



ITEM FOR ENVIRONMENTAL COMMISSION AGENDA

COMMISSION MEETING DATE: August 17th, 2022

NAME & NUMBER OF PROJECT: 1609 Nueces St.
2022-018844 TP

APPLICANT NAME OR ORGANIZATION: Ronald Rodriguez

LOCATION: 1609 Nueces St.

COUNCIL DISTRICT: District 9

CITY ARBORIST: Naomi Rotramel
naomi.rotramel@austintexas.gov

ORDINANCE: Heritage Tree Ordinance - LDC 25-8-643- Land Commission Variance

REQUEST: The applicant is appealing the City Arborist's denial of application. The applicant is requesting the removal of a Heritage Tree with a single stem 30 inches in diameter or larger.

STAFF RECOMMENDATION: The request does not meet the City Arborist approval criteria in LDC 25-8-624(A)(1)(2)(3). The variance is not recommended.



MEMORANDUM

TO: City of Austin Environmental Commission

FROM: Naomi Rotramel, City Arborist
Development Services Department

DATE: August 17th, 2022

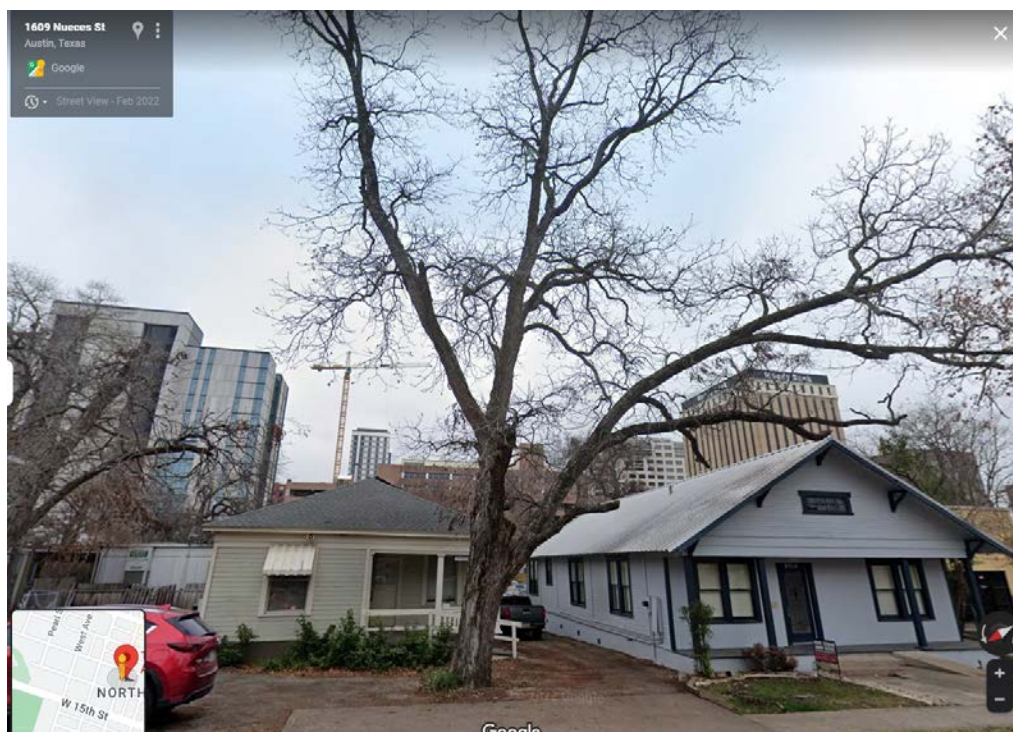
CASE FOLDER: 2022-018844 TP

REQUEST: The applicant is appealing the City Arborist's denial of application. The applicant is requesting the removal of a Heritage Tree with a single stem 30 inches in diameter or larger.

Case Description: This case is an appeal of the City Arborist's determination to deny an administrative variance for the removal of a Heritage Tree at 1609 Nueces St. The site is zoned GO (General Office) and is in District 9.

Case Timeline:

- Feb 10th, 2022 - A Tree Ordinance Review Application (TORA) was submitted to the Development Services Department's online application portal. Trunk diameter was listed as 24 inches on the application.
- Feb 2022: Google Streetview



- Feb 11th, 2022 – Application was received and passed completeness check.
- Feb 28th, 2022 – Application was denied on the 10th working day (excluding President's Day). City Arborist staff found that there was insufficient information provided to qualify this Heritage Tree for removal under Dead, Diseased, or Imminent Hazard Criteria in LDC § 25-8-624. City Arborist staff notified applicant the application was denied and if the applicant would like to continue with application, further information was necessary to continue the review.
- June 13, 2022 – Applicant contacts staff regarding review timeline.
- June 13, 2022 – Staff responds to applicant the review deadlines are consistent with how the City counts review days.
- June 24, 2022 – Staff receives a Service Estimate Client Service Form dated 6/22/22 from an arborist company.
 - The service estimate lists the tree diameter at 29". The client service form did not provide sufficient evidence to determine the health of the tree or risk. Staff upholds denial of application.
- June 24, 2022- Applicant requests to appeal City Arborist determination.

Staff Findings:

- August 9 & 10th, 2022 – In preparation for the Commission hearing, the City Arborist and a Board Certified Master Arborist staff visit site to confirm condition and measurement. Staff determined the tree to be in fair condition. Staff observed bark removed from the tree trunk. Staff also determined the tree is 30-30.5 inches in diameter with an inch of bark removed. Staff photos are below:





- Staff Measurements:
 - Measurement 1 @ 4.5' above grade: 30.5"



- Measurement 2 @ 3.6' above grade: 29.5"



- Measurement 3 @ 3' above grade: 30.3"



- Bark removal depth photos:





Variance Request

The variance request is to allow removal of a Heritage tree with a stem 30 inches in diameter or greater as allowed under LDC 25-8-643.

Staff Recommendation

The City Arborist does not recommend removal. The request does not meet Code criteria as dead, disease, or imminent hazard and the applicant has not applied for and been denied a variance, waiver, exemption, modification, or alternative compliance from another City Code provision which would eliminate the need to remove the heritage tree, as required in [Section 25-8-646](#) (*Variance Prerequisites*).

Please contact Naomi Rotramel at 512-974-9135 or naomi.rotramel@austintexas.gov if you have questions.