



ITEM IV-B: TREE PERMIT – 5 MEDICAL PLAZA DRIVE – SUTTER MEDICAL CENTER – MOB 5 – FILE# 2006PL-141 (TP-000102)

REQUEST

The applicant requests approval of a Tree Permit to encroach into the protected zone radius (PZR) of ten native oak trees (from 1% - 42%) for the construction of a drainage swale associated with the development of the Medical Office Building (MOB) 5 site.

Applicant – David Reed - MOB 5, LLC
Property Owner – MOB 5, LLC

SUMMARY RECOMMENDATION

The Planning & Redevelopment Department recommends that the Planning Commission take the following actions:

- A. Adopt the two (2) findings of fact for the Tree Permit; and
- B. Approve the Tree Permit subject to seventeen (17) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

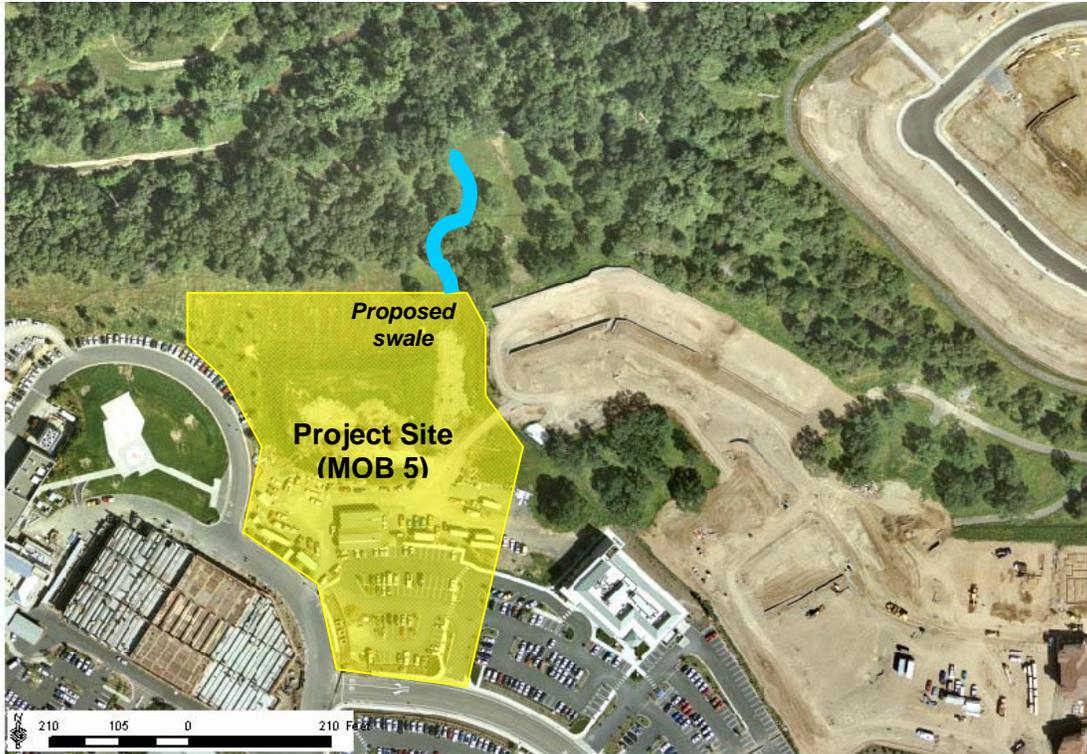
There are no outstanding issues associated with this request. The applicant has reviewed and is in agreement with the recommended conditions of approval.

BACKGROUND

The project site is located at 5 Medical Plaza within the Sutter Roseville Medical campus in the Northeast Roseville Specific Plan (NERSP). On June 23, 1994 the Planning Commission approved a Use Permit adopting a master plan for the phased construction of the Sutter Roseville Medical Campus. The adopted Master Plan and associated Environmental Impact Report (EIR) evaluated site development at project build-out, including impacts to the adjacent open space/oak woodland preserve.

In November of 2006, the Design Committee approved the construction of Medical Office Building 5 (a 60,000 square foot, two-story medical office building with associated parking, lighting, and landscaping). It was required that through the plan check review process the applicant would design the project's drainage plan to minimize off-site drainage and open space impacts. However, after refining the grading plan, the majority of the runoff was still directed to a new storm drain located at the southeast corner of the site (see Attachment 1). The storm drain outfall borders the adjacent open space/oak woodland preserve, and the applicant proposes to construct a drainage swale to convey the discharged water from the storm drain to an existing natural channel located within the oak woodland preserve (see Exhibit A). The proposed swale will encroach into the protected zone radius (PZR) of ten native oak trees. No trees are proposed for removal; however, four of the ten impacted oaks will sustain encroachment exceeding 20%. According to the Tree Preservation Ordinance, approval of a Tree Permit is required where encroachment exceeds twenty (20) percent of the protected zone.

Figure 1



EVALUATION

The Tree Preservation Ordinance (Chapter 19.66) requires the City to consider the appropriateness of and alternatives to proposed tree removals and encroachments. As noted below, staff has worked with the project proponents to revise the configuration of the proposed swale to reduce impacts to native oak trees.

Drainage Swale

The proposed swale was designed by Omni-Means, the City's Public Works Engineering Division, and the Army Corps of Engineers. The purpose of the swale was to limit erosion impacts to the open space by channelizing the drainage, instead of allowing it to freely flow throughout the open space. The original configuration and design was chosen to provide a direct route to an existing natural channel, while maintaining appropriate water velocities and preventing soil erosion. After working on the preliminary design, a copy of the proposed plan was routed to the Planning and Redevelopment Department. At that time, staff began working with the project proponents on alternative swale configurations that would limit the impacts to the subject trees. Several alternatives were explored; however, the current design and configuration was the preferred choice.

The current proposal incorporates the design features necessary to meet the objectives of the Engineering Department and Army Corps, while also limiting the impact to the native oak trees. As proposed, the drainage swale will be constructed with geotech style fabric (used for soil stabilization) and check dams constructed out of angular rock (used to reduce water velocity). The swale will measure 12 feet wide and two feet deep in most sections. Staff has worked with the project proponents to reduce the size of the swale to seven feet wide and one and a half feet deep for the portion of the swale closest to the storm drain, where alternative swale configurations were not feasible and where impacts to the native oaks were unavoidable. As proposed, the swale has been designed to convey the discharged water from the outfall to the existing channel with the least potential to cause erosion to the open space and oak woodland preserve.

Tree Impacts/ Encroachments

As depicted in Exhibit A, the proposed 12-foot swale will cross from south to north in the general vicinity of the oak woodland and will encroachment into the protected zone of ten trees. Efforts have been made to reduce the level of impact to the trees, and as noted above, the swale has been reduced to seven feet in the oak woodland area most heavily impacted by the proposed swale.

On June 22, and August 23, 2007, Abacus Arborist performed a visual assessment of the native oak trees in the vicinity of the proposed swale (21 trees). The report, dated September 6, 2007, identifies tree species, size, health, current condition, and recommended protective measures (see Exhibit B). The report also compares the previous level of encroachment versus the new level of encroachment to the subject oaks, based on the revised swale configuration. The assessment of the ten trees impacted by the swale is summarized in the table below.

Table 1

Tree #	Type	DBH (inches)	PZR (feet)	Condition Structure	Percent of Encroachment	
					Previous	Revised
101	QW	17	22	Poor	42	42
102	QW	14,11,17	19	Poor	32	32
104	QD	12	16	Fair	21	21
105	QD	19	26	Fair	18	18
106	QD	17 @ 2'	29	Fair	23	20
107	QD	24 @ 2'	32	Fair	20	10
108	QD	21 @ 2'	30	Fair	13	0
109	QD	26 @ 2'	33	Poor	17	10
111	QD	19	42	Fair	6	11
115	QW	17	27	Poor	1	1
116	QD	35 @ 2'	37	Fair	0	6

QD = Quercus douglasii – Blue Oak QL = Quercus Lobata – Valley Oak QW = Quercus Wislizenii – Interior Live Oak

As noted in the table, staff was able to reduce the impacts to four of the subject trees by reconfiguring the swale. The new swale alignment reduces the impact to trees 106,107,108 and 109; however, one additional tree will now be impacted due to the reconfiguration of the swale (tree #116). As verified by the arborist, mitigating the impact of the proposed swale over several trees is more beneficial for the health of the trees, and therefore, the realigned swale is more appropriate.

Tree Mitigation

The arborist recommends the removal of trees #5994, 101, 102, 109, 110, 112, 113, and 115. However, per the City’s Tree Preservation Ordinance, these trees are not deemed hazardous and have not been certified dead by an arborist. Therefore, all trees located within the open space will be retained. Because no trees are approved for removal with this request, no mitigation is required.

Tree Permit Conclusion

Because of the drainage requirement for the project, impacts to the subject native oak trees are unavoidable. However, the project minimizes tree impacts by reducing the width of the swale and channelizing the drainage. As such, staff supports the project as proposed.

ENVIRONMENTAL DETERMINATION

The project is consistent with the approved Master plan and EIR for the Sutter Roseville Medical facility, which was approved in February of 1991 (SCH# 900020142). The Roseville Hospital Replacement EIR project description assumed an increased level of storm water runoff into the open space/oak woodland preserve and imposed mitigation measures that would reduce the impacts to less than significant levels. The above-mentioned measures have been incorporated into the project design and are consistent with the Tree Ordinance. No further environmental review is required.

RECOMMENDATION

The Planning & Redevelopment Department recommends the Planning Commission take the following actions:

- A. Adopt the two findings of fact as stated below for the Tree Permit – 5 Medical Plaza, Sutter Medical Center – MOB 5 – File # 2006PL-141 (TP-000102); and
 - 1. *Approval of the Tree Permit will not be detrimental to the public health, safety, or welfare and approval of the Tree Permit is consistent with the provisions of Chapter 19.66 of the Roseville Zoning Ordinance; and*
 - 2. *Measures have been incorporated in the project or permit to mitigate impacts to remaining trees and to provide replacement for trees removed.*
- B. Approve the Tree Permit – 5 Medical Plaza, Sutter Medical Center – MOB 5 – File # 2006PL-141 (TP-000102) subject to the seventeen (17) conditions listed below.

CONDITIONS OF APPROVAL FOR TREE PERMIT TP-000102

CONDITION	COMPLIANCE VERIFIED/ INSPECTED	COMMENTS
PRIOR TO ISSUANCE OF ANY PERMITS OR ANY CONSTRUCTION ON-SITE		
1. All recommendations contained in the Arborist Report (Exhibit B) shall be incorporated as part of these conditions except as modified herein. (Planning)		
2. No activity shall be permitted within the protected zone of any native oak tree beyond those identified in the arborist report or these conditions. (Planning)		
3. A violation of any of the conditions of this Tree Permit is a violation of the Roseville Municipal Code, the Zoning Ordinance (Chapter 19.74) and the Tree Preservation Ordinance (Chapter 19.66). Penalties for violation of any of the conditions of approval may include forfeiture of the bond, suspension or revocation of the permit, payment of restitution, and criminal penalties. (Planning)		
4. A \$10,000 cash deposit or bond (or other means of security provided to the satisfaction of the Planning & Redevelopment Department) shall be posted to insure the preservation of all remaining trees during construction. The cash deposit or bond shall be posted in a form approved by the City Attorney. Each occurrence of a violation on any condition regarding tree preservation shall result in forfeiture of all or a portion of the cash deposit or bond. (Planning)		

<p>5. A fencing plan shall be shown on the approved site plan and/or improvement plans demonstrating the Protected Zone for the affected trees. A maximum of three feet beyond the edge of the excavation will be allowed for construction activity and shall be shown on the fencing plan. The fencing plan shall be reviewed and approved by the Planning & Redevelopment Department prior to the placement of the protective fencing. (Planning)</p>		
<p>6. The applicant shall install a minimum of a five-foot high chain link fence (or acceptable alternative) at the outermost edge of the Protected Zone of the oak tree. The fencing for encroachments shall be installed at the limit of construction activity. The applicant shall install signs at two equidistant locations on the temporary fence that are clearly visible from the front of the lot and where construction activity will occur. The size of each sign shall be a minimum of two feet (2') by two feet (2') and must contain the following language: "Warning this fence shall not be removed or relocated without written authorization from the Planning & Redevelopment Department". (Planning)</p>		
<p>7. Once the fencing is installed, the applicant shall schedule an appointment with the Planning & Redevelopment Department to inspect and approve the temporary fencing before beginning any construction. (Planning)</p>		
<p>8. The applicant shall arrange with the arborist to perform, and certify in writing, the completion of deadwooding, fertilization, and all other work recommended for completion prior to the approval of improvement plans. Pruning shall be done by an Arborist or under the direct supervision of a Certified Arborist, in conformance with International Society of Arboriculturalists (I.S.A.) standards. Any watering and deep root fertilization which the arborist deems necessary to protect the health of the trees as noted in the arborist report or as otherwise required by the arborist shall be completed by the applicant. (Planning)</p>		
<p>9. A Site Planning Meeting shall be held with the applicant, the applicant's primary contractor, the Planning & Redevelopment Department and Engineering Department to review this permit, the approved grading or improvement plans, and the tree fencing prior to any grading on-site. The Developer shall call the Planning & Redevelopment Department and Engineering Department two weeks prior to the start of grading work to schedule the meeting and fencing inspection. (Planning)</p>		
<p>DURING CONSTRUCTION</p>		
<p>10. The following information must be located on-site during construction activities: Arborist Report; Approved site plan/improvement plans including fencing plan; and, Conditions of approval for the Tree Permit. All construction must follow the approved plans for this tree permit without exception. (Planning)</p>		
<p>11. All preservation devices (aeration systems, oak tree wells, drains, special paving, etc.) shall be designed and installed as required by these conditions and the arborist's recommendations, and shall be shown on the improvement plans or grading plans. (Planning)</p>		

12. If any native ground surface fabric within the Protected Zone must be removed for any reason, it shall be replaced within forty-eight (48) hours. (Planning)		
13. Storage or parking of materials, equipment and vehicles is not permitted within the protected zone of any oak tree. Vehicles and other heavy equipment shall not be operated within the Protected Zone of any oak tree. (Planning)		
14. Where recommended by the arborist, trench excavation shall be hand dug under the direct supervision of the project arborist. The certified arborist shall immediately treat any severed or damaged roots. Minor roots less than one (1) inch in diameter may be cut, but damaged roots shall be traced back and cleanly cut behind any split, cracked or damaged area. Major roots over one (1) inch in diameter may not be cut without approval of an arborist and any arborist recommendations shall be implemented. (Planning)		
15. The temporary fencing shall remain in place throughout the entire construction period and shall not be removed without obtaining written authorization from the Planning & Redevelopment Department. In no event shall the fencing be removed before the written authorization is received from the Planning & Redevelopment Department. (Planning)		
PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT		
16. Within 5 days of the completion of construction, a Certification Letter from a certified arborist shall be submitted to and approved by the Planning & Redevelopment Department. The certification letter shall attest to all of the work (regulated activity) that was conducted in the protected zone of the trees, either being in conformance with this permit or of the required mitigation still needing to be performed. (Planning)		
17. A copy of this completed Tree Permit Compliance Verification/Inspection form shall be submitted to the Planning & Redevelopment Department. (Planning)		

ATTACHMENTS

1. Grading and Drainage Plan

EXHIBITS

- A. Photo Simulation of Proposed Swale
- B. Arborist Report dated September 6, 2007
- C. Tree Permit Map dated September 6, 2007

Note to Applicant and/or Developer: Please contact the Planning & Redevelopment Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning & Redevelopment Director at, or prior to, the public hearing.