



# *PARKS AND RECREATION COMMISSION AGENDA REPORT*

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MEETING DATE: NOVEMBER 17, 2004

ITEM NUMBER:

**SUBJECT: TREE REMOVAL REQUEST – 2854 CHIOS ROAD**

**DATE: NOVEMBER 10, 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**

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## **RECOMMENDATION**

It is recommended that the Commission deny the request for the removal of one City parkway tree located at 2854 Chios Road.

## **BACKGROUND**

Maintenance Services Division records indicate the City was initially contacted on March 17, 2003 by Jerry Holzer, the property owner at 2854 Chios Road, requesting the removal of the City tree located in the parkway in front of his house. Approximately one-year prior, in May 2002, the City pruned the roots of the tree and installed twelve-inch (12") deep root barriers.

When contacted by Mr. Holzer in 2003, the City Arborist evaluated the field conditions to determine if the tree was causing additional damage to the sidewalk. At that time, it was the opinion of the arborist that the concrete damage had not increased in severity.

Mr. Holzer was informed that the tree 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 March 19, 2003. See Attachment 1.

On October 12, 2004, Elfi Holzer, the wife of Jerry Holzer contacted the Maintenance Services Division regarding the tree. Ms. Holzer claimed the City parkway tree was continuing to raise the concrete sidewalk and gutter and she would like the tree to be removed. She offered to pay all costs associated with the removal and requested a new tree of a different species be replanted. The City Arborist again inspected the site and found no significant changes in the condition of the curb, gutter or sidewalk. The concrete was raised slightly, but not significantly. The tree was again root pruned with deeper barriers installed to provide additional protection for the curb, gutter and sidewalk.

The City Arborist denied the request and sent a letter to Ms. Holzer informing her of the decision and the appeal process. See Attachment 2. Subsequent to the denial of her request to have the tree removed, Ms. Holzer sent a letter to the City requesting the tree be

removed. See Attachment 3. When contacted by telephone, Ms. Holzer confirmed that it was her intent in the letter to request the Parks & Recreation Commission review staff's decision to deny her request.

## **ANALYSIS**

The tree is an American Sweetgum, *Liquidambar styraciflua*. The designated City parkway tree for Chios Road is American Sweetgum, *Liquidambar* "Festival" or "Palo Alto". The tree is growing in a five-foot (5') wide parkway, which is within the ten-foot (10') wide public right-of-way. The tree is approximately thirty-five feet (35') in height with a trunk diameter of sixteen inches (16"). The tree is in good health. See Attachment 4.

The tree does not meet any of the criteria that would support a staff approval of the request. American Sweetgum trees are not considered "problem tree species" and at this location the tree is not causing any documented damage to vital infrastructure.

## **ALTERNATIVES CONSIDERED**

1. The Commission could approve the request to remove one (1) City parkway tree located at 2854 Chios Road, with the requirement that the tree be replaced in a three-to-one ratio, with one twenty-four inch box-size tree to be replanted on-site, and two (2) 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. Any approval by the Commission to remove the tree would expire after one year.
2. The Commission could deny the request for the removal of one City parkway tree located at 2854 Chios Road.

## **FISCAL REVIEW**

If the request were approved, there would be no fiscal impact to the City 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 \$225, if arranged through the City. A private contractor may charge a different price. The cost for the three mitigation trees would be \$277.50. This includes the City's cost to purchase and install one 24" box-size tree and the purchase price only of two fifteen gallon-size trees.

## **LEGAL REVIEW**

No legal review is required for this item.

## **CONCLUSION**

The tree that is the subject of the request for removal is a City-owned tree located in the public right-of-way at 2854 Chios Road. It is healthy and the problems it may be causing to the curb and gutter are minimal. To the city's knowledge, the tree is not damaging any buried utilities or sewer lines. The applicant is requesting removal on the basis that the tree is damaging concrete infrastructure. 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.

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BRUCE A HARTLEY  
Maintenance Services Manager

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WILLIAM J. MORRIS  
Public Services Director

ATTACHMENTS: 1 [Letter from City to Jerry Holzer dated March 19, 2003](#)  
2 [Letter from City to Elfi Holzer dated October 13, 2004](#)  
3 [Letter from Elfi Holzer to City dated October 20, 2004](#)  
4 [Photographs of Tree](#)

C: Mr. and Mrs. Holzer  
2854 Chios Road  
Costa Mesa, CA 92626

File Name 111704-2854 Chios Rd-Tree Removal Request Staff Report

Date 11-05-04

Time 4:00 p.m.