Council District No. 14

Honorable Board of Public Works
The City of Los Angeles

Commissioners:

1925 NORTH MARIANNA AVENUE AND 4671 WORTH STREET – REQUEST BOARD APPROVAL FOR A FEE PERMIT TO REMOVE 36 EUCALYPTUS (EUCALYPTUS SPP.) DUE TO REQUIRED SIDEWALK INSTALLATION AND RELATED STREET IMPROVEMENTS FOR CITY PLANNING CASE AA-2019-1058-PMLA. TREE REPLACEMENTS ARE REQUIRED.

RECOMMENDATIONS:

That the Board of Public Works (Board):

1. Find under the California Public Resources Code, Section 21166 and the State's Environmental Quality Act (CEQA) Guidelines Section 15162, on the basis of substantial evidence contained in the whole record, that since the City's prior certification of Mitigated Negative Declaration (MND) Council File 18-0937 there have been no changes to the Project, changes with respect to the circumstances under which the Project is being undertaken, or new information of substantial importance concerning the Project, which cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects, and therefore no subsequent MND, supplemental MND, or other analysis is required for the Project.

2. Specify that the Bureau of Street Services (StreetsLA), Urban Forestry Division located at 1149 South Broadway, is custodian of the documents or other material that constitute the record of proceedings upon which the Board's decision is based.

3. Review and approve this fee tree removal permit request for 36 Eucalyptus (Eucalyptus spp.) trees. Tree replacements are required.

4. Concur with StreetsLA determination that the site cannot feasibly accommodate all of the required replacement trees and pursuant to LAMC 62.177(c), authorize the Tree Replacement Guarantee Fee to satisfy the Board's tree planting requirement.
TRANSMITTALS:

1. Tree removal request notification sheet
2. Application for a tree removal permit
3. Service Request No. 1-1497399281
4. Class B Application / Permit BR004397
5. Mitigated Negative Declaration, dated October, 2018
6. Notice of Determination, dated December 10, 2018
7. Addendum to the Mitigated Negative Declaration, dated October 24, 2019
8. Letter of Determination, dated May 24, 2019
9. Tree Survey from R.A. Smith, dated November 1, 2019
10. Photos of trees
11. Plot Plan

CONDITION:

The applicant shall plant a minimum of 18, 24-inch box size Australian Willow (Geijera parviflora) trees on Marianna Avenue; and plant 12, 24-inch box size New Zealand Christmas (Metrosideros excelsus) trees on Worth Street to replace the removed trees. All trees shall be provided irrigation for a minimum of three-year period after planting. Applicant shall provide watering to the trees planted on site for a minimum of three years.

The 42 additional trees needed to meet the Board’s 2:1 tree replacement policy cannot be feasibly planted on site. Therefore, pursuant to LAMC Se. 62.177, applicant shall pay tree replacement guarantee fee of $81,690.00.

The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval.

ALTERNATIVE METHODS AND OPTIONS EXPLORED:

There are 36 live Eucalyptus and one dead Eucalyptus trees growing on the Marianna Avenue street side the project site. On June 29, 2020, the applicant and owner representatives met with a StreetsLA arborist to discuss the project and consider feasible alternatives to retain any healthy and mature street trees where possible. StreetsLA arborist determined all the trees have structural defects that include co-dominant stems, included bark, low branching limbs, moderate to severe die back, decay, close spacing, and are growing several inches below grade. StreetsLA determined all subject trees are poor candidates for retaining in place and not worthy of preservation; therefore, should be removed and replaced in order to allow the contractor to construct required street improvements.
DEPARTMENT OF PUBLIC WORKS
BUREAU OF STREET SERVICES
REPORT NO. 1
Page 3 of 4
Date: August 25, 2020

RECITAL:

The Bureau of Engineering (BOE) are managing construction of the Los Angeles Police Department (LAPD) Evidence Warehouse and office located at 4671 East Worth Street at the northwest corner of North Marianna Avenue. The project is being constructed on a 6.6 acre lot that will be subdivided to accommodate one additional project. The LAPD project includes construction of a 80,000 square feet warehouse with 237 parking spaces for employee parking in addition to an office building on one parcel measuring approximately 128,118 square feet (2.94 acre).

Contained in the entitlements are BOE requirements including sidewalk installation and other related street improvements. Mr. Samuel Jacoby (Mr. Jacoby), property owner representative, applied to BOE for a Construction Class “B” Permit to install the sidewalks and repair and damaged curb and gutter as part of the conditions to construct the project. BOE informed Mr. Jacoby the required sidewalk installation and related street improvement work may necessitate street tree removals. Therefore, Mr. Jacoby contacted StreetsLA requesting the project site be inspected to determine what the impacts will be on existing street trees due to the sidewalk installation and required street improvements.

A StreetsLA arborist inspected the location on March 17, 2020 and on June 29, 2020. The inspection reveals 36 Eucalyptus (Eucalyptus spp.) trees and 1 dead Eucalyptus tree measuring approximately 6 to 42-inches in diameter by 30-feet in height. The subject trees are in fair to poor condition growing approximately 5 to 8-feet from the curb and several inches below top of curb and have been continually topped for line clearance. The trees were planted very close together and many of the trees have poor branching structure with co-dominant stems, multiple low growing limbs, and included bark. If the trees were to remain their root crown would be covered several inches above their root crowns and their low branches would need be removed leaving the trees unsightly and a potential liability to the City.

Within the contents of the Letter(s) of Determination, under Case No. AA-2019-1058-PMLA, condition of approval S-3, requires the developer to install a full width sidewalk. The required sidewalk construction and related street improvements will severely impact 36 street trees.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The project MND (Council File 18-0937) finds the project will have a less than significant environmental effect with the incorporation of Mitigation Measures (4.4.2) as contained in the MND.
The project MND was utilized in performing the recommendations in this report and is on file with the Bureau also available to the public upon request.

CONCLUSION:

Katie Kiefer and Lucy Aparicio, Fourteenth Council District Office, were informed of the tree removal request on August 11, 2020. The Council Office will inform any persons inquiring of the opportunity to be heard by the Board at the public hearing for the tree removal permit request.

Public comments on this tree removal request will be received and heard, both in-writing and in-person, during the scheduled public hearing with the Board. The following public noticing of this tree removal permit was conducted:

- Notice of the proposed tree removals was physically posted on the subject trees on March 17, 2020;
- Proposed tree removals were included on the StreetsLA, Tree Removal Notification System; and
- The Community Forestry Advisory Committee (CFAC) and Department of Neighborhood Empowerment (DONE) were notified.

The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval.

The applicant has been advised of the recommendations contained in this report.

Respectfully Submitted,

ADEL H. HAGEKHALIL, P.E.
Executive Director and General Manager
Bureau of Street Services

Prepared by:
Urban Forestry Division
Ext. 7-3077

AH/GS/TT/HB
S:Board Reports/2020 Board Reports/1925 N Marianna Ave