



# **PARKS AND RECREATION COMMISSION AGENDA REPORT**

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MEETING DATE: JUNE 23, 2016

ITEM NUMBER: **10a**

**SUBJECT: TREE REMOVAL REQUEST - 883 PROSPECT PLACE**

**DATE: JUNE 13, 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**

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## **RECOMMENDATION**

Deny the request to remove one (1) City owned tree (Slope Tree #11) growing in the landscape setback located on Yukon Avenue directly behind 883 Prospect Place as a Category 1 – Health and Safety Removal.

## **BACKGROUND**

The Parks and Recreation Commission has considered tree removal requests for the Yukon Avenue landscape setback from five different applicants at six previous meetings spanning nearly three years. This Applicant has requested the removal of one or more trees from the setback behind her residence on three prior occasions.

As a result of Commission action taken at the meetings of February 27, 2014 and April 23, 2015, five of the six trees growing in the landscape setback behind the Applicant's property have been removed at City expense. All of the trees removed were confirmed to be causing visible damage to the private property wall separating the Applicant's property from the City's landscape setback. At the time of the prior tree removals, no visible damage was observed that correlated to Tree S-11.

The Maintenance Services Division was contacted most recently about this particular tree by the Applicant via e-mail on May 23, 2016. The Applicant stated that following excavation of their property for a landscape improvement project, roots were visible growing under the block wall and that the initial stages of damage to the block wall was observed. See Attachment 1. On the same day, the City Arborist inspected the tree with the Applicant's husband present; evaluating the roots that were exposed. The Arborist confirmed that the roots were from the City tree. Although tree roots were observed, the Arborist did not see any damage to the block wall. The Applicant requested that the Manager or Arborist return that same day for additional inspection when the Applicant could be present. Staff did not return to re-inspect the site. The Maintenance Services Manager replied via e-mail explaining the outcome of the earlier inspection. See Attachment 2.

Following the removal of the trees in 2015, root pruning was completed and a root barrier was installed across the slope between the tree and the Applicant's wall at a depth of twelve-inches. Due to the slope and the location of the tree relative to the lower grade of

the adjacent property, it is likely that the root pruning was inadequate and the barrier did not extend deep enough to address the roots that are now visible. It is likely that unless the roots are cut and deeper root barriers installed, the roots will likely continue to grow under the wall and potentially result in damaging the footing. Maintenance Services has obtained a quote of approximately \$900 to cut the roots and install a three foot (3') deep root barrier extending fifteen feet (15') in either direction from the base of the tree.

Due to the lack of observable damage from the exposed roots, the Arborist determined that tree did not meet the criteria at this time to be removed as a Category 1 – Health and Safety Removal, according to the Streetscape and Median Development Standards. The Applicant was informed via e-mail, by the Maintenance Services Manager that the tree would not be removed, but that upon request, could be agendized for consideration by the Parks and Recreation Commission. He also informed the Applicant that the City may come back and root prune the roots deeper and install barriers to prevent roots from going under the wall again. See Attachment 2.

## **ANALYSIS**

The tree is a Canary Island Pine, *Pinus canariensis*. The tree was found to be in good health with no apparent structural issues or diseases present. The tree is approximately sixty-feet (60') in height with a trunk diameter of sixteen inches (16"). It is growing in an irrigated landscaped slope. The tree has been maintained by the City on a consistent trim cycle and was last trimmed on April 25, 2014. The tree was last root pruned on March 20, 2015. See attachment 3

The tree is not a risk to health and safety, is not dead, diseased or dying and does not appear to be creating any significant exposure to liability for the City. The tree did 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, low probability of success and the cost of relocating the tree, relocation is not recommended.

The Applicant has been notified of the Parks and Recreation Commission meeting and has been sent an agenda and 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, as either a Category 2 – Accelerated Removal or Category 3 – Discretionary Removal, which would require the replacement of the tree with one (1) twenty-four inch box-size tree and two (2) fifteen gallon-size trees to be planted elsewhere on City property. The Commission would determine if the Applicant or City would pay removal and replacement costs.

If the tree removal is approved by the Commission, and determined to be at the expense of the Applicant, payment for the removal of the 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 either denied, or approved as a Category 2 - Accelerated Removal or Category 3 - Discretionary Removal, with the Applicant paying all costs.

For the Commission's information, removal cost for this tree would be \$320. The replanting costs for the mitigation trees (1 - 24" box-size and 2 - 15 gallon container-size) would be \$425. Costs are based on current City contract prices. The total cost for removal and replacement would be \$745.

If approved as a Category 1 - Health and Safety Removal, the cost to the City for the removal would be \$320; with a cost of \$225 for the installation of one 24" box-size replacement tree. Total cost would be \$545.

## LEGAL REVIEW

No legal review is required for this item. \_\_\_\_\_

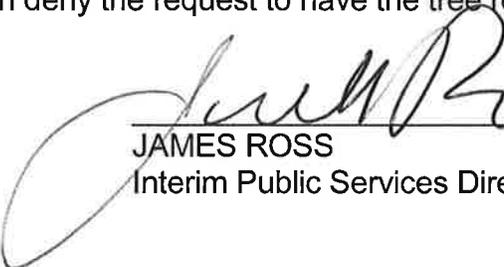
## CONCLUSION

The Applicant submitted an e-mail requesting the tree be removed; stating that due to the presence of roots growing from the City tree under the private property wall, damage to the wall and subsequent City liability are likely and therefore the request satisfies the criteria for a Health & Safety removal.

The City-owned tree that has been requested to be removed at City expense is in good condition, has been maintained appropriately on a regular schedule; it does not meet the criteria for a 'no-cost' removal. Root pruning and the installation of root barriers could protect the private property wall and allow the tree to remain.

It is recommended that the Commission deny the request to have the tree removed.

  
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BRUCE A. HARTLEY  
Maintenance Services Manager

  
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JAMES ROSS  
Interim Public Services Director

ATTACHMENTS: 1. E-Mail From Applicant  
2. E-Mail to Applicant from Maintenance Services Manager  
3. Tree information & Maintenance History  
4. Photographs

C: Kelly Waterman  
883 Prospect Place  
Costa Mesa, CA 92626

## ATTACHMENT #1

**From:** Kelly Waterman [mailto:actiongameshots@gmail.com]  
**Sent:** Monday, May 23, 2016 8:10 AM  
**To:** HARTLEY, BRUCE <BRUCE.HARTLEY@costamesaca.gov>  
**Subject:** Re: Tree Removal Request

Good Morning Bruce,

I wanted to request the removal of the last tree near our wall on Yukon Avenue. I left a message on Friday that the demo crew was excavating the yard and hit some roots. We had them stop and dig and we found big roots coming into our yard area. I would like to request removal of that tree. We have removed all trees from our side including the palm trees that were along that wall as well. I did take photos however they have not been able to continue yet in that area because they left it uncovered so that you may visit and take a look first hand as well. If you are able to come by today that would be great than I can have them continue work. You are welcome to come by at anytime.

I look forward to hearing back soon.

Kindest Regards,  
Kelly Waterman  
949-294-0794

On Jun 5, 2015, at 1:30 PM, HARTLEY, BRUCE <[BRUCE.HARTLEY@costamesaca.gov](mailto:BRUCE.HARTLEY@costamesaca.gov)> wrote:

Good Afternoon Kelly,

Today I explained to Ernesto Munoz, Public Services Director, the conditions I found during my inspection of your property on Wednesday, June 3, 2015. I confirmed that I did observe and documented roots on the private property side of the wall in the excavated pits that correlated to the observed damage to your private property wall. As the area immediately adjacent to the third tree was not excavated due to the presence of a private property Queen Palm, I was unable to inspect for the presence of any roots. I did observe that there currently is no damage to the wall at that location.

The trees met the criteria established by the Parks & Recreation Commission when they took action at the meeting of April 23, 2015. They approved the removal of any of the three trees if roots were observed from the private property and could be associated with any damage.

You confirmed to me via telephone message received on Friday, June 05, 2015, that you do not wish to proceed with taking the third tree back to Commission at this time. You can bring it back to the Commission should you change your mind; they waived the one-year time period where the request could not be re-heard.

This e-mail will confirm that the Director has authorized the removal of Tree #S-9 and Tree #S-13 at City expense. That work will be scheduled following the determination of the status of two other tree removal requests on your street that will be heard by the Commission in June or July. The City will remove any trees authorized for removal all at one time.

Please feel free to contact me if you have any questions or concerns.

Thank you for your patience with the process and all that came with it.

As City staff, we are here to make your City a better place to live.

Bruce Hartley  
Maintenance Services Manager  
City of Costa Mesa

**From:** HARTLEY, BRUCE  
**Sent:** Tuesday, May 24, 2016 7:43 AM  
**To:** 'Kelly Waterman'  
**Subject:** RE: Tree Removal Request

Good Morning Kelly,

Jim didn't see damage. Last time I was out there, which was just a few months ago, I did not see any damage. We are going to cut the roots on the City side down to a depth of 36" and install deeper barriers. Potential for damage may exist, but that does not allow me to remove the tree. If I cut all the roots, I don't believe the wall will be damaged in the future. We have taken out every tree behind your home at a significant cost and we have worked with you for the past 2-3 years to resolve the issue. This one is going to the PRC for determination. If they feel there is a likelihood for future City liability they are empowered to authorize the removal.

Sincerely,

Bruce Hartley  
Maintenance Services Manager  
City of Costa Mesa

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**From:** Kelly Waterman [mailto:actiongameshots@gmail.com]  
**Sent:** Monday, May 23, 2016 4:30 PM  
**To:** HARTLEY, BRUCE <BRUCE.HARTLEY@costamesaca.gov>  
**Subject:** Re: Tree Removal Request

Hi Bruce,

Could we arrange for you to come out or Jim to come back. I had a therapy appointment and my husband was here. I can point out the early signs of damage and foresee future damage. The minute we cut these roots it will disturb the integrity and strength of the tree. There are i'm sure more large roots under there that I now have to have uncovered and cut as well. Also I feel if this was your property or anyone else they would feel the same. The concrete and pavers that will be laid in that area I fear will move, be cracked and raised once these roots continue to grow onto my side of my property and I have saved for so long and do not want to take that chance. Why would the city want to take that chance on something happening that can be prevented and in turn I have to come back to ask for damages to the repair which will be more expensive than removing the tree now. Please let me know the earliest as possible when you or Jim can come back to take a better look.

Thank you  
Kelly Waterman

On May 23, 2016, at 2:41 PM, HARTLEY, BRUCE <[BRUCE.HARTLEY@costamesaca.gov](mailto:BRUCE.HARTLEY@costamesaca.gov)> wrote:

Kelly

Upon inspection of the tree roots coming under the property line wall between your property and the City's landscape setback, Jim Ortiz, Park Superintendent, found that although there were roots, there was no visible damage to any private property improvements (wall). As you are aware, the Parks &

Recreation Commission authorized staff to remove any City trees only if they were actually causing damage. Since we didn't see the damage, we will agendaize your tree removal request for June PRC meeting on 6/23/16. I'm not sure if the root pruning and root barrier work we did went deep enough to prevent the roots you are seeing. If not, we may come back and root prune the roots of the tree deeper and install barriers to prevent roots from going under the wall again. I'll look into that as we prepare for the PRC meeting.

Thank you

Bruce Hartley

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**From:** Kelly Waterman [<mailto:actiongameshots@gmail.com>]

**Sent:** Monday, May 23, 2016 8:10 AM

**To:** HARTLEY, BRUCE <[BRUCE.HARTLEY@costamesaca.gov](mailto:BRUCE.HARTLEY@costamesaca.gov)>

**Subject:** Re: Tree Removal Request

Good Morning Bruce,

I wanted to request the removal of the last tree near our wall on Yukon Avenue. I left a message on Friday that the demo crew was excavating the yard and hit some roots. We had them stop and dig and we found big roots coming into our yard area. I would like to request removal of that tree. We have removed all trees from our side including the palm trees that were along that wall as well. I did take photos however they have not been able to continue yet in that area because they left it uncovered so that you may visit and take a look first hand as well. If you are able to come by today that would be great than I can have them continue work. You are welcome to come by at anytime.

I look forward to hearing back soon.

Kindest Regards,

Kelly Waterman

949-294-0794

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

**ATTACHMENT #3**

Date Request Received: May 23, 2016  
Name of Resident: Kelly Waterman Requesting Party: Same  
Address: 883 Prospect Place. Address: Same

Date Inspected: May 23, 2016  
Inspected By: Jim Ortiz

Tree Species: Canary Island Pine Removal Cost: (DBH x \$ 20.00)= \$ 320.00  
Height: 60 Feet Width of Sidewalk: 5 Feet  
Trunk Diameter: 16 Inches Size of Right-of-Way: 20 Feet

Health: Good  Fair  Poor  Date of Last Pruning: 4/25/2014

Is the Tree a good candidate for Relocation? Yes  No

Likelihood of survival: Good  Fair  Poor

Comments: **Tree is too large to move without damage to the newly renovated landscape and infrastructure.**

Concrete Damage: Yes  No

If Yes, describe damage: **Tree is located in an irrigated landscaped slope.**

Can the Tree be Root Pruned: Yes  No  Date: 3/20/2015

Root Pruning Comments: **Tree can be root pruned with the addition of 24" root barrier panels.**

Date of Response to Resident: \_\_\_\_\_

Date Information Packet Mailed: \_\_\_\_\_

Photos Taken: Yes  No  Date Photos Taken: 5/23/16

Photo #1: **Front of Tree**

Photo #2: **Looking East**

Photo #3: **Looking West**

Photo #4: **Base of Tree**

<b>Site Detail</b> (33.68327433067,-117.89325960702)(WCA InventoryID: 8952559)					
District	Address	Location	Species	DBH	Height
8	3040 YUKON AV	Slope-12	<i>Pinus canariensis</i> CANARY ISLAND PINE	19-24	45-60
Condition	Maintenance	Removal Priority	Estimated Value	Parkway Type	Parkway Size
Good	Grid Trim	N/A	\$9,110	Other	99
Utility	Valid				
No	Yes				
Crew	Work Date	Work Type	Job # / Acct #	Amount	
WCA	03/20/2015	Rootbarrier Installation Backup - Crew	28318		
WCA	02/18/2015	Root Prune/12" RB Installation (CANARY ISLAND PINE)	28318	\$140.00	
WCA	04/25/2014	Full Prune - Hardwood 7-24 DSH	25119	\$58.00	

**ATTACHMENT #4**



