



## Legislation Text

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**File #:** 2021-087, **Version:** 1

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Consider a resolution removing the monarch designation for a tree adjacent to the proposed development site of The Depot Townhomes.

This request, submitted by Blair Landscape Architecture on behalf of InTown Homes, will remove the monarch designation from a 36-inch live oak tree to facilitate the development of The Depot Townhomes. The development will consist of 82 three- and four-story townhomes on the three blocks of land along McNeil Road between Mays Street and Burnet Street. It is a unique style of development not seen elsewhere in the city thanks to its density, height, and downtown location. Dwelling units are served by private alleys with narrow turning radii, which was enabled by the PUD zoning for the property, and fire trucks are unable to navigate all of them. To ensure adequate fire protection, a 20-foot wide gated emergency access drive will be constructed from the west side of the Mays Street bridge (also called the Immortal X bridge), under the bridge structure and between two rows of bridge support columns, connecting to a private alley within The Depot on the east side of the bridge. The subject tree is in the city right-of-way on the west side of the bridge where the emergency access drive turns east to go under the bridge and must be removed for the drive to function due to the tight dimensions under the bridge. Alternate locations for the access drive have been explored with the developer's engineer and the Fire Marshal's office, but no viable options were found.

This tree measures 36 inches which is the minimum threshold at which a live oak becomes a monarch. The tree, which is in city right-of-way, is in good health but has experienced significant pruning over its lifespan and does not have a full, uniform canopy as seen in most monarch trees. A development agreement between the city and the developer waived permitting fees, including tree mitigation fees, so while the developer will be planting some trees on-site, they will not be required to pay a fee in lieu of the remaining tree mitigation inches. Given the development constraints present and in order to provide the best fire protection possible for the future residents of the townhomes, staff does not oppose the monarch removal request.