



PARKS AND RECREATION COMMISSION AGENDA REPORT

MEETING DATE: JULY 28, 2004

ITEM NUMBER:

SUBJECT: TREE REMOVAL REQUEST – 1781-C NEWPORT BLVD.

DATE: JULY 21, 2004

FROM: PUBLIC SERVICES DEPARTMENT, MAINTENANCE SERVICES DIVISION

PRESENTATION BY: BRUCE A. HARTLEY, MAINTENANCE SERVICES MANAGER

FOR FURTHER INFORMATION CONTACT: BRUCE A. HARTLEY, (714) 754-5123

RECOMMENDATION

It is recommended that the Commission deny the request for the removal of one (1) Queen Palm located in front of 1781-C Newport Blvd.

BACKGROUND

The City received a letter dated June 1, 2004, from Behzad Jazayeri, owner of “Subject Matter” located at 1781-C Newport Blvd., requesting that the City remove one Queen Palm located in the public right-of-way (sidewalk) in front of his store. See Attachment 1. The palm did not meet any of the criteria for removal as stated in the Streetscape and Median Development Standards. Staff denied the request and has agendized Mr. Jazayeri’s removal request for Commission review.

ANALYSIS

Mr. Jazayeri has been in contact with the Maintenance Services Division on several occasions in the past regarding the City-owned palm tree growing in the public right-of-way located in front of his business, “Subject Matter”, on Newport Blvd. He has stated that the palm tree blocks the business sign located on the front of the building, preventing motorists traveling on Newport Blvd. from seeing his business.

The palm was planted approximately eight years ago. At that time, great care was taken to place the palm in a location that would not interfere with the business signs located on the front of each store. The palm in front of “Subject Matter” was placed to avoid the entrance and the sign on the building. Since the time of planting however, the building interior was divided to accommodate two businesses, which adds another sign to the storefront. See Attachment 2. The “Subject Matter” sign is placed behind the parkway tree.

The City Arborist conducted a field visit. The tree is a Queen Palm, *Arecastrum romanzoffianum*. The palm is growing in a four-foot square tree well, within a sidewalk that is ten feet (10’) wide. The palm is approximately 20-23 feet (20-23’) in height with a trunk diameter of ten inches (10”). The palm is in good health, showing vigorous new growth. The tree was pruned on October 11, 2003 as part of the City’s normal trimming cycle for that area and again on June 7, 2004 at the request of the business owner. The photograph in Attachment 2 was taken two days after the most recent trimming.

The palm could be relocated with a moderate probability of success. However, to do so, the concrete around the palm would have to be removed and replaced, adding approximately \$500 to the relocation costs, estimated to be approximately \$2,500.

There were no obvious signs of any hazards or disease in the palm. There is no apparent infrastructure damage and the City has not received any claims of sewer line problems. The Queen Palm in question will likely reach a mature height of approximately fifty feet (50'). The current business sign is at an approximate height of sixteen feet.

The palm does not meet any of the criteria that would support a staff approval of the request. Jim Ortiz, Acting Senior Maintenance Supervisor denied the applicant's request on June 7, 2004. The Maintenance Services Manager reviewed the decision and concurred.

ALTERNATIVES CONSIDERED

1. The Commission could approve the request to remove one (1) City parkway tree located at 1781-C Newport Blvd. with the requirement that the tree be replaced in a three-to-one ratio, with one twenty-four inch box-size tree, and two (2) fifteen gallon-size trees, to be planted elsewhere on public property as specified in the Streetscape and Median Development Standards. Replacement species to be selected by the City. Removal costs to be paid by the applicant.
2. The Commission could approve the removal request with the requirement that the tree be relocated to another tree well in the immediate area, along Newport Blvd. A new tree well may have to be created for this alternative. If this alternative were approved, it is recommended that the Commission require the applicant to provide a deposit to cover the purchase of three new trees in the event that the relocated palm tree does not survive for one year from the date of transplanting. The applicant would be responsible for all palm relocation costs and the cost for concrete cutting and replacement as needed to accomplish the relocation.
3. The Commission could deny the request for the removal of one City parkway tree located at 1781-C Newport Blvd.

FISCAL REVIEW

There would be no fiscal impact as a result of the alternatives provided, as all costs would be the applicant's responsibility. If the City were to remove the palm, the cost would be \$139. The costs associated with relocating the palm and removing and replacing concrete are estimated to be approximately \$2,500.

LEGAL REVIEW

No legal review is required for this item.

CONCLUSION

The palm that is the subject of the request for removal is a City-owned tree located in the public right-of-way at 1781-C Newport Blvd. It is healthy and is not creating any significant problems with the curb, gutter and sidewalk or any buried utilities. The applicant is requesting removal solely on the basis that the palm interferes with the business sign located on the front of the building. The request does not meet established removal criteria as stated in the Streetscape and Median Development Standards. Therefore, staff recommends denial of the removal request.

BRUCE A HARTLEY
Maintenance Services Manager

WILLIAM J. MORRIS
Public Services Director

ATTACHMENTS: 1 [Letter to City from Mr. Jazayeri dated 6/07/04](#)
 2 [Photographs of Trees](#)

C: Behzad Jazayeri
 1781-C Newport Blvd.
 Costa Mesa, CA 92627

File Name 072804 - 1781 Newport Bl. Tree Removal Request Staff Report

Date 07/19/04

Time 4:00 p.m.