

**CITY OF MOUNTAIN VIEW
FINDINGS REPORT/ZONING PERMIT**

Page 1 of 3

APPLICATION NO.:

PL-2023-045

DATE OF FINDINGS:

April 24, 2024

EXPIRATION OF ZONING PERMIT:

April 24, 2026

THIS DOCUMENT REPRESENTS THE ZONING PERMIT RECEIVED FOR THE SUBJECT SITE. THIS DOCUMENT DOES NOT WAIVE THE REQUIREMENT FOR SUBSEQUENT CITY APPROVALS AS APPLICABLE, INCLUDING, BUT NOT LIMITED TO, BUILDING PERMITS, EXCAVATION PERMITS, ETC.

Applicant's Name:

Carlos Zazueta with Zazueta Tree Specialists

Property Address:

Assessor's Parcel No(s).:

Zone:

420 Escuela Avenue

154-21-005

R3-1

Request:

Request for a Heritage Tree Removal Permit to remove eight Heritage trees due to their proximity to the building and impacts on the building foundation; and a determination that the project is categorically exempt pursuant to Section 15304 ("Minor Alterations to Land") of the CEQA Guidelines.

APPROVED

CONDITIONALLY
APPROVED

DISAPPROVED

OTHER

FINDINGS OF APPROVAL:

The Heritage Tree Removal Permit to remove eight Heritage trees (Tree Nos. 1 through 8) is conditionally approved based on the conditions contained herein, and the following findings per Section 32.35:

- A. It is necessary to remove the trees due to the condition of the trees with respect to age of the trees 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. A comprehensive report prepared by the applicant's licensed civil engineer details the existing damage caused by the trees planted adjacent to the building. According to Rahmani's findings, the roots of these trees undermine the stability of the building's foundation by seeking moisture and simultaneously extracting moisture from the soil below. This can lead to soil shrinkage and foundation settlement, ultimately resulting in damage to the foundation. Furthermore, the City arborist concurs with the recommendation for tree removal as the tree roots are likely to continue spreading horizontally in clay soil, and pruning tree roots will likely destabilize the trees and increase the potential of tree failure;
- B. It is necessary to remove the trees in order to construct the improvements and/or allow reasonable and conforming use of the property when compared to other similarly situated properties because the trees are fully mature, well-established in close proximity to the existing apartment buildings, and impacting the building foundation. No site modifications are proposed with this Tree Removal Permit, and the trees are not candidates for transplanting due to size, root mass, limited planting area, and their proximity to the existing building;
- C. Removal of the trees will not adversely affect the topography of the land or create soil erosion through diversion or increase flow of surface waters;

Owner

Agent

File

Fire

Public Works

- D. Removal of the trees will not adversely affect the remaining number, species, size, and/or location of existing trees on the site or in the general vicinity because the trees proposed to be removed are situated within an existing raised planter and are the only trees located on-site. The project will offset the loss of each Heritage tree with two 24" box fast-growing trees resulting in a total of 16 replacement trees. Despite the limited space in the existing planter, the site will recover the existing canopy in 10 years;
- E. Removal of the trees will not adversely affect the shade, noise attenuation, protection from wind damage and air pollution, historic value, or scenic beauty of the area, nor shall the removal adversely affect the general health, safety, prosperity, and general welfare of the City as a whole; and
- F. The approval of the Heritage Tree Removal Permit complies with the California Environmental Quality Act (CEQA) as it qualifies as a categorically exempt project per Section 15304 ("Minor Alterations to Land") because the project only involves removal and replanting trees in the existing landscaping area on-site.

This approval is granted to remove eight Heritage trees located on Assessor's Parcel No. 154-21-005. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein, which are kept on file in the Planning Division of the Community Development Department:

- a. Project plans prepared by Safaei Design Group for Ashem Inc., date stamped September 26, 2023.
- b. Arborist report prepared by Carlos Zazueta, date stamped September 26, 2023.
- c. Structural assessment report prepared by Civil Engineer Mohammad H. Rahmani, date stamped February 20, 2024.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Planning Division—650-903-6306 or planning.division@mountainview.gov

- 1. **EXPIRATION:** This permit is valid for a period of two years from the date of approval. This permit shall become null and void if building permits have not been issued and construction activity has not commenced within the two-year period unless a permit extension has been submitted to and approved by the Zoning Administrator at a duly noticed public hearing prior to the expiration date.

TREES AND LANDSCAPING

- 2. **STREET TREES:** Install standard City street trees along the street frontage as shown on the approved project plan. New street trees shall be planted in accordance with Detail F-1 of the Public Works Standard Provisions a minimum of 10' from sanitary sewer lines, traffic signals, stop and yield signs, and streetlights and 5' from water lines, fire lines, and driveways. Street trees are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.
- 3. **STREET TREE FORM:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division or online at www.mountainview.gov/planningforms. Once completed, the applicant shall email the original to the Parks Division at parks@mountainview.gov and provide a duplicate copy to the Building Division with building permit submittal.
- 4. **REPLACEMENT TREES:** The applicant shall offset the loss of each Heritage/street tree with two replacement trees, for a total of 16 replacement trees. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as Heritage or street replacement trees.

5. **WORK HOURS/CONSTRUCTION SITE SIGNAGE:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or any holiday unless prior approval is granted by the Chief Building Official. The general contractor, applicant, developer, or property owner shall erect a sign at all construction site entrances/exits to advise subcontractors and material suppliers of the working hours and contact information, including an after-hours contact. Violation of this condition of approval may be subject to the penalties outlined in Section 8.6 of the City Code and/or suspension of building permits.

NOTE: Decisions of the Zoning Administrator may be appealed to the City Council in compliance with Chapter 36 of the City Code. An appeal shall be filed in the City Clerk's Office within 10 calendar days following the date of mailing of the findings. Appeals shall be accompanied by a filing fee. No building permits may be issued or occupancy authorized during this appeal period.

NOTE: As required by California Government Code Section 66020, the applicant is hereby notified that the 90-day period has begun as of the date of approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of this approval or as a condition of approval. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or the adopted City fee schedule.

AMBER BLIZINSKI, ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR

AB/HZ/6/FDG
PL-2023-045

Draft