



CITY OF

NEWPORT BEACH

PB&R Commission Staff Report

Agenda Item **VII-E**
August 2, 2022

TO: Parks, Beaches & Recreation Commission

FROM: Public Works Department / Municipal Operations Division
Micah Martin, Deputy Public Works Director, Municipal Operations
949 644-3055, mmartin@newportbeachca.gov

PREPARED BY: Kevin Pekar, Landscape Manager
949 644-3055, kpekar@newportbeachca.gov

TITLE: Reforestation Request – 938 Sandcastle Drive

RECOMMENDATION:

Staff recommends the Parks, Beaches & Recreation (PB&R) Commission consider the reforestation request of a City of Newport Beach (City) Magnolia tree (*Magnolia grandiflora*) located at 938 Sandcastle Drive. The applicant, Mario Marovic, has met the procedural requirements for reforestation established in City Council Policy G-1 (*Retention, Removal and Maintenance of City Trees*). If approved by PB&R, a one-for-one replacement tree, a 36-inch box Western Redbud (*Cercis occidentalis*) will be installed at the applicant's cost.

DISCUSSION:

On April 1, 2022, Mr. Marovic, residing at 938 Sandcastle Drive, submitted a reforestation request to the City Arborist for the removal of a Magnolia (*Magnolia grandiflora*) located at 938 Sandcastle Drive, citing root damage to public infrastructure, private walkways and irrigation. Additionally, the applicant plans to extensively rehabilitate the landscaping on the property and would like the tree replaced before improvements are completed.

Staff inspected the tree and determined it is in good condition and did not meet the criteria for removal referenced in the City Council Policy G-1. Both the public infrastructure and visible private property areas were inspected, and no significant damages were discovered. The City has performed three curb patches in 2017 and a curb patch in 2015 at this location, however due to the proximity from the tree and the minor nature of the repairs, this did not warrant City tree removal. Also, there is evidence of a light grind on the sidewalk, which is routine maintenance, and is not substantial enough to warrant City removal. There is no other history of sidewalk work, including removals or replacements at 938 Sandcastle Drive in the last ten years. The applicant is concerned about continued damages in the future.

Since Mr. Marovic does not qualify for a tree removal, he was advised of the Reforestation process as an option. He is willing to pay for the tree removal and a Western Redbud (*Cercis occidentalis*) 36-inch box replacement tree, if the Reforestation is approved. The Little Gem Magnolia is the Designated Street Tree for the Harbor View Hills South Homeowners Association. However, due to the current infestation of Tulip Tree Scale on Magnolias in the area, staff does not recommend

this tree species. If the Reforestation is approved, Staff recommends accepting the Western Redbud as the replacement species.

NOTICING:

Mr. Marovic, Council Member Joy Brenner, and Harbor View Hills South Homeowners Association have received a copy of this report. The tree was posted with information regarding the Reforestation request. The agenda item has also been noticed according to the Brown Act (72 hours in advance of the meeting at which PB&R considers the item).

ATTACHMENTS:

Attachment A – Reforestation Application

Attachment B – Harbor View Hills South Homeowners Association Meeting Minutes

Attachment C – Tree Removal Report/Review

Attachment D – Info Sheet – Western Redbud



CITY OF NEWPORT BEACH
Public Works Department
Municipal Operations Division
Tree Removal or Reforestation Application

Per City Council Policy G-1 (Retention, Removal, and Maintenance of City Trees), I am requesting a tree removal(s) to be reviewed by staff and submitted to either the Parks, Beaches, and Recreation Commission for consideration at a future meeting or the appropriate City approving authority. I am aware that Commission meetings are regularly held on the first Tuesday of each month (except for holidays) at 6:00 p.m. in the Council Chambers.

Magnolia Tree (Little Gem)

Quantity and species, if known, of tree(s).

938 Sandcastle Drive, Corona Del Mar, CA 92625

Location of tree(s)

Please be as specific as possible

Requestor

- ☒ Property Owner
☐ Community Association
☐ Other _____

Address/ Phone (Daytime) / Email

938 Sandcastle Drive
Corona Del Mar, CA 92625
mario@loungegroup; ashlee@loungegroup.com

Signature: _____

Date: 4-1-22

Print Name: Mario Marovic

REFORESTATION REQUESTS: Please proceed to Section B.

Section A. For Tree Removal Requests Only

Removal Criteria (Check one or more)

Please provide copies of photos, bills, documents or any other related material that will verify the checked items.

- ☒ Proven and repeated history of **damaging** public or *private, sewers, water mains, roadways, sidewalks, curbs, walls, fences, underground utilities or foundations. (*Greater than \$500)
- ☒ **Repeated history** of **significant interference** with street or sidewalk drainage.
- ☐ **Dying** Has no prospect of recovery.
- ☐ **Diseased** Cannot be cured by current arboricultural methods. In advanced state of decline with no prospect of recovery.
- ☐ **Hazardous** Defective, potential to fail, could cause damage to persons/property upon failure. Assessment by City Arborist will identify structural defects, parts likely to fail, targets-if fails, procedures and actions to abate.
- ☐ **Beautification Project** In conjunction with a City Council-approved City, commercial, neighborhood, or community association beautification program.

Section B. For Reforestation Requests Only

Reforestation is the concept of systematically replacing Problem or All Other Trees which are creating hardscape and/or view problems and cannot be properly trimmed, pruned or modified to alleviate the problem(s) they create, or those which have reached their full life, and are declining in health, or are simply the wrong species of tree(s) for the planted location.

As initiated by:

<input checked="" type="checkbox"/>	Property Owner
<input checked="" type="checkbox"/>	Community Association
<input type="checkbox"/>	Other _____

Check all items applicable:

<input checked="" type="checkbox"/>	Tree(s) causing curb, gutter, sidewalk or underground utilities damage.
<input checked="" type="checkbox"/>	Wrong tree species for location
<input type="checkbox"/>	View encroachment
<input type="checkbox"/>	Area has clearly defined contiguous boundaries that include the tree(s) proposed.
<input type="checkbox"/>	Residential communities, neighborhoods, or business organizations who apply for reforestation must submit a petition signed by a minimum of 60% of the property owners within the area defined.
<input checked="" type="checkbox"/>	Areas represented by a legally established community association, may submit a resolution of the Board of Directors formally requesting a reforestation.
<input type="checkbox"/>	Individual property owners must submit a petition signed by a minimum of 60% of a maximum of 30 private property owners (up to 15 contiguous private properties on both sides of the street up to 500' in either direction from the location of the proposed reforestation site) as well as the endorsement of the appropriate homeowners' association, if applicable.

*A request for reforestation requires a written agreement submitted to the Parks, Beaches, and Recreation Commission by the petitioning sponsor (Individual private property owner(s) or group) to pay 100% of the costs of the removal and replacement of the public tree(s) in advance of any removal activity. The actual removal and replanting will be coordinated by the Public Works Department/Municipal Operations Division using the City tree maintenance contractor.

*There shall be a minimum of a one-for-one replacement of all tree(s) removed in reforestation projects. Replacement tree(s) shall be a minimum size of 36" boxed tree and cost ranges from \$706 to \$910, unless the parkway space will not accommodate a 36" boxed tree or a tree cannot be planted due to planting restrictions contained in City Council Policy G-6.

This form does not replace the requirements of any of the City tree policies. Its use is intended to expedite the tree removal or reforestation requests and to ensure compliance with all City requirements. Please refer to individual City Council Policy G-1 for additional information.

REQUESTOR COMMENTS: We would like to replace the existing
Magnolia tree with a Western Redbud tree.

Removals, except emergency, will be subject to the notification processes, time frames and authority as specified in the City Council G-1 Policy.

MINUTES
GENERAL SESSION
BOARD OF DIRECTORS MEETING
HARBOR VIEW HILLS HOMEOWNERS ASSOCIATION (SOUTH)
A California Nonprofit Corporation

OCTOBER 6, 2021

Notice of Meeting

In accordance with Civil Code §4920, notice of the meeting and the agenda was posted at the community bulletin board at Park Green Drive at least four (4) days prior to the General Session of the Board of Directors of Harbor View Hills Homeowners Association (South) held on the above date via Zoom teleconference.

Roll Call

A quorum of the Board was established with the following Directors in attendance:

Directors Present: Mark Poochigian, President
 Jim Salomon Vice President
 Patricia Dreyfus, Secretary
 Stephen Bright, Member At Large

Others Present: Rhonda M. Drews, PCAM | RealManage
 Lisa Chastain | RealManage
 Various Homeowners

Executive Session Disclosure

In accordance with Civil Code §4935(e), notification is hereby provided of an Executive Session of the Board of Directors held prior to this meeting on October 6, 2021 for the following reasons:

- Delinquencies: A/R Aging & Collection Reports
- Legal: Correspondence
- Minutes: Executive Session

Call to Order General Session

President Mark Poochigian, called the General Session of the Board of Directors to order directly following the Executive Session at 6:35 p.m.

Homeowner Forum

In accordance with State Statute, the homeowners present were given an opportunity to address the Board of Directors. Various Items were brought before the Board.

COMMITTEE REPORTS

Architectural Committee: Committee reported 13 preliminary approvals and 1 final approval.

Landscape Committee: Mark Poochigian made a motion to approve \$165.00 in landscape extras, Patricia Dreyfus seconded the motion, all in favor, motion passed.

Mark Poochigian made a motion to give the Landscape Committee a not to exceed amount of \$750.00 to approval landscape extras without prior Board approval, Jim Salomon seconded the motion, all in favor, motion passed.

938 Sandcastle, Resolution to remove tree- Mark Poochigian made the motion to approve removal of the tree, Jim Salomon seconded the motion, all in favor, motion passed.

Tree View Committee: No updates to report .

Harbor View Hills Homeowners Association (South)

General Session Minutes

October 6, 2021

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Activities Committee

No updates to report.

Communications Committee

The November Newsletter will be submitted to management by 10/15/21.

Secretary's Report / Minutes

Patricia Dreyfus made a motion to approve the Board of Directors meeting minutes of September 1 2021 with revisions, Mark Poochigian seconded the motion, all in favor, motion passed.

Financial Statements

The August, 2021 financial report prepared by RealManage were reviewed. Management to confirm Architectural payments have been received and where are they being posted. Mark Poochigian, made a motion to accept the financial report as presented. Patricia Dreyfus seconded the motion, all in favor, motion passed.

New Business

2021 Annual Election- Mark Poochigian made a motion to approve the proposal submitted by The Ballot Box, Patricia Dreyfus seconded the motion, all in favor, motion passed.

1201 Keel Dr. Pest Control Issue- Slope is maintained by the homeowner

Old Business

Greenbelt Irrigation Project- Table for the November 3, 2021 meeting.

Next Meeting,

The next meeting of the Board of Directors is scheduled for Wednesday, November 3, 2021 at 6:30 p.m.; Executive Session at 5:30 p.m.

Adjourn General Session

There being no further business to come before the Board of Directors in General Session, a motion was made, seconded and unanimously carried to adjourn at 7:36p.m.

SECRETARY'S CERTIFICATE

I, Patricia A. Dreyfus, duly Appointed and Acting Secretary of Harbor View Hills Homeowners Association (South), do hereby certify that the foregoing is a true and correct copy of the Minutes of the General Session of the Board of Directors held on the above date, as approved by the Board of Directors of Harbor View Hills Homeowners Association (South).

ATTEST:

Patricia A. Dreyfus

Appointed Secretary

Oct. 7, 2021

Dated



Public Works Department/Municipal Operations Division

TREE INSPECTION REPORT

Name: Mario Marovic

Location(s) of tree(s): 938 Sandcastle Drive / Front - 1

Request: The applicant, Mario Marovic, contacted the City Arborist to request the removal of a City Magnolia (*Magnolia grandiflora*) tree located at 938 Sandcastle Drive due to root damage to public and private walkways on the property.

Botanical/Common Names: *Magnolia grandiflora* / Magnolia

Estimated Tree Value: \$2,070.00

Replacement Street Tree: Western Redbud (*Cercis occidentalis*)

Damage: N/A

Parkway: Concrete Brick Turf (X) Other

Comments: A field inspection determined the Magnolia tree is in good condition and does not meet the criteria for removal referenced in the G-1 Policy.

The applicant, Mario Marovic, residing at 938 Sandcastle Drive, contacted the City Arborist to request the removal of a Magnolia (*Magnolia grandiflora*) tree located at 938 Sandcastle Drive due to claims of root damage to public and private walkways on the property. There were three curb patches in 2017 and one curb patch in 2015. There is no other history of sidewalk work, including removals or replacements at 938 Sandcastle Drive in the last 10 years.

Mr. Marovic is willing to pay for the tree removal and a Western Redbud (*Cercis occidentalis*) 36-inch box replacement tree.

Inspected by:

A handwritten signature in black ink, appearing to read "Brian George".

Date: June 27, 2022

Brian George, Acting City Arborist

Recommendation: Staff is denying the removal request of the Magnolia tree and has advised Mr. Marovic of the appeal process.

Reviewed by:

A handwritten signature in black ink, appearing to read "Kevin Pekar".

Date: June 27, 2022

Kevin Pekar, Landscape Manager



Public Works Department/Municipal Operations Division

June 27, 2022

TO: Landscape Manager
FROM: City Arborist
SUBJECT: *Tree Removal Review*

PROPERTY OWNER(S) / REQUESTER INFORMATION:

Name: Mario Marovic

Tree Location: 938 Sandcastle Drive / Front - 1

The applicant, Mario Marovic, residing at 938 Sandcastle Drive, contacted the City Arborist to request the removal of a Magnolia (*Magnolia grandiflora*) tree located at 938 Sandcastle Drive. Mr. Marovic is requesting the tree replaced due to claims of root damage to public or private walkways on the property.

A field inspection determined the Magnolia (*Magnolia grandiflora*) tree is in good condition and does not meet the criteria for removal referenced in the G-1 Policy. There were three curb patches in 2017 and 1 curb patch in 2015. There is no other history of sidewalk work, including removals or replacements at 938 Sandcastle Drive in the last 10 years.

Staff is denying the removal request of the Magnolia (*Magnolia grandiflora*) tree and has advised Mr. Marovic of the appeal process. Mr. Marovic is willing to pay for the tree removal and a Western Redbud (*Cercis occidentalis*) 36-inch box replacement tree.

REPLACEMENT TREE(S): ☒ YES ☐ NO

REPLACEMENT TREE(S): Western Redbud (*Cercis occidentalis*)

LANDSCAPE MANAGER – COMMENTS / RECOMMENDATIONS:

Signature: 

Date: 7/21/22

Detail

Notes

Images

Documents

Observations

Inventory Detail

Tree ID	737043	Old Tag #		Save
District	8			
Area	8			
Address	938 SANDCASTLE DR			
Side/Site	Front - 1			
Alt Address				
Tree Species	Magnolia grandiflora / Magnolia			
Common Name	Southern Magnolia			
Size	0-6			
Height	01-15			
DBH				
Condition	FAIR			
Grow Space				
Space Size				
Overhead Utility				
Sidewalk Damage				
Note:				
Irrigation Flag	Yes	No		
Monitor Flag	Yes	No		
Service Type	Grid Pruning			
Season	JAN/APR			
Estimated Value	\$2,070.00			
Next Date	04/22			



Latitude: 33.598881642 Longitude: -117.86275167 [\(edit\)](#)

Service History							New
Scope	WO Ref #	Description	Who	Service Date	Invoice Date	Service	Price
Completed	135378	2022 - GRID 8 (Harbor View Hills South) - Broadleaves	GSTS	4/06/22		Grid Pruning	56.58
Invoiced	40415	2020 - GRID 8 (Harbor View Hills South) - Broadleaves (April Progress)	GSTS	4/20/20	4/30/20	Grid Pruning	53.85
Invoiced	32856	2018 - Grid 8 (Harbor View Hills South) - Broadleaves	GSTS	4/12/18	4/30/18	Grid Pruning	51.33
Invoiced	24734	2016 - Grid 8 (Harbor View Hills South)	GSTS	4/28/16	4/28/16	Grid Pruning	49.43
Invoiced	19771	2014 - Grid 8 (Harbor View Hills South)	GSTS	11/03/14	12/05/14	Grid Pruning	48.00
Work History			WCA		8/05/13	Other	0.00
Work History			WCA		4/29/13	Other	0.00
Work History			WCA		4/21/11	Other	0.00
Work History			WCA		4/07/08	Other	0.00
Work History			WCA		7/05/06	Other	0.00
Work History			WCA		4/05/05	Other	0.00
Work History			WCA		1/12/04	Other	0.00
Work History			WCA		9/02/02	Other	0.00
Work History			WCA		3/16/99	Other	0.00
Work History			WCA		8/27/98	Other	0.00







City of Newport Beach:

Trees Section – Tree Info Sheet



Western Redbud (*Cercis occidentalis*)

Western Redbud is a commonly used native shrub, commonly found in riparian canyons. The thin, shiny brown branches bear shiny heart-shaped leaves which are light green early in the season and darken as they age. The showy flowers develop in the spring and are bright pink or magenta, and grow in clusters all over the shrub, making the plant very colorful and noticeable in the landscape. The shrub bears 3-inch-long brown legume pods which are very thin and dry. It tolerates dry conditions, but exhibits more vigorous, lush growth with regular deep watering. It blooms best in full sun. Otherwise, it is quite reliable once established. It is resistant to oak root fungus.

Description:

Has deciduous foliage

Height: 20 feet

Spread: 10 to 20 feet

Crown shape:

Rounded

Growth rate:

24-36-inch per year

