



**City of Brisbane**  
50 Park Place  
Brisbane, CA 94005-1310  
415-508-2100  
415-467-4989 Fax

**NOTICE OF APPROVAL OF  
TREE REMOVAL PERMIT**

APPLICATION NO.: **2022-TR-6 Tree Removal**

APPLICANT/OWNER: **Julia Johnson, CSHV Crocker, LLC**

ASSESSOR'S PARCEL NOS.: **005-241-140**

ZONING: **TC-1 Trade Commercial District**

LOCATION: **470 Valley Drive**

REQUEST: **Removal of three (3) Monterey Cypress trees from the landscape area near the front entrance.**

ENVIRONMENTAL STATUS: **Categorical exemption for replacement landscaping, per State CEQA Guidelines Sections 15304(b)--this proposal falls within a class of projects which the State has determined not to have a significant effect on the environment. The exceptions to this categorical exemption referenced in Section 15300.2 do not apply.**

The Community Development Director has granted this administrative permit and it shall be effective on Thursday, June 16, 2022, unless a notice of appeal form and fee of \$390 is filed with the City Clerk, Ingrida Padilla, no later than close of business on Wednesday, June 15, 2022, per Brisbane Municipal Code §12.12.060. Appeals are subject to public hearing with the City Manager. To contact the City Clerk, email [ipadilla@brisbaneca.org](mailto:ipadilla@brisbaneca.org) or call (415) 508-2113. A copy of the tree removal application and Director's approval letter containing findings and conditions of approval may be viewed on the City's website at <https://www.brisbaneca.org/cd/page/log-7-day-notices-and-tree-removal-permits>

DATED: June 8, 2022

  
\_\_\_\_\_  
John A. Swiecki, AICP  
Community Development Director



CITY OF BRISBANE  
Community Development Department  
50 Park Place, Brisbane, CA 94005  
(415) 508-2120

## Tree Removal Permit

June 8, 2022

Julia Johnson  
411 Borel Avenue Suite 250  
San Mateo, CA 94402

Subject: 2022-TR-6

Dear Ms. Johnson:

Thank you for submitting a tree removal permit application to remove three Monterey Cypress trees from the property at 470 Valley Drive.

This letter serves as the permit to remove the trees. This permit is subject to a 7-day appeal period, during which time you or anyone else may appeal this approval to the City Manager, per Brisbane Municipal Code Section 12.12.060. If no appeal is received by close of business on Wednesday, June 15, 2022, the permit effective date will be June 16, 2022.

In order for the permit to be effective, **please sign and return a copy of this letter** to Associate Planner Jeremiah Robbins (see contact info below) and keep a copy on site during the tree removal in case you are asked to demonstrate compliance with Chapter 12.12 of the Brisbane Municipal Code. If you have any questions regarding this matter, including preparation of a replacement tree plan, please contact Mr. Robbins at (415) 519-1437, or email at [jrobbins@brisbaneca.org](mailto:jrobbins@brisbaneca.org).

Sincerely,

John Swiecki  
Community Development Director

Signed and Accepted: \_\_\_\_\_ Date: \_\_\_\_\_  
JULIA JOHNSON

## **FINDINGS**

- A. The three Monterey Cypress trees are defined as “protected trees” and the following findings are made approving their removal, per BMC Section 12.12.050.B.2:
- a. The tree is dead or diseased such that it poses an imminent danger of falling or dropping limbs.
  - b. The trees are in close proximity to a structure, such as a building, retaining wall, utilities, etc., such that it would pose a likelihood of damage to such structures.
  - c. That removal of the tree is necessary for good forestry practices, due to such factors as crowding with other trees or the spread of pests or pathogens.

## **CONDITIONS OF APPROVAL**

1. Replacement trees shall be required to be planted on the subject property at the property owner's expense in compliance with the following:
  - i. Replacement trees shall be on at least a 1:1 basis.
  - ii. Replacement size shall be of a standard fifteen (15) gallon nursery container, or larger.
  - iii. The replacement species and location shall be approved by the Community Development Director prior to planting.
2. The tree stump is to be removed to below ground level, due to their visibility.
3. All tree removal activities shall be subject to the Noise Ordinance, BMC §8.28.060. Tree removal shall only be allowed between the hours of seven (7:00) a.m. and seven (7:00) p.m. on weekdays and nine (9:00) a.m. to seven (7:00) p.m. on weekends and holidays. Tree removal activities must meet at least one of the following noise limitations:
  - i. No individual piece of equipment shall produce a noise level exceeding eighty-three (83) dBA at a distance of twenty-five (25) feet from the source thereof.
  - ii. The noise level at any point outside of the property plane shall not exceed eighty-six (86) dBA.
4. Tree cutting and any chipping of tree materials shall not generate dust that would travel off-site and create a nuisance to neighboring properties, as defined in BMC §8.36.010.G.
5. Applicant shall obtain an Encroachment Permit from the City Engineer prior to undertaking the work, if work is to result in roadway or sidewalk blockage.
6. This letter does not provide authorization for tree removal from other properties or entry to other neighboring properties where limbs may hang over. If the tree removal activities require entry onto an adjacent yard, you will need to contact the owner of that property to arrange a private agreement.
7. All removal activities shall comply with applicable federal and state provisions protecting nesting or migratory birds as provided in the federal Migratory Bird Treaty Act and the California Fish and Wildlife Code, Section 3503.
8. This tree removal permit shall expire six (6) months following the effective date of the permit.



## REPORT TO COMMUNITY DEVELOPMENT DIRECTOR

**Date:** June 8, 2022

**From:** Jeremiah Robbins, Associate Planner

**Subject:** 2022-TR-6 Tree Removal Application for three Monterey Cypress trees from 470 Valley Drive

### Request

Consideration of the application for a tree removal permit for three (3) Monterey Cypress trees from the landscape area near the front entrance of the commercial building at 470 Valley Drive.

### Applicant

Julia Johnson on behalf of CSHV Crocker, LLC

### Applicable Code Sections

The Monterey Cypress trees are defined as “protected trees” per Brisbane Municipal Code (BMC) §12.12.040.H.3. Application and findings, decision and standard conditions for removal of a protected tree are provided in BMC §12.12.050.B.

### Background

Non-invasive trees planted within Crocker Park Industrial subarea, even if not protected as species, are considered protected by permit since they were part of a master-planned development. Therefore, they are subject to a permit for their removal per the code sections listed above.

### Discussion

The Cypress trees measure between is in excess of 56.4 - 108 inches in circumference at 2 feet above grade. They are located in a landscaped area near the front entrance on the southwest corner of the building at 470 Valley Drive. The following provides further discussion regarding their proposed removal.

BMC §12.12.050.B.2 requires that one or more of five findings be made by the Community Development Director for approval of an application for a protected tree removal. In this case, the following findings can be made to approve the proposed tree removals:

*The tree is dead or is diseased such that it poses an imminent danger of falling or dropping limbs.*

*The removal of the tree is necessary for good forestry practices, due to such factors as crowding with other trees or the spread of pests or pathogens.*

*The tree is in close proximity to a structure, or would be in close proximity following city-approved construction, such as a building, retaining wall, utilities, etc., such that it would pose a likelihood of damage to such structures.*

As evident by the photos included with the application (see Attachment 3), all three trees are in close proximity to the adjacent structure at 470 Valley. Per the included arborist report, the trees are also described as having roots that have impacted the nearby sewer line, together are overcrowded, and due to their advanced age and various stages of decline, are recommended to be removed.

The standard conditions of approval shall be applied in connection with the granting of this tree removal permit. Some of these conditions includes replacement trees on at least a 1:1 basis with a fifteen-gallon nursery container size or larger, Community Director approval of the replacement species and proposed location, and that replacement trees are to be planted within 90 days of removal of the subject trees, per 12.12.050.B.4.

### **Recommendation**

That tree removal permit 2022-TR-6 be approved, based on the draft findings and conditions of approval provided in Attachment 1.

### **Attachments**

1. Draft Findings and Conditions of Approval
2. Tree location map/aerial
3. Tree Removal Application



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Jeremiah Robbins, Associate Planner

**-DRAFT-  
FINDINGS**

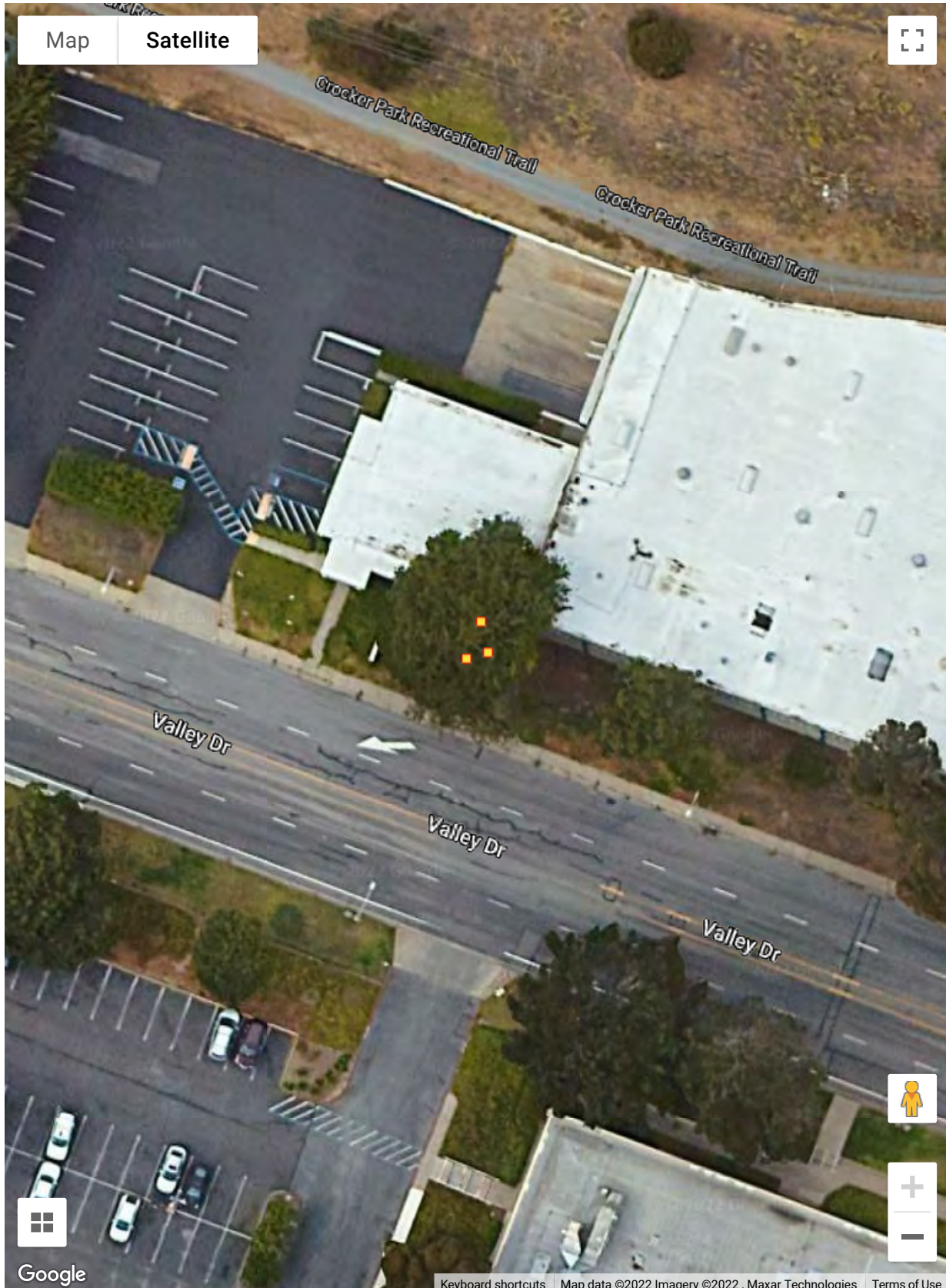
- A. The three Monterey Cypress trees are defined as “protected trees” and the following findings are made approving their removal, per BMC Section 12.12.050.B.2:
- a. The tree is dead or is diseased such that it poses an imminent danger of falling or dropping limbs.
  - b. The trees are in close proximity to a structure, such as a building, retaining wall, utilities, etc., such that it would pose a likelihood of damage to such structures.
  - c. That removal of the tree is necessary for good forestry practices, due to such factors as crowding with other trees or the spread of pests or pathogens.

**CONDITIONS OF APPROVAL**

1. Replacement trees shall be required to be planted on the subject property at the property owner's expense in compliance with the following:
  - i. Replacement trees shall be on at least a 1:1 basis.
  - ii. Replacement size shall be of a standard fifteen (15) gallon nursery container, or larger.
  - iii. The replacement species and location shall be approved by the Community Development Director prior to planting.
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3. All tree removal activities shall be subject to the Noise Ordinance, BMC §8.28.060. Tree removal shall only be allowed between the hours of seven (7:00) a.m. and seven (7:00) p.m. on weekdays and nine (9:00) a.m. to seven (7:00) p.m. on weekends and holidays. Tree removal activities must meet at least one of the following noise limitations:
  - i. No individual piece of equipment shall produce a noise level exceeding eighty-three (83) dBA at a distance of twenty-five (25) feet from the source thereof.
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5. Applicant shall obtain an Encroachment Permit from the City Engineer prior to undertaking the work, if work is to result in roadway or sidewalk blockage.
6. This letter does not provide authorization for tree removal from other properties or entry to other neighboring properties where limbs may hang over. If the tree removal activities require entry onto an adjacent yard, you will need to contact the owner of that property to arrange a private agreement.
7. All removal activities shall comply with applicable federal and state provisions protecting nesting or migratory birds as provided in the federal Migratory Bird Treaty Act and the California Fish and Wildlife Code, Section 3503.
8. This tree removal permit shall expire six (6) months following the effective date of the permit.



Valley Dr., 470



Legend (3)

Monterey Cypress (3)

## Submission information

Form: [Private Tree Removal and Severe Tree Trimming Application](#) [1]  
 Submitted by Visitor (not verified)  
 Fri, 05/27/2022 - 11:16am

**Date**

Fri, 05/27/2022

**Type of Request**

Removal of Protected Tree

**Number of Trees**

3

**Tree #1**

Photo ID #	1
Species	Hesperocyparis Macrocarpa Monterey Cypress
Invasive	No
Tree Circumference	9
Description of Tree Location	Front of building in close proximity to building the biggest tree in the pictures and closest to the building. Tree canopy is hanging over the building causing a safety concern,
Photo	<a href="#">tree_one - 3_470_valley_drive.jpg</a> [2]



**Tree #1**

Photo [tree\\_one\\_470\\_valley\\_drive.jpg](#) <sup>[3]</sup>

**Reason for Removal**

- The tree is diseased such that it poses an imminent danger of falling or dropping limbs.
- The tree is in close proximity to a structure, or would be in close proximity following city-approved construction, such as a building, retaining wall, utilities, etc., such that it would pose a likelihood of damage to such structures.

**Tree #2**

Photo ID # 2

Species Hesperocyparis Macrocarpa Monterey Cypress

Invasive No

Tree Circumference 4.7

Description of Tree Location Front of building in close proximity to building the smaller tree east of the biggest tree in the picture. Tree canopy is hanging over the building causing a safety concern, as w

Photo [tree\\_two - 2\\_470\\_valley\\_drive.jpg](#) <sup>[4]</sup>

Photo [tree\\_two - 3\\_470\\_valley\\_drive.jpg](#) <sup>[5]</sup>

**Reason for Removal**

- The tree is diseased such that it poses an imminent danger of falling or dropping limbs.
- The tree is in close proximity to a structure, or would be in close proximity following city-approved construction, such as a building, retaining wall, utilities, etc., such that it would pose a likelihood of damage to such structures.
- That removal of the tree is necessary for good forestry practices, due to such factors as crowding with other trees or the spread of pests or pathogens.

**Tree #3**

Photo ID # 3

Species Hesperocyparis Macrocarpa Monterey Cypress

Invasive No

Tree Circumference 7.8

Description of Tree Location Front of building in close proximity to building the smaller tree South of the biggest tree in the picture. Tree canopy is hanging over the landscape and sidewalk and causing

Photo [tree\\_three - 2\\_470\\_valley\\_drive.jpg](#) <sup>[6]</sup>

Photo [tree\\_three - 3\\_470\\_valley\\_drive.jpg](#) <sup>[7]</sup>

**Reason for Removal**

- The tree is diseased such that it poses an imminent danger of falling or dropping limbs.

**Arborist Report**

Yes

**Site Plan**

[site\\_map.jpg](#) <sup>(8)</sup>

**Certify the following:**

- I am the Owner of Record of the subject property
- The information submitted herein is true and correct
- I have read and agree to the standard conditions of approval specific to my request

**Electronic Signature Agreement**

I agree

Valley Dr., 470

Valley Dr, 470 Cypress Removal Project



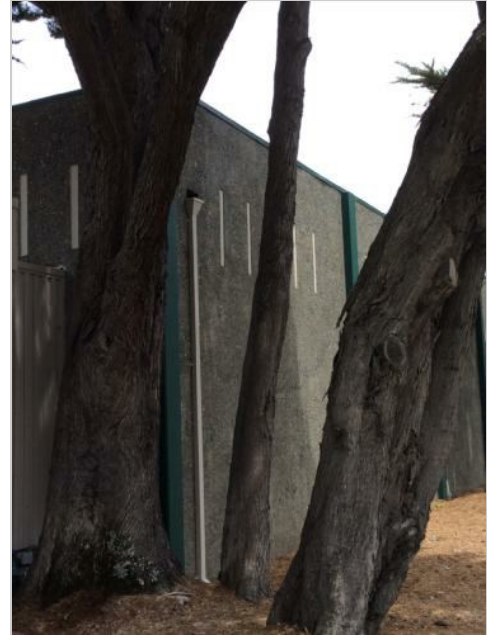
May 26, 2022

*Hesperocyparis macrocarpa* ID# 1  
Monterey Cypress



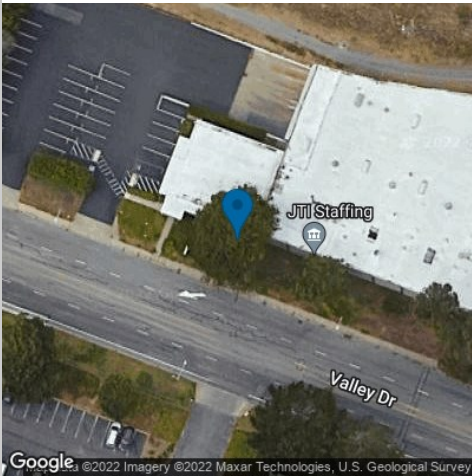
May 26, 2022

*Hesperocyparis macrocarpa* ID# 1  
Monterey Cypress



May 26, 2022

*Hesperocyparis macrocarpa* ID# 2  
Monterey Cypress



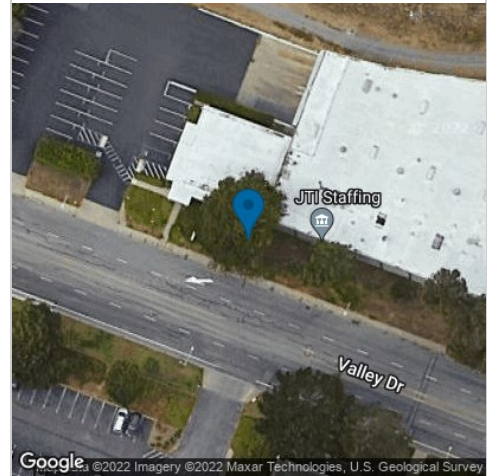
Google ©2022 Imagery ©2022 Maxar Technologies, U.S. Geological Survey  
Removal / Grind

Over roof



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Removal / Grind

Over roof



Google ©2022 Imagery ©2022 Maxar Technologies, U.S. Geological Survey  
Removal / Grind

Over roof





Valley Dr., 470

Valley Dr, 470 Cypress Removal Project



May 26, 2022

*Hesperocyparis macrocarpa* ID# 2  
Monterey Cypress



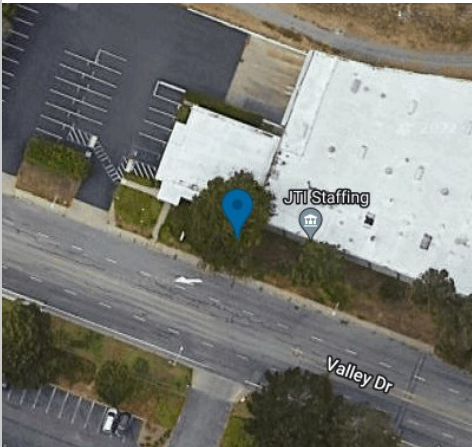
May 26, 2022

*Hesperocyparis macrocarpa* ID# 3  
Monterey Cypress



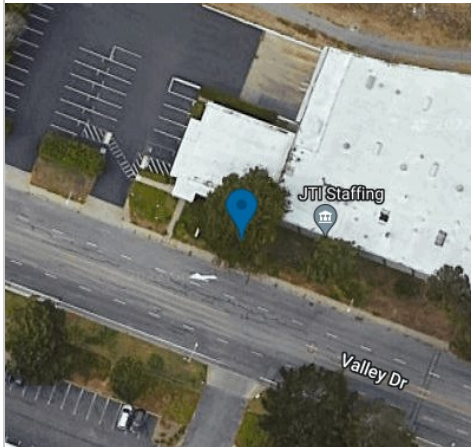
May 26, 2022

*Hesperocyparis macrocarpa* ID# 3  
Monterey Cypress



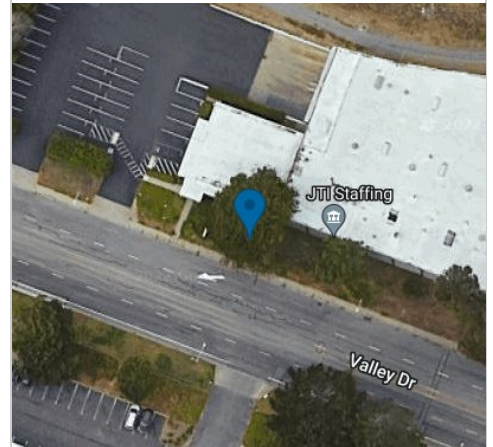
Google, ©2022 Imagery ©2022 Maxar Technologies, U.S. Geological Survey

Removal / Grind



Google, ©2022 Imagery ©2022 Maxar Technologies, U.S. Geological Survey

Removal / Grind



Google, ©2022 Imagery ©2022 Maxar Technologies, U.S. Geological Survey

Removal / Grind

















05/31/2022

Jonathan Joseph Maystrik II  
The Arboreal Company  
7855 Paseo Santa Cruz  
Pleasanton, CA 94566

Julia Johnson  
KGIP Investments  
6700 Koll Center Parkway  
Pleasanton, CA 94566

To whom this may concern,

The Arboreal Company was retained to provide a written, detailed, analysis of 3 Monterey Cypress trees located at 470 Valley Dr., Brisbane, CA. An above ground report was requested, therefore, no underground nor subterranean excavation occurred. A visual inspection was performed on all, above ground, tree parts on May 27<sup>th</sup>, 2022, at approximately 1:00pm.

The day was cloudy, and overcast with a slight breeze with a typical Spring, temperature of 62 degrees Fahrenheit. (Samsung Weather App ver1.5.40.57, 2022) The following is a synopsis of the details obtained during my inspection of the trees. The recommendations within this report or intended for informational purposes on or before the 27<sup>th</sup> of May. Due to, potential, site changes occurring after the report was prepared, a new inspection may be required to obtain the most up to date information on any tree included in a report provided by The Arboreal Company.

Tree #1, a mature Monterey Cypress, *Cupressus macrocarpa*, measures approximately 50' in height with a crown spread of 25'. The Circumference when measured at 2.5' is 9'. Tree has multiple competing, or codominant, stems. The bark attachment, at about 15', with this type of structure are weakened due to bark inclusions. Cabling or pruning can remedy this defect, however, not all trees can withstand the effects of the impacts of these solutions, and it is not practical for Monterey cypress trees of this stage of maturity. The roots have impacted the adjacent Sewer lines. The tree is also adjacent to major gas facilities that service the entire building

Tree #2, a semi-mature, multi-stemmed, Monterey Cypress, *Cupressus macrocarpa*, measures approximately 35' in height with a crown spread of 15'. The diameter when measured at 2.5' is 4.7'. Tree is overcrowded with the neighboring canopies of two adjacent cypress trees (#1 and #3) Tree has a high crown due to removal of limbs from pruning over the years.

Tree #3, a mature, Monterey Cypress, *Cupressus macrocarpa*, measures approximately 35' in height with a crown spread of 25'. The diameter when measured at 2.5' is 7.8'. Tree has dieback

470 Valley Dr Cypress

05/31/2022

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an edge of crown and shares canopies with Tree #1 and #2. Trunk is leaning with codominant stems at 3'.

Monterey Cypress trees are native to California and New Zealand. They tend to thrive in locations with cooler summers. They can grow to over 100' in height and 8' in diameter (Over 25' in Circumference.) A popular planting in the 1960's and 1970's due to their ease of establishment. The roots of these trees tend to pose threats to underground utilities and hardscapes as trees mature and are planted to closely to these facilities.

Due to the age and various stages of decline of the Monterey Cypress trees, our recommendation is to remove the Monterey Cypress trees and replace in locations more suitable to experience full maturity.

Please feel free to contact me directly with anything further regarding the contents of this report.

Sincerely,

05/31/2022

Jonathan Joseph Maystrik II

Certified Arborist WE-7363a

Owner

*Jonathan Maystrik*

