

TREE PERMIT APPEAL COUNTY FILE #TP19-0036

0 West Newell Avenue, Walnut Creek

Contra Costa County Board of Supervisors Meeting
Tuesday, February 25, 2020

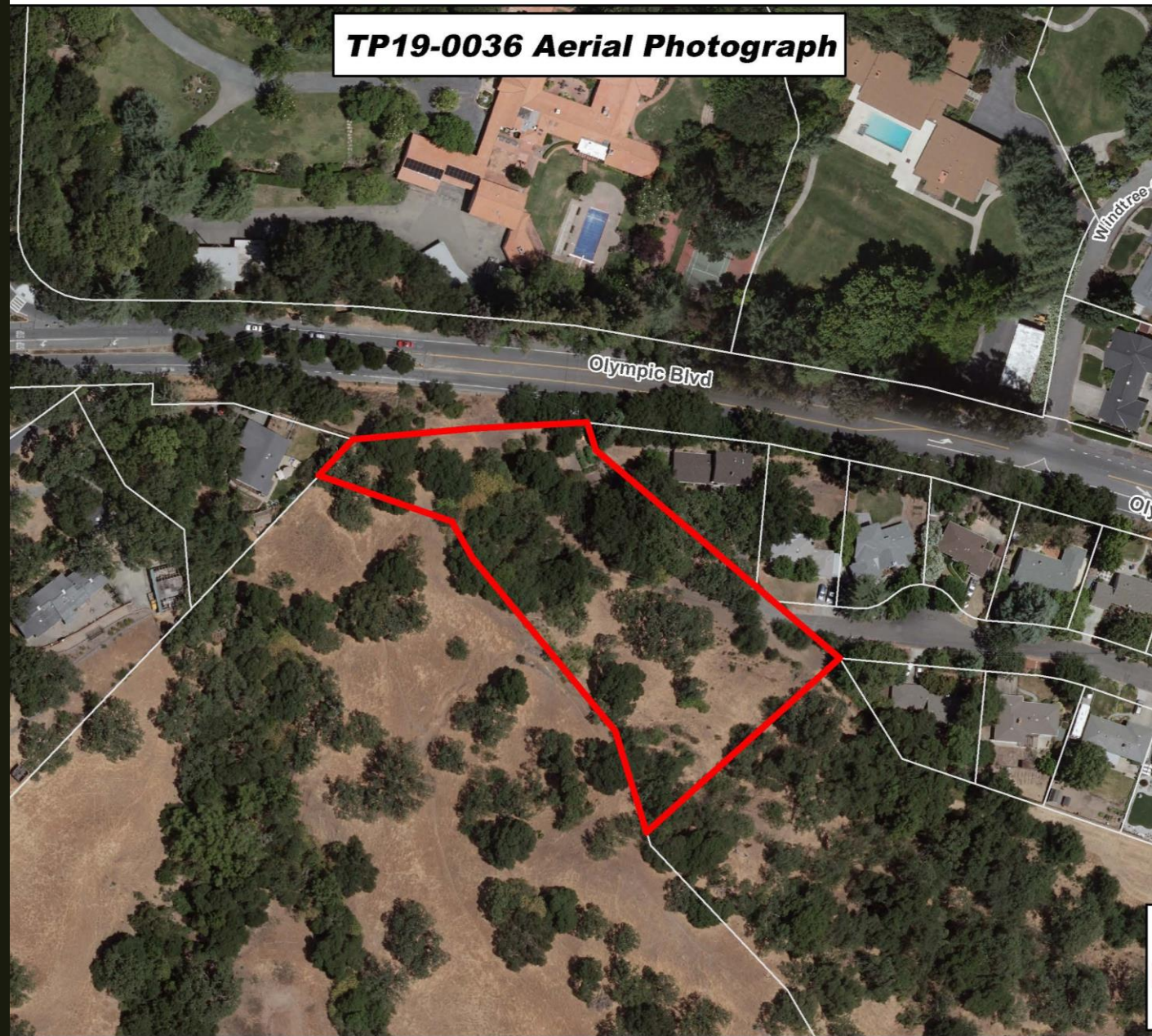
PROJECT DESCRIPTION

An appeal of the County Planning Commission's decision to approve a tree permit to allow the removal of 22 code-protected trees and work within the driplines of six (6) code-protected trees to allow for the construction of a new, two-story, single-family residence vacant parcel.

The subject property is a vacant 2.56-acre parcel located at the end of West Newell Avenue in the Walnut Creek/Saranap area of the County.

AERIAL PHOTO

0 West Newell Ave, Walnut Creek
(2.56-Acre)



0 65 130 260 Feet

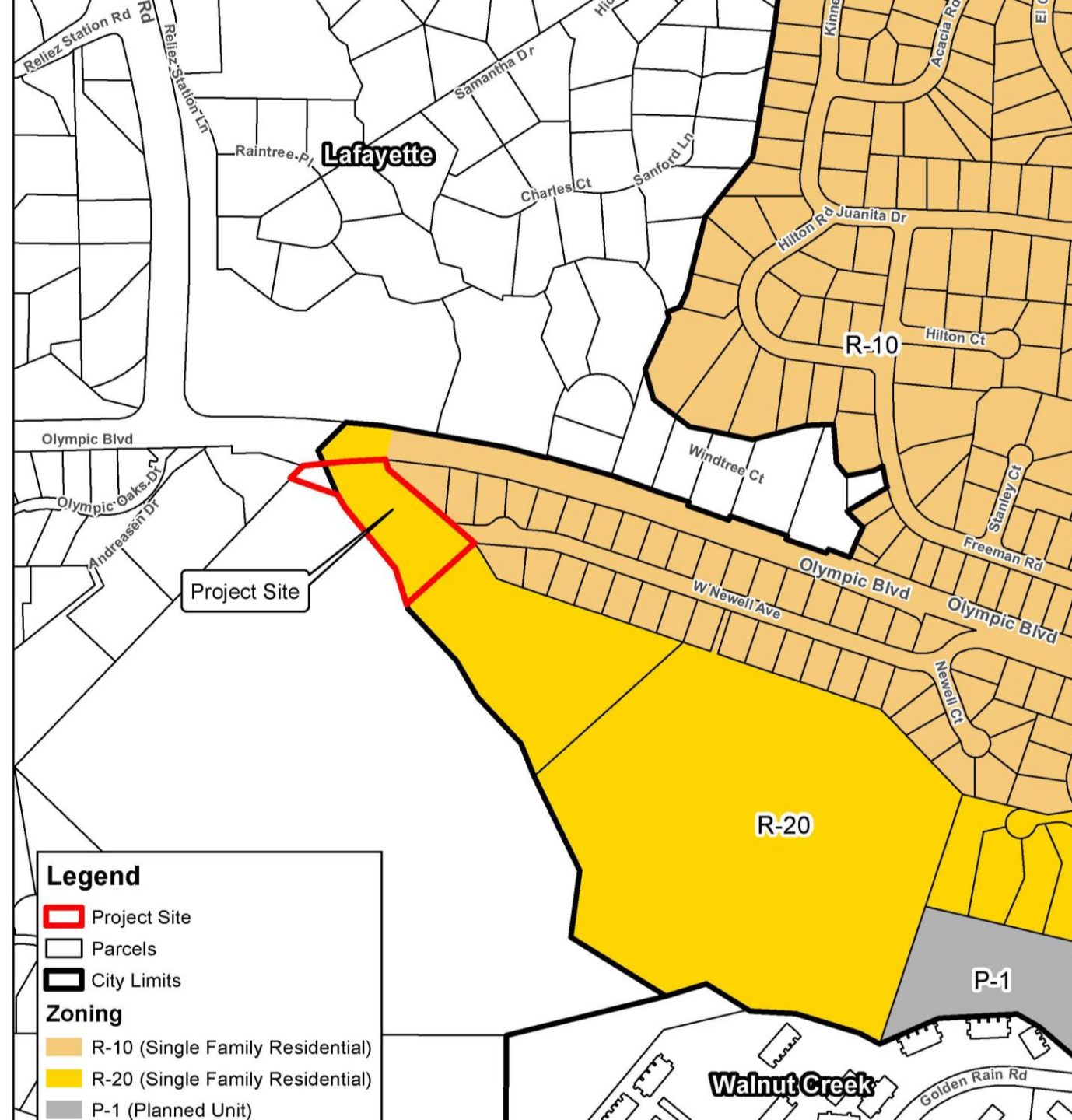
Aerial Photo taken 2014

Map Created 11/21/2019
by Contra Costa County Department of
Conservation and Development, GIS Group
30 Muir Road, Martinez, CA 94553
37.5941, 79.1N 122.0703, 756W

This map was created by the Contra Costa County Department of Conservation and Development with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.

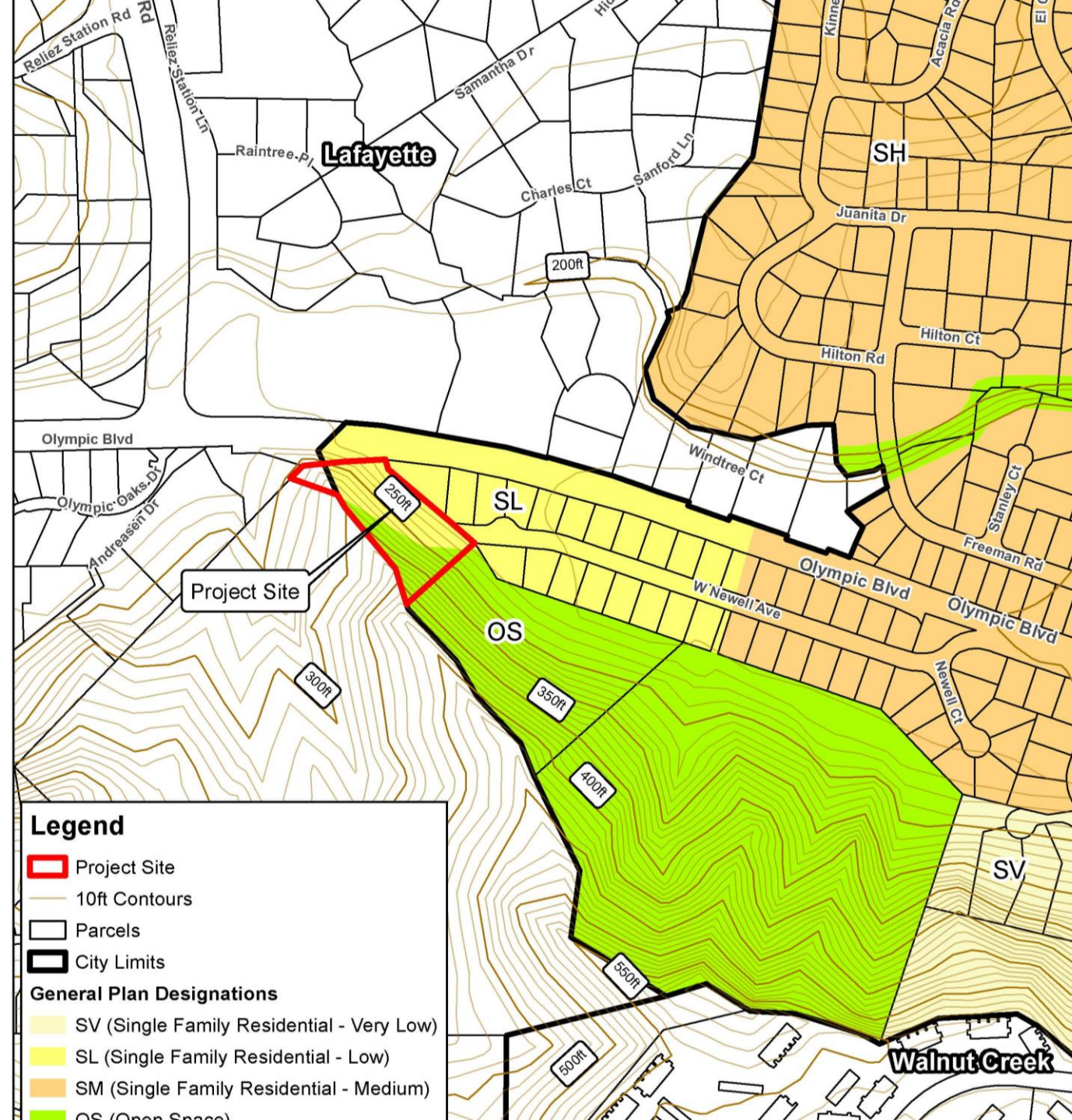
ZONING MAP

R-20 Single Family-Residential



GENERAL PLAN MAP

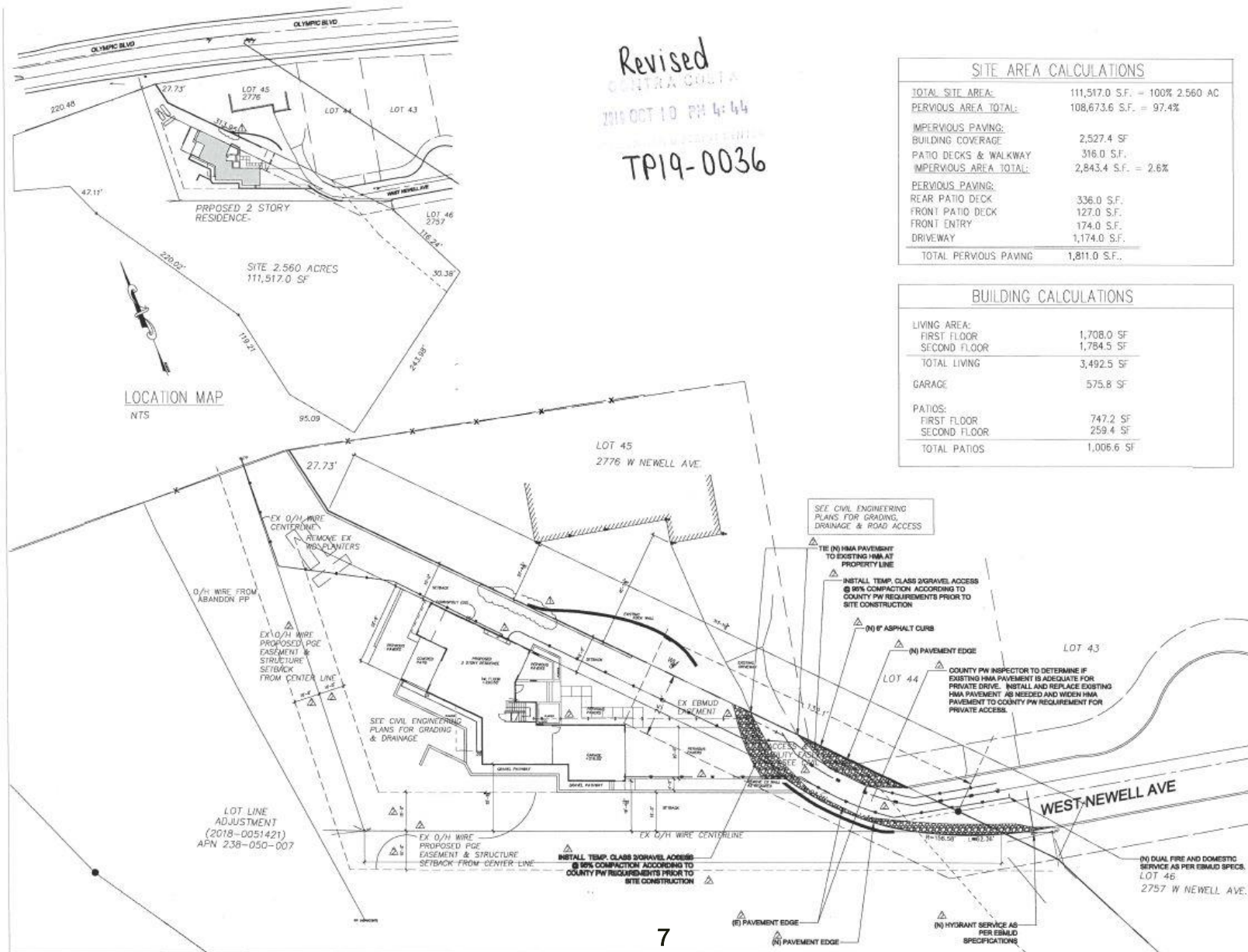
Single-Family Residential Low-Density (SL)
and Open Space (OS)



BACKGROUND

- On July 18, 2019, a tree permit application for the removal of 21 code-protected trees and for work within the driplines of four (4) code-protected trees in order to allow the construction of a new single-family residence was submitted to DCD.
- On August 26, 2019, during the public notification period for the tree permit, an appeal of the Zoning Administrator's tentative approval was received by DCD.
- While on appeal, changes were made to the project description based on a widening of the driveway on the eastern side of the property, adjacent to West Newell Avenue. As a result of the widened driveway, one (1) additional multi-stemmed coast live oak tree is proposed for removal and work will also occur within the driplines of two (2) additional coast live oak trees bringing the total of trees to be removed to 22, and 6 to be impacted.
- On December 11, 2019, the appeal was heard by the County Planning Commission. At the hearing the Commission voted 4-3 to deny the appeal and uphold the Zoning Administrator's decision. The Commission also added a condition of approval requiring that the trees not be removed until a building permit for the new residence has been issued.
- On December 20, 2019 and on December 23, 2019 appeals of the Planning Commission's decision were received from Patricia McGregor and William Schultz, and from Bronwyn Shone respectively.

SITE PLAN

[illegible]

△ 8/5/19 planter removed

△ 8/5/19 planter removed
△ 10/3/19

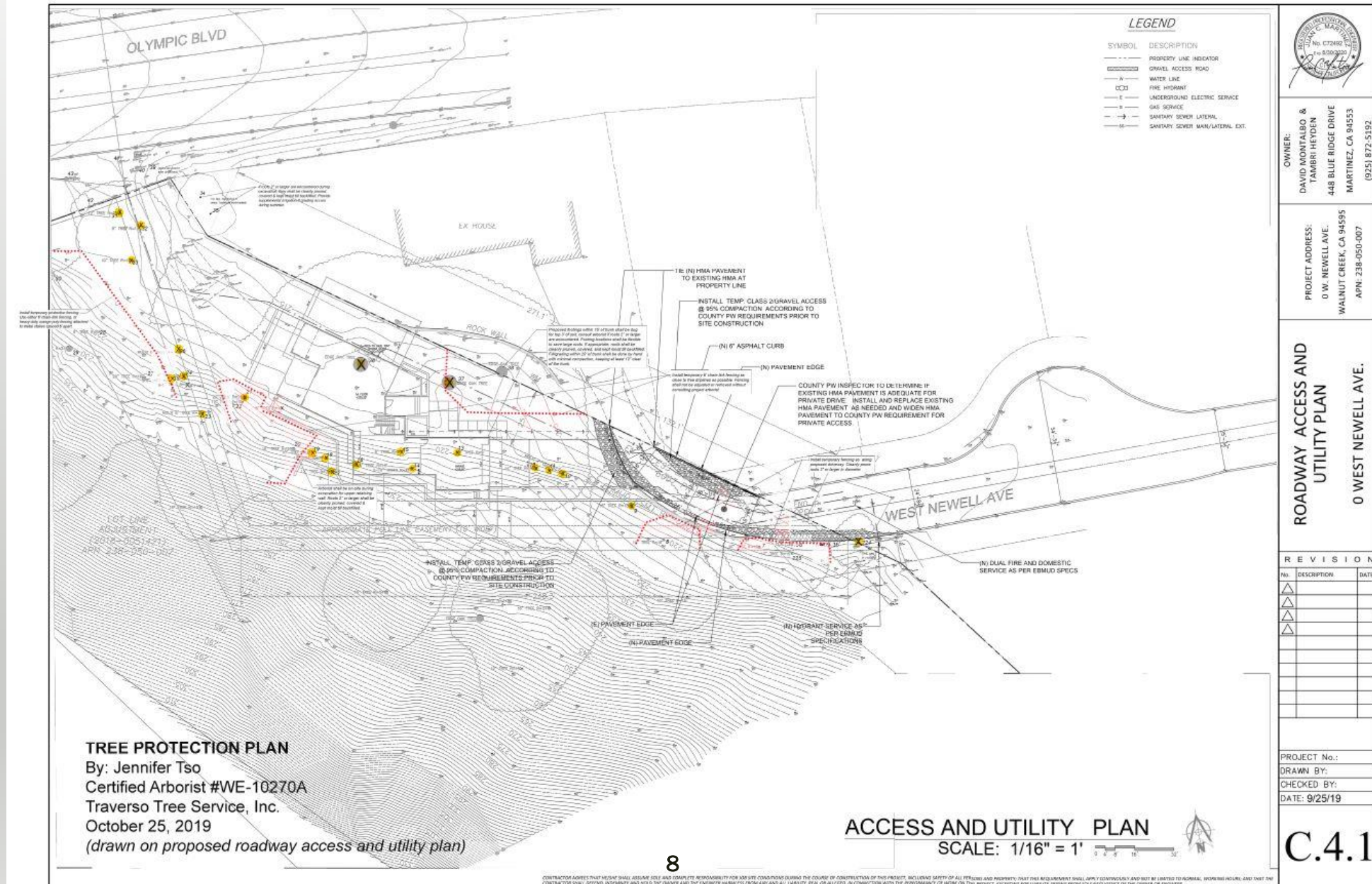
CONSULTANTS

DAVID MONTALBO
& TAMBRI HEYDEN
RESIDENCE
0 West Newell Ave
APN: 238050-007

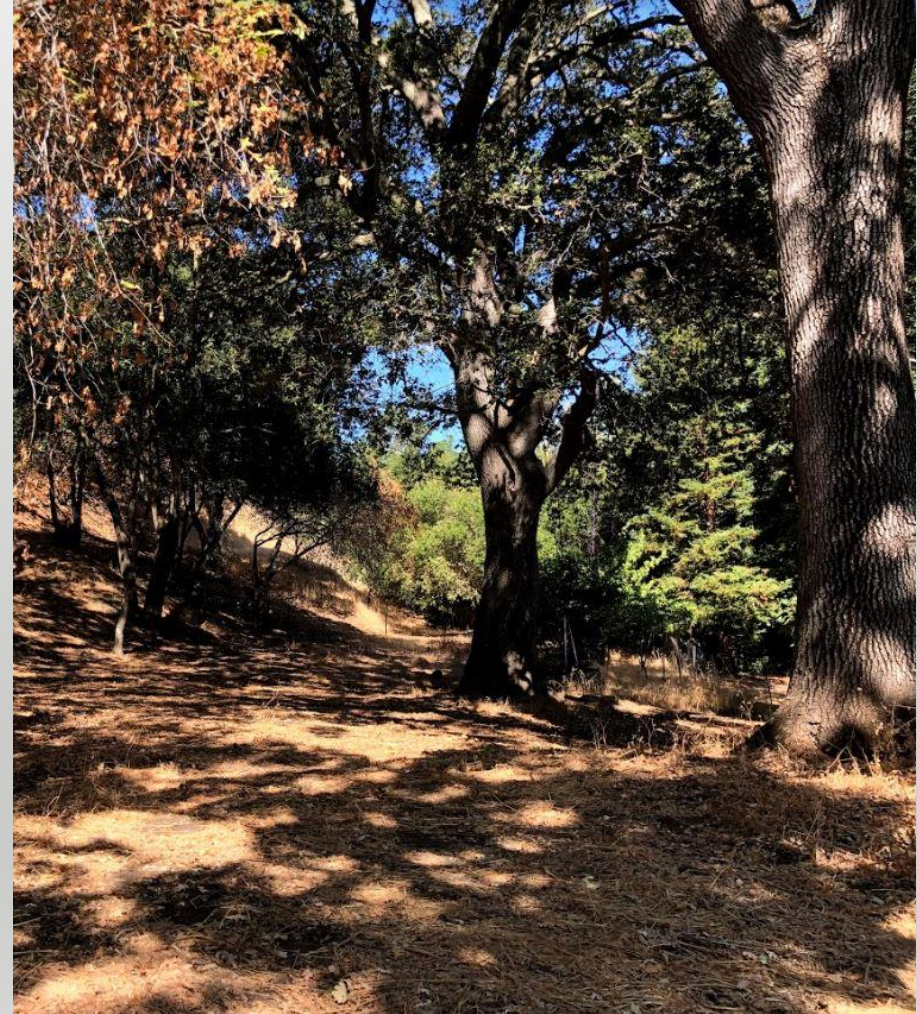
SITE PLAN
& CALCULATIONS

DATE: 7/15/2019
SCALE: 1/16"=1'-0"
DRAWN:
JOB:
SHEET SP-1

TREE PROTECTION / REMOVAL PLAN



SITE PHOTOS



SUMMARY OF APPEAL POINTS

McGregor/Schultz

In a letter dated received December 20, 2019, Patricia McGregor and William Schultz submitted an appeal letter describing the following appeal points:

- Construction impacts and removal of trees #36 and tree #37 (large oaks) could impact health of tree #38 (oak) which is located on the neighboring property (2776 W. Newell Ave.);
- Residence should be relocated and/or reduced in size to protect trees #36 and #37;
- Plans lack details for proposed retaining walls;
- Geotechnical report should be required to identify impacts of tree removal;
- Project will increase stormwater runoff;
- The removal of the trees will have a negative impact on the value of the appellant's property and surrounding properties;
- Proposed residence is not compatible with the neighborhood.

SUMMARY OF APPEAL POINTS

Bronwyn Shone

In a letter dated received December 23, 2019, Bronwyn Shone submitted an appeal letter describing the following appeal points:

- The staff report, conditions of approval and attachments were not received 96 hours before the Commission meeting;
- Fire access (can a fire truck turnaround?);
- Has the California Department of Fish and Wildlife provided comments about protected species (whip snake) in the area?;
- Did the Zoning Administrator see the revised plans?;
- What will the drainage impacts of the be/a drainage permit should be required prior to issuance of building permit.
- Tree replacement mitigation not sufficient and not consistent with County General Plan or recommendations of Ca. Oaks Foundation;
- The size of the proposed residence is out of scale with the other houses in the neighborhood.

STAFF RECOMMENDATION

Staff recommends that the Board of Supervisors deny the appeals and sustain the County Planning Commission's approval of County File #TP19-0036.



QUESTIONS?