



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Chair and Members of the Architectural Review Board

FROM: Mark Brodeur, Community & Economic Development Director

PREPARED BY: Ashley Hobson, Contract Planner
Al Weisfuss, City Arborist

MEETING DATE: February 10, 2015

SUBJECT: Tree Removal with Development Revision, #14-285

CEQA: Categorical Exemption, Class 4

BACKGROUND

On March 27, 2001, Architectural Approval 2800-00 was approved allowing a new three-unit apartment complex to be built on an existing vacant lot on the corner of Lighthouse Ave and 17-Mile Drive. Concurrently, Tree Permit No. 3474 was approved, allowing the removal of five Monterey Pine trees on the site. The tree removal was granted with a condition of a two for one on-site tree replant requirement subject to City Arborist approval. The project plans for the approval are included as attachment A.

On December 11, 2014, William Harber submitted a tree permit application for the removal of an additional Monterey Pine tree on the site. The Municipal Code requires all permit applications for designated trees associated with development to be processed as a component of the Community Development permit application “*and through the appropriate Review Authority for the project*” (§12.30.010). The Code does not specifically address the review authority for Tree Permit with Development Applications, and therefore staff determined to refer the application to a public hearing by the Architectural Review Board.

DISCUSSION

The applicant supplied the City with an Arborist Report completed by Bryan Bradford, a consulting arborist certified by the International Society of Arboriculture. Bryan assessed the subject tree and noted the tree remains in good health, but has issues with the lack of

access to sunlight due to mostly to the close proximity to an adjacent tree. Additionally, during the current building process, the soil holding the roots on the north side have been adversely disturbed by the construction of the new foundation of the residence.

It is important to note that in December, 2014, a “Stop Work” notice was posted on the site due to a lack of conformance with tree protection requirements. The City Arborist had concerns with the amount of excavation that took place at the roots of the trees as well as the cutting of the tree roots. At that time, the City Arborist met with the applicant to discuss additional protective measures that will need to be required to protect the trees. The arborist expressed concerns with the close proximity of the proposed project to the subject tree at that time.

Staff has concerns with the current disruptance of the trees from the construction on the site. For this reason, staff is recommending additional conditions be put in place for the future work on the project site. Staff is recommending a replant requirement of two upper canopy trees on the site.

RECOMMENDATIONS

Staff is recommending approval of the tree permit subject to the attached conditions within the draft permit (Attachment C).

ALTERNATIVES

1. Approve subject to alternative conditions, as decided at the public hearing.
2. Deny the application.

ATTACHMENTS

1. Arborist Report, 1/16/2015
2. Draft Permit
3. 2008 Project Plans

RECEIVED

JAN 26 2015

COMMUNITY DEV. DEPT.

The Arborist Consultancy

A
TREEDOWN
Company

Bryan E. Bradford
Consulting Arborist,
International Society of Arboriculture
Certified Arborist and Professional Member
Certification Number: WE-5896A

88 Paseo Hermoso
Salinas, CA
93908

Telephone: 831-998-0439 (cell) ~ 831-484-1029 (land)

January 16, 2015

William Harber
591 Pine Avenue
Pacific Grove, CA
93950

Re: Pine at 191 17 Mile Dr.

Dear Mr. Harber,

As requested, I have visited the site at 191 17 Mile Drive in Pacific Grove to examine the tree about which you expressed concerns. Following are my observations, conclusions and recommendations.

The subject tree is a Monterey Pine (*Pinus radiata*) located at the southwest corner of the residence now under construction. It has a base of 10 inches dbh and a height of about 27 feet. As an understory tree, it has a natural lean of about 18 degrees to the northwest, with the center of its crown off-set from the base by about 9 feet.

The general health of the tree is good, however there are some environmental problems working against it. The most significant of these is its overshadowed position in close proximity to two much larger specimens, the closest of which is just one foot away to the southeast and which rises to almost twice its height. The other specimen is about 10 feet to the southwest and rises to about three times the height of the subject tree. The subject tree has grown at a lean away from the shadow of the other two trees to find light for photosynthesis, and will continue to do so. (See Figure No. 1)

Additionally, the subject tree has no soil for holding roots on the north side due to the foundation of the residence in construction. (See Figure No. 2) As this tree matures, its growth at a lean will continue. Combined with the lack of a rooting bed on the north side, this will produce an increasingly unstable tree.

Aside from the problems mentioned above, the subject tree's parent stem encroaches well into the intended wall and interior space of the southwest corner of the residence being constructed. (See Figures No. 1 & No. 3)

Because of its unstable condition, and because two objects cannot occupy one space, I recommend the removal of the subject tree at the earliest opportunity.

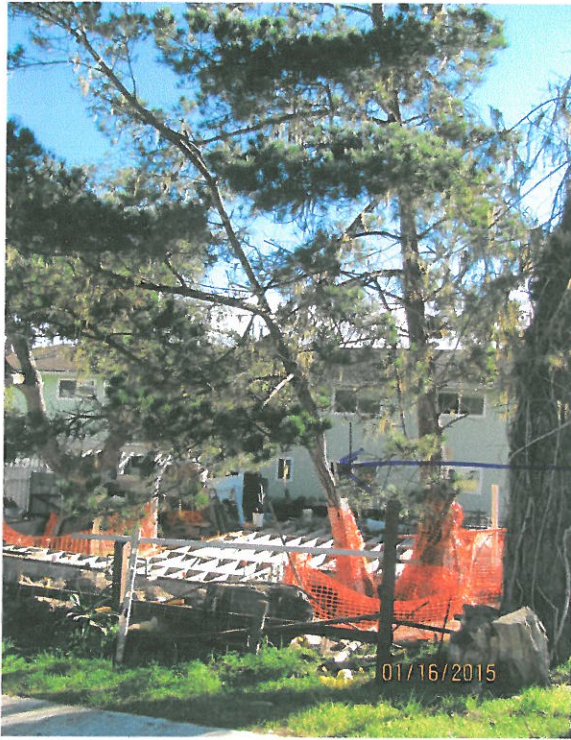
If You have questions or need further information please contact me at your convenience.

Sincerely,



Bryan Bradford

Figure No. 1. Unstable Monterey Pine.

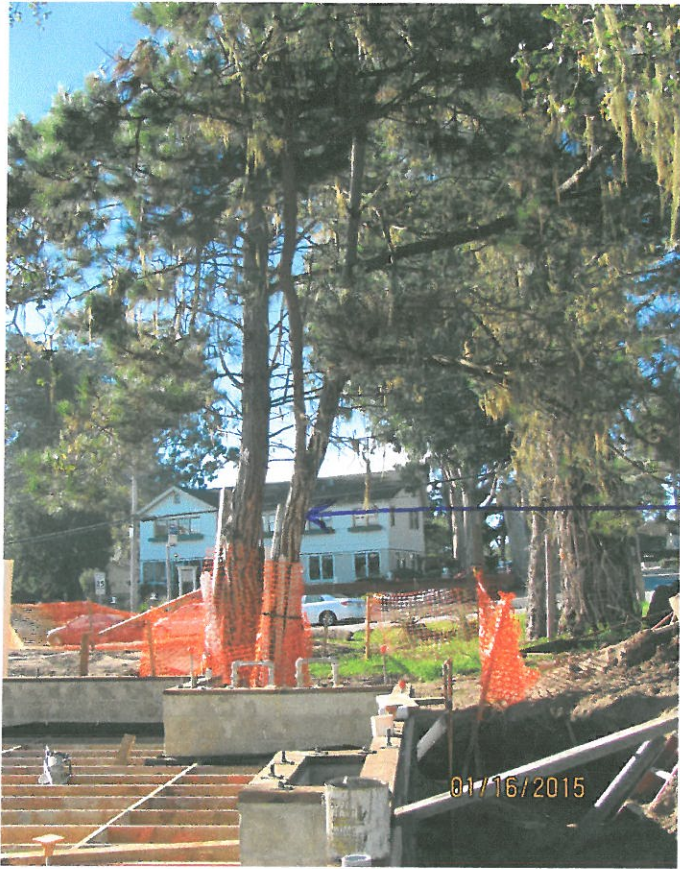


subject tree

Figure No. 2. Lack of rooting soil at north side of



Figure No. 3. Tree encroachment into residence space.



Subject tree



CITY OF PACIFIC GROVE

Community Economic Development Department – Planning Division

300 Forest Avenue, Pacific Grove, CA 93950

T : 831.648.3183 • F : 831.648.3184 • www.ci.pg.ca.us/cdd

TREE PERMIT WITH DEVELOPMENT REVISION #14-285 FOR A PROPERTY LOCATED AT 191 17 MILE DRIVE TO REMOVE A 22” OAK TREE ON THE SITE OF AN ACTIVE BUILDING PROJECT

FACTS

1. The subject site is located at 191 17 Mile Drive, Pacific Grove, 93950 APN 006-134-017
2. The subject site has a designation of High Density Residential on the adopted City of Pacific Grove General Plan Land Use Map.
3. The project site is located in the R-4 zoning district.
4. The subject site is currently being developed as a multifamily residence under Building Permit GB10-0043.
5. The original planning approval included the removal of Five Pine Trees and included a 2:1 replant requirement (totaling 10 replant requirements).
6. This project has been determined to be CEQA Exempt under Class 4, Categorical Exemption.

FINDINGS

1. The proposed tree removal is required to complete the project as approved by Building Permit GB10-0043.
2. The completed project will neither be detrimental to the orderly and harmonious development of the city nor impair the desirability of investment or occupation in the neighborhood because the project will be improving the subject property, and;
3. The below general findings are applicable for all healthy trees (§12.10.020):
 - (a) Trees are a valuable long-term community asset, and tend to increase property values.
 - (b) Trees protect us from climatic extremes. They recycle air and water, absorb carbon dioxide and release oxygen, provide shade and windbreak protection, and can potentially moderate temperatures for an entire neighborhood or community.
 - (c) Trees can improve human health by absorbing air pollution and trapping dust. In addition, they buffer noise from traffic and other sources.
 - (d) Trees diffuse the effects of rain that weather houses, erode topsoil, and cause flooding. They provide enrichment of the soil for more plant growth.
 - (e) Trees reduce the volume and slow the velocity of storm drainage and dry weather flows. They also are able to filter out many contaminants that would otherwise end up in the ocean.
 - (f) Trees provide habitat for wildlife.
 - (g) Trees contribute to the pleasantness and serenity of neighborhoods.
 - (h) The presence of Trees can do much to reduce the stress of modern living.
 - (i) Trees may enhance the architectural character of a neighborhood, accent or soften the effect of structures, promote visual formality and aesthetic interest, and screen undesirable views.

PERMIT

Tree Permit with Development Revision #14-285:

1. For a property located at 191 17 Mile Drive to remove a Monterey Pine Tree on the site of an active building project.

CONDITIONS OF APPROVAL

1. **Permit Expiration.** This permit shall expire and be null and void if a building permit has not been applied for within one (1) year from and after the date of approval. Application for extension of this approval must be made prior to the expiration date.
2. **Construction Compliance.** All construction must occur in strict compliance with the proposal as set forth in the application, subject to any special conditions of approval herein. Any deviation from approvals must be reviewed and approved by staff, and may require Architectural Review Board approval.

3. **Terms and Conditions.** These terms and conditions shall run with the land, and it is the intention of the CDD Director and the Permittee to bind all future owners and possessors of the subject property to the terms and conditions, unless amended. Amendments to this permit may be achieved only if an application is made and approved, pursuant to the Zoning Code.
4. **Conformance to Plans.** Development of the site shall conform to approved plans for “Eston Garden” currently on file with the Building Department under Building Permit GB10-0043, with the exception of any subsequently approved changes.
5. **Tree Protection Standards During Construction:** Pursuant to Municipal Code Chapters 12.20 and 12.30, and the *Urban Forestry Standards*, all trees that are otherwise protected and will be impacted as a result of Development, both proposed for pruning or removal and where the development will impact the critical root zone of the tree are protected. Prior to issuance of the building permit, the Project Arborist shall review grading, drainage, utility, building and landscape plans to determine impacts to individual Trees, to determine required minimum Tree protection standards during construction.
6. **Time Limits.** This permit will expire 90 calendar days after its effective date. The tree shall be removed within 90 calendar days of the effective date.
7. **Impact Analysis Report/Soil Inoculation Report.** The applicant shall be required to submit an impact analysis report and a soil inoculation report by a certified Arborist to the City Arborist within 30 calendar days of this permits effective date. The arborist shall approve this report prior to any tree removals on the site. This report should discuss all root pruning damage on the site and the impact to the trees.
8. **Replant Requirement.** In addition to the outstanding 10 replant requirements, two upper canopy trees shall be replanted on the site prior to the final inspection in a location approved by the City Arborist. An updated landscape plan shall be submitted to the City prior to the final inspection.

NOW, THEREFORE, BE IT RESOLVED BY THE ARCHITECTURAL REVIEW BOARD OF THE CITY OF PACIFIC GROVE:

1. The Board determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Permit.
2. The Board authorizes Approval of Tree Permit with Development #14-285.
3. This permit shall become effective upon the expiration of the 10-day appeal period.
4. This permit shall not take effect until the owner acknowledges and agrees to all terms and conditions and agrees to conform to and comply with those terms and conditions.

Passed and adopted at a regular meeting of the Architectural Review Board of the City of Pacific Grove on the 10th day of February, 2014, by the following vote:

AYES:

NOES:

ABSENT:

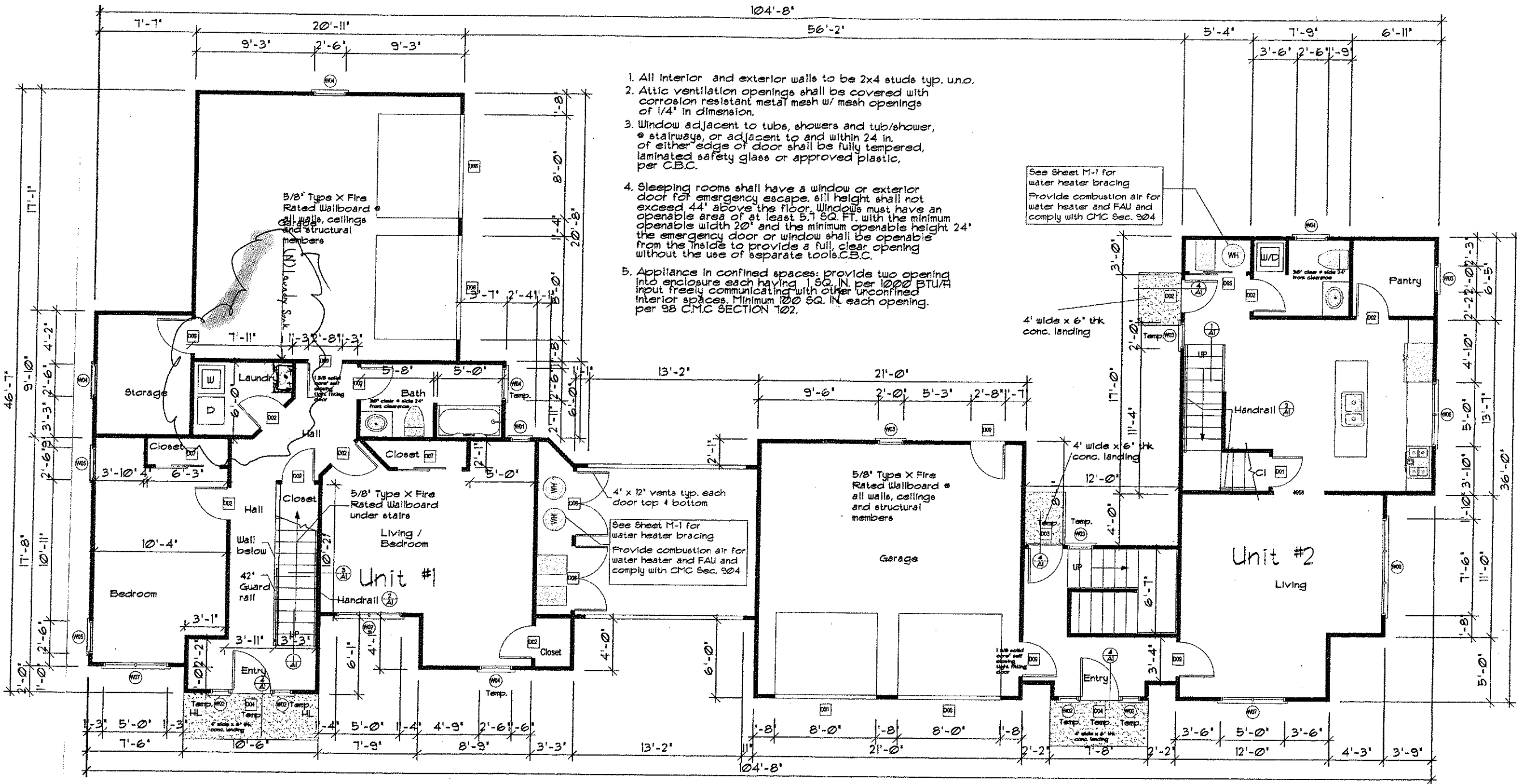
APPROVED:

Chair

The undersigned hereby acknowledge and agree to the approved terms and conditions, and agree to fully conform to, and comply with, said terms and conditions.

William Harber, Owner

Date



- All interior and exterior walls to be 2x4 studs typ. u.n.o.
- Attic ventilation openings shall be covered with corrosion resistant metal mesh w/ mesh openings of 1/4" in dimension.
- Window adjacent to tubs, showers and tub/shower, stairways, or adjacent to and within 24 in. of either edge of door shall be fully tempered, laminated safety glass or approved plastic, per C.B.C.
- Sleeping rooms shall have a window or exterior door for emergency escape. sill height shall not exceed 44" above the floor. Windows must have an openable area of at least 5.7 SQ. FT. with the minimum openable width 20" and the minimum openable height 24". The emergency door or window shall be openable from the inside to provide a full, clear opening without the use of separate tools. C.B.C.
- Appliance in confined spaces: provide two opening into enclosure each having 1 SQ. IN. per 1000 BTU/H input, freely communicating with other unconfined interior spaces. Minimum 100 SQ. IN. each opening, per 98 C.M.C. SECTION 102.

See Sheet M-1 for water heater bracing
Provide combustion air for water heater and FAU and comply with CMC Sec. 904

See Sheet M-1 for water heater bracing
Provide combustion air for water heater and FAU and comply with CMC Sec. 904

DOOR SCHEDULE						
NUMBER	QTY	FLOOR	SIZE	WIDTH	HEIGHT	COMMENTS
D01	1	1	2468	28"	80"	
D02	9	1	2668	30"	80"	
D03	1	1	2868	32"	80"	
D04	2	1	3068	36"	80"	
D05	1	1	4568	53"	80"	
D06	2	1	5068	30"	80"	
D07	2	1	5068	60"	80"	
D08	4	1	8070	96"	84"	
D09	5	1	2868	32"	80"	

WINDOW SCHEDULE					
NUMBER	QTY	FLOOR	WIDTH	HEIGHT	COMMENTS
W01	1	1	18"	36"	
W02	4	1	18"	80"	
W03	4	1	24"	24"	
W04	5	1	30"	30"	
W05	2	1	30"	60"	
W06	1	1	60"	30"	
W07	3	1	60"	60"	
W08	1	1	90"	60"	

WALL LEGEND

Proposed Walls
 Bill Harber
 591 Pine Ave
 Pacific Grove, CA 93950
 Ph# 831 646 8433
 Cell 392 7854

Scope: add laundry sink in unit 1 on 1st floor in laundry rm.
add Shower in Master bath unit 1 2nd floor.

FIRST FLOOR PLAN

City of Pacific Grove
 PLAN CHECK
 "APPROVED"
 Planning _____
 A.R.B. _____
 Engineer _____
 Fire _____
 Other _____

Eston Gardens
 Seventeen Mile Drive Pacific Grove, California

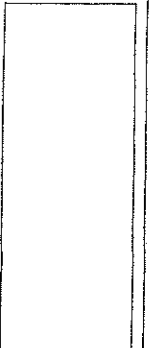
REVISION DATE:	10/08/08
DATE:	10/08/08
JOB No:	
SHEET:	A-1

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JOB: 191 17 mile Dr
 PE CA.



Receptacles outlets shall be installed in all habitable rooms per Art 210-52 NEC. On all wall spaces 2' or wider, not more than 6' from openings, not more than 12' o.c. in hallways 10' long or greater or more than 4' o.c. at kitchen counters.

Receptacles shall be installed at each counter space wider than 12" in kitchen and dining, in addition to outlets provided inaccessible by stationary appliances.

Bedroom receptacle outlets shall be supplied with at least one 20-amp circuit. Such circuits shall have no other outlets.

Provide one (minimum) receptacle adjacent to each washbasin, in the garage, and outdoors. All outdoor receptacles in exterior locations, garage or within 6' of a kitchen sink, wet bar sink or washbasin shall be GFI protected.

Fixtures installed in wet or damp locations shall be so labeled.

MECHANICAL

Heating and cooling equipment located in the garage, which generates a glow or flame capable of igniting flammable vapors shall be installed with ignitors, pilots, switches, burners or heating elements on a non-combustible platform minimum 18" above the garage floor.

Furnace room shall be 12" wider than furnace, provide 3" minimum clearance to sides, back and top, and provide 30" working space in front.

Furnaces or water heaters located in the attic or under floor space shall have a minimum 30"x30" or larger based on equipment size and located within 20' of units that are placed on solid platform or concrete. Provide switched light and receptacle. Provide 12" square minimum access panel to plumbing with slip-joint connectors.

Provide non-removable backflow prevention device at all hosebibs.

Vest clothes dryer to exterior with minimum 4" ducting max. 14' run.

Provide 4" diameter exhaust fan in laundry area vented to outside.

Shower walls shall be finished with a smooth, hard, non-absorbent surface to a height of 70" above the inlet drain, shall have a minimum 1024 sq. inches, be able to encompass a minimum 30" diameter circle and incorporate a threshold with a minimum 22" door.

Provide pressure valve or thermostatic mixing valve to limit water temperature to a max 120 degrees F at showers and tubs.

Water closet compartments shall be 30" wide and 24" minimum clearance in front.

Verify elevation of nearest upstream manhole cover. Drain lines serving fixtures with flood level less than 2' above this elevation shall be protected with approved sewage backflow and water valve devices.

Minimum equal to 10% or more of the floor area, half operable. If mechanical ventilation is used a minimum of 2 air changes per hour is required.

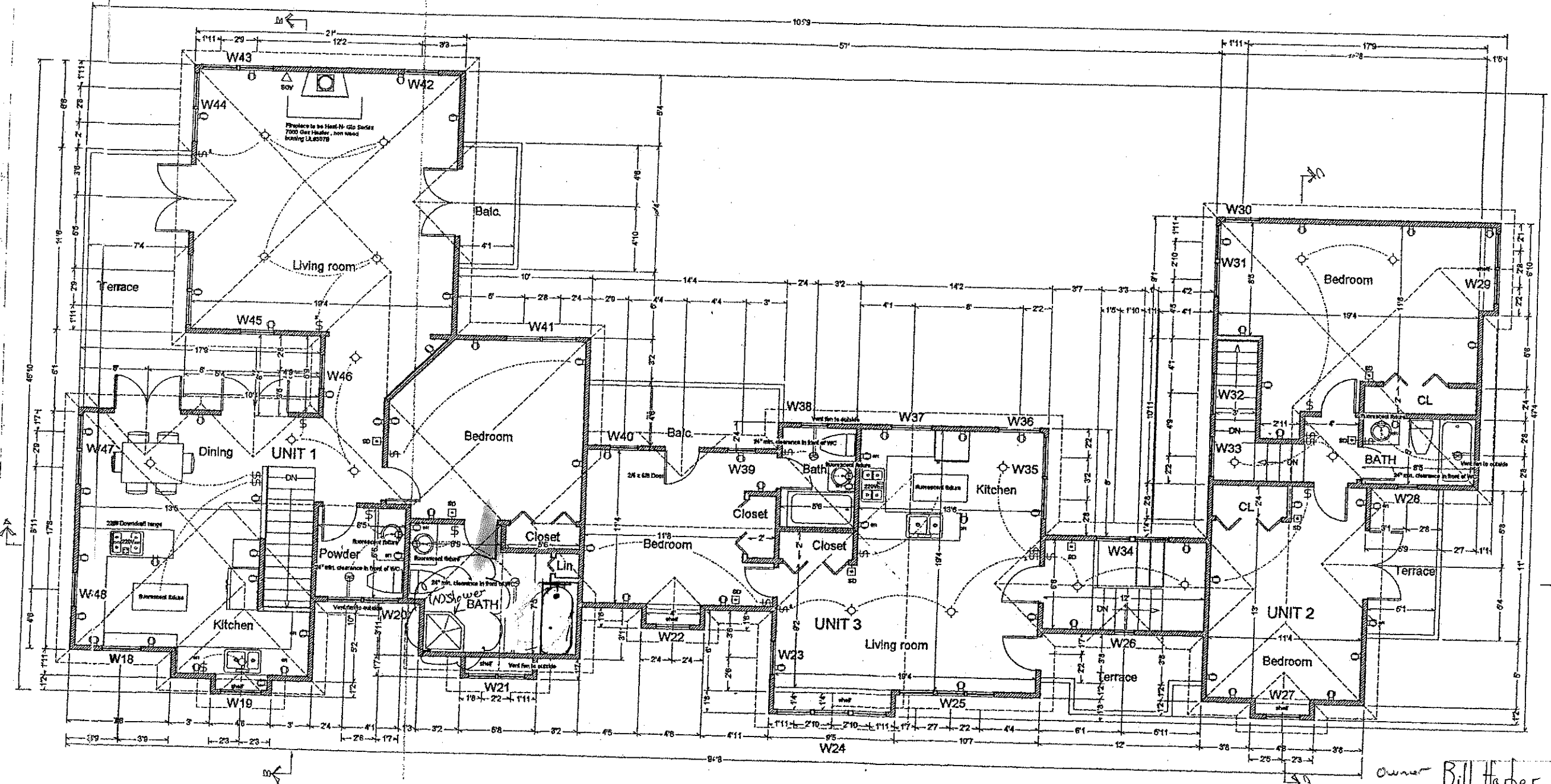
Occupancy separation between garage and house shall have one-hour construction on the garage side, a self-closing, tight fitting solid 1 3/8" door. Provide no openings into any room used for sleeping purposes.

Bedrooms, toilet compartments, laundry and other rooms shall have an operable window area not less than 1/20th of the floor area with a minimum operable area of not less than 1.5 s.f. Or mechanical ventilation of 5 air changes per hour minimum.

Habitable rooms shall have a minimum ceiling height of 7'-6" except as permitted in Sec. 310.6.1 UBC. Every dwelling unit shall have one 120 s.f. Room with all other habitable rooms except kitchen at 70 s.f. Minimum with 7' the least dimension.

Provide 110 volt w/ battery backup smoke detector in all sleeping rooms, centrally located in the corridor/bedroom accessway, in a room with a 24" ceiling height difference leading into that corridor, on each floor level and all detectors shall be interconnected.

Provide heating facilities capable of maintaining 70 degree F room temperature as measured 3' above the floor.



SYMBOLS

	Gas Shut Off Valve
	Recessed can light
	Ground Fault Receptacle
	Receptacle 110V
	Ceiling Exhaust Fan
	Single pole switch
	Three way switch
	Smoke Detector
	CATV

SECOND FLOOR PLAN
1/4" = 1'-0"

Job: 191 17 mile Dr
P5 CA.

owner Bill Harper
591 Pine ave
Pacific Grove CA. 93950
831 392 7854

STON GARDENS
Seventeen Mile Drive and Lighthouse
Pacific Grove, Ca.

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COMMUNITY DEV. DEPT.

Sheet
A-2