



PARKS AND RECREATION COMMISSION AGENDA REPORT

MEETING DATE: MAY 23, 2013

ITEM NUMBER:9b

SUBJECT: TREE REMOVAL REQUEST - 115 BROADWAY

DATE: MAY 13, 2013

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

Deny the request for the removal of one City-owned parkway tree located in the public right-of-way at 115 Broadway.

BACKGROUND

The Maintenance Services Division was originally contacted by the Applicant on August 30, 2012, requesting that the City trim the street tree located in front of the Applicant's business, located at 115 Broadway. The Applicant, a tenant in the building owned by others, stated that the tree blocked the sign on the front of the building making it difficult for patrons to locate the business. The City Arborist reviewed the site conditions at that time and did not recommend any action be taken.

The Applicant submitted a request to have the tree removed on April 3, 2013. See Attachment 1.

ANALYSIS

The City Arborist evaluated the tree, an Evergreen Pear, *Pyrus kawakamii*, and found it to be healthy and in good condition. The tree is approximately twenty feet (20') in height, with a trunk diameter of seven inches (7").

The tree is located in a tree well (cut-out) with tree grates, within a ten foot (10') wide concrete sidewalk. The aerial portion of the tree was last pruned on May 10, 2012, by the City's tree maintenance contractor as part of the 3-5 year trim cycle for City parkway trees. See Attachments 2 and 3.

The primary reason for the request is due to the tree blocking the sign on the building. The tree has been growing in that location in excess of fifteen (15) years. The business has been at that location for approximately five (5) years.

The tree does not meet the criteria for a staff level authorization for removal, as stated in the Streetscape and Median Development Standards. The City Arborist evaluated the tree for possible relocation, but believes that due to the cost of relocating the tree being greater than the value of the tree, relocation is not recommended.

The Applicant and the property owner have been notified of the Parks and Recreation Commission meeting and have been sent a copy of this staff report.

ALTERNATIVES CONSIDERED

1. The Commission could authorize the removal and replacement of the tree, per the Streetscape and Median Development Standards, Section 4.0.3 – Discretionary Removals, which would require the replacement of the tree with one (1) twenty-four inch box-size tree to be planted at the same address and two (2) fifteen gallon-size trees to be planted elsewhere on City property. The applicant would pay all removal and replacement costs.

If approved by the Commission, the tree must be removed and mitigation trees provided to the City within one year from the date of final approval, after which the approval expires.

2. The Commission could direct staff to have the tree trimmed annually by the City's tree maintenance contractor at a cost to the Applicant of \$58.00 per year.

FISCAL REVIEW

There would be no fiscal impact to the City if the request to remove the tree was either denied or approved as a Category 3; Discretionary Removal, as the applicant would pay all costs. If the Commission authorized the Applicant to pay for annual trimming, there would be no additional cost to the City for the enhanced service level.

For the Commission's information, the cost for the removal of the tree would be \$105. The replanting costs for the mitigation tree (1 – 24" box size and 2 – 15 gallon size) would be \$425. Costs are based on current City contract prices. Total cost for removal and replacement would be \$530.

LEGAL REVIEW

No legal review is required for this item.

CONCLUSION

The parkway tree that has been requested to be removed is located within the public right-of-way in front of 115 Broadway. The tree is healthy and in good condition, but is interfering with the view of the sign for the Applicant's business. The tree does not meet any removal criteria and is a benefit to the community; it is therefore recommended that the Commission deny the Applicant's request for removal of the City parkway tree.


BRUCE A. HARTLEY
Maintenance Services Manager


ERNESTO MUNOZ
Public Services Director

- ATTACHMENTS:
1. Letter from Applicant requesting removal of parkway tree
 2. Tree Information & Work Orders
 3. Photographs

C: Jackie Dark
115 Broadway
Costa Mesa, CA 92627

Philmer Ellerbrook
3500 E. Coast Highway
Corona del Mar, CA 92625

4.0.3

Category 3 – Discretionary Removals

Requests for removal of City-owned trees in parks, parkways, or rights-of-way not covered under Category 1 or Category 2 shall be agendaized for review and determination by the Parks and Recreation Commission. Final determination by the Parks and Recreation Commission will be based on information provided by the property owner/applicant as well as the following:

1) Is the request from City staff, commercial applicant, or residential property owner/tenant?

Tenant. My salon is being compromised because of the tree. We are losing business and I have asked to have it trimmed, but they can't trim it constantly. It has seemed to have grown now to the point of covering my sign and address. When I first came here over 5 years ago, it was not so much a problem. However, now it is horrible.

2) Are there alternatives to removal which have not been considered?

Not really since you can't tree trim every month.

3) Who will bear the financial responsibility for removal/transplanting/replacement?

Tenant will if necessary. The tree is making it so people are not able to find my location. We have had many issues with these and my customers complain. They are late sometimes and that throws our entire day off.

4) Is transplanting a viable option from the standpoint of tree survivability?

Yes.

5) Is "in-kind" replacement or 3:1 replacement (1-24" box, plus 2-15 gallon) more appropriate?

Not sure, as long as it doesn't cover the store sign and address. We need people to see us and find us.

6) What are the aesthetic impacts to the neighborhood or to existing planting themes?

No impact.

7) Does the removal pose any adverse impacts to adjacent property owners?

No.





Phone: (714) 257-1111
daniel.dominguez@costamesaca.gov
Fax: (714) 327-7558



DANIEL DOMINGUEZ
INTERIM CITY ARBORIST

CITY OF COSTA MESA, CALIFORNIA
www.costamesaca.gov

PARKWAY TREE REMOVAL/REPLACEMENT

77 FAIR DRIVE • POST OFFICE BOX 1200 • 92628-1200

Established by City Council ordinance, the Public Services Director may approve or deny all tree removal requests, or may request for review by the Parks and Recreation Commission.

Any removal decision made by the Public Services Director may be appealed to the Parks and Recreation Commission for review. Decisions made by the Parks and Recreation Commission are final and may not be appealed to the City Council. The Public Services Director will notify the property owner/applicant of every decision to ensure that any appealed decision will not be implemented until after the appeal is heard.

Decisions made by the Parks and Recreation Commission are valid for a period of one year. All requests for removal and specified mitigation measures approved by the Parks and Recreation Commission must be completed by the applicant within one year from the date of approval. If tree removal and/or mitigation is not completed within one year, the approval is rescinded.

Tree removal denials made by the Parks and Recreation Commission may not be reconsidered for a period of one year from the date of denial.

All property owners/applicants wishing removal of a parkway tree(s) shall complete the "Request for Tree Removal" application available from the Public Services Department. Removal requests will fall into one of three categories:

- Category 1 – Health and Safety Removals
- Category 2 – Accelerated Removals
- Category 3 – Discretionary Removals

4.0.1 Category 1 – Health and Safety Removals

Removal of a street tree at no cost to the property owner/applicant may be considered on the following basis, and in accordance with Public Services policies:

- If the tree is dead, dying, critically diseased, or damaged beyond reasonable repair.
- If the tree is causing a safety hazard (such as significant sidewalk and curb uplifting), and root pruning is determined not to be a viable option. Root pruning, sidewalk shaving, and sidewalk rerouting shall be considered as alternative options when evaluating the removal of trees that are causing safety hazards.



My Lashes

115

113



My Lashes
949.548.1451
APR 2014

115





Miss
115







113

**City of Costa Mesa
Maintenance Services Division
FIELD INSPECTION – TREE INFORMATION**

Denial	<input checked="" type="checkbox"/>	Category	1 <input checked="" type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>
Supporting	<input type="checkbox"/>	Category	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>

Date Request Received: **8/30/12**

Name of Resident: _____

Requesting Party: **Jackie Dark**

Address: _____

Address: **115 Broadway**

Home Phone: _____

Home Phone: **714-330-6828**

Work Phone: _____

Work Phone: _____

Date Inspected: **8/30/12 and 4/3/2013**Inspected By: **Daniel Dominguez III – Interim City Arborist**Parkway Maintenance Report: Tree Species: **Pyrus kawakamii F1**Removal Cost: (DBH x \$15.00)= \$ **105.00**Height: **20 Feet**Width of Sidewalk: **10 Feet**Trunk Diameter: **7 Inches**Size of Right-of-Way: **10 Feet**Health: Good Fair PoorDate of Last Pruning: **5/10/2012**Is the Tree a good candidate for Relocation? Yes NoLikelihood of survival: Good Fair Poor

Comments: **Sidewalk would have to be removed and replaced. Cost to relocate the tree will be greater than the tree value. Estimated tree value \$1,380.00 Tree growing in a 3' x 3' tree well.**

Concrete Damage: Yes No

If Yes, describe damage:

Can the Tree be Root Pruned: Yes No

Date: _____

Root Pruning Comments: **Roots are not an issue.**Date of Response to Resident: **9/04/12**

Date Information Packet Mailed: _____

Photos Taken: Yes NoDate Photos Taken: **4/03/2013**Photo #1: **Street view looking south**Photo #2: **Street view looking east**Photo #3: **Street view looking west**Photo #4: **Base of the tree**

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Subject: Tree trimming request.

Detailed description:

Requesting trimming of the trees in front of her business: Lovely Lashes. States that patrons have expressed difficulty in locating her business because of the trees that hinder visibility of signage.

Req'd date:	2012-08-30 (Request entered by: MStueve)	Req'd by:	Jackie
Location:	115 Broadway	Phone:	714-330-6828
Work Order Nr:	12081517	District:	26
Supervisor:	City Arborist	Employee:	Dominguez, Dan
Call back needed:	N	Contacted date:	2012-08-30
OSHA safety concern:	N	Status:	Closed
Completion date:	2012-10-18	Inspection date:	2012-08-30
Hours:	0 Minutes: 30	Material cost:	0.00

Action taken:

08/30/2012 F1 Pyrus kawakamii tree 6" dsh in fair condition. Tree aproximately 20' tall and obstructs signage. Tree last trimmed 5/10/2012. Tree will continually be problematic due to height of the sign and growth habit of the tree. Left voice message with owner stating the tree will not be trimmed. No action. DD 09/04/2012 Spoke to Jackie and she is willing to pay for removal and replacement. Review with BH. PENDING 10/18/2012 Reviewed site with BH. No removal. Contacted owner and provided her with her options. Anticipate a letter requesting removal as a Cat 3. No action at this time. DD

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Subject: Request to remove trees as a Cat 3

Detailed description:

Resident sent letter and pictures requesting a Cat 3 removal.

Req'd date:	2013-04-03 (Request entered by: Daniel Dominguez III)	Req'd by:	Jackie
Location:	115 Broadway	Phone:	714-330-6828
Work Order Nr:	13040530	District:	26
Supervisor:	City Arborist	Employee:	Dominguez, Dan
Call back needed:	N	Contacted date:	2013-04-03
OSHA safety concern:	N	Status:	Closed
Completion date:	2013-04-10	Inspection date:	2013-04-03
Hours:	0 Minutes: 20	Material cost:	0.00

Action taken:

4/3/2013 Pyrus kawakamii in good condition. Generated field report for commission. Spoke to owner. No action at this time. DD

Password:





2 HOUR
PARKING
9A.M. TO 9P.M.



