



Landscape Review Committee
Hybrid In-Person & ZOOM Online Meeting
Wednesday, April 3, 2024 - 12:00 PM

Please note that this meeting will be conducted in-person at the Community Development Center Large Conference Room, 231 NE Fifth Street, and via ZOOM.

Join ZOOM Meeting online via the following link:
<https://mcminnvilleoregon.zoom.us/j/88386294719>
Meeting ID: 883 8629 4719 Passcode: 325468

Or join ZOOM Meeting by phone via the following number: 1-253-215-8782

Committee Members	Agenda Items
Jamie Fleckenstein, Chair Brian Wicks, Vice Chair Carlton Davidson John Hall Eva Reutinger	<ol style="list-style-type: none"> 1. Call to Order and Roll Call 2. Minutes: None. 3. Citizen Comments 4. Action Items: <ol style="list-style-type: none"> A. L 10-24: Street Tree Removal, 2263 NW Doral Street, R4417-BC-02601 <i>(Exhibit 1)</i> B. L 11-24: Street Tree Removal, 2374 McGarey Drive, R4418-AD-05600 <i>(Exhibit 2)</i> 5. Committee Member Comments 6. Staff Comments 7. Adjournment

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting the City Manager (503) 434-7405 – 1-800-735-1232 for voice, or TDY 1-800-735-2900.

*Please note that these documents are also on the City’s website, www.mcminnvilleoregon.gov. You may also request a copy from the Planning Department.



PLANNING

City of McMinnville
Community Development Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311
www.mcminnvilleoregon.gov

EXHIBIT 1 - STAFF REPORT

DATE: April 3, 2024
TO: Landscape Review Committee Members
FROM: Taylor Graybehl, Senior Planner
SUBJECT: Tree Removal Application (L 10-24)

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

DOCKET: L 10-24 (Street Tree Removal)

REQUEST: Approval of a tree removal application for the removal of five (5) Street Trees.

LOCATION: 2263 NW Doral Street, R4417BC02601

ZONING/Overlay: R-1 PD

APPLICANT: Joan Buccino

PROPERTY OWNER: Michelbook 4th Addition HOA

STAFF: Taylor Graybehl, Senior Planner

DATE DEEMED COMPLETE: March 13, 2024

DECISION-MAKING BODY & ACTION: McMinnville Landscape Review Committee makes a recommendation of approval or denial to the Planning Director.

MEETING DATE & LOCATION: April 3, 2023, McMinnville Community Development Center, 231 NE 5th Street, and via Zoom online meeting

PROCEDURE: Street tree removal applications are required to be reviewed by the Landscape Review Committee as described in Section 17.58.040 of the McMinnville Zoning Ordinance.

CRITERIA: The applicable criteria are specified in Section 17.58.050 Tree Removal/Replacement Review Criteria.

APPEAL: The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.58.040 of the McMinnville Zoning Ordinance.

Attachments:

- Attachment 1 – Application
- Attachment 2 – Supplemental Application Materials
- Attachment 3 – Street Tree Planting Detail

I. BACKGROUND AND SUMMARY:

Application Summary

This proceeding concerns the review by the Landscape Review Committee of a street tree removal application for five (5) Street Trees, including four (4) ornamental cherries, and one (1) maple at the entrance of the Michelbook 4th Addition at the intersection of Doral St. and Baker Creek Rd. The application was received on March 13, 2024 (**Attachment 1**), including a written narrative, an Arborist report identifying the removal of four (4) trees, photographs, a site plan, and a tree replacement plan. The Arborist report identified multiple defects in the trees, with surface roots showing signs of decay, and recommended that the trees be removed and replaced. The tree replacement plan identified the replacement of four (4) trees in the northern planter, closest to NW Baker Creek Road, and four (4) trees in the southern planter.

On March 22, 2024, additional information was received clarifying the request for the removal of five (5) trees as the Arborist report identified four (4) trees for removal. The additional information includes images of the tree proposed to be removed (**Attachment 2**).

The applicant has identified Section 17.58.050(A) as the criteria for the removal of the trees.

See Figure 1 for a Vicinity Map. See Figure 2 for Northern Planter. See Figure 3 for Southern Planter.

Agency Comments

Agency comments are provided below.

Public Comments

The procedure for street tree removal permit applications doesn't require notification to surrounding property owners. No public comments were received.

Criteria and Issues

Typically, trees on private property are not subject to the City's Street Tree Removal Permit requirements. However, as Resolution 1990-41 states:

The Common Council hereby declares that it recognizes the streets within Michelbook Fourth Addition as being public highways for the purposes of enforcing the Motor Vehicles Division laws of the State of Oregon and the ordinances of the City of McMinnville.

Therefore, this resolution means the private street tracts, within Michelbook 4th Addition including NW Doral Street, are treated as public highways for purposes of the ordinances of the City of McMinnville.

The five (5) trees have been determined to be a tree specified in Section 17.58.020, subject to the street tree removal requirements of Chapter 17.58 of the Zoning Ordinance.

The applicable criteria for street tree removal are provided in Section 17.58.050 of the Zoning Ordinance. Section 17.58.050 requires a Tree Removal permit to be granted if any of the following criteria apply:

- A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist.
- B. The tree is in conflict with public improvements.

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- C. The proposed removal or pruning is part of an approved development project, a public improvement project where no alternative is available, or is part of a street tree improvement program.
- D. Verification of tree health or a tree's impacts on infrastructure shall be required, at the expense of the applicant, by a Certified Arborist acceptable to the City.

The Applicant has identified Criterion "A" as the criteria by which the tree is to be removed.

The Applicant has proposed to replace the five (5) trees proposed to be removed with seven (7) trees.

Northern Planter (closest to NW Baker Creek Road) Proposed Replacement Species:

- Fireburst Acer Griseum
- Parrotia Persica Spire
- Fireburst Acer Griseum
- Parrotia Persica Spire

Southern Planter Proposed Replacement Species:

- Dwarf Japanese Maple (to remain)
- Parrotia Persica Spire
- Fireburst Acer Griseum
- Fireburst Acer Griseum
- Parrotia Persica Spire

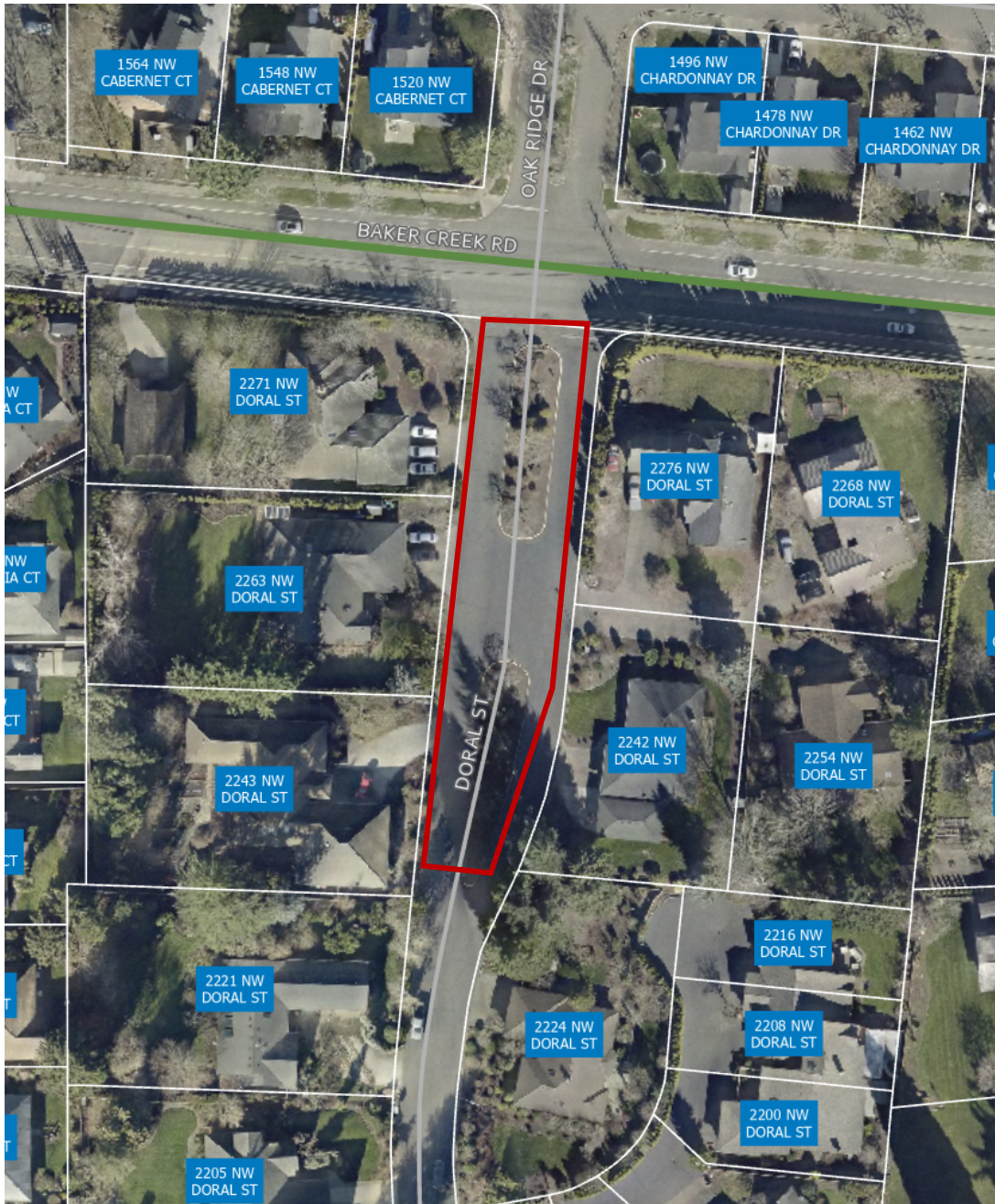
All trees identified for replacement are found within the McMinnville Street Tree List.

When a street tree removal permit is approved, there are provisions in Chapter 17.58 of the Zoning Ordinance with which the applicant must comply, including those in Sections 17.58.040 and 17.58.090. Staff recommends conditions of approval to address the applicable requirements of the Zoning Ordinance. Typically, approval of a tree removal request is conditioned on the provisions of 17.58.040 for replacement with another street tree approved by the City. The conditions of approval address the provisions of Chapter 17.58 to ensure proper removal or major pruning of a street tree, to specify the applicant's responsibilities for performance of work and associated costs, and to ensure replacement trees are consistent with the approved street tree list, planting requirements, and specifications addressed in Chapter 17.58.

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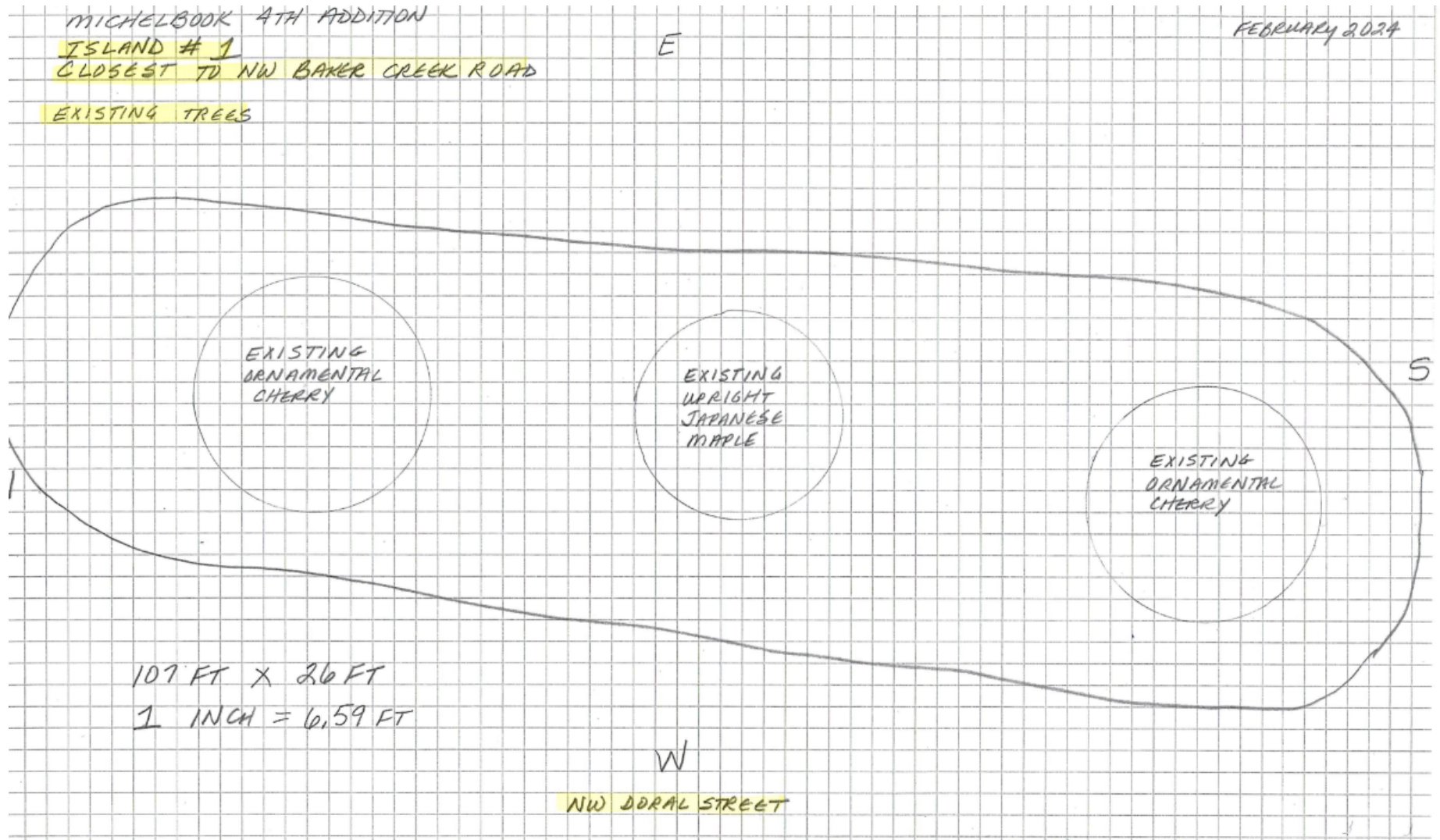
Figure 1 Vicinity Map.



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Figure 2. Northern Planter – Site Plan



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Figure 2. Northern Planter - Photos

**Michelbook 4th Addition
Diseased Ornamental Cherry trees**



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Figure 2. Northern Planter - Photos

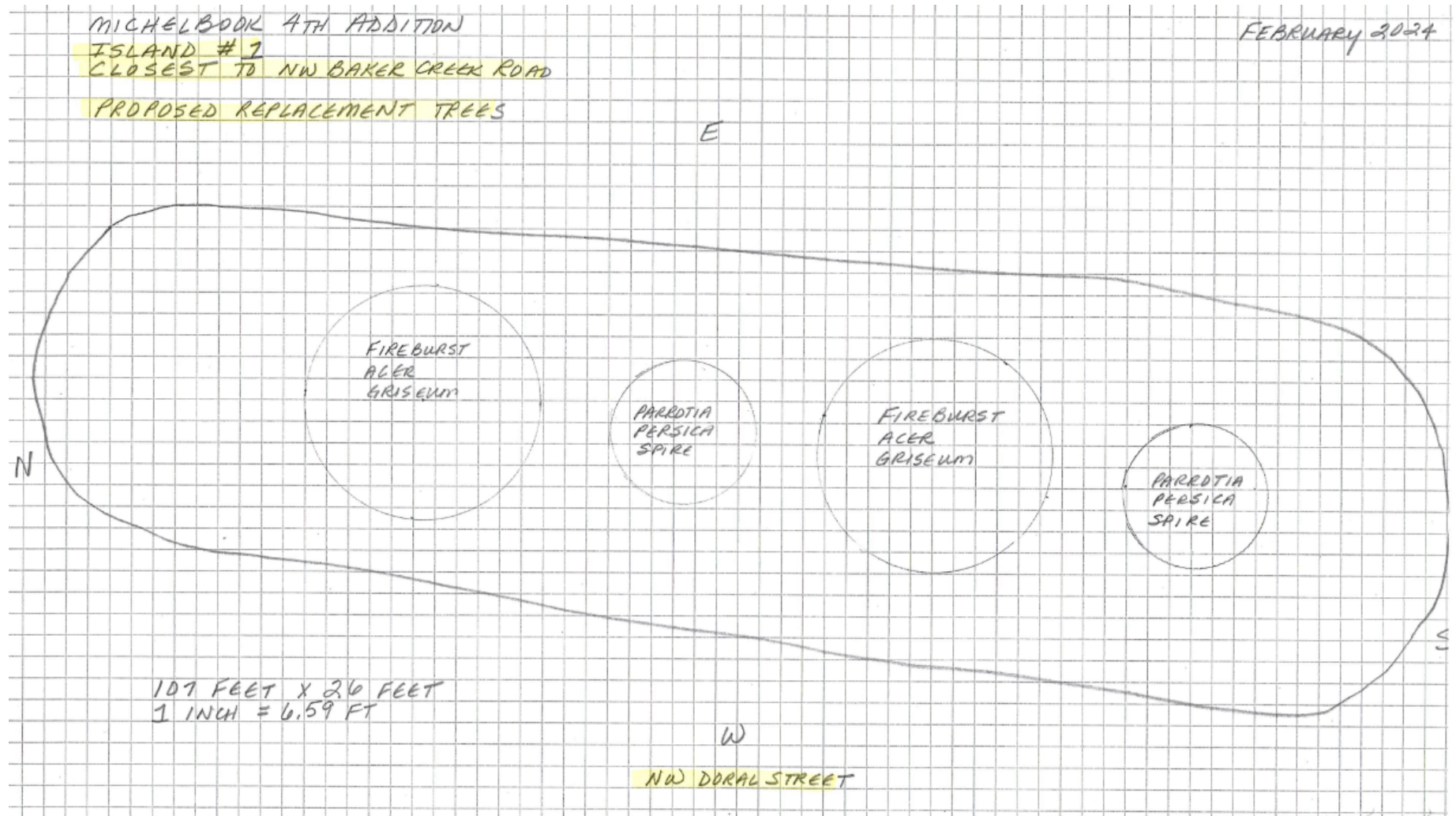
**Michelbook 4th Addition
Ornamental Cherry – surface roots**



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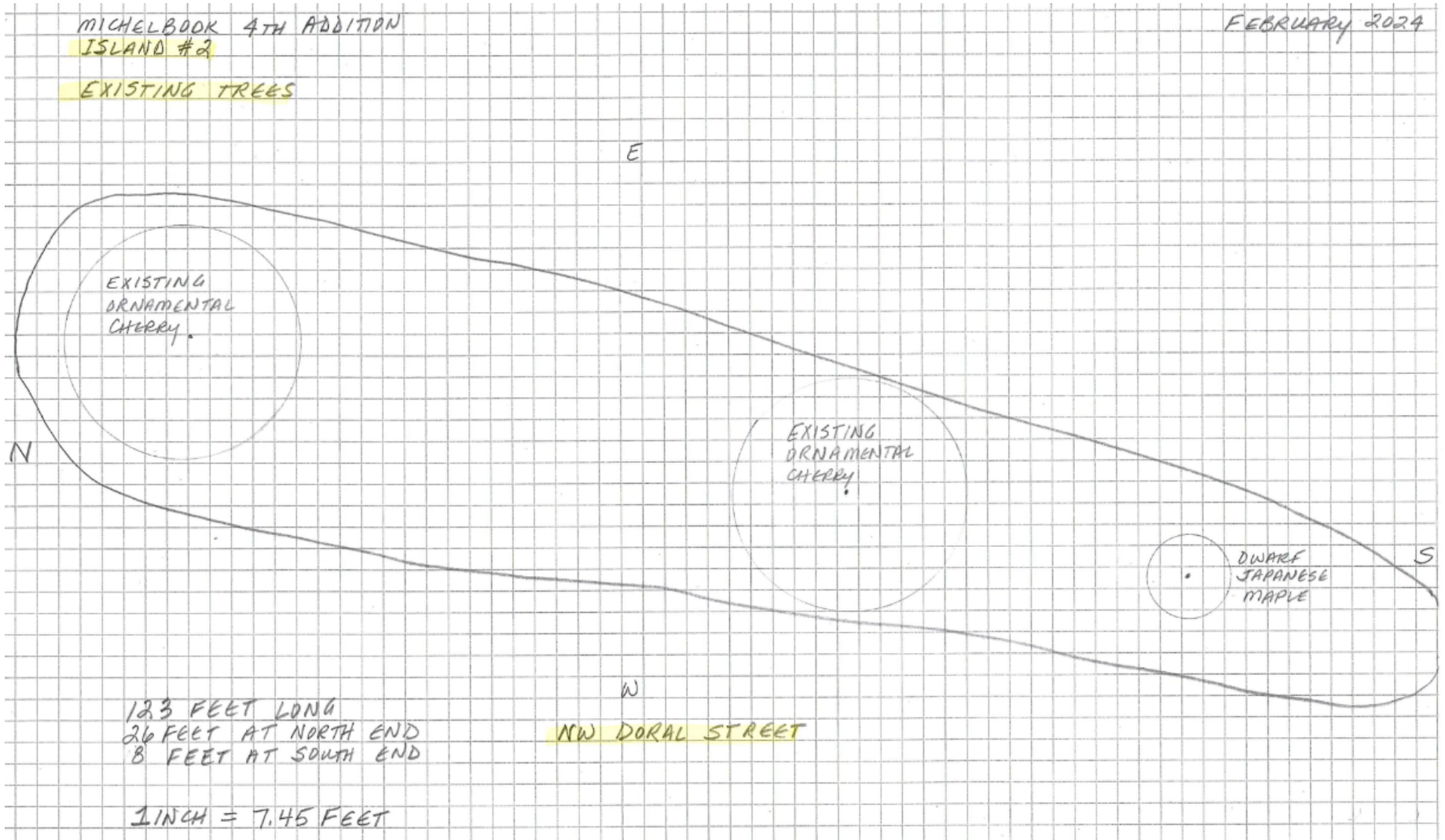
Figure 2. Northern Planter – Replacement Plan



Attachments:

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Figure 3. Southern Planter – Site Plan



Attachments:

- Attachment 1 – Application
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Figure 3. Southern Planter – Photos



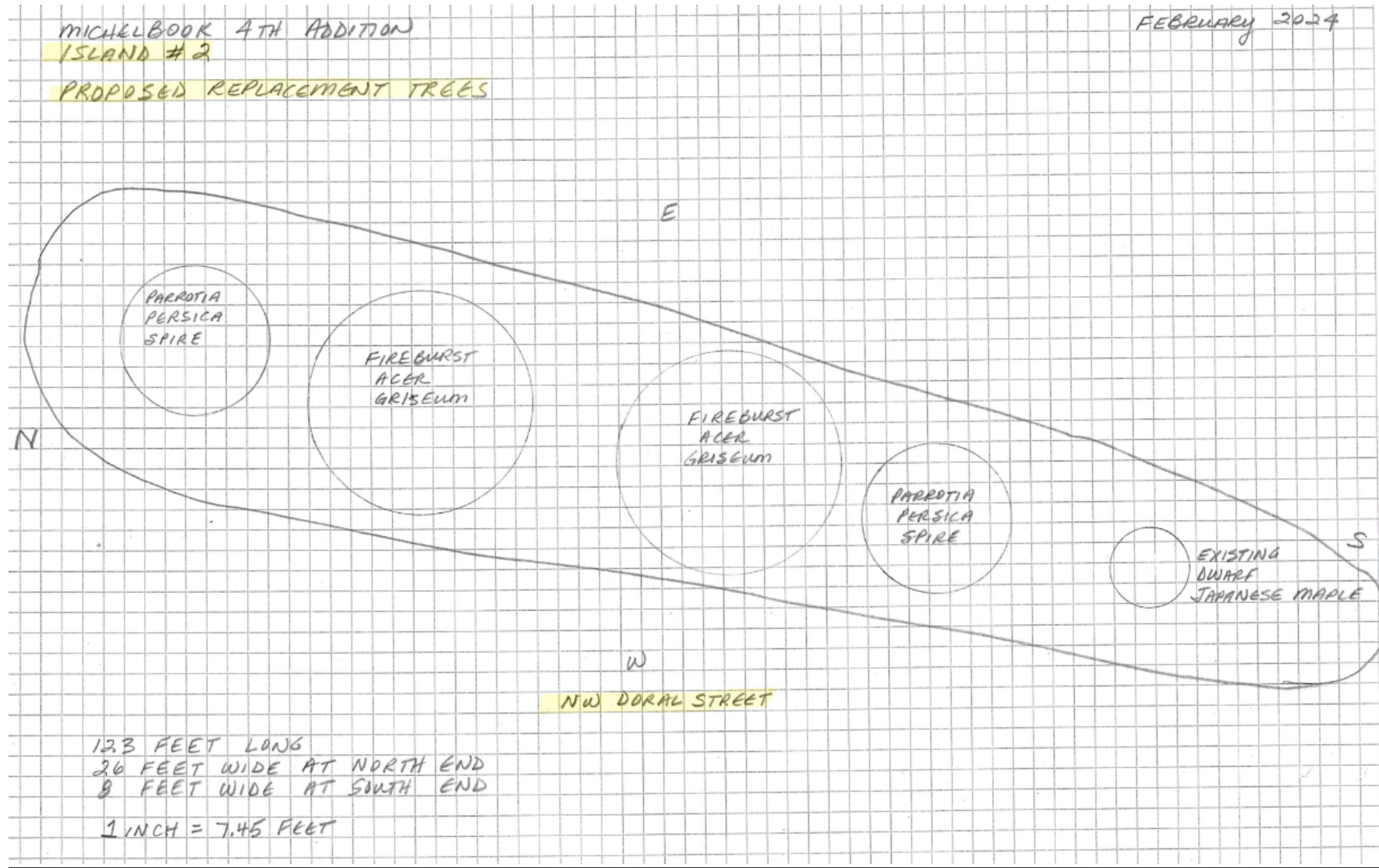
**Michelbook 4th Addition
Island #2**



Attachments:

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Figure 3. Southern Planter – Replacement Plan



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II. COMMENTS:

This matter was referred to the following public agencies for comment: McMinnville Public Works Department, McMinnville Engineering, and McMinnville Water and Light.

McMinnville Public Works

We have conducted a site inspection of this application. We would concur with the arborist's findings regarding condition of the current trees. The site assessment provide related to the planting site is accurate. We would recommend approval of L 10-24.

McMinnville Engineering

The project would not impact any public sidewalk or utilities in the area so the Engineering Department has no comments.

McMinnville Water and Light

No comments received.

III. ATTACHMENTS:

1. Application
2. Supplemental Application Materials
3. Street Tree Planting Detail

IV. STAFF RECOMMENDATION:

Staff has reviewed the application for consistency with the applicable criteria. Staff finds that, subject to the recommended conditions, the application submitted by the applicant contains sufficient evidence to find the applicable criteria are satisfied.

Staff **RECOMMENDS APPROVAL WITH CONDITIONS** of the tree removal application (L 11-24) **SUBJECT TO THE CONDITIONS OF APPROVAL IN SECTION V:**

V. CONDITIONS OF APPROVAL:

1. All costs and liability associated with tree removal and stump grinding shall be borne by the applicant.
2. The applicant is responsible for grinding stumps and surface roots at least six inches below grade. At least a two-inch-thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations. The area shall be re-seeded.
3. Replant with those trees identified by the Applicant within the Tree Replacement Plan. Including:

Northern Planter (closest to NW Baker Creek Road):

- Fireburst Acer Griseum
- Parrotia Persica Spire
- Fireburst Acer Griseum
- Parrotia Persica Spire

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Southern Planter:

- Dwarf Japanese Maple (to remain)
 - Parrotia Persica Spire
 - Fireburst Acer Griseum
 - Parrotia Persica Spire
 - Fireburst Acer Griseum
4. The replacement tree shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well-developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
 5. Trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm, or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
 6. The planting of street trees shall be subject to the design drawings and specifications developed by the City in May 2014 (**Attachment 3**). The applicant shall provide:
 - a. Plant root crown 1" above finished grade,
 - b. Minimum mulch layer of 2",
 - c. 2" x 2" wood stake 2/3 height of tree connected to the tree with 1" wide nylon ties and no wire,
 - d. Two deep watering tubes to promote deep root growth,
 - e. Planting pit two times the root ball width and no deeper than the root ball, backfilled with native material,
 - f. Linear root barrier:
 - i. commercially engineered,
 - ii. ten-foot-long centered on the tree,
 - iii. 18" deep, and
 - iv. on the curb and sidewalk side of the tree
 - g. For balled and burlap trees, cut and peel away the wireframe from the root ball and leave the burlap and frame in the planting hole.
 7. The planter areas shall be restored to their original grade immediately following the planting of the replacement tree.
 8. The applicant shall call for locates (dial 811) for all underground utilities prior to removing the trunk and roots. This is a free service and the law. Upon request, utility locates can be flagged without marking up hard surfaces.
 9. The applicant shall contact Public Works Operations (503.434.7316) for planting inspection prior to backfilling the planted tree.
 10. The applicant shall complete the tree removal process and replacement within six (6) months of receiving notification of the Landscape Review Committee's decision.

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11. The Street Trees shall be maintained continually by the property owners:

- a. Including necessary watering, weeding, pruning, and replacement, by the developer or property owner for one full growing season following planting,
- b. Street trees shall be pruned with at least:
 - i. Eight (8) feet of clearance above sidewalks and
 - ii. Thirteen (13) feet of clearance above NW Doral Street.

VI. LANDSCAPE COMMITTEE OPTIONS:

1. **APPROVE** the application, subject to the recommended conditions of approval.
2. **APPROVE** the application with additional/revised conditions of approval if necessary to satisfy the applicable criteria.
3. **CONTINUE** the application, requesting that applicant submit more information for review if necessary to make findings that the applicable criteria are satisfied.
4. **DENY** the application, providing findings of fact for the denial in the motion to deny if it is found the application doesn't meet the applicable criteria.

VII. SUGGESTED MOTION:

BASED ON FINDINGS THAT THE APPLICABLE CRITERIA ARE SATISFIED SUBJECT TO CONDITIONS OF APPROVAL, I MOVE THAT THE LANDSCAPE REVIEW COMMITTEE APPROVE THE STREET TREE REMOVAL APPLICATION L 10-24 SUBJECT TO THE CONDITIONS OF APPROVAL RECOMMENDED BY STAFF IN THE STAFF REPORT.

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Planning Department
231 NE Fifth Street o McMinnville, OR 97128
(503) 434-7311 Office o (503) 474-4955 Fax
www.mcminnvilleoregon.gov

Office Use Only:
File No. L 10-24
Date Received 3/13/24
Fee \$160.00
Receipt No. 209517
Received by AW

569-24-000065-PLNG

Street Tree Removal

Applicant Information

Applicant is: [x] Property Owner [] Contract Buyer [] Option Holder [] Agent [] Other

Applicant Name Michelbook 4th Addition HOA Phone 503-781-2094

Contact Name Joan Buccino Phone 503-781-2094
(If different than above)

Address 1440 NW Spyglass Ct

City, State, Zip McMinnville, OR 97128

Contact Email joanbuccino@comcast.net

Property Owner Information Same as above

Property Owner Name Phone
(If different than above)

Contact Name Phone

Address

City, State, Zip

Contact Email

Site Location and Description

(If metes and bounds description, indicate on separate sheet)

Property Address 2263 NW Doral St

(Property nearest to tree(s) for removal)
Assessor Map No. R4 417BC - 02601

Total Site Area Approximately 5,000SF

Subdivision Michelbook 4th Addition Block Doral Street between blocks 9&10

Comprehensive Plan Designation Residential Zoning Designation R1

Additional Information

1. How many trees are requested for removal? 5
2. What type (species) of tree(s) are they? 4 ornamental cherries & 1 maple
3. What is the diameter of the tree(s), measured four feet above ground level? _____
The trees branch 32" to 42" above the soil line. Diameters are 16-20" just below branching
4. Why are you requesting the removal of the noted tree(s)? (See "Removal Criteria" on attached Information Sheet.) Explain which of the criteria is addressed through this application. _____
Please see attached

In addition to this completed application, the applicant must provide the following:

- A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), showing the location of the tree(s) subject to the removal request, property lines, sidewalks, adjacent utilities (including overhead), north direction arrow, and adjacent streets.
- Arborist report, photographs, and/or other information which would help substantiate or clarify your request.

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.

Joan Buccino
Applicant's Signature
Joan Buccino, HOA Vice President

3/13/2024
Date

Phil Forve
Property Owner's Signature
Phil Forve, HOA President

March 12, 2024
Date

We are requesting the removal of four ornamental cherry trees and one maple tree located on two entrance islands in the 2200 block of NW Doral Street because they are diseased as determined by Certified Arborists. These trees have been in place since the mid-1980s.

We have consulted with two arborists, Shaun Slowik and Jason McFarland, the OSU Extension Agent, and the West Coast Propagation Manager for Bailey Nurseries. All have recommended replacing the trees with healthy, long-lived columnar trees that will mature within the confines of the island planters.

The ornamental cherry trees were a poor choice for the raised islands. As you can see in the attached photographs, the trees branch at 32" to 42" above the soil line and have a horizontal growth pattern. Over the years, large limbs have been cut off when they have grown into the traffic lanes. This has introduced disease and accelerated the decline of the trees.

The cherry trees have produced large surface roots (photos attached) that have reached the concrete curbing that surrounds the raised islands. I spoke with the Yamhill County OSU Extension Agent about root pruning. This extension agent has personally seen our trees, is familiar with the growing conditions and the physical restraints of our location. She advised that root pruning of these mature trees is not recommended. This leaves us with the potential of soon having to replace portions of the concrete curbing due to root intrusion.

We had hoped to keep the maple tree, but the arborist is recommending removal. As the attached photographs show, the tree has split open and portions are rotting.

We will replace the four cherries and one maple with four Fireburst *Acer griseum* and four Parrotia *persica* Spire. The columnar nature of these trees will allow them to mature within the confines of the islands. They are healthy, long-lived trees with an average life span of 80 to 100 years. They will be planted with deep watering tubes to encourage deep rooting and staked as recommended. If we are unable to source 2" caliper replacements of these specific varieties, we will substitute a similar columnar *Acer griseum* and *Parrotia persica*. Increasing from the existing five trees, to eight trees meets the spacing requirement for street trees.

There are no overhead wires and no sidewalks adjacent to the islands. It is our understanding there are no utilities in the islands, except electricity at the north end of island #1. We will confirm this with Locate prior to the start of any work.

The Parrotia naturally branches close to the ground and we would like to allow it to do so. With a mature width of 10 feet, we have plenty of room to accommodate the low branching. We have homeowners who front Doral Street close to the Baker Creek Road entrance. They are exposed to all the traffic entering and leaving the neighborhood. They have asked for more foliage on the islands to break up the view and the noise of the traffic entering and leaving.

On the north end of island #1, we will plant the first Acer griseum 25 feet from the north curb to ensure a clear line of sight at the intersection with Baker Creek Road.



TREE HAZARD EVALUATION FORM 2nd Edition

Site/Address: Doral Street
 Map/Location: Doral, Bakers Creek 4th Addition Property
 Owner: public private unknown other
 Date: 3/15/24 Inspector: Shawn Slawik: PAW1585A
 Date of last inspection: unknown

HAZARD RATING:

Failure Potential	+	Size of part	+	Target Rating	=	Hazard Rating
3		3		3		9

Immediate action needed
 Needs further inspection
 Dead tree Remove/Replace

TREE CHARACTERISTICS

Tree #: 001-004 Species: Flowering Cherry (ROSACEAE)
 DBH: 20" # of trunks: 1 Height: 8' Spread: 18'
 Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 Crown class: dominant co-dominant intermediate suppressed
 Live crown ratio: 70 % Age class: young semi-mature mature over-mature/senescent
 Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced flush cuts cabled/braced
 none multiple pruning events Approx. dates: yearly
 Special Value: specimen heritage/historic wildlife unusual street tree screen shade indigenous protected by gov. agency

TREE HEALTH

Foliage color: normal chlorotic necrotic Epicormics? Y N
 Foliage density: normal sparse Leaf size: normal small
 Annual shoot growth: excellent average poor Twig Dieback? Y N
 Woundwood development: excellent average poor none
 Vigor class: excellent average fair poor
 Major pests/diseases: Lesser bark borer (Crematogaster) / Cherry shot hole (Cecidomyia)
Conkers

SITE CONDITIONS

Site Character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
 Irrigation: none adequate inadequate excessive trunk wetted
 Recent site disturbance? Y N construction soil disturbance grade change line clearing site clearing
 % dripline paved: 0% 10-25% 25-50% 50-75% 75-100% Pavement lifted? Y N
 % dripline w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume disease center history of fail
 clay expansive slope 1° aspect: 1
 Obstructions: lights signage line-of-sight view overhead lines underground utilities traffic adjacent veg.
 Exposure to wind: single tree below canopy above canopy recently exposed windward, canopy edge area prone to windthrow
 Prevailing wind direction: S/W Occurrence of snow/ice storms never seldom regularly

TARGET

Use Under Tree: building parking traffic pedestrian recreation landscape hardscape small features utility lines
 Can target be moved? Y N Can use be restricted? Y N
 Occupancy: occasional use intermittent use frequent use constant use

ROOT DEFECTS:

Suspect root rot: N Mushroom/conk/bracket present: N ID: Sam Houston
 Exposed roots: severe moderate low Undermined: severe moderate low
 Root pruned: 0/k distance from trunk Root area affected: 0 % Buttress wounded: Y N When: _____
 Restricted root area: severe moderate low Potential for root failure: severe moderate low
 LEAN: 0 deg. from vertical natural unnatural self-corrected Soil heaving: Y N
 Decay in plane of lean: Y N Roots broken Y N Soil cracking: Y N
 Compounding factors: Lots of Surface Roots Lean severity: severe moderate low

CROWN DEFECTS: Indicate presence of individual defects and rate their severity (s = severe, m = moderate, l = low)

DEFECT	ROOT CROWN	TRUNK	SCAFFOLDS	BRANCHES
Poor taper				
Bow, sweep				
Codominants/forks				
Multiple attachments				
Included bark				
Excessive end weight				
Cracks/splits			m	m
Hangers				
Girdling				
Wounds/seam	m	m		
Decay			m/s	m
Cavity				
Conks/mushrooms/bracket				
Bleeding/sap flow				
Loose/cracked bark				
Nesting hole/bee hive				
Deadwood/stubs			m	m
Borers/termites/ants				
Cankers/galls/buris	m	m	m	m
Previous failure				

HAZARD RATING

Tree part most likely to fail: Root System
 Inspection period: _____ annual _____ biannual _____ other
 Failure Potential + Size of Part + Target Rating = Hazard Rating
3 + 3 + 3 = 9

Failure potential: 1 - low; 2 - medium; 3 - high; 4 - severe
 Size of part: 1 - <6" (15 cm); 2 - 6-18" (15-45 cm);
 3 - 18-30" (45-75 cm); 4 - >30" (75 cm)
 Target rating: 1 - occasional use; 2 intermittent use;
 3 - frequent use; 4 - constant use

HAZARD ABATEMENT

Prune: remove defective part reduce end weight crown clean thin raise canopy crown reduce restructure shape
 Cable/Brace: n/a Inspect further: root crown decay aerial monitor
 Remove tree: N Replace? N Move target: Y N Other: _____
 Effect on adjacent trees: none evaluate
 Notification: owner manager governing agency Date: 3/3/24

COMMENTS

Mature Flowering Cherry Trees Have multiple Defects
 Surface Roots show signs of Decay
 Remove, Replace
 [Signature]

Michelbook 4th Addition

Entrance Islands - NW Doral Street

Legend

2503 NW Doral St

Google Earth

Image © 2024 Airbus

Page 22 of 59

100 ft



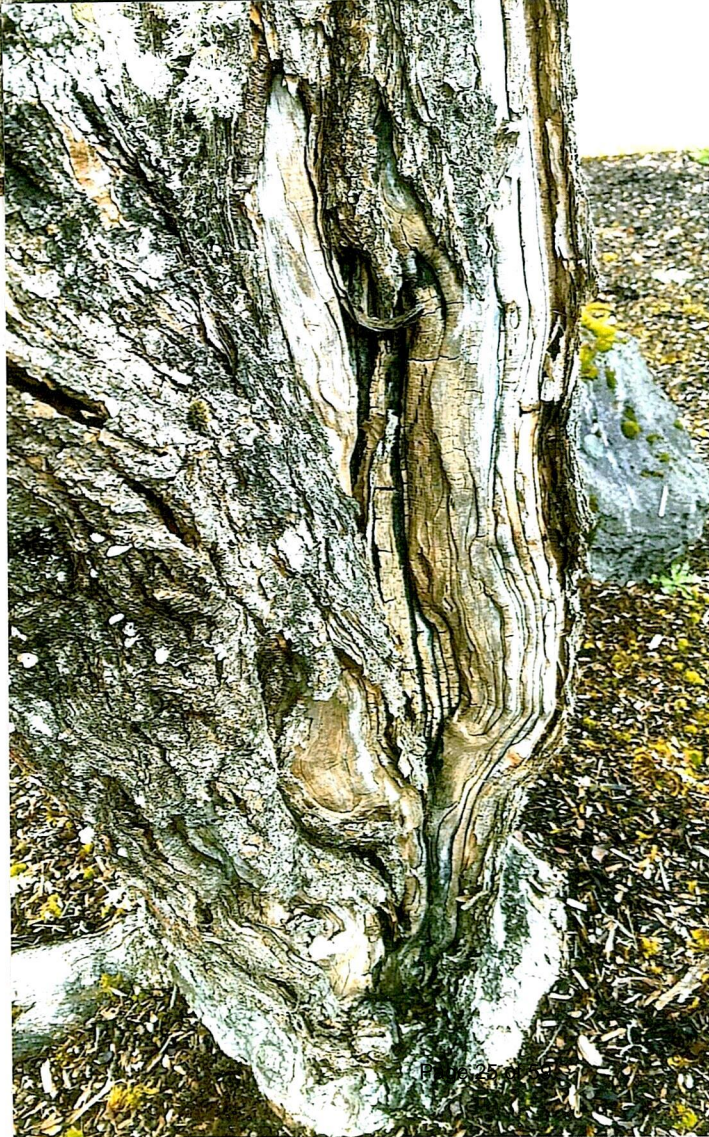
**Michelbook 4th Addition
Diseased Ornamental Cherry trees**



Michelbook 4th Addition Ornamental Cherry – surface roots



**Michelbook 4th Addition
Maple to be removed**



1st Island

description for your map.

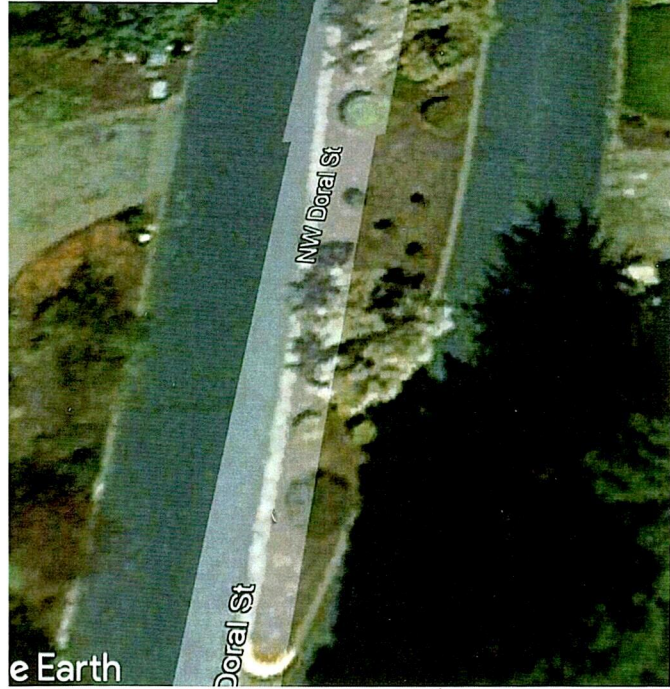


Michelbook 4th Addition Island #1



2nd Island

Description for your map.



Michelbook 4th Addition
Island #2



MICHELBOOK 4TH ADDITION

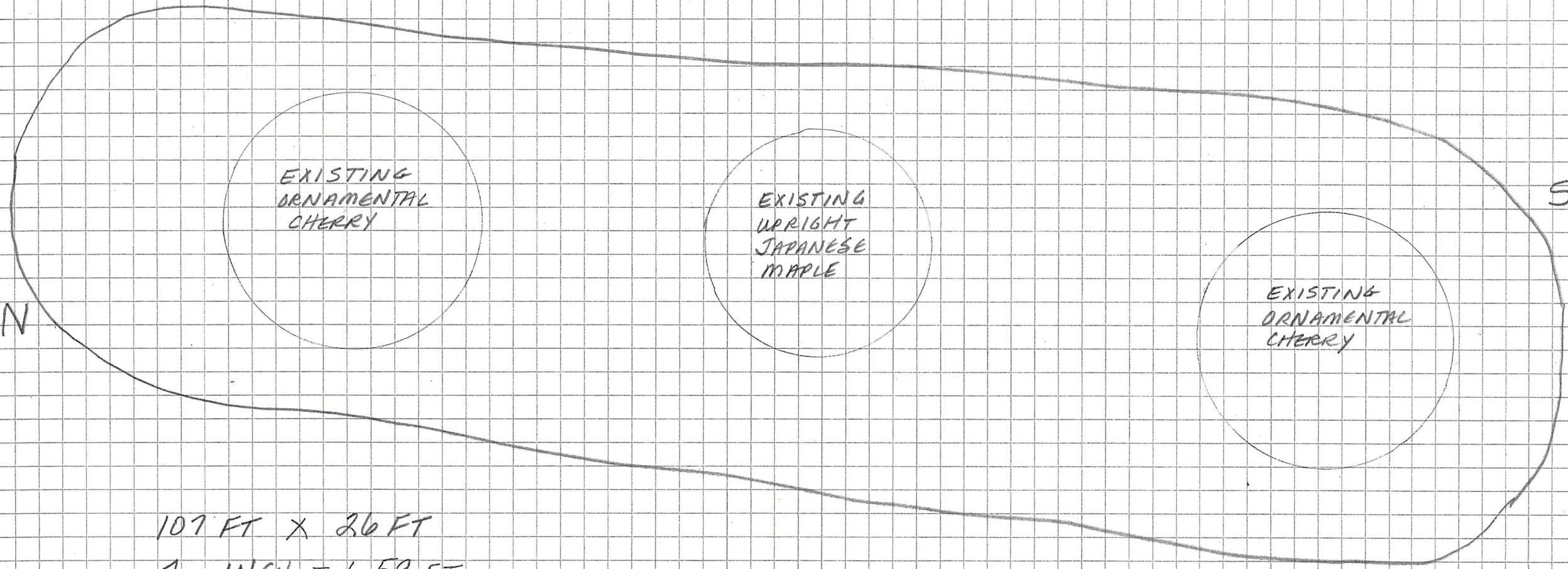
FEBRUARY 2024

ISLAND # 1

E

CLOSEST TO NW BAKER CREEK ROAD

EXISTING TREES



107 FT X 26 FT

1 INCH = 6.59 FT

W

NW DORAL STREET

MICHELBOOK 4TH ADDITION

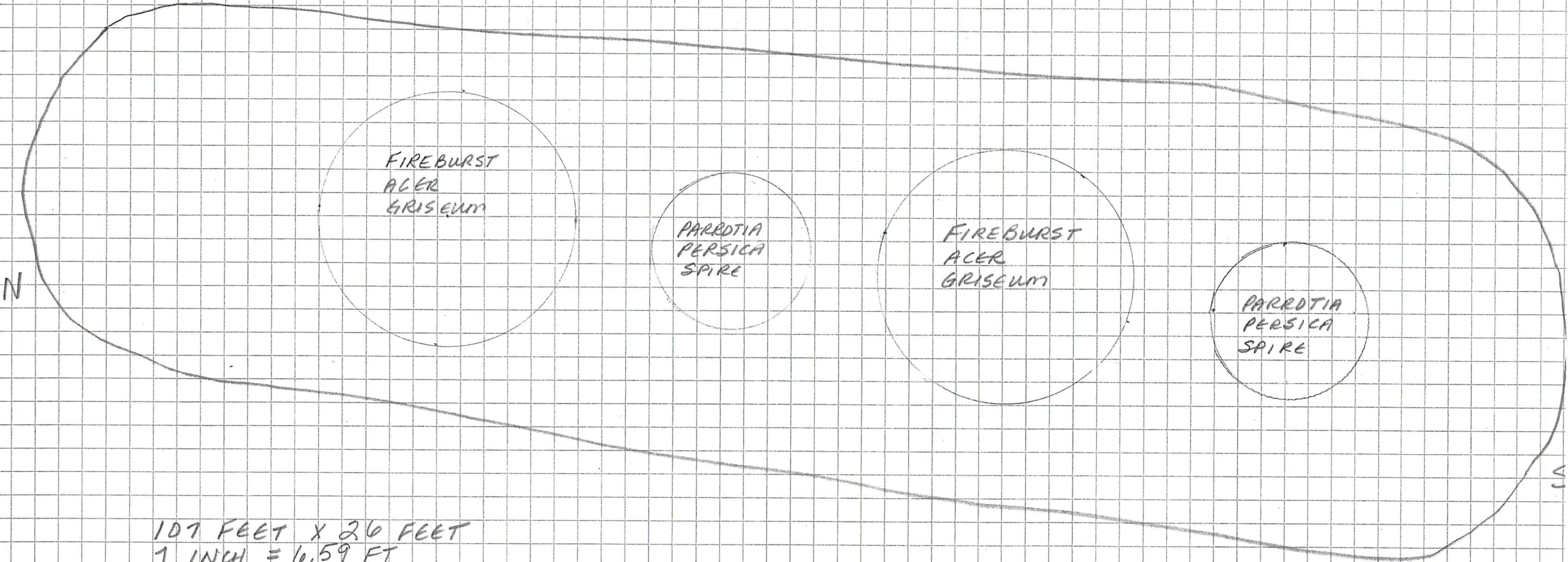
FEBRUARY 2024

ISLAND # 7

CLOSEST TO NW BAKER CREEK ROAD

PROPOSED REPLACEMENT TREES

E



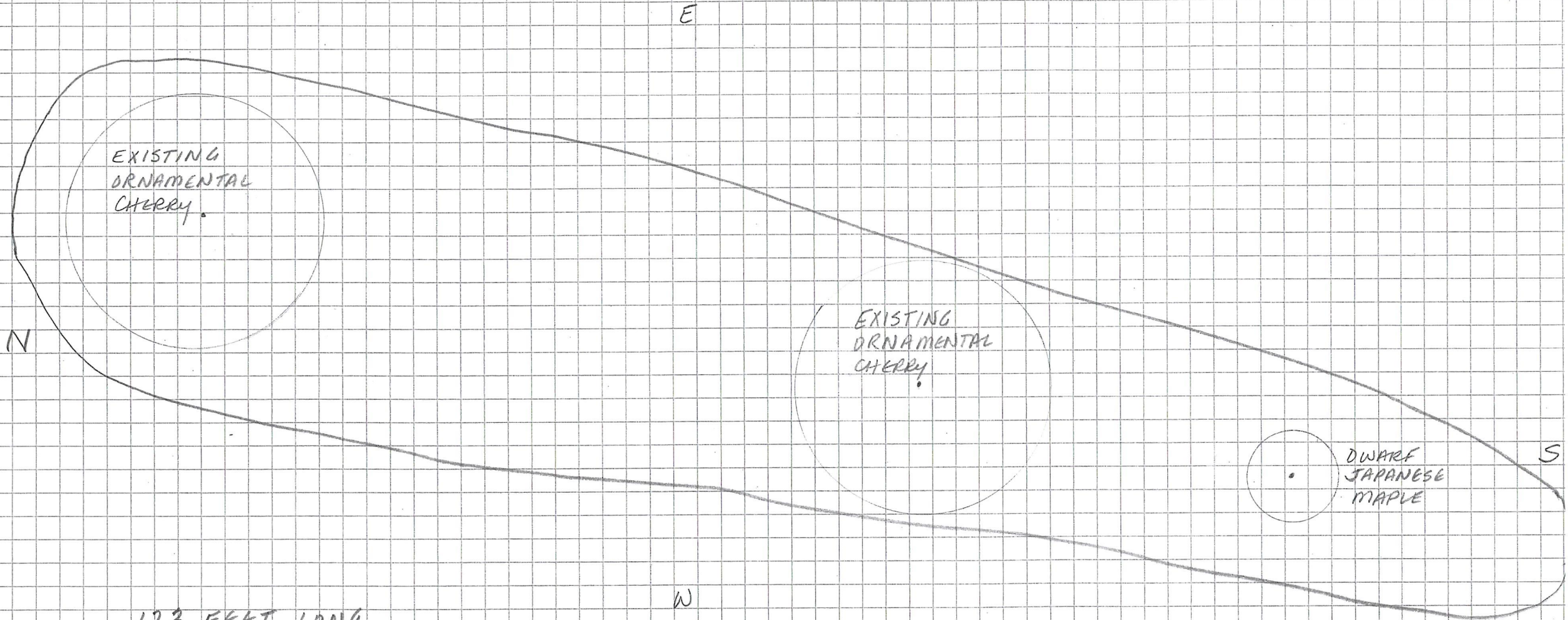
107 FEET X 26 FEET
1 INCH = 6.59 FT

W

NW DORAL STREET

ISLAND #2

EXISTING TREES

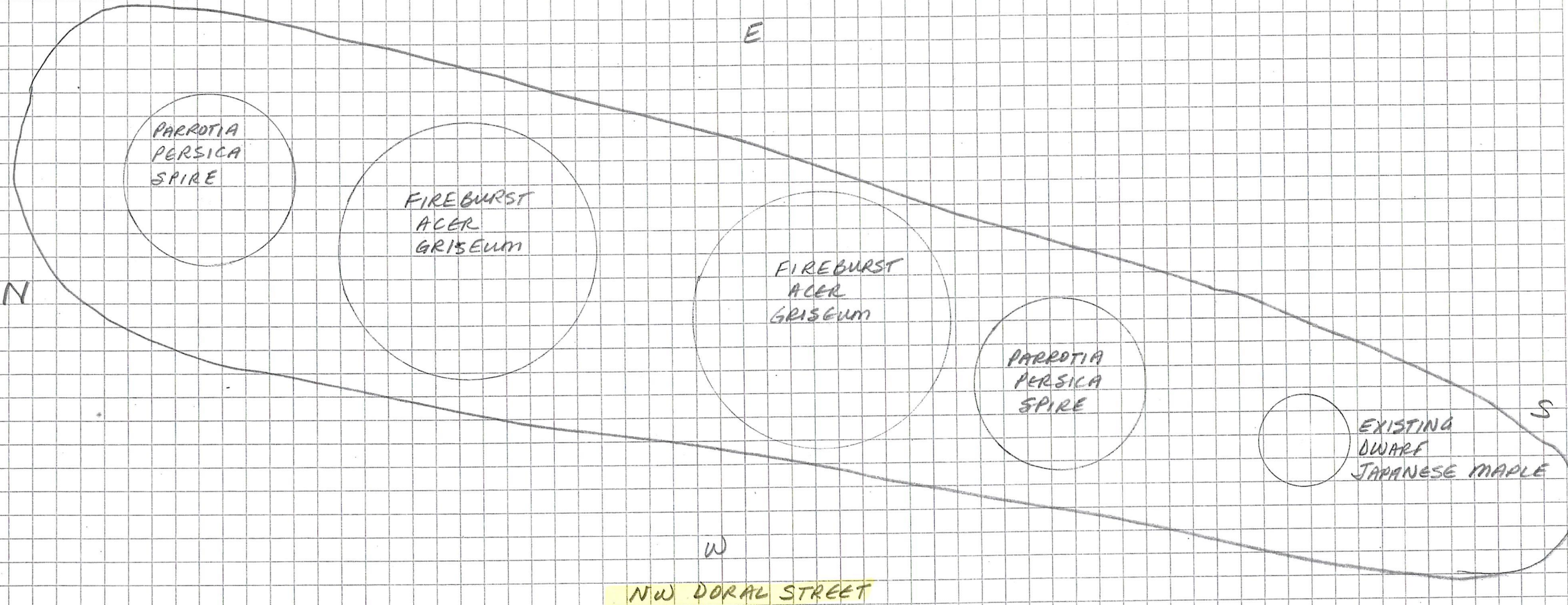


123 FEET LONG
 26 FEET AT NORTH END
 8 FEET AT SOUTH END

NW DORAL STREET

1 INCH = 7.45 FEET

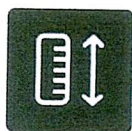
PROPOSED REPLACEMENT TREES



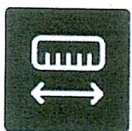
123 FEET LONG
26 FEET WIDE AT NORTH END
8 FEET WIDE AT SOUTH END
1 INCH = 7.45 FEET

Persian Spire™ Parrotia

USDA Zone: 5



Height:
25'



Spread:
10'

Description:

Unique for both its form and fine texture, this strongly upright tree is a colorful choice for hedges, screens and formal street plantings. Refined foliage emerges purple and matures to green with purple tinted margins that linger into the summer months. Fall color is bright and long lasting.



Fireburst® Paperbark Maple

USDA Zone: 5



Height:
25'



Spread:
18'

Description:

Superior branch structure, upright and uniform shape, predictable performance and speedy growth are among attributes of this Paperbark Maple cultivar. Bark coloration and exfoliating character are outstanding, as is the quality of dark green foliage that turns brilliant red in autumn.



Taylor Graybehl

From: joan buccino <joanbuccino@comcast.net>
Sent: Friday, March 22, 2024 8:31 AM
To: Taylor Graybehl
Subject: Fwd: Re: Michelbook 4th Addition Street Tree Removal Application
Attachments: MB4 Maple.jpg; MB4 upright maple3.jpg; MB4 upright maple.jpg; MB4 upright maple2.jpg

This message originated outside of the City of McMinnville.

Good morning Taylor,

It appears one of the trees on our application was left off of the arborist report. It is the upright maple shown in the attached photos. Due to the splitting and rot the arborist had recommended the tree be replaced. I have included below an email exchange with the arborist.

Joan Buccino
Michelbook 4th Addition
503-781-2094

> ----- Original Message -----

> From: Shaun Slowik
> To: joanbuccino@comcast.net
> Date: 03/19/2024 3:09 PM PDT
> Subject: Re: Hazard Report

>
>
> Sounds Good!! Enjoy the Sun
> Sent from my iPhone

>
>> On Mar 19, 2024, at 1:40 PM, joanbuccino@comcast.net wrote:

>>
>> Hi Shaun,
>>
>> The street tree removal application has been submitted and is assigned to Taylor Graybehl. The committee meets on 4/3.

>>
>> We included the removal of the attached upright maple in our application. I don't believe it is on the arborist report. If you believe the condition warrants removal, I would appreciate an email response that I can forward to Taylor before the staff report is issued next week.

>>
>> Thanks!
>> Joan Buccino
>> 503-781-2094

>>
>>
>>
>>



> >
> >
> >
> >
> >> On 03/13/2024 12:07 PM PDT Shaun Slowik <a_r_tree@yahoo.com> wrote:
> >>
> >>
> >> Sent from my iPhone
> > <MB4 upright maple1.jpg>
> > <MB4 upright maple3.jpg>
> > <MB4 Maple.jpg>
> > <MB4 upright maple.jpg>



Baker Creek Rd

STOP

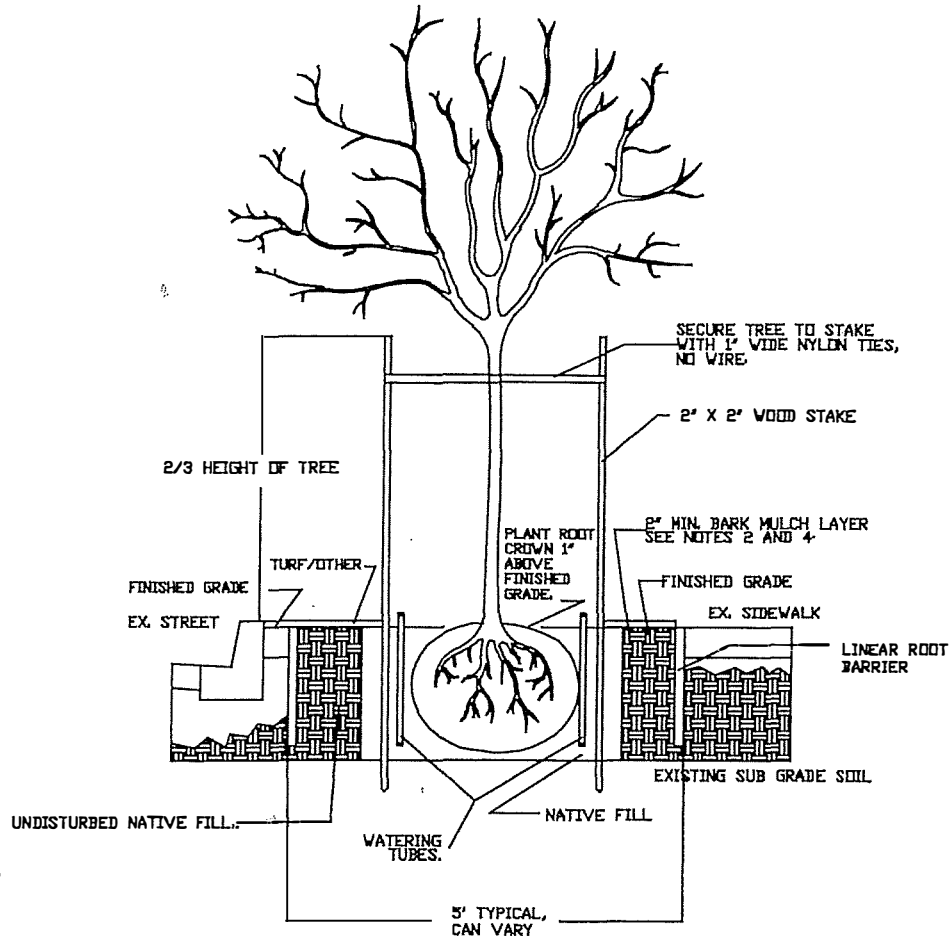




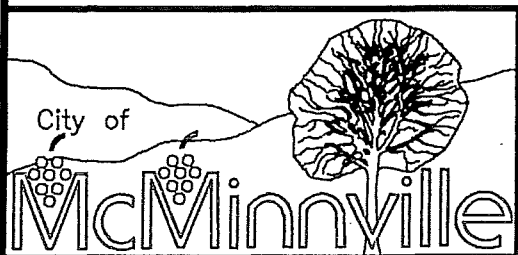


TREE PLANTING IN PARKWAY DETAIL

SECTION



1. PLANTING PIT EX ROOTBALL WIDTH.
2. DIG PLANTING PIT NO DEEPER THAT ROOTBALL.
3. BACKFILL WITH NATIVE MATERIAL.
4. TO MINIMIZE SIDEWALK AND TREE ROOT CONFLICTS, INSTALL LINEAR ROOT BARRIER; COMMERCIALY ENGINEERED, 10 FEET LONG CENTERED ON THE TREE, 18" DEEP, ON THE CURB SIDE AND SIDEWALK SIDE OF THE TREE.
5. ON BALLED AND BURLAP TREES, CUT & PEEL AWAY WIRE FRAME FROM ROOTBALL, LEAVE BURLAP AND FRAME IN PLANTING HOLE.



MCMINNVILLE PUBLIC WORKS DIVISION
 PARKWAY TREE PLANTING DETAIL-

NOT TO SCALE

DATE
 MAY 2014

DRAWING NO.
 34B



City of McMinnville
Community Development Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311
www.mcminnvilleoregon.gov

EXHIBIT 2 - STAFF REPORT

DATE: April 3, 2024
TO: Landscape Review Committee Members
FROM: Taylor Graybehl, Senior Planner
SUBJECT: Tree Removal Application (L 11-24)

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

DOCKET: L 11-24 (Street Tree Removal)
REQUEST: Approval of a tree removal application for the removal of one (1) Maple Street Tree.
LOCATION: 2374 NW McGarey Drive, R4417BA03900
ZONING/Overlay: R-1 PD
APPLICANT: Naomi Avendano
PROPERTY OWNER: Sam Avendano
STAFF: Taylor Graybehl, Senior Planner
DATE DEEMED COMPLETE: March 14, 2024
DECISION-MAKING BODY & ACTION: McMinnville Landscape Review Committee makes a recommendation of approval or denial to the Planning Director.
MEETING DATE & LOCATION: April 3, 2023, McMinnville Community Development Center, 231 NE 5th Street, and via Zoom online meeting
PROCEDURE: Street tree removal applications are required to be reviewed by the Landscape Review Committee as described in Section 17.58.040 of the McMinnville Zoning Ordinance.
CRITERIA: The applicable criteria are specified in Section 17.58.050 Tree Removal/Replacement Review Criteria.
APPEAL: The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.58.040 of the McMinnville Zoning Ordinance.

Attachments:

Attachment 1 – Application
Attachment 2 – Street Tree Planting Detail

I. BACKGROUND AND SUMMARY:

Application Summary

This proceeding concerns the review by the Landscape Review Committee of a street tree removal application for one (1) Maple Street Trees at 2374 NW McGarey Drive. The application was received on March 14, 2024 (**Attachment 1**). The application identified one maple tree to be removed, with a diameter of eighteen inches at four feet in height. The arborist report and application identified the tree roots to have raised the abutting sidewalk in excess of 4” in locations causing a hazard for pedestrians, triggering removal criteria Section 17.58.050(B) “the tree is in conflict with public improvements.”

In addition, the application identified “a gas line directly under the trees and power/water nearby. This would make replacement planting and root barrier installation very difficult and risky.

See Figure 1 for a Vicinity Map. See Figure 2 for Application Photos.

Agency Comments

Agency comments are provided below.

Public Comments

The procedure for street tree removal permit applications doesn’t require notification to surrounding property owners. No public comments were received.

Criteria and Issues

The one (1) tree removed has been determined to be a tree specified in Section 17.58.020, subject to the street tree removal requirements of Chapter 17.58 of the Zoning Ordinance.

The subject site (Lot #52) is located within the Shadden Claim subdivision, which was approved with a Street Tree Plan (L 21-96). The Street Tree Plan indicates *Tilia cordata* “Glenleven” to be planted with 30 ft. to 35 ft. spacing within the planter strip abutting the subject site. **See Figure 3 for Street Tree Plan.**

The applicable criteria for street tree removal are provided in Section 17.58.050 of the Zoning Ordinance. Section 17.58.050 requires a Tree Removal permit to be granted if any of the following criteria apply:

- A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist.
- B. The tree is in conflict with public improvements.
- C. The proposed removal or pruning is part of an approved development project, a public improvement project where no alternative is available, or is part of a street tree improvement program.
- D. Verification of tree health or a tree’s impacts on infrastructure shall be required, at the expense of the applicant, by a Certified Arborist acceptable to the City.

The Applicant has identified Criterion “B” as the criteria by which the tree is to be removed.

In addition, the Applicant has identified the location as unsuitable for replacing the street tree due to a gas line running directly under it and power/water nearby. The property abutting the subject site to the south (2354 NW McGarey) received a tree removal permit (L 20-22) to remove a street tree, which included a request not to replace the street tree due to the reasons included within this application. As part of the approval, the Landscape Review Committee required the replacement of the tree within the planter strip. Included within the conditions of approval was the ability for the Applicant to replant with a tree identified as small on the McMinnville Street Tree List that is similar to *Tilia cordata* “Glenleven.”

Staff recommends the replacement of the tree within the planter strip, as required by the street tree removal permit (L 20-22).

When a street tree removal permit is approved, there are provisions in Chapter 17.58 of the Zoning Ordinance with which the applicant must comply, including those in Sections 17.58.040 and 17.58.090. Staff recommends conditions of approval to address the applicable requirements of the Zoning Ordinance. Typically, approval of a tree removal request is conditioned on the provisions of 17.58.040 for replacement with another street tree approved by the City. The conditions of approval address the provisions of Chapter 17.58 to ensure proper removal or major pruning of a street tree, to specify the applicant's responsibilities for performance of work and associated costs, and to ensure replacement trees are consistent with the approved street tree list, planting requirements, and specifications addressed in Chapter 17.58.

Figure 1 Vicinity Map.

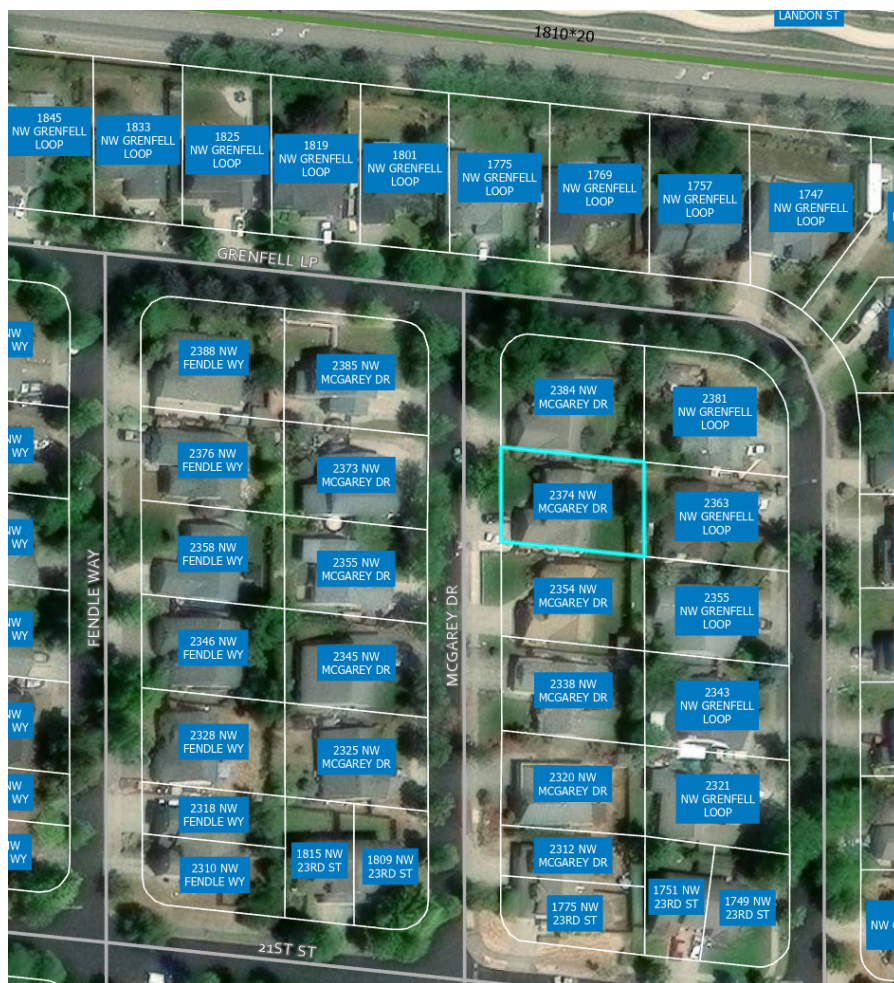


Figure 2. Application Photos Tree #1.

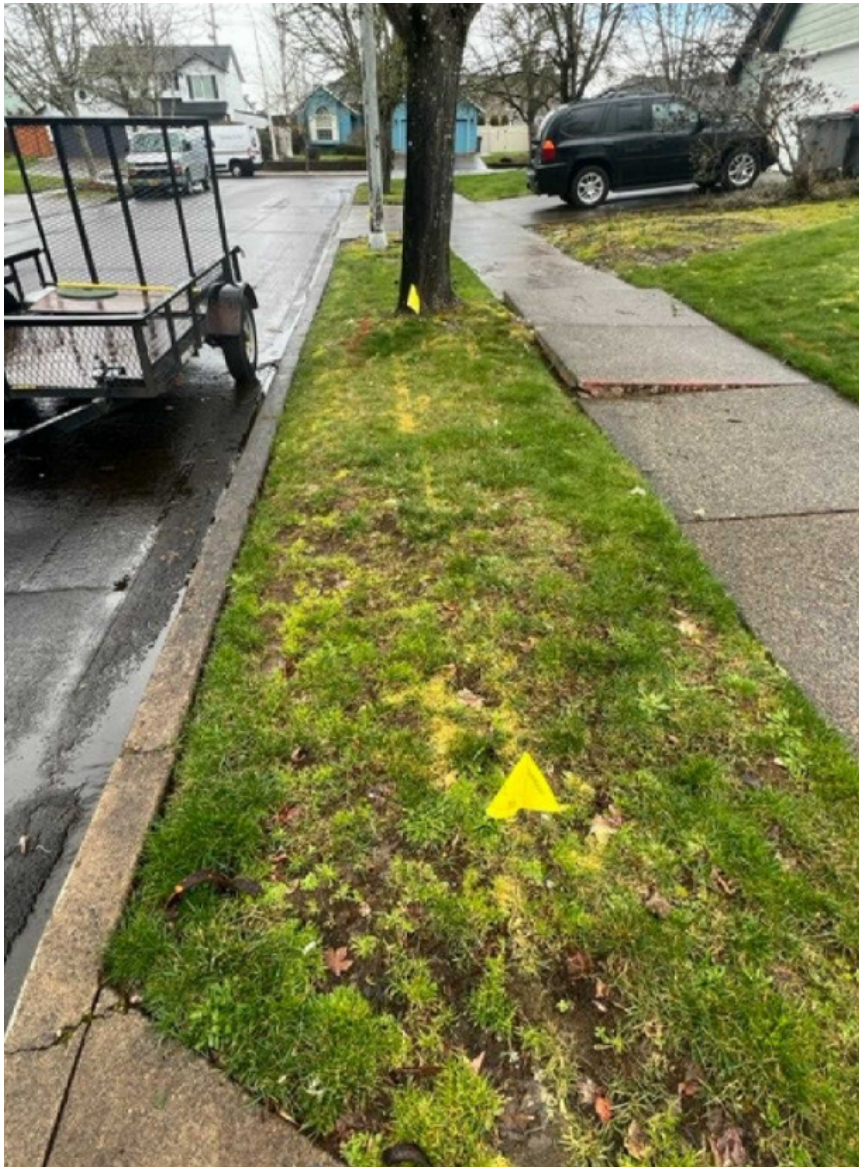
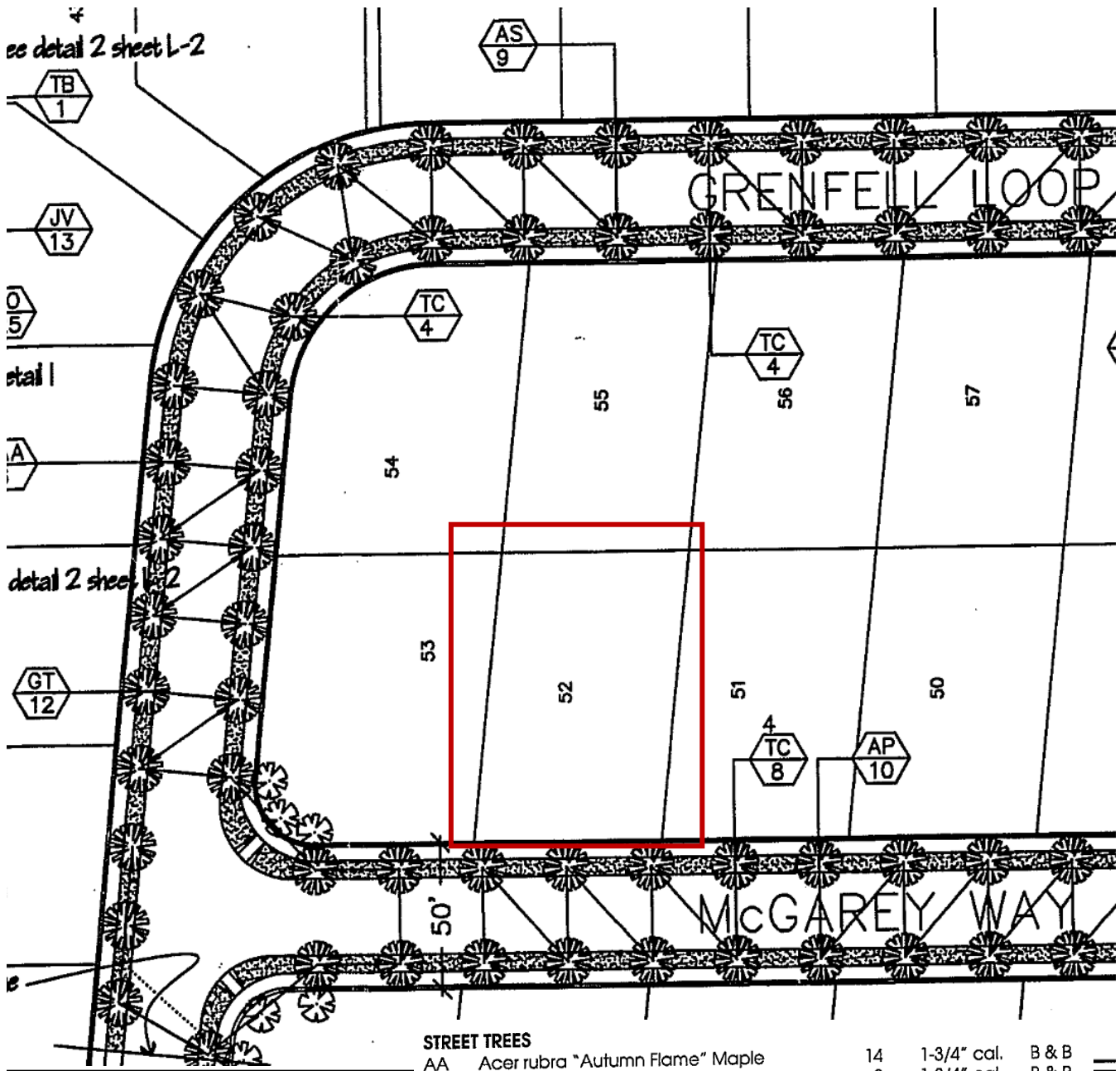


Figure 3. Street Tree Plan



STREET TREES

AA	Acer rubra "Autumn Flame" Maple	14	1-3/4" cal.	B & B
AB	Acer rubra "Bowhall" Maple	8	1-3/4" cal.	B & B
AP	Acer platanoides "Crimson King" Maple	20	1-3/4" cal.	B & B
AR	Acer rubra "Sunset" Maple	9	1-3/4" cal.	B & B
AS	Acer saccharum "Legacy" Maple	17	1-3/4" cal.	B & B
BJ	Betula Jacquemontii, Birch	27	2" cal.	B & B
FA	Fraxinus americana "Autumn Applause" Ash	24	1-3/4" cal.	B & B
FC	Fraxinus pennsylvanica "Climmaron" Ash	8	1-3/4" cal.	B & B
FP	Fraxinus pennsylvanica "Patmore" Ash	6	1-3/4" cal.	B & B
GT	Gleditsia triacanthos inermis "Skyline"	10	2" cal.	B & B
LS	Liquidambar s. "Silver King" Sweet Gum	16	2" cal.	B & B
TC	Tilia cordata "Glenleven"	40	2" cal.	B & B
QC	Quercus coccinea, Scarlet Oak	8	2" cal.	B & B
ZS	Zelkova serrata "Greenvase" Zelkova	16	2" cal.	B & B

Attachments:

Attachment 1 – Application

Attachment 2 – Street Tree Planting Detail

II. COMMENTS:

This matter was referred to the following public agencies for comment: McMinnville Public Works Department, McMinnville Engineering, and McMinnville Water and Light.

McMinnville Public Works

We have completed our site inspection for this application, and have reviewed the attached arborist's report. The site review information is accurate. The existing trees exhibit shallow rooting habits and have lifted adjacent sidewalk panels, resulting in a surface discontinuity that is not PROWAG compliant. The tree does not exhibit any structural or health-related condition that would warrant removal.

Given the significance of the trip hazard, the size of the roots causing the damage and the potential for continued damage from shallow rooting, staff would concur with the arborist's report and recommend approval of this removal request.

Staff recommends that one 2" caliper replacement tree be required, of a variety that is acceptable to the Planning Department and planted as per the approved City detail. The applicant should be reminded that a utility locate will be required prior to removal or replanting the tree.

McMinnville Engineering

We recommend the removal of the tree; it is causing a significant trip hazard that cannot be addressed without compromising the accessibility of the sidewalk and defying PROWAG standards. In addition, to echo the comments made in the Arborist's report, there is a NW Natural gas mainline and a power line that runs through the planter strip area, in addition to a water line near where the tree is, making both removal and re-planting very difficult. Due to the existing underground utilities, it may be better not to re-plant a tree in this location to prevent future issues. If the tree is to be re-planted, it should be done so to avoid damaging the surrounding utilities, and it is recommended that it be moved from its current location to be closer to the driveway where it is farther away from the NWN service lateral, the water meter, and the streetlight.

III. ATTACHMENTS:

1. Application
2. Street Tree Planting Detail

IV. STAFF RECOMMENDATION:

Staff has reviewed the application for consistency with the applicable criteria. Staff finds that, subject to the recommended conditions, the application submitted by the applicant contains sufficient evidence to find the applicable criteria are satisfied.

Staff **RECOMMENDS APPROVAL WITH CONDITIONS** of the tree removal application (L 11-24) **SUBJECT TO THE CONDITIONS OF APPROVAL IN SECTION V:**

V. CONDITIONS OF APPROVAL:

1. All costs and liability associated with tree removal and stump grinding shall be borne by the applicant.
2. The applicant is responsible for grinding stumps and surface roots at least six inches below grade. At least a two-inch-thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to

- allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations. The area shall be re-seeded.
3. Replant with one *Tilia cordata* “Glenleven” as identified on Street Tree Plan (L 21-96) within the planter strip in the same general location of the tree removed.
 4. The replacement tree shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well-developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
 5. Trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm, or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
 6. The planting of street trees shall be subject to the design drawings and specifications developed by the City in May 2014 (**Attachment 2**). The applicant shall provide:
 - a. Plant root crown 1” above finished grade,
 - b. Minimum mulch layer of 2”,
 - c. 2” x 2” wood stake 2/3 height of tree connected to the tree with 1” wide nylon ties and no wire,
 - d. Two deep watering tubes to promote deep root growth,
 - e. Planting pit two times the root ball width and no deeper than the root ball, backfilled with native material,
 - f. Linear root barrier:
 - i. commercially engineered,
 - ii. ten-foot-long centered on the tree,
 - iii. 18” deep, and
 - iv. on the curb and sidewalk side of the tree
 - g. For balled and burlap trees, cut and peel away the wireframe from the root ball and leave the burlap and frame in the planting hole.
 7. The planter areas shall be restored to their original grade immediately following the planting of the replacement tree.
 8. The applicant shall call for locates (dial 811) for all underground utilities prior to removing the trunk and roots. This is a free service and the law. Upon request, utility locates can be flagged without marking up hard surfaces.
 9. The applicant shall contact Public Works Operations (503.434.7316) for planting inspection prior to backfilling the planted tree.
 10. The applicant shall be required to repair/replace sidewalk panels as necessary at the applicant’s expense. Sidewalk permits can be obtained from Engineering at 503-434-7312.
 11. The applicant shall contact Public Works Operations (503.434.7316) for planting inspection prior to backfilling the planted tree.

12. The applicant shall complete the tree removal process and replacement within six (6) months of receiving notification of the Landscape Review Committee's decision.

13. The Street Trees shall be maintained continually by the property owners:

- a. Including necessary watering, weeding, pruning, and replacement, by the developer or property owner for one full growing season following planting,
- b. Street trees shall be pruned with at least:
 - i. Eight (8) feet of clearance above sidewalks and
 - ii. Thirteen (13) feet of clearance above NW McGarey Drive

VI. LANDSCAPE COMMITTEE OPTIONS:

1. **APPROVE** the application, subject to the recommended conditions of approval.
2. **APPROVE** the application with additional/revised conditions of approval if necessary to satisfy the applicable criteria.
3. **CONTINUE** the application, requesting that applicant submit more information for review if necessary to make findings that the applicable criteria are satisfied.
4. **DENY** the application, providing findings of fact for the denial in the motion to deny if it is found the application doesn't meet the applicable criteria.

VII. SUGGESTED MOTION:

BASED ON FINDINGS THAT THE APPLICABLE CRITERIA ARE SATISFIED SUBJECT TO CONDITIONS OF APPROVAL, I MOVE THAT THE LANDSCAPE REVIEW COMMITTEE APPROVE THE STREET TREE REMOVAL APPLICATION L 11-24 SUBJECT TO THE CONDITIONS OF APPROVAL RECOMMENDED BY STAFF IN THE STAFF REPORT.



Planning Department
231 NE Fifth Street o McMinnville, OR 97128
(503) 434-7311 Office o (503) 474-4955 Fax
www.mcminnvilleoregon.gov

Office Use Only:	
File No.	<u>L 11-24</u>
Date Received	<u>3/14/24</u>
Fee	<u>\$160.00</u>
Receipt No.	<u>209525</u>
Received by	<u>AW</u>

569-24-000066-PLNG

Street Tree Removal

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other _____

Applicant Name Naomi Avendano Phone 971-237-3382

Contact Name _____ Phone _____
(If different than above)

Address 2374 NW McGAREY DRIVE

City, State, Zip McMinnville, OR 97128

Contact Email nonymay@yahoo.com

Property Owner Information

Property Owner Name SAM Avendano Phone 971-237-3382
(If different than above)

Contact Name _____ Phone _____

Address SAME AS ABOVE

City, State, Zip _____

Contact Email nonymay@yahoo.com

Site Location and Description

(If metes and bounds description, indicate on separate sheet)

Property Address 2374 NW McGAREY DR., McMinnville, OR 97128
(Property nearest to tree(s) for removal)

Assessor Map No. R4 Total Site Area _____

Subdivision Shadden claim Block _____ Lot _____

Comprehensive Plan Designation _____ Zoning Designation _____

see attached pages

Additional Information

1. How many trees are requested for removal? ONE
2. What type (species) of tree(s) are they? _____
3. What is the diameter of the tree(s), measured four feet above ground level? _____
4. Why are you requesting the removal of the noted tree(s)? (See "Removal Criteria" on attached Information Sheet.) Explain which of the criteria is addressed through this application. _____
Sidewalk is buckled up
water + sewer lines are being affected

In addition to this completed application, the applicant must provide the following:

- A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), showing the location of the tree(s) subject to the removal request, property lines, sidewalks, adjacent utilities (including overhead), north direction arrow, and adjacent streets.
- Arborist report, photographs, and/or other information which would help substantiate or clarify your request.

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.

Nami Acker
Applicant's Signature

3-6-24
Date

James R. Acker
Property Owner's Signature

3-6-24
Date

DATE:	02/24/24
TO:	Naomi Avendano
FROM:	Taylor Alvarez, Associated Arborists, ISA#PN 8332AU
SUBJECT:	Tree Removal
PURPOSE:	Assess tree condition to determine qualification for removal permit

Quantity: 1

Species: Maple

DBH: 18" average

Removal Criteria: Tree has caused significant damage to sidewalk and creating active hazard situation.

Location: (2374 Northwest McGarey Drive McMinnville OR 97128)

Arborist Report: #00122824

Arborist's Findings:

This maple has caused significant damage to the sidewalk by raising the sidewalk in excess of 4" in locations. This is a common characteristic of maple and further damage to the sidewalk and other improvements are to be expected. Removal is recommended.

This location also has a gas line running directly under and power/water nearby. This would make replacement planting and root barrier installation very difficult and risky.



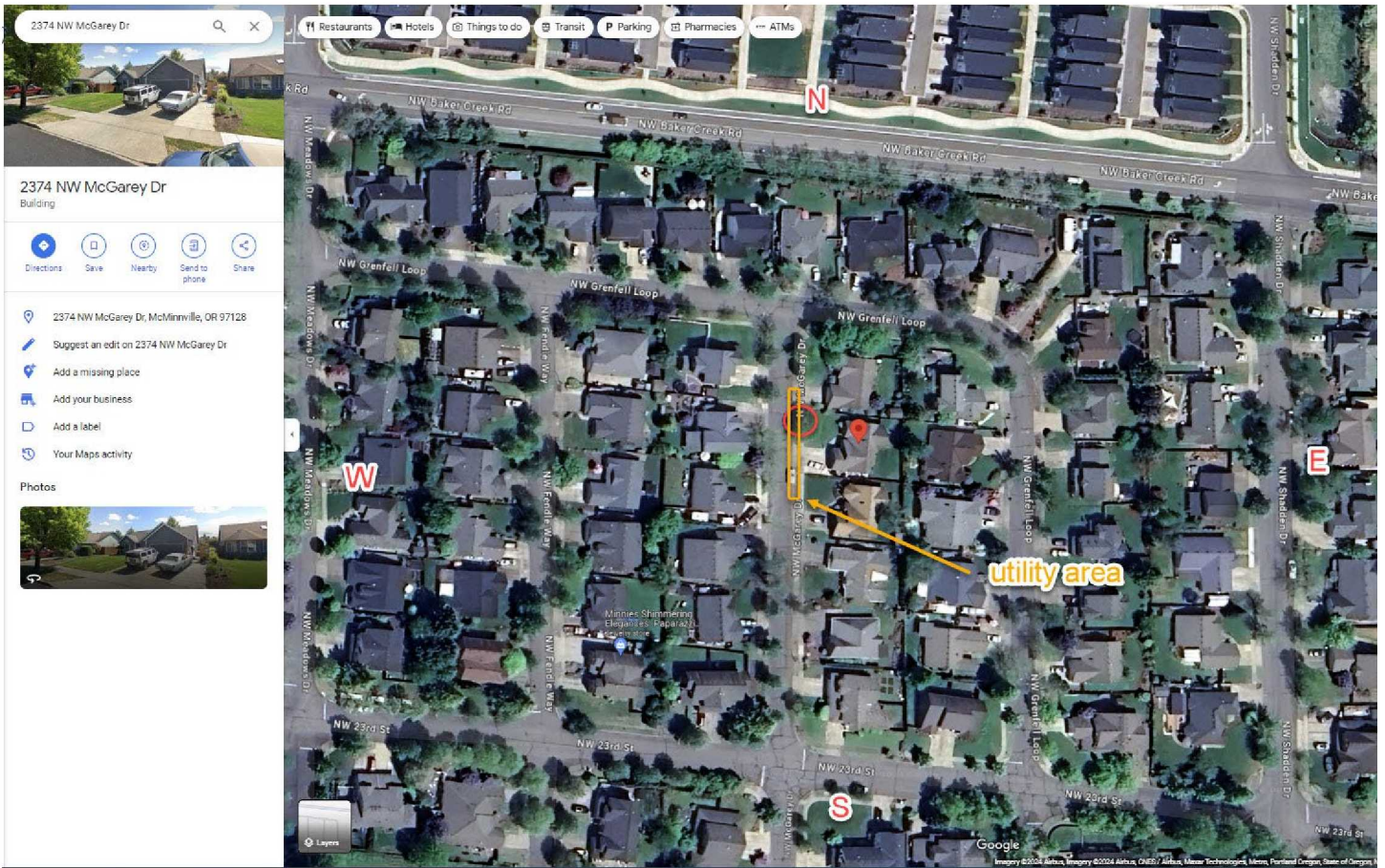






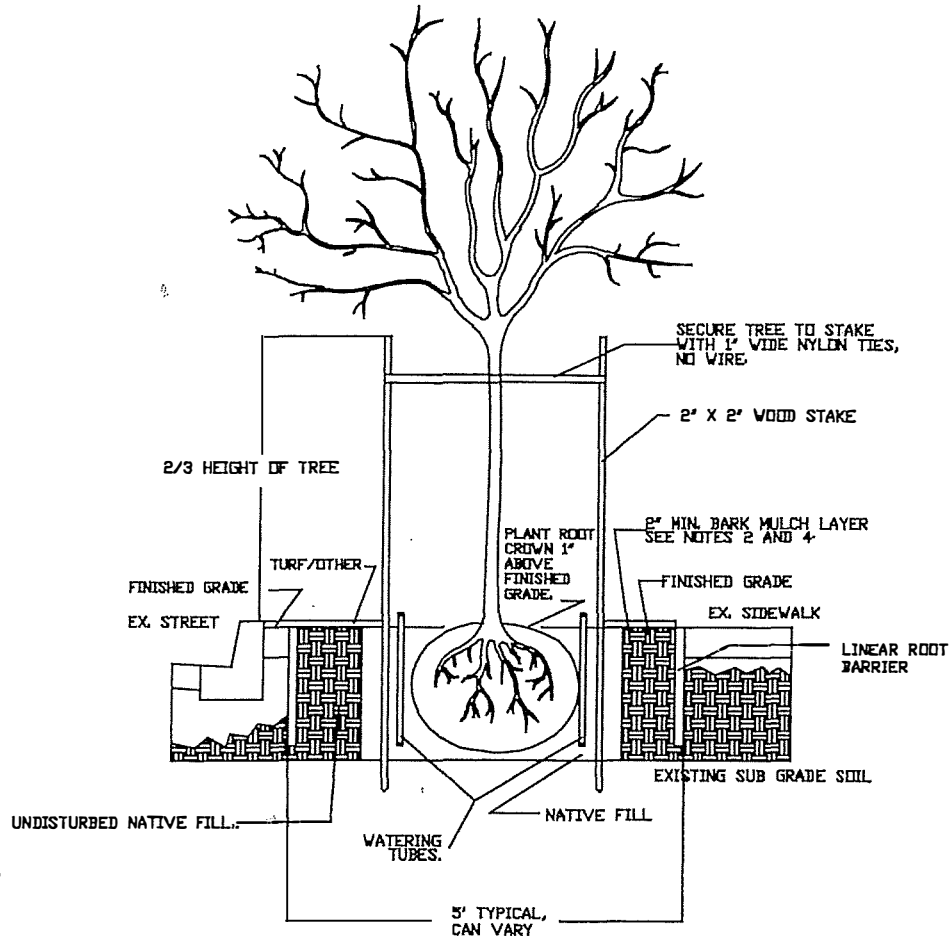




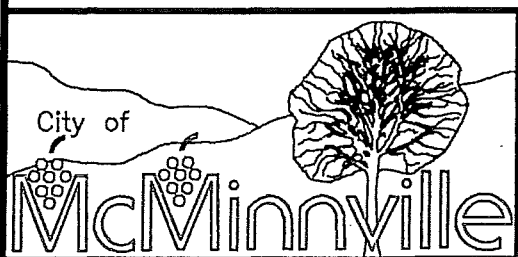


TREE PLANTING IN PARKWAY DETAIL

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MCMINNVILLE PUBLIC WORKS DIVISION
 PARKWAY TREE PLANTING DETAIL-

NOT TO SCALE

DATE
 MAY 2014

DRAWING NO.
 34B