

CITY OF
FOLSOM
DISTINCTIVE BY NATURE

June 19, 2024

SUBJECT: Approval: Tree Removal Permit #TREE24-09037

The City of Folsom Community Development Department (CDD) has reviewed an application for Tree Removal at **603 Sutter Street** in association with development activities previously approved by the Historic District Commission on 9/06/2023, and again by the City Council on 10/10/2023 (reference PN 17-145). The following trees are included in the scope of the application:

Tag #	Common Name	Botanical Name	DSH	Applicable Finding(s)
1336	Blue oak	<i>Quercus douglasii</i>	11.5"	FMC 12.16.080(B)(4)
1337	Interior live oak	<i>Quercus wislizeni</i>	11"	FMC 12.16.080(B)(4)
1338	Blue oak	<i>Quercus douglasii</i>	10"	FMC 12.16.080(B)(4)
1339	Blue oak	<i>Quercus douglasii</i>	9.5"	FMC 12.16.080(B)(4)
1340	Valley oak	<i>Quercus lobata</i>	12"	FMC 12.16.080(B)(1); and FMC 12.16.080(B)(4)
1347	Valley oak	<i>Quercus lobata</i>	19"	FMC 12.16.080(B)(4)
1348	Valley oak	<i>Quercus lobata</i>	17"	FMC 12.16.080(B)(4)
1349	Interior live oak	<i>Quercus wislizeni</i>	13"	FMC 12.16.080(B)(1); and FMC 12.16.080(B)(4)
1350	Interior live oak	<i>Quercus wislizeni</i>	7"	FMC 12.16.080(B)(1); and FMC 12.16.080(B)(4)
1351	Blue oak	<i>Quercus douglasii</i>	12"	FMC 12.16.080(B)(4)
1352	Blue oak	<i>Quercus douglasii</i>	9.5"	FMC 12.16.080(B)(4)

The CDD has made the decision to approve the application based on the following findings:

- The proposal is in conformance with the provisions of FMC 12.16.080(B)(1) – *The condition of the protected tree with respect to disease, danger of falling, or long-term health of the tree is such that the tree is not likely to survive.*
 - This finding applies to protected trees affixed with tag numbers 1340, 1349, and 1350 as a result of health and/or structural defects noted in the arborist report and corroborated by staff which render the trees unsuitable for a developed environment.
- The proposal is in conformance with the provisions of FMC 12.16.080(B)(4) – *Use of the property consistent with the zoning code cannot be made unless the protected tree is removed and there are no reasonable alternative measures to allow for use of the property consistent with the zoning code.*
 - This finding applies to all protected trees on the parcel as a result of a future three-story, 12,177 square foot mixed-use building to be constructed on the property. With the exception of the tree affixed with tag number 1347, all subject trees are located either within the future building footprint or are within such close proximity to the future structure that the trees would not survive

construction. The preliminary grading plan (included herein as Attachment 1) shows the location of the subject trees in relation to the development activities.

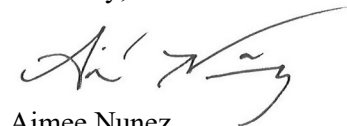
- The oak tree affixed with tag number 1347 is not located within the future building footprint. However, its location conflicts with the installation of a utility transformer and associated underground electrical conduit required by SMUD as part of the applicant's approved development activities. The project proponent explored potential ways to retain this tree in tandem with their entitlement approval, such as omitting a segment of sidewalk improvements along Scott Street and modifying the design of the nearby walkway and retaining walls. Despite these considerations, preservation of tree #1347 was ultimately determined to be infeasible due to the necessary utility transformer as described in the applicant's letter of rationale (included herein as Attachment 2) and illustrated in the submitted SMUD transformer commitment sketch (included herein as Attachment 3).

The following condition(s) have been assigned to this permit:

1. The applicant shall mitigate for the tree removals in accordance with Folsom Municipal Code 12.16.150(B)(2) – *Payment of In-Lieu Fee. Payment of in-lieu fees may be allowed where the subject property is not able to accommodate the required number of replacement trees on site. The in-lieu fee shall be calculated as a dollar amount for each DSH inch of protected tree removed, as adopted by city council resolution.*
2. The permittee shall defend, protect, indemnify, and hold harmless the City of Folsom and its officials, agents, and employees from any and all claims, demands, suits, causes of action, damages, costs, expenses, losses, or liability, in law or in equity, of every kind and nature whatsoever arising out of or in connection with the issuance of the Tree Permit or the permittee's work performed under the Tree Permit.

The decision on this application is subject to a 10-calendar day appeal period which commences **June 20, 2024** and extends through **July 1, 2024**. Any party dissatisfied with the determination on this application may file an appeal to the CDD Director. Once issued, the tree removal permit is non-transferable. Should you have any questions regarding this letter, please do not hesitate to call me at (916) 461-6213 or email me at anunez@folsom.ca.us.

Sincerely,



Aimee Nunez
Urban Forester

ATTACHMENTS

1. 603 Sutter Street Preliminary Grading Plan
2. Applicant Letter of Rationale for the Removal of Tree #1347
3. 603 Sutter Street SMUD Transformer Commitment Sketch

ATTACHMENT 1

603 SUTTER STREET PRELIMINARY GRADING PLAN

ATTACHMENT 2

APPLICANT LETTER OF RATIONALE FOR THE REMOVAL OF TREE #1347



June 11, 2024

Aimee Nunez, Urban Forester
City of Folsom
50 Natoma Street
Folsom, CA, 95630

RE: **603 Sutter Street – Removal Rationale for Tree #1347**

Dear Aimee Nunez:

This letter is to provide a rationale for the removal of Tree #1347. It has been determined to be infeasible to retain this tree due to the proposed development activities approved by the City of Folsom in the Exhibits of the Final Conditions of Approval for 603 Sutter Street (PN 17-145, dated 09/06/2023).

Subsequently to receiving the Entitlements approval, the project design team did explore potential ways to save tree #1347. There were several considerations when reviewing the potential of saving the tree on this confined site on Historic Sutter Street, including:

1. The Root Protection Zone (RPZ): In most construction sites, it is not possible to protect the entire root zone of a tree, so an RPZ is established (as outlined in the project Arborist Report). The minimum root protection zone is the area calculated as 1-1.25' for every inch of trunk diameter (i.e. a 10" diameter tree will have an RPZ of 10') or the dripline if required by the local ordinance. **Tree #1347 is a 19" Valley Oak, so the minimum RPZ would be 19' – 24' (see attached Exhibit A with the minimum RPZ of 19'-0" indicated).**
2. Site Structural Retaining Walls and Wide Footings: Due to the steep slope of the site, extensive site and building retaining walls supported on wide pad footings are required. While it would be possible to relocate some development elements, the pad footings associated with them would still be encroaching into the minimum RPZ. (see Exhibit A with the extent of pad footings in the vicinity of the RPZ)
3. Utility Transformer: SMUD requires a sizeable 7'x7' transformer for this project, with 3' clearances at the back and sides, and 8' clearance in front. This equates to essentially a clear and level space of 18' x 13' feet. We felt that locating such a large and unsightly utility transformer on, or near, the Historic Sutter Street frontage would be visually detrimental to the significant historic resources located on this corridor. The design team worked closely with the City of Folsom Design Review and the Community Development Department in developing this project to enhance the Historic District. When SMUD subsequently provided the transformer requirements, our team worked with them to locate this transformer as far away from the Sutter Street frontage and main building entrances as possible, as well as screen it from view with an ornamental metal railing. It is not possible to retain tree #1347 and locate the SMUD-required utility transformer in the proposed

discrete location. (see Exhibit A with the proposed location of the Utility Transformer).

4. Street Improvements on Scott Street: One of the conditions of the Entitlements approval were public frontage improvements at Sutter Street and Scott Street. This included the continuation of the sidewalk up Scott Street. It would not be possible to continue the sidewalk along the entire Scott Street as it falls within RPZ.

Considering these restraints, the design team reviewed potential options to reconfigure site elements (including ending the proposed sidewalk improvements mid-block on the Scott Street frontage) in attempts to save tree #1347. Prior to learning of SMUD's required transformer size and clearances, the design team may have had a path to retain this tree. However, with the addition of the utility transformer, It was found that we would have to substantially reduce the building square footage in any attempt to reconfigure the site design to retain the tree, which would render the development infeasible from a project economics standpoint, and would substantially alter the project from the Design Review-approved Entitlements drawings.

Sincerely,

Karl Vinge, Project Architect
19six Architects

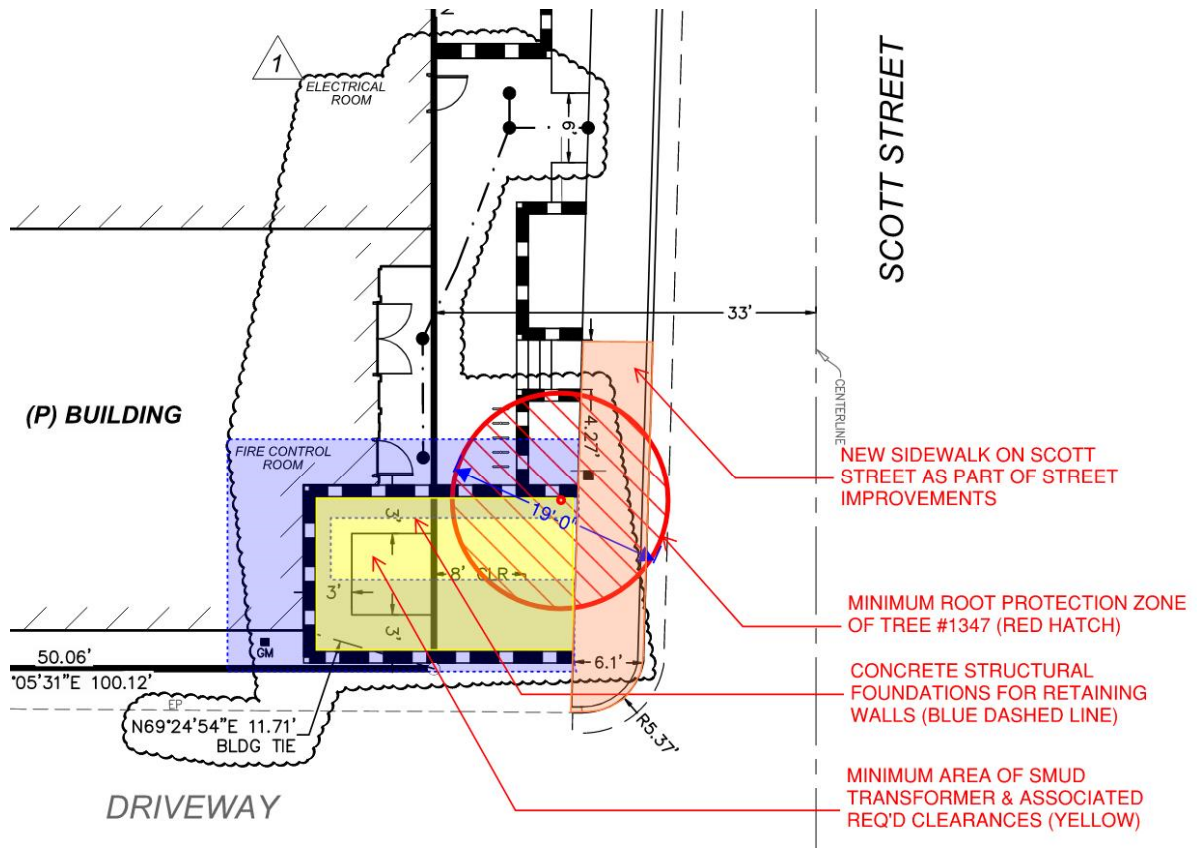
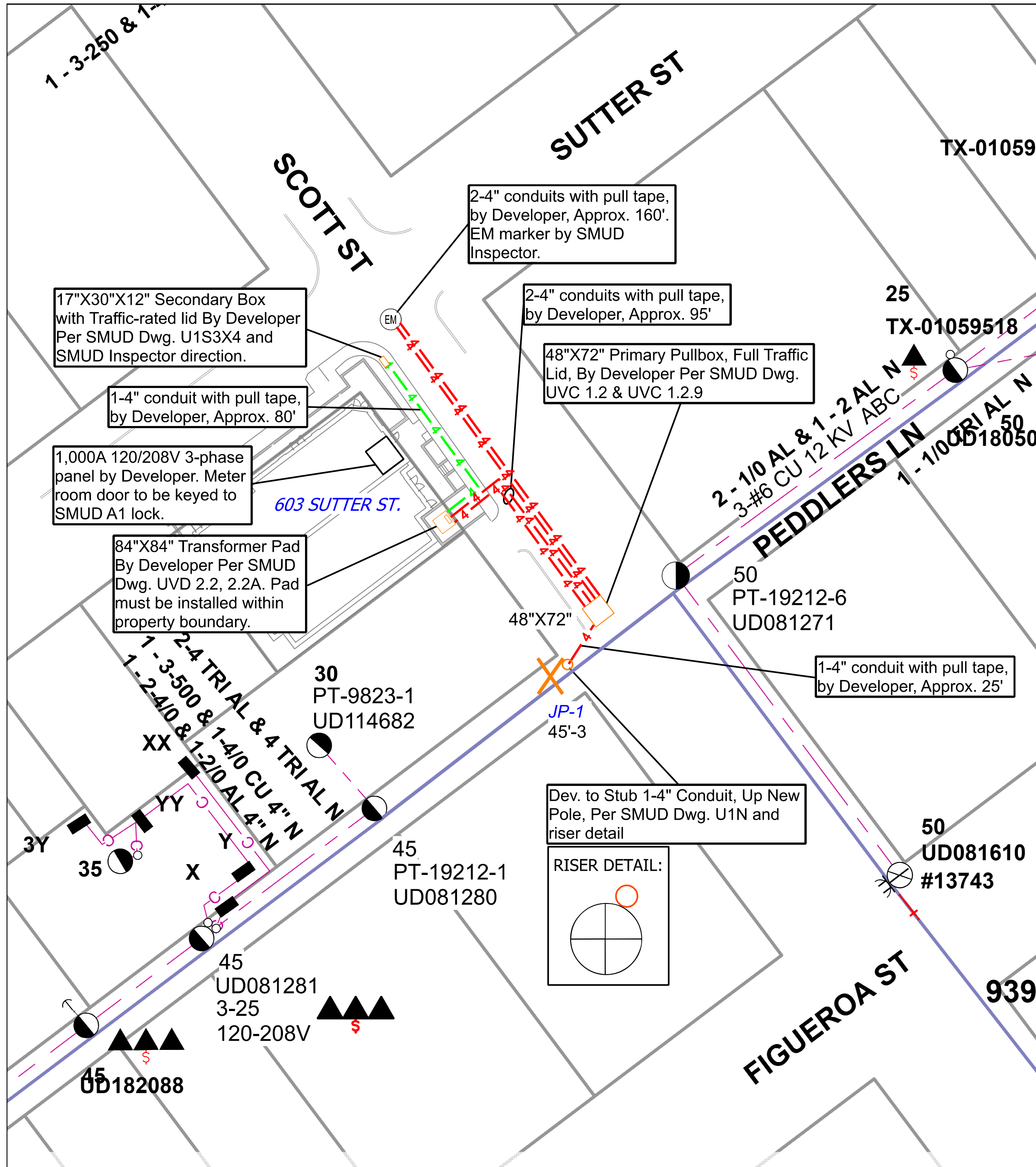


EXHIBIT A - ROOT PROTECTION ZONE FOR TREE #1347 OVERLAYED WITH DEVELOPMENT ELEMENTS WITHIN THE VICINITY

ATTACHMENT 3

603 SUTTER STREET SMUD COMMITMENT SKETCH



SMUD NOTES

DEVELOPER IS RESPONSIBLE FOR THE FOLLOWING:

1. Call U. S. A. at 811 prior to digging.
2. All metering and switchgear design and placement must be submitted and approved by SMUD's Field Metering prior to installation. Please submit metering and switchgear designs to SMUD at metershops@smud.org, mail to: Sacramento Municipal Utility District, Attention: Field Metering, Mail Stop EB 102, 4401 Bradshaw Road, Sacramento, CA 95827-3834 or contact them at (916) 732-5167.
3. All metering equipment shall be located on the outside of the building. The metering equipment shall not be located inside the building. Metering equipment shall include: metering sections, current and potential transformer sections, pull sections, and the main disconnect. Any questions regarding deviation of this requirement, the locations of meters or for remote metering consideration please contact Field Metering at (916) 732-5167.
4. For multi-meter installations that are fed by a transformer larger than 150KVA and secondary voltage of 277/480v, a shutdown will be required for each meter installation. Developers have an option to reduce the number of shutdowns for each subsequent meter install by installing switchgear with a lockable main breaker panel which cannot be removed with the breaker in the open position. Any questions regarding this requirement please contact Field Metering at (916) 732-5167.
5. SMUD equipment shall be accessible to a 26,000-pound SMUD service vehicle in all weather. SMUD equipment shall be no further than 15 feet from a drivable surface. The drivable surface shall have a minimum width of 20 feet.
6. No obstructions are permitted and level terrain is required around all operable SMUD equipment doors (Transformers, Cubicles, T-Taps, etc.). No planting of trees within eight (8) feet of all sides of any operable SMUD equipment. For equipment clearances and specifications see SMUD Electric Service Requirements Booklet, **Distribution Underground Structure Engineering Specification T007**. See Appendix B for material manufacturers.
7. Buildings shall not overhang SMUD equipment/easements unless approved in writing by a SMUD Designer.
8. Joint trench to be a maximum 59" deep and remain minimum of 5 feet from footings of any building or structure. All conduit(s) to be inspected by SMUD inspector prior to backfilling and pouring concrete. Conduit(s) to be PVC-DB 120 grade or better. SMUD approved pull tape required. All elbows to be schedule 40 or better. Concrete encasement may be required. See Electric Service Requirements booklet, **Distribution Underground Structure Engineering Specification T007** and SMUD commitment sketch.
9. Maximum number of utility conduits allowed to rise on a pole is three. Please review utility conduit risers with SMUD Inspector prior to placement of conduits on poles.
10. An on-site pre-construction meeting with a SMUD inspector is mandatory 48 hours in advance of construction. Copies of the local agency building permit will be required prior to scheduling pre-construction meetings with SMUD inspectors for non-residential developments. To schedule your appointment, please call (916) 732-5990.
11. Only those electrical conduits intended for electric service shall be placed under a SMUD transformer pad. The placement of the other conduits or structures foreign to the electric service must be approved in writing by a SMUD Designer.
12. Customer service runs are per local agency codes and inspected and approved by the local inspection agency. Customer is responsible for and will be required to provide SMUD approved connectors and compression tooling for any non-standard SMUD secondary conductors. Please contact SMUD's Designer when necessary.
13. A grant of right-of-way to SMUD may be required for conduit runs, vaults, transformer pads, etc. prior to any SMUD construction.
14. Any street light required by the City or County must be coordinated with SMUD.
15. Service voltage will be 120/208 Three 4 wire Wye. Street light service voltage will be the same.
16. Any deviation from this commitment must be approved by a SMUD Designer or SMUD Inspector prior to installation of underground facilities.
17. PLEASE NOTE: It is the responsibility of the developer to install all infrastructure as shown per SMUD commitment drawing as SMUD does not review or approve developer composite drawings.
18. PLEASE NOTE: SMUD commitments are valid for twelve (12) months. SMUD reserves the right to revise SMUD commitments after this period. A new SMUD commitment will normally be required unless a customer has requested and received written approval for a longer period of time from a SMUD Designer.

AS-BUILT	Date:	Printed Name:	Signature:	Phone Number:
Inspector:	___/___/___			
Foreman:	___/___/___			
Comments:				



Job Name: R16 - 603 SUTTER			
Location: 603 SUTTER ST FOLSOM			
Date: 06/13/24	Type of Drawing: COMMITMENT SKETCH		
	Job Number: 32211849 / 30191347	Rev: 0	Page: 1 OF 1