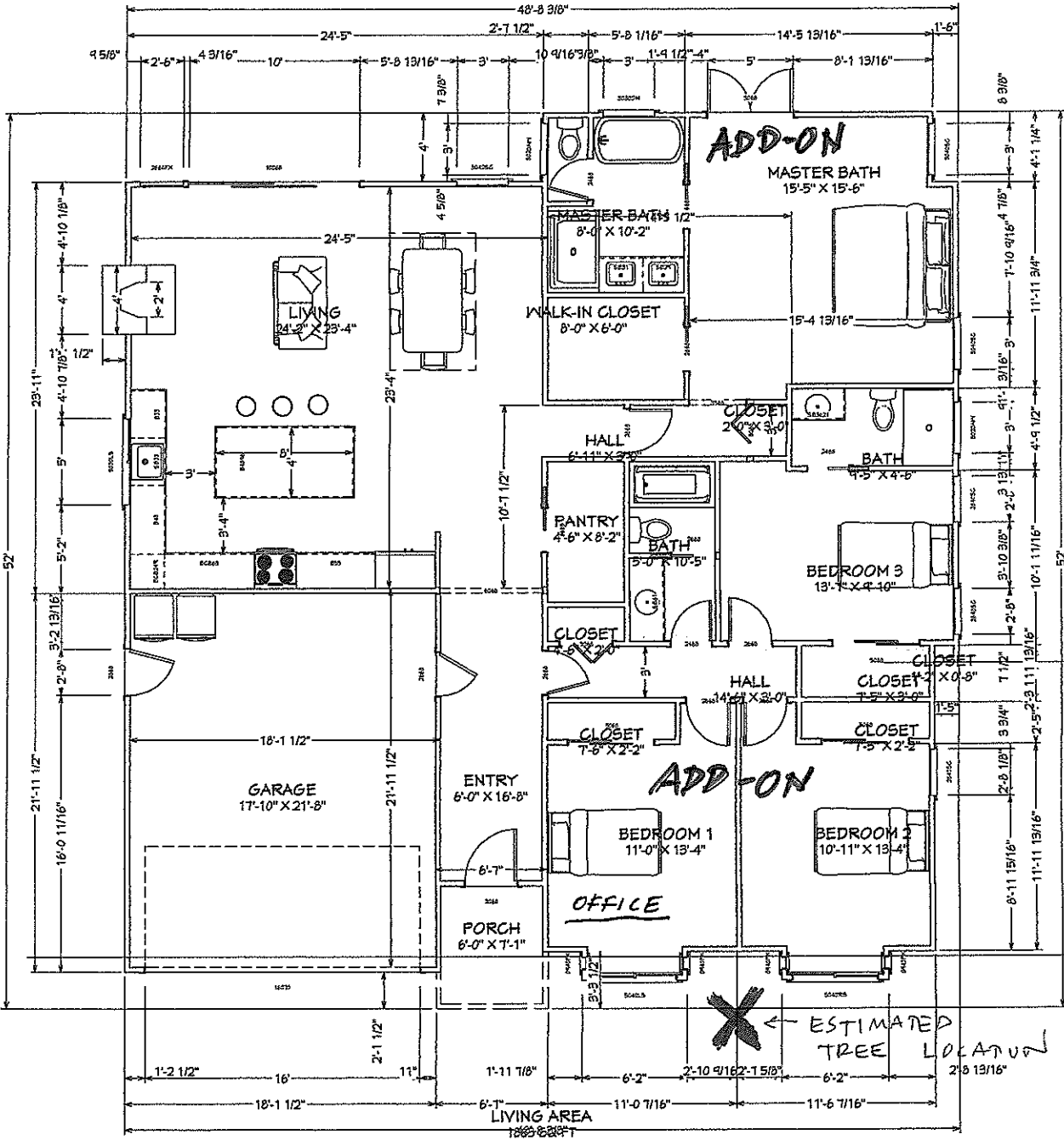


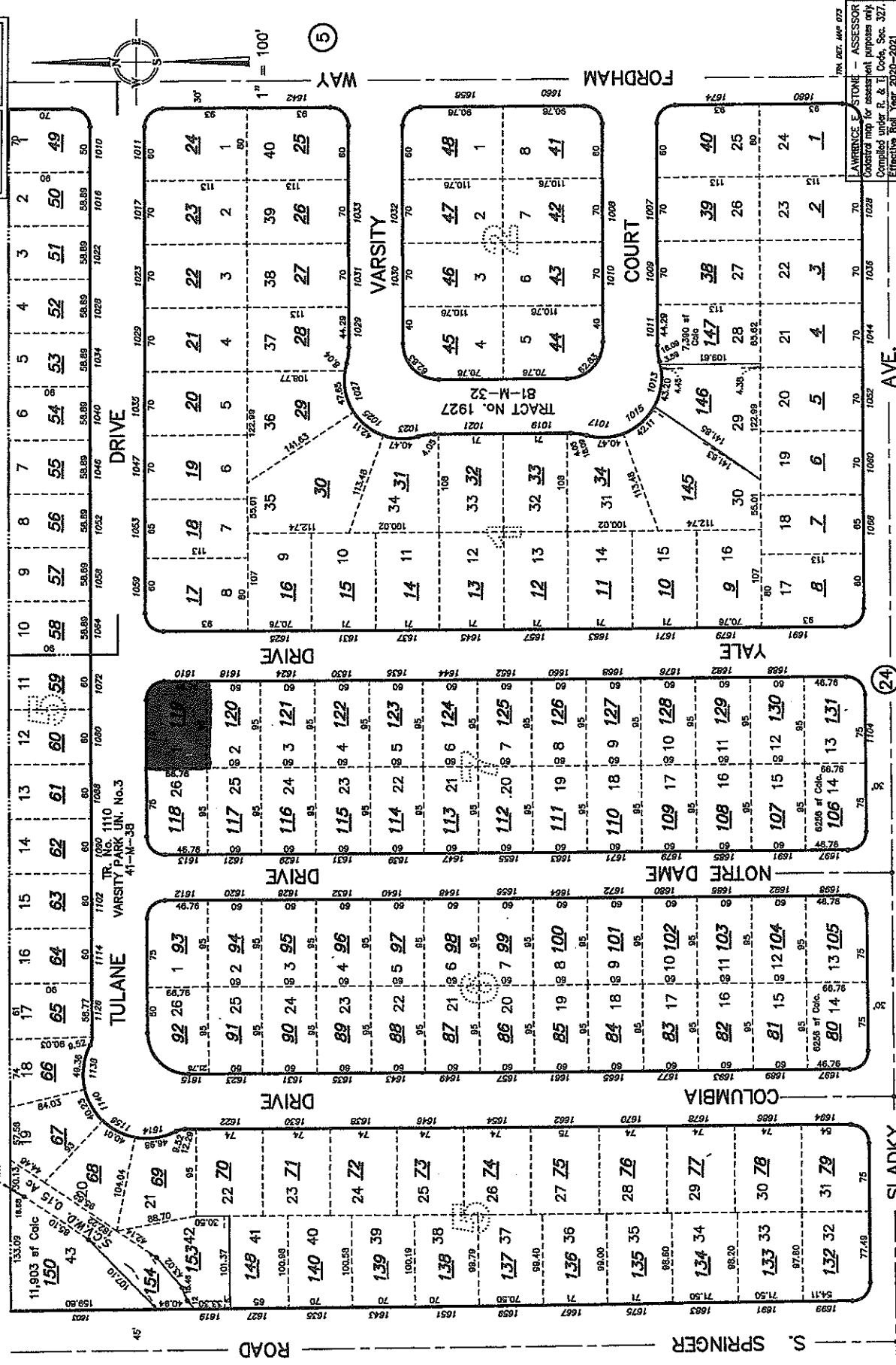
EXHIBIT C.2



TULANE

FRONT

YALE



LAURENCE E. STONER — ASSESSOR
 Certified Map for assessment purposes only
 Compiled under R. & J. Cook, Soc. 327.
 Effective Real Year 2020-2021
 P.M. REF. MAP 075

EX. 41817 D



CITY OF MOUNTAIN VIEW

Community Services Department - Parks & Forestry Division
231 N Whisman Rd • Mountain View • California • 94043
650-903-6326 • www.mountainview.gov

PARKS & FORESTRY PAYMENT RECEIPT

DATE 5/25/21
CASHIER NG PHONE 6273

HERITAGE TREE APPLICATION

ACCOUNT-OBJECT: 234010 42755 CASH RECEIPT CODE: HTAPPL

AMOUNT \$ 116 ADDRESS 1610 YALE DR

CASH CHECK CREDIT CARD
262 FASD RECEIPT # _____
CARD HOLDER NAME _____

HERITAGE TREE RESTITUTION / IN LIEU FEE

ACCOUNT-OBJECT: 234010 41599 CASH RECEIPT CODE: HTREST

AMOUNT \$ _____ ADDRESS _____

CASH CHECK CREDIT CARD
FASD RECEIPT # _____
CARD HOLDER NAME _____

Parks Staff: *Place check here and make 3 copies: 1 for customer, 1 for Parks, 1 for FASD.*