



PARKS AND RECREATION COMMISSION AGENDA REPORT

MEETING DATE: SEPTEMBER 22, 2004

ITEM NUMBER:

SUBJECT: TREE REMOVAL REQUEST – 2371 COLGATE DRIVE

DATE: SEPTEMBER 15, 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 two (2) Mexican Fan Palms located in front of 2371 Colgate Drive.

BACKGROUND

The Maintenance Services Division was contacted on July 20, 2004 by the property owner at 2371 Colgate Drive requesting the removal of two palm trees located in the parkway in front of his house.

On July 20, 2004, Joe Bogart, City Arborist, investigated the field conditions and made contact with the resident. After evaluating the conditions, the resident was informed that the palms did not meet the City's criteria for removal as stated in the "Streetscape and Median Development Standards". The Maintenance Services Manager subsequently reviewed the information and found the denial to be justified. A letter informing the resident of staff's decision was sent on July 21, 2004. See Attachment 1.

The City subsequently received a letter dated August 1, 2004 from Eric Marovich, the property owner, appealing the decision made by staff and requesting the City reconsider the request to remove the palm trees located in the public right-of-way in front of his home. See Attachment 2. The following reasons, as stated by the property owner, were provided as the basis for the request:

1. "The roots of the trunk are growing over the top of the driveway approach, causing further damage to the surrounding concrete. In addition, the close proximity of the tree to the driveway approach is obstructing our vision backing out of the driveway. While the street itself is a fairly low-traffic area, we just had our first child on July 2nd and I feel very uncomfortable with my wife backing out of the driveway with such a large obstruction.
2. Not only are we concerned with a liability risk for our home and family should these trees fall but our immediate neighbor is quite concerned as well. Should these trees topple during a heavy wind, earthquake, etc. any one of the 4 closest homes could be damaged and the people inside killed.

3. In speaking with Mr. Bogart, it was his assessment that the trees were not originally planted by the City, but rather by a previous homeowner. Nonetheless, I am told that removal of these trees is only allowed after gaining City permission.
4. The multi-trunk Mexican fan palms are out of scale with the neighborhood. These seem to be the only trees of their type on the street and they do not appear to be consistent with the designated species for the street.”

ANALYSIS

The trees are Mexican Fan Palms, *Washingtonia robusta*. The designated City parkway tree for Colgate Drive is American Sweetgum, *Liquidambar* “Festival” or “Palo Alto”. The palms are growing in a five-foot (5’) wide parkway, which is within the ten-foot (10’) wide public right-of-way. The two palms are approximately sixty and sixty-eight feet (60’ & 68’) in height with trunk diameters of twenty-two inches (22”). The palms are both in good health. They were pruned last in October 2003 as part of the City’s annual palm frond removal program. See Attachment 3.

The palms do not meet any of the criteria that would support a staff approval of the request. Palm trees are not considered “problem tree species” and at this location they are not causing any documented damage to vital infrastructure.

There was an additional parkway tree located at the same address. The tree, a Carrotwood, *Cupaniopsis anacardioides*, was causing damage to the adjacent sidewalk and was removed in conjunction with the replacement of the sidewalk panel, as part of a Parkway Maintenance project being conducted by the Engineering Division. The Carrotwood is considered a ‘problem tree species’ by the Streetscape and Median Development Standards and met criteria for removal. T

The palm trees will be root pruned as appropriate during the curb, gutter and sidewalk replacement project that is currently in progress in that neighborhood. It is not likely that the palm trees will be root pruned on all sides where they are adjacent to concrete as it may cause an increased probability of the trees being uprooted during significant Santa Ana wind events. The side immediately adjacent to the drive approach is too close to the tree and will not likely be pruned.

ALTERNATIVES CONSIDERED

1. The Commission could approve the request to remove two (2) City parkway trees (palms) located at 2371 Colgate Drive, with the requirement that the palms be replaced in a three-to-one ratio, with one twenty-four inch box-size tree to be replanted on-site, a second twenty-four inch box-size tree and four (4) fifteen gallon-size trees, to be planted elsewhere on public property as specified in the Streetscape and Median Development Standards. All removal and replacement costs to be paid by the applicant.
2. The Commission could approve the request to remove two (2) City parkway trees (palms) located at 2371 Colgate Drive, with the requirement that the palms be relocated to other public property. In addition, should the trees not survive for one year, that they be replaced in a three-to-one ratio, with two (2) twenty-four inch box-size trees, and four (4) fifteen gallon-size trees, to be planted on public property as

specified in the Streetscape and Median Development Standards. All relocation or replacement costs to be paid by the applicant.

3. The Commission could deny the request for the removal of two City parkway trees (palms) located at 2371 Colgate Drive.

FISCAL REVIEW

There would be no fiscal impact as a result of the alternatives provided, as all costs would be the applicant's responsibility. The applicant's costs for the removal and stump grinding are estimated to be approximately \$700 - \$800, if contracted privately. The retail cost for purchase of the six trees proposed for mitigation would be approximately \$425, plus installation costs. Accurate relocation costs have not been determined.

If the City were to remove the two palms, the cost based on current City contract prices, would be \$612. The City's cost to install the two twenty-four inch box-size trees, with root barriers, would be \$415 and the City's purchase price for the four fifteen gallon-size trees would be \$150, for a total cost of \$1,177.

LEGAL REVIEW

No legal review is required for this item.

CONCLUSION

The palms that are the subject of the request for removal are City-owned trees located in the public right-of-way at 2371 Colgate Drive. They are healthy and the problems they may be causing with the curb and gutter are in the process of being repaired. There is no significant damage to the drive approach at this time. The trees are not damaging any buried utilities. The applicant is requesting removal on the basis that the palms are out of scale with the neighborhood, are the only palms in that area and may pose a liability due to their size and fall zone should they fail during storms or other natural disasters. The request does not meet the 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 from City to Eric Marovish dated July 21, 2004](#)
 2 [Letter to City from Eric Marovish dated August 1, 2004](#)
 3 [Photographs of Tree](#)

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