



PARKS AND RECREATION COMMISSION AGENDA REPORT

MEETING DATE: MARCH 24, 2016

ITEM NUMBER: **8c**

SUBJECT: TREE REMOVAL REQUEST - 3140 JEFFERSON AVE
DATE: MARCH 11, 2016
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 to remove two (2) City owned parkway trees growing in the public right-of-way at 3140 Jefferson Avenue.

BACKGROUND

The Maintenance Services Division was initially contacted by the Applicant on September 28, 2015, requesting that both trees be removed. The Applicant stated that the trees are a nuisance, are nut bearing and attract rodents. The City Arborist contacted the resident the next day, explaining the City's removal criteria and that the trees did not meet the requirements for a staff level approval. On February 29, 2016, the Maintenance Services Division received a written request to remove the two trees. See Attachment 1.

The Applicants, in the letter, explain in greater detail the impacts of the trees on their home and family; stating that the trees:

- Create hazards due to the large, abundant nuts and shells stopping the wheels of the scooters, skateboards and bicycles of their children as they recreate on the sidewalk.
- Have leaves with serrated margins (small spines) that stick into bare feet.
- Attract vermin such as rats, squirrels, and birds that leave droppings on the lawn and sidewalk presenting a health hazard.
- Are causing damage to the sidewalk, a private property masonry wall and are in the water meter box.

ANALYSIS

On March 8, 2016, the City Arborist inspected both trees and evaluated the reported problems associated with the trees. The trees are in good condition, with no observable pests, diseases or structural hazards found. Previous grinding of the sidewalk was evident. One panel on the sidewalk is currently lifted and will be ground in the near future. The parkway is completely filled with un-grouted clay bricks. The bricks have become uneven due to the roots of the parkway trees lifting them as they grow. Unfortunately, the bricks have prevented any root pruning or other corrective maintenance from being performed in the past. If the bricks are removed, root pruning and barrier installation

could be performed; protecting the sidewalk and the adjacent private property wall from any further impacts.

The trees did not meet the criteria for a staff level approval (Category 1 – Health and Safety Removal). The Arborist informed the resident that the trees would need to be agendized for the Parks and Recreation Commission for consideration.

The two (2) trees are multi-trunked Smooth-Shelled Macadamia Trees, *Macadamia integrifolia*. The tree that is located on the north side of the driveway, identified as F1 in the City's tree inventory, is approximately twenty-feet (25') in height with combined trunk diameters of forty-one and one-half (41.5) inches. The tree that is located on the south side of the driveway is identified as F2 and is approximately twenty feet (20') in height with combined trunk diameters of twenty-nine (29) inches. Both trees are growing in a five (5) foot parkway, in a three foot by three foot (3'x3') 'cut-out' surrounded by bricks, adjacent to a four foot (4') wide sidewalk. Both trees have been maintained by the City on a three to five (3-5) year trim cycle; the tree was last trimmed on January 13, 2016. See Attachments 2 and 3.

At the time of the inspection there was no fruit present. There were a minor amount of the serrated leaves underneath both trees. Typically, Smooth-Shelled Macadamia Trees fruit in the fall through spring each year, but may fruit at other times. Leaves would fall in a cyclic manner, likely increasing after new leaves are pushed out each spring. There is a crack in the sidewalk adjacent to the tree and the location of the uplifting of the private property retaining wall.

Both trees, in and of themselves, are not a risk to public health and safety; are not dead, diseased or dying and do not appear to be creating any significant exposure to liability for the City. The damage to the wall may be due to roots, but could have been prevented or could be mitigated by the removal of the unauthorized bricks and subsequent root pruning. The fruit, while a nuisance, is not significantly greater than could be expected from a typical macadamia tree.

The trees do 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 due to the size and age of the trees; low probability of success and the cost of relocating the trees, relocation is not recommended.

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

ALTERNATIVES CONSIDERED

1. The Commission could authorize the removal of the tree as a Category 1 – 'Health and Safety' removal with all removal and replacement costs paid for by the City and determine if a replacement tree is to be planted.
2. The Commission could authorize the removal and replacement of the tree, per the Streetscape and Median Development Standards, Section 4.0.2 Category 2 – Accelerated Removals or Section 4.0.3 Category 3 – Discretionary Removals, which would require the replacement of each of the trees with one (1) twenty-four inch box-size tree replanted at that address or on other City property as directed by the Commission and two (2) fifteen gallon-size trees for each tree removed, to be

planted elsewhere on City property. The Applicants would pay all removal and replacement costs.

If the tree removal is approved by the Commission, the payment for the removal of the parkway tree and any required mitigation trees must be provided to the City prior to removal and within one year from the date of final approval, after which the approval expires.

FISCAL REVIEW

There would be no fiscal impact to the City if the request to remove the tree was denied, or approved as a Category 2 - Accelerated Removal, as the Applicant would pay all costs.

For the Commission's information, removal cost for both trees would be \$1,410. The replanting costs for the mitigation trees (2 – 24" box size and 4 – 15 gallon container size) would be \$850. Costs are based on current City contract prices. The total cost for removal and replacement would be \$2,260.

If approved as a Category 1 – Health and Safety Removal, the cost to the City for the removal would be \$1,410; with a cost of \$450 for the installation of two (2) 24" box-size replacement tree. Total cost would be \$1,860.

The value of the trees is estimated to be \$18,220.

LEGAL REVIEW

No legal review is required for this item.

CONCLUSION

The City-owned trees that have been requested to be removed at City expense are located in the public right-of-way at 3140 Jefferson Ave. The trees are in good condition, have been maintained appropriately on a regular schedule and are causing very minor damage to the sidewalk; they do not meet the criteria for a Health and Safety removal. The justification for the removal is primarily related to the fruit and leaves of the trees. It is recommended that the Commission deny the request to have the City incur the removal and replacement costs for the two trees.


BRUCE A. HARTLEY
Maintenance Services Manager


ERNESTO MUÑOZ
Public Services Director

ATTACHMENTS: 1. Letter from Resident
2. Tree information & Maintenance History
3. Photographs

C: Nick and Lindsay Lugo
3140 Jefferson Ave
Costa Mesa, CA 92626

Nicholas and Lindsay Lugo
3140 Jefferson Ave
Costa Mesa, CA 92626
[REDACTED]



2.25.2016

Mr. Hartly,

We are writing you this letter in hopes that with your blessing we can have the two trees in front of our home either removed or relocated. I have spoken with Jim Ortiz several times in hopes to resolve the issues and concerns we have with the safety of our children and the current and future damage these trees are causing. We have two children ages 6 and 7, they play out front on their scooters, skateboards and bikes all the time. The fallen nuts and shells have SEVERAL times caused them to fall off the skateboards and scooters as the nuts / shells will stop them immediately. Causing skinned knees and hands. As you will see in the attached photos the shells are not small, nor are they soft shells. Throughout the year there are new shells falling on the sidewalk and our lawn. However, during the true bearing season the amount of shells multiple uncontrollably. The nuts also attract vermin such as rats, squirrels and birds that leave droppings all over the yard and sidewalk presenting a whole new type of health hazard.

Secondly is the hazard of the leaves themselves. As you will see in the photos, the leaves are very serrated. The edge is covered by many thorn like spikes. I cannot tell you how many times we have had to remove those from not only our children's feet but my wives and mine as well. I will tell you it is not a pleasant experience and very hard to dig them out of hands and feet. No matter how often I sweep or mow the lawn I have been unable mitigate the hazard.

Finally, as you will see in the photos the roots are pushing up the bricks in the front yard, crossing under and lifting the sidewalk as well as beginning to separate the block wall to our elevated front yard. The roots have also found their way to the water meter box, though I am not certain if they have entered the water system as of yet, I don't want to wait to find a flood in the front yard.

My first and foremost concern is for the safety and health of my children and family as a whole. I implore you to remove these trees as soon as possible.

Thank you for your time,

Nick and Lindsay Lugo



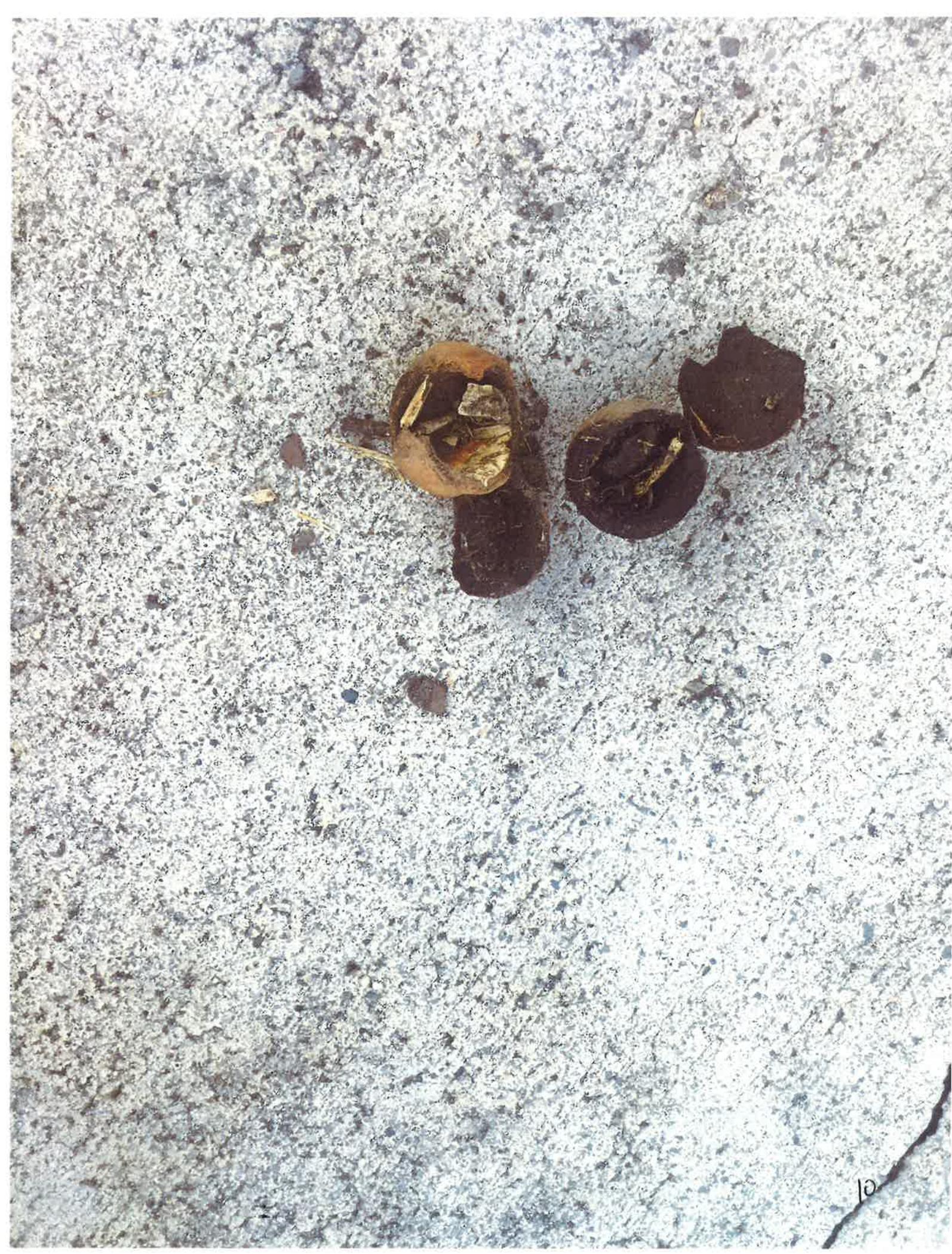




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**City of Costa Mesa
Maintenance Services Division
FIELD INSPECTION – TREE INFORMATION**

ATTACHMENT #2

Date Request Received: February 29, 2016
Name of Resident: Nicholas and Lindsay Lugo Requesting Party: Same
Address: 3140 Jefferson Ave Address: Same

Date Inspected: March 8, 2016
Inspected By: Jim Ortiz

Tree Species: Smooth Shell Macadamia (F1) Removal Cost: (DBH x \$ 20.00)= \$ 830.00
Height: 25 Feet Width of Sidewalk: 4 Feet
Trunk Diameter: 41.5 Inches Size of Right-of-Way: 37 Feet

Health: Good Fair Poor Date of Last Pruning: 1/13/16

Is the Tree a good candidate for Relocation? Yes No

Likelihood of survival: Good Fair Poor

Comments:

Concrete Damage: Yes No

If Yes, describe damage: **1 panel ground on sidewalk and 1 panel lifting.**

Can the Tree be Root Pruned: Yes No Date: _____

Root Pruning Comments: **Resident would have to remove brick pavers for root pruning to occur.**

Date of Response to Resident: _____

Date Information Packet Mailed: _____

Photos Taken: Yes No Date Photos Taken: 3/08/16

Photo #1: Street view looking north

Photo #2: Street view looking south

Photo #3: Front of tree

Photo #4: Base of tree

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

Date Request Received: February 29, 2016

Name of Resident:	<u>Nicholas and Lindsay Lugo</u>	Requesting Party:	<u>Same</u>
Address:	<u>3140 Jefferson Ave</u>	Address:	<u>Same</u>

Date Inspected: March 8, 2016
Inspected By: Jim Ortiz

Tree Species:	<u>Smooth Shell Macadamia (F2)</u>	Removal Cost: (DBH x \$ 20.00)= \$ <u>580.00</u>
Height:	<u>20 Feet</u>	Width of Sidewalk: <u>4 Feet</u>
Trunk Diameter:	<u>29 Inches</u>	Size of Right-of-Way: <u>19 Feet</u>

Health: Good Fair Poor Date of Last Pruning: 1/13/16

Is the Tree a good candidate for Relocation? Yes No

Likelihood of survival: Good Fair Poor

Comments:

Concrete Damage: Yes No

If Yes, describe damage: **1 panel ground on sidewalk and 1 panel lifting.**

Can the Tree be Root Pruned: Yes No Date: _____

Root Pruning Comments: **Resident would have to remove brick pavers for root pruning to occur.**

Date of Response to Resident: _____

Date Information Packet Mailed: _____

Photos Taken: Yes No Date Photos Taken: 3/08/16

Photo #1: **Street view looking north**

Photo #2: **Street view looking south**

Photo #3: **Front of tree**

Photo #4: **Base of tree**

Site Detail (33.686303612293,-117.89898986868)(WCA InventoryID: 5546039)					
District	Address	Location	Species	DBH	Height
7	3140 JEFFERSON AV	Front-1	<i>Macadamia integrifolia</i> SMOOTH-SHELL MACADAMIA	19-24	15-30
Condition	Maintenance	Removal Priority	Estimated Value	Parkway Type	Parkway Size
Good	Grid Trim	N/A	\$9,110	Parkway	5
Utility	Valid				
No	Yes				
Work History					
Crew	Work Date	Work Type	Job #/Acct #	Amount	
WCA	1/13/2016	Full Prune - Hardwood 7-24 DSH	31556	\$58.00	
WCA	4/27/2011	Grid Pruning	16780	\$46.60	
WCA	8/22/2008	Grid Pruning	12656	\$46.60	
Notes					

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Site Detail (33.686427685533,-117.89899087135)(WCA InventoryID: 5546040)					
District	Address	Location	Species	DBH	Height
7	3140 JEFFERSON AV	Front-2	<i>Macadamia integrifolia</i> SMOOTH-SHELL MACADAMIA	19-24	15-30
Condition	Maintenance	Removal Priority	Estimated Value	Parkway Type	Parkway Size
Good	Grid Trim	N/A	\$9,110	Parkway	5
Utility	Valid				
No	Yes				
Work History					
Crew	Work Date	Work Type	Job #/Acct #	Amount	
WCA	1/13/2016	Full Prune - Hardwood 7-24 DSH	31556	\$58.00	
WCA	4/27/2011	Grid Pruning	16780	\$46.60	
WCA	8/22/2008	Grid Pruning	12656	\$46.60	
Notes					

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Tree F-1





Tree F-1 Base



Block Wall

Tree F-2





Tree F-2 Base

