CITY OF MOUNTAIN VIEW

MEMORANDUM

Community Services Department

DATE: February 14, 2018

TO: Urban Forestry Board

FROM: Jakob Trconic, Parks Section Manager

SUBJECT: **Heritage Tree Appeal—99 Eldora Drive**

RECOMMENDATION

Deny the appeal and allow three redwood trees and one palm tree to be removed.

FISCAL IMPACT—None.

BACKGROUND

Article II, Protection of the Urban Forest, Sections 32.22 through 32.38 of the City Code, was established to preserve large trees within the City which are growing on private or public lands. The preservation program contributes to the welfare and aesthetics of the community and retains the great historical and environmental value of these trees. The Parks and Open Space Manager, under the authority granted in the Code to the Community Service Director, has been designated as the enforcement agent in this matter. Under the Code, there are specific criteria for removal. The determination on each application is based upon a minimum of one of the following conditions. The decision maker shall consider additional criteria, if applicable, in weighing the decision to remove a Heritage tree, with the emphasis on the intent to preserve Heritage trees.

1. The condition of the tree with respect to age of the tree relative to the life span of that particular species, disease, infestation, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, and interference with utility services.

2. 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 other similarly situated properties.

3. The nature and qualities of the tree as a Heritage tree, including its maturity, its aesthetic qualities such as its canopy, its shape and structure, its majestic stature, and its visual impact on the neighborhood.

4. Good forestry practices such as, but not limited to, the number of healthy trees a given parcel of land will support and the planned removal of any tree nearing the end of its life cycle and the replacement of young trees to enhance the overall health of the urban forest.

5. Balancing Criteria: In addition to the criteria referenced above which may support removal, the decision maker shall also balance the request for removal against the following which may support or mitigate against removal:

   A. The topography of land and effect of the requested removal on erosion, soil retention, water retention, and diversion or increased flow of surface waters.

   B. The effect of the requested removal on the remaining number, species, size, and location of existing trees on the site and in the area.

   C. The effect of the requested removal with regard to shade, noise buffers, protection from wind damage and air pollution, and the effect upon the historic value and scenic beauty and the health, safety, prosperity, and general welfare of the area and the City as a whole.

Also within the Code Section 32.31, an appeals process has been included that states:

> "Any person aggrieved or affected by a decision on a requested removal may appeal the decision by filing a written notice of appeal with the city clerk stating the grounds for the appeal, and paying the requisite appeal fee, as established by council resolution, within ten (10) calendar days after the notice of the decision is posted or mailed."

HERITAGE TREE REMOVAL REQUEST

An application submitted by Philip Walters to remove three Heritage-sized *Sequoia sempervirens* (Coast redwood) trees and one *Washingtonia filifera* (California fan palm) was received on November 21, 2017. The criteria for removal was listed in the comment section for the palm was conforming use and for the redwoods, conforming use and good forestry. The boxes were checked for: Necessity to remove the tree(s) to construct improvements and good forestry. A decision to approve the removal of the redwoods and the California fan palm was posted on December 8, 2017.

An appeal was filed on December 14, 2017 for the trees by Debora Olenev. The appeal letter states: "I am protesting this is because the very large Redwood Tree across the street was cut down and there will only be one large tree remaining on Eldora. The letter questions the reasoning for the decision because the telephone and electrical poles are on the other side of the street. The question is asked about moving pipes to resolve any issues verses the need to remove trees. Repaving would seem to be a solution for the cracks and lifting in the driveway." It concludes with a desire to retain trees because they do not have a voice.

ANALYSIS

When evaluating Heritage Tree Removal Applications, staff looks to see if the reason(s) for removal on the application match what is observed in the field. If the reason(s) meet the criteria, staff looks to see if issue(s) regarding the tree can be reasonably mitigated. Based on inspection and evaluation of the redwood trees and the palm tree, the appeal should be denied.

Sequoia sempervirens **(Coast redwood)**

- Coast redwoods typical native range is a narrow strip of land approximately 470 miles in length and 5 to 47 miles in width along the Pacific coast of North America; the most southerly grove is in Monterey County, California, and the most northerly groves are in extreme southwestern Oregon. They usually grow in the mountains where precipitation from the incoming moisture off the ocean is greater. Coalescence of coastal fog accounts for a considerable part of the trees' water needs. It is an evergreen, long-lived, monoecious tree living 1,200 to 1,800 years or more in its native areas. Trees grown in an urban environment do not attain the same size and height as trees in their native ranges. Staff estimates the redwood trees to be around 40 years old and the tallest leader to be around 75' tall.

- The trees were likely installed originally to provide screening between the neighboring properties driveways. Redwoods are often planted because they are fast growers and can provide a quick screen. The application was submitted for three redwood trees but they are basically two codominant stemmed trees. The trees likely were cut, physically damaged, or damaged by frost at some point in the past and they regrew from a standard single leader redwood to their present state as trees with codominant leaders. The codominant stems are problematic because the location between the two leaders forms a weak attachment. The areas between the leaders have included bark and have a high angle of attachment. These two factors can contribute to a high potential for failure because as the

weight and size of the trunks increase, they put further stress on the reduced strength of the holding wood at the site of inclusion.

- The trees have grown to a size that the base of the trees are causing the lifting of the driveway verses a specific root or roots that are doing the lifting. This is important because root pruning to mitigate current or future damage is not feasible because it is the root plate that is causing the lifting. Redwoods are often placed in locations where their eventual size outgrows the planting space. Staff would advise against shaving the root plate to achieve a depth to pour a new driveway because this could be detrimental to tree health and would likely result in regrowth of shoots and new roots that would likely damage a new driveway in two to three years. The root plate is also lifting the surrounding soil and has changed the grade so that water now flows towards the corner of the garage instead of away from the structure as it should. This is bad from standard grading practices because water should move away from the foundation of the home.

- The trees are planted directly over the PG&E gas service line to the home. In the event the service line to the home were to have an issue with a leak, it would be very difficult to reestablish service to the home because of the location of the redwood trees.

- The City has a streetlight pole near the edge of the sidewalk and the trees are impacting the light with the canopy continually growing and blocking the light and the effects of the growing root plate and the potential negative effects on the base of the pole and wiring. This is another factor in the location being inappropriate for the eventual size of the trees.

- The appeal letter referenced the loss of another large redwood tree across the street. This work was performed by PG&E based on the proximity of the tree to the overhead high voltage wiring. The tree had to be removed based on their clearance requirements. This tree was also unfortunately planted in an inappropriate location for its inevitable size.

Washingtonia filifera **(California fan palm)**

- California fan palm are native to California to Arizona. They are typically found in desert settings in their native range and grow near springs or other locations with adequate moisture levels. They typically grow to 60′ tall and have a canopy that can reach approximately 20′ wide. Trees in their native range can live for 500 years but in an urban setting 100 to 150 years would be more likely. Staff estimates this California palm to be approximately 50 years old.

- The tree appears to be in poor health with a thin and drooping canopy.

- The tree was planted in close proximity to the driveway and over the course of time has grown out into the driveway and is impeding the garage access. Currently, the tree is growing over the concrete on the pathway to the home and has reached the edge of the circular cutout that was provided in the last driveway repour that occurred some time in the past to provide room for the trunk to expand.

SUMMARY

Staff is of the opinion that the redwoods should be allowed to be removed due to the high potential for failure in the codominant stems, the location of the gas service line under the trees, and the negative impacts on the grading next to the garage. The palm tree is blocking the driveway access and is in poor health. Staff recommends that the appeal be denied and the trees be allowed to be removed.

JT/7/CSD
221-02-14-18M-E

Attachment: 1. Appeal Packet

cc: F/c

99 ELDORA DRIVE
REDWOODS (3) & PALM (1)

HERITAGE TREE APPEAL NOTICE

The decision to approve the removal of these Heritage Trees has been appealed. An appeal shall automatically stay issuance or denial of the Heritage Tree Notice to remove or deny removal of the tree(s) identified on the notice (Mountain View City Code Section 32.31). An appeal hearing has been set before the Urban Forestry Board for **Wednesday, FEBRUARY 14, 2018, 7:00 p.m.,** at the Senior Center, 266 Escuela Avenue, Mountain View, California. For information regarding the appeal, please contact the Forestry Division Office at 650-903-6273.

This notice shall be posted until a final decision has been rendered.

Posted By

1/31/18
Date

City of Mountain View
Forestry Division
231 North Whisman Road
P.O. Box 7540
Mountain View, CA 94039-7540

PK-16 (1/96)

CITY OF MOUNTAIN VIEW

OFFICE OF THE CITY CLERK

Miscellaneous Fee Collection Schedule

Name: Deborah Olenev Date: 12/14/17

Address: 59 Paul Ave Mtn View, CA

ACCOUNT

020012-42715	Sales of maps, pamphlets, codes, ordinances, charters, publications, Precise Plans, agendas, minutes, Council reports, copies, faxes (DOCFEE)	
020012-42799	99 EL DORA DR. Redwood #1,2,3 & Palm tree #4 Heritage Tree Appeal (TREEAP)	$200.00
020012-42715	Sales of City Code and Code Supplements Subscription (CTYSUB)	
710100-22150	Elections – Deposit for Printing of Candidate's Statement (CANDST)	
020038-42715	Elections – Precinct Maps (ELCMAP)	
020103-4364?	Sales of City Souvenirs (SOUVEN)	
	1 – CDD (ZONEPP)	
	(	
	ental Fee (CCATFN)	
	tore)	
	SUBTOTAL	$200.00
	TAX	
	TOTAL	$200.00

PAID
DEC 14 2017
CITY OF MOUNTAIN VIEW
FINANCE & ADMIN SERVICES DEPT

the Finance and Administrative Services
ated receipt to the City Clerk's Office.

Receipt No.: 472926

12/14/17 472881 10,000.00

City Of Mountain View

Date: 12/14/17 TS /TS14/CD1
Time: 16:14:49 Receipt No: 472926

Account No: DEBORAH OLENEV

Beginning Balance	0.00
HERITAGE TREE APPEAL	-200.00
Ending Balance	-200.00
CHECK Amount	200.00
Payment	200.00
Change	0.00

99 EL DORA DR

Thank You And Have A Nice Day

CITY OF MOUNTAIN VIEW

COMMUNITY SERVICES DEPARTMENT • FORESTRY AND ROADWAY LANDSCAPE DIVISION
231 North Whisman Road • Post Office Box 7540 • Mountain View, CA 94039-7540 • 650-903-6273 • FAX 650-961-6290

HERITAGE TREE REMOVAL

ACTION PENDING

Location: 99 ELDORA DR.

Property Owner: MR. PHILIP WALTERS

Type of Tree: REDWOOD (Tree #1)

Upon the completion of a field inspection, Forestry Division staff has determined that the request to have the tree/trees removed be:

X APPROVED **_ DENIED**

The following reason(s) are cited in rendering this decision:

CONDITION OF TREE: Restricted root zone; utility interference; co-dominant stems; included bark

Any person wishing to appeal this action must file an appeal (Fee $50) with the City Clerk's Office, 500 Castro Street, Mountain View, by 5:00 p.m., December 20, 2017 as outlined in Section 32.31 of the City of Mountain View City Code.

For further information regarding this Heritage Tree Removal Notice, contact the Forestry Division Office at (650) 903-6273

Date Posted: December 8, 2017

Jakob Trconic, Parks Section Manager

Deborah Olenev CCH RSHom (NA)
Homeopathy for Health
59 Paul Avenue
Mountain View, CA 94041
650-569-6219
olenev@att.net
www.homeopathyforhealth.net

#1

December 14, 2017

City of Mountain View
Forestry Dept.

Dear Sirs,
I am writing this letter to protest the cutting down of three Redwood Trees and one Palm Tree at 99 Eldora in Mountain View.

The reason I am protesting this is that the very large Redwood Tree across the street was just cut down. If this grove goes, there will only be one large tree remaining on Eldora.

Also I feel very sad for the trees and for the community. During the fifteen years I have lived at 59 Paul Avenue, I have seen so many of the big trees taken down in the neighborhood.

I know every time a good reason is presented. This time the reason is that it interferes with the root zone and that there is utility interference. The telephone and electrical poles are on the other side of the street, not on the side of the street where these trees are.

As far as root zone interference, I would like to find out if every other possibility or recourse has been taken to solve this problem. Can pipes be moved?

I know another excuse for cutting down the trees is that the roots rise up and ruin the pavement. Okay then let's repave.

If we regard the neighborhood trees as though they were members of our own family would we treat them the way we are treating them. Wouldn't we go out of our way to help insure their right to life?

CITY OF MOUNTAIN VIEW

COMMUNITY SERVICES DEPARTMENT • FORESTRY AND ROADWAY LANDSCAPE DIVISION
231 North Whisman Road • Post Office Box 7540 • Mountain View, CA 94039-7540 • 650-903-6273 • FAX 650-961-6290

HERITAGE TREE REMOVAL

ACTION PENDING

Location: 99 ELDORA DR.

Property Owner: MR. PHILIP WALTERS

Type of Tree: REDWOOD (Tree #2)

Upon the completion of a field inspection, Forestry Division staff has determined that the request to have the tree/trees removed be:

X APPROVED **_ DENIED**

The following reason(s) are cited in rendering this decision:

CONDITION OF TREE: Restricted root zone; utility interference; co-dominant stems; included bark

Any person wishing to appeal this action must file an appeal (Fee $50) with the City Clerk's Office, 500 Castro Street, Mountain View, by 5:00 p.m., December 20, 2017 as outlined in Section 32.31 of the City of Mountain View City Code.

For further information regarding this Heritage Tree Removal Notice, contact the Forestry Division Office at (650) 903-6273

Date Posted: December 8, 2017

Jakob Trconic, Parks Section Manager

Deborah Olenev CCH RSHom (NA)
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olenev@att.net
www.homeopathyforhealth.net

#2

December 14, 2017

City of Mountain View
Forestry Dept.

Dear Sirs,
I am writing this letter to protest the cutting down of three Redwood Trees and one Palm Tree at 99 Eldora in Mountain View.

The reason I am protesting this is that the very large Redwood Tree across the street was just cut down. If this grove goes, there will only be one large tree remaining on Eldora.

Also I feel very sad for the trees and for the community. During the fifteen years I have lived at 59 Paul Avenue, I have seen so many of the big trees taken down in the neighborhood.

I know every time a good reason is presented. This time the reason is that it interferes with the root zone and that there is utility interference. The telephone and electrical poles are on the other side of the street, not on the side of the street where these trees are.

As far as root zone interference, I would like to find out if every other possibility or recourse has been taken to solve this problem. Can pipes be moved?

I know another excuse for cutting down the trees is that the roots rise up and ruin the pavement. Okay then let's repave.

If we regard the neighborhood trees as though they were members of our own family would we treat them the way we are treating them. Wouldn't we go out of our way to help insure their right to life?

CITY OF MOUNTAIN VIEW

COMMUNITY SERVICES DEPARTMENT • FORESTRY AND ROADWAY LANDSCAPE DIVISION
231 North Whisman Road • Post Office Box 7540 • Mountain View, CA 94039-7540 • 650-903-6273 • FAX 650-961-6290

HERITAGE TREE REMOVAL ACTION PENDING

Location: 99 ELDORA DR.

Property Owner: MR. PHILIP WALTERS

Type of Tree: REDWOOD (Tree #3)

Upon the completion of a field inspection, Forestry Division staff has determined that the request to have the tree/trees removed be:

X APPROVED **_ DENIED**

The following reason(s) are cited in rendering this decision:

CONDITION OF TREE: Restricted root zone; utility interference; co-dominant stems; included bark

Any person wishing to appeal this action must file an appeal (Fee $50) with the City Clerk's Office, 500 Castro Street, Mountain View, by 5:00 p.m., December 20, 2017 as outlined in Section 32.31 of the City of Mountain View City Code.

For further information regarding this Heritage Tree Removal Notice, contact the Forestry Division Office at (650) 903-6273

Date Posted: December 8, 2017

Jakob Trcodic, Parks Section Manager

Deborah Olenev CCH RSHom (NA)
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#3

December 14, 2017

City of Mountain View
Forestry Dept.

Dear Sirs,
I am writing this letter to protest the cutting down of three Redwood Trees and one Palm Tree at 99 Eldora in Mountain View.

The reason I am protesting this is that the very large Redwood Tree across the street was just cut down. If this grove goes, there will only be one large tree remaining on Eldora.

Also I feel very sad for the trees and for the community. During the fifteen years I have lived at 59 Paul Avenue, I have seen so many of the big trees taken down in the neighborhood.

I know every time a good reason is presented. This time the reason is that it interferes with the root zone and that there is utility interference. The telephone and electrical poles are on the other side of the street, not on the side of the street where these trees are.

As far as root zone interference, I would like to find out if every other possibility or recourse has been taken to solve this problem. Can pipes be moved?

I know another excuse for cutting down the trees is that the roots rise up and ruin the pavement. Okay then let's repave.

If we regard the neighborhood trees as though they were members of our own family would we treat them the way we are treating them. Wouldn't we go out of our way to help insure their right to life?

CITY OF MOUNTAIN VIEW
COMMUNITY SERVICES DEPARTMENT • FORESTRY AND ROADWAY LANDSCAPE DIVISION
231 North Whisman Road • Post Office Box 7540 • Mountain View, CA 94039-7540 • 650-903-6273 • FAX 650-961-6290

HERITAGE TREE REMOVAL ACTION PENDING

Location: 99 ELDORA DR.

Property Owner: MR. PHILIP WALTERS

Type of Tree: PALM (Tree #4)

Upon the completion of a field inspection, Forestry Division staff has determined that the request to have the tree/trees removed be:

X APPROVED **_ DENIED**

The following reason(s) are cited in rendering this decision:

CONDITION OF TREE: Conforming use for driveway; restricted root zone

Any person wishing to appeal this action must file an appeal (Fee $50) with the City Clerk's Office, 500 Castro Street, Mountain View, by 5:00 p.m., December 20, 2017 as outlined in Section 32.31 of the City of Mountain View City Code.

For further information regarding this Heritage Tree Removal Notice, contact the Forestry Division Office at (650) 903-6273

Date Posted: December 8, 2017

Jakob Trconic, Parks Section Manager

Deborah Olenev CCH RSHom (NA)
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59 Paul Avenue
Mountain View, CA 94041
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olenev@att.net
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#4 - Palm Tree

December 14, 2017

City of Mountain View
Forestry Dept.

Dear Sirs,
I am writing this letter to protest the cutting down of three Redwood Trees and one Palm Tree at 99 Eldora in Mountain View.

The reason I am protesting this is that the very large Redwood Tree across the street was just cut down. If this grove goes, there will only be one large tree remaining on Eldora.

Also I feel very sad for the trees and for the community. During the fifteen years I have lived at 59 Paul Avenue, I have seen so many of the big trees taken down in the neighborhood.

I know every time a good reason is presented. This time the reason is that it interferes with the root zone and that there is utility interference. The telephone and electrical poles are on the other side of the street, not on the side of the street where these trees are.

As far as root zone interference, I would like to find out if every other possibility or recourse has been taken to solve this problem. Can pipes be moved?

I know another excuse for cutting down the trees is that the roots rise up and ruin the pavement. Okay then let's repave.

If we regard the neighborhood trees as though they were members of our own family would we treat them the way we are treating them. Wouldn't we go out of our way to help insure their right to life?

CITY OF MOUNTAIN VIEW, FORESTRY DIVISION
231 NORTH WHISMAN ROAD
POST OFFICE BOX 7540
MOUNTAIN VIEW, CA 94039-7540
650-903-6273 M-F 8:00 A.M. - 4:00 P.M.

(Fee $116; each additional tree at the same site $58)

APPLICATION FOR HERITAGE TREE REMOVAL PERMIT

The undersigned owner of the property at 99 Eldora Drive

Phone No. (Home) 650-248-8729 (Work) _____

hereby applies for permission to remove Heritage tree(s) as follows:

Common Name of Tree 3 REDWOOD & 1 PALM Number of Trees 4

Circumference of tree 54" above ground: 65", 65", 74" REDWOODS, 84" PALM

REASON FOR REMOVAL: Check applicable box(es) below. There may be more than one reason.

Comments: PALM, CONFORMING USE, REDWOODS CONFORMING USE & GOOD FORESTRY.

☐ The condition of tree with respect to age of the tree relative to the life span of that particular species, disease, infestation, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures and interference with utility services.

RECEIVED
NOV 21 2017

☒ 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 other similarly situated properties.

☐ The nature and qualities of the tree as a Heritage tree, including its maturity, its aesthetic qualities such as its canopy, its shape and structure, its majestic stature and its visual impact on the neighborhood.

☒ Good forestry practices such as, but not limited to, the number of healthy trees a given parcel of land will support and the planned removal of any tree nearing the end of its life cycle and the replacement of young trees to enhance the overall health of the urban forest.

☐ **BALANCING CRITERIA.** In addition to the criteria referenced above which may support removal, the decision-maker shall also balance the request for removal against the following which may support or mitigate against removal:

- ☐ The topography of land and effect of the requested removal on erosion, soil retention, water retention, and diversion or increased flow of surface waters.
- ☐ The effect of the requested removal on the remaining number, species, size, and location of existing trees on the site and in the area.
- ☐ The effect of the requested removal with regard to shade, noise buffers, protection from wind damage and air pollution, and the effect upon the historic value and scenic beauty and the health, safety, prosperity, and general welfare of the area and the City as a whole.

OWNER'S PRINTED NAME Philip Walters

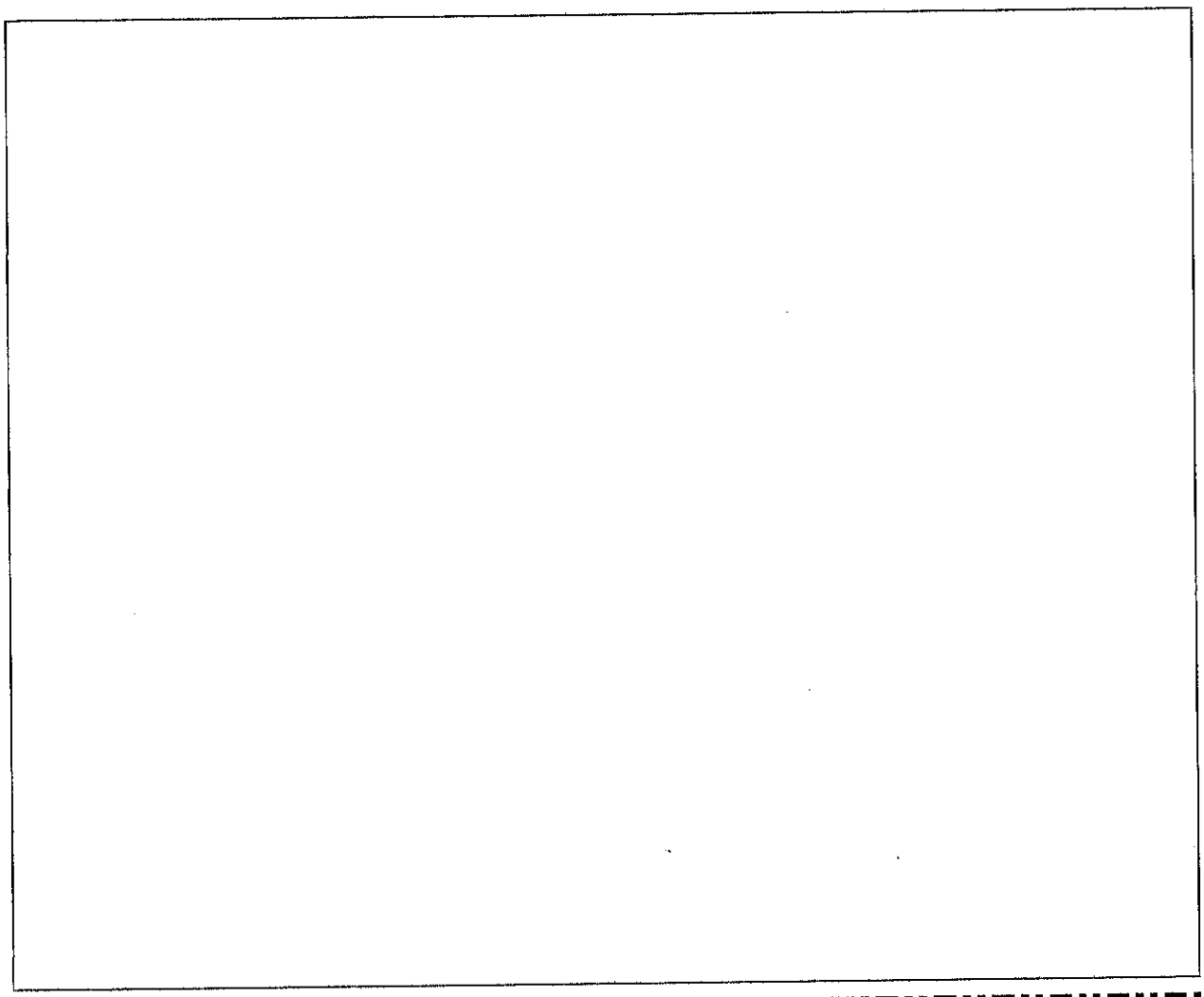
OWNER'S SIGNATURE _____

MAILING ADDRESS 905 Russell Ave.

CITY Los Altos STATE CA ZIP 94024

NOTE: This form must be returned to the Forestry and Roadway Landscape Division in its entirety upon completion by the applicant. The applicant has read and is familiar with Article II, Chapter 32 of the Mountain View City Code (copy attached). In providing the information on this form, please be aware that this information is public record subject to disclosure upon request.

LOCATION: Please include sketch or attach a separate piece of paper.



FOR OFFICE USE ONLY

This permit must be available at the work site at all times when the work is being done.

☒ RECOMMEND APPROVAL ☐ RECOMMEND DENIAL

Arborist — Date: 12/6/17

☒ APPROVED ☐ DENIED

Forestry and Roadway Landscape Manager — Date: 12/6/17

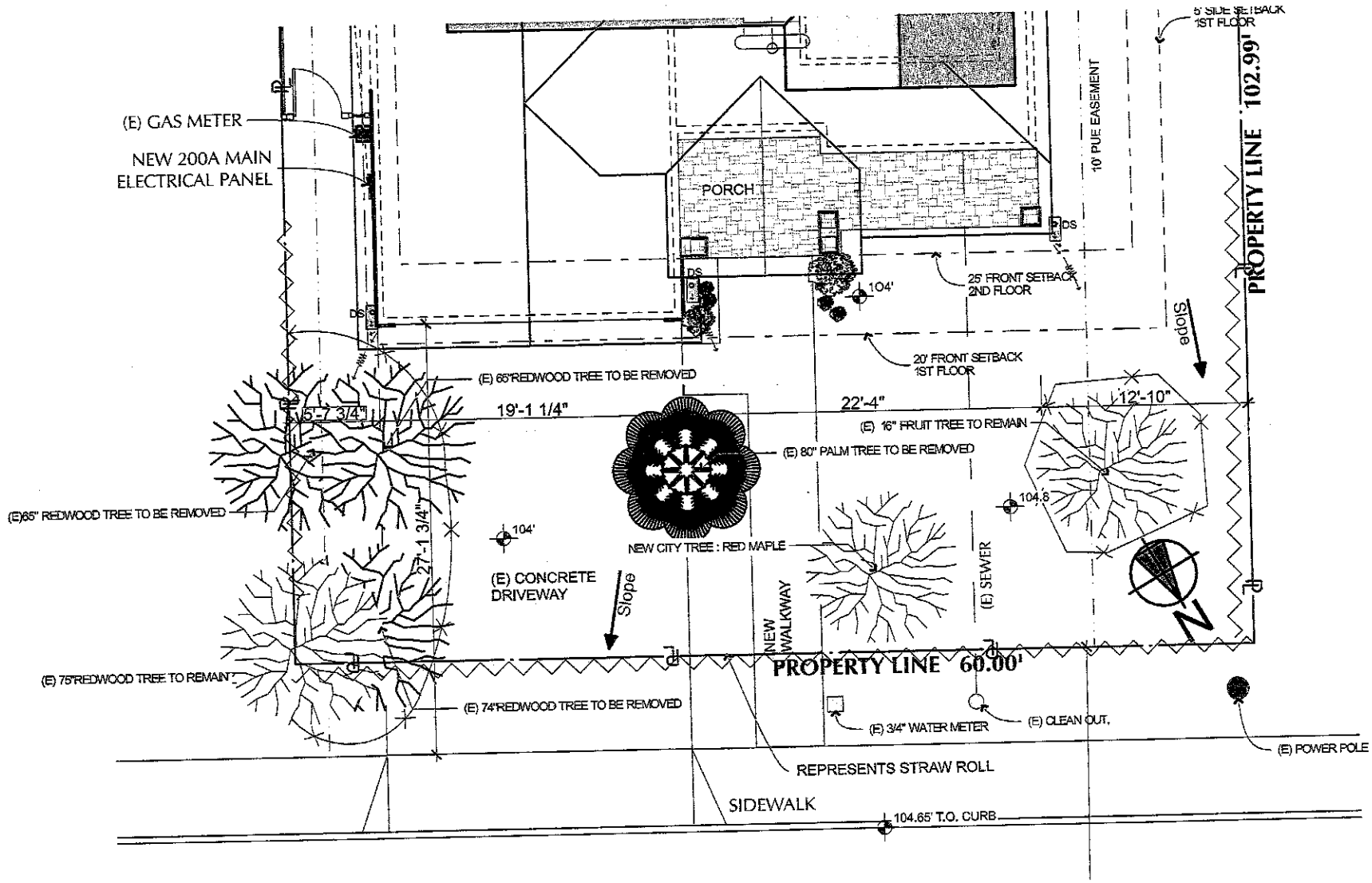
OBSERVATIONS/EVALUATION: _____

Replant required _____ 15- or 24-gallon tree by owner or in-lieu fee/by Forestry Division.

EFFECTIVE DATE: _____ (Permit expires two years from effective date.)

	ACTION	DATE	CLERK
1.	Applicant notified of decision by mail.		
2.	Notice posted on tree.		
3.	If no appeals, approved/denied application mailed.		

PK-01 (Rev. 04-12-17)


(E) GAS METER
NEW 200A MAIN ELECTRICAL PANEL
PORCH
DS
104'
25' FRONT SETBACK 2ND FLOOR
20' FRONT SETBACK 1ST FLOOR
10' PUE EASEMENT
5' SIDE SETBACK 1ST FLOOR
PROPERTY LINE 102.99'
Slope
(E) 66"REDWOOD TREE TO BE REMOVED
5'-7 3/4"
19'-1 1/4"
22'-4"
12'-10"
(E) 16" FRUIT TREE TO REMAIN
(E) 80" PALM TREE TO BE REMOVED
104.8
(E)65" REDWOOD TREE TO BE REMOVED
27'-1 3/4"
NEW CITY TREE : RED MAPLE
(E) CONCRETE DRIVEWAY
Slope
NEW WALKWAY
(E) SEWER
N
(E) 75"REDWOOD TREE TO REMAIN
PROPERTY LINE 60.00'
(E) 74"REDWOOD TREE TO BE REMOVED
(E) 3/4" WATER METER
(E) CLEAN OUT
(E) POWER POLE
REPRESENTS STRAW ROLL
SIDEWALK
104.65' T.O. CURB