

CITY OF NEWPORT BEACH

Parks, Beaches & Recreation Commission Regular Meeting August 2, 2016 – 6:00 PM

I. CALL MEETING OF THE PARKS, BEACHES & RECREATION COMMISSION TO ORDER – 6pm

II. ROLL CALL

Present: Marie Marston, Chair
Laird Hayes, Vice Chair
Tom Anderson
Roy Englebrecht
Dave Granoff
Walt Howald, Chair

Excused: Ron Cole

Staff: Laura Detweiler, Recreation & Senior Services Director
Mike Pisani, Municipal Operations Director
Sean Levin, Recreation & Senior Services Deputy Director
Dan Sereno, Landscape Manager
Teri Craig, Administrative Support Specialist
Marie Lindeman, Administrative Support Specialist

Justin Schmillen, Recreation Manager
Michelle Clemente, Natural Resources Supervisor

III. WATER FESTIVAL PRESENTATION – Supervisor Clemente provided a brief presentation on the Natural Resources Division's involvement at the Annual Water Festival.

IV. NOTICE TO THE PUBLIC

V. PUBLIC COMMENTS ON CONSENT CALENDAR

Jim Mosher commented on Item VI-B and the number of tree removals and plantings.

VI. CONSENT CALENDAR

A. Minutes of the July 5, 2016 PB&R Commission meeting.
Waive reading of subject minutes, approve and order filed.

B. Parks, Trees, and Beaches Maintenance Divisions Activities Report
Receive/file Activity Report of past and upcoming projects and events.

C. Recreation & Senior Services Activity Report

Receive/file Activity Report of past and upcoming projects and events.

D. Request by Newport Mesa Soccer Club (NMSC) for Temporary Lights at Bonita Canyon Sports Park (BCSP) Field #5

Approve the request from the Newport Mesa Soccer Club to use temporary lights at Bonita Canyon Sports Park field #5 from September 26 to November 18, 2016 and January 2 to March 12, 2017 from dusk to 7:55p.m.

E. Tree Donation - Castaways Park

Approve the Coast Live Oak tree donation for Jim Kaylor at Castaways Park.

F. Tree Donation - West Newport

*Approve the two (2) *Metrosideros excelsus* (New Zealand Christmas) trees donation for Raymond R. Rojas and Mark J. Rojas at West Newport Park.*

Motion by Commissioner Howald, second by Commissioner Anderson, to accept Consent Calendar Items VI-A. through VI-F. Motion carried by unanimous vote with Commissioner Cole excused.

VII. CURRENT BUSINESS

A. Reforestation Request – 1723 E. Ocean Boulevard

Consider the request for reforestation of a City Washington robusta (Mexican Fan Palm) tree by Brendon & Janet Blincoe located at 1723 E. Ocean Boulevard.

Landscape Supervisor Sereno presented the reforestation request for a magnolia tree.

Commissioner Englebrecht indicated he would not vote to approve the request as he felt the tree in question was “iconic.”

Supervisor Sereno stated that the Magnolia tree yields less debris depending on the time of the year. The City prunes Washington robusta trees annually, but there is considerable flower debris. He also noted that the hardscape does have some damage and that the tree could be relocated for \$4,000 to \$6,000, but only is valued at \$1,000.

He went on to say that staff disagrees with the homeowners’ reason for replacement. The homeowners had approximately 20 to 30 trees to choose from. This tree is the only one of its type on the block.

Chair Marston opened the public comments.

Brendon Blincoe commented on the debris created by the tree, how the tree did not fit with the others on the street, and that he secured the appropriate number of signatures from his neighbors.

Chair Marston closed the public comments.

Supervisor Sereno confirmed that the Magnolia tree would be a similar size to the existing street trees and that it would be a 36 inch box tree. The existing trees are that same size or slightly bigger.

Motion by Commissioner Englebrecht to deny the request for reforestation of a City Washington robusta (Mexican Fan Palm) tree by Brendon & Janet Blincoe located at 1723 E. Ocean Boulevard. Motion fails for lack of second.

Motion by Commissioner Howald; second by Commissioner Hayes, to approve the request for reforestation of a City Washington robusta (Mexican Fan Palm) tree by Brendon & Janet Blincoe located at 1723 E. Ocean Boulevard. Motion carried with Commissioner Englebrecht voting NO and Commissioner Cole excused.

B. Follow-Up: Reforestation Request – 1701 Tradewinds Lane

Consider the reforestation request of a City Tristania conferta / Tristania (Brisbane Box) tree located at 1707 Tradewinds Lane.

Supervisor Sereno introduced the item and reminded the Commission that the item is a follow-up from July's meeting. He went on to state that the selected tree is a Fortune Palm that also produces fruit and flowers, but is less messy than the current tree or a Mexican Fan Palm.

Commissioner Anderson confirmed that a photo in Attachment B was not the actual tree, but representative of what the new tree would look like.

Commissioner Hayes confirmed the replacement tree would be the only one on the block.

Supervisor Sereno said the tree was consistent with City policy and with the homeowners' intention to re-landscape his property.

Chair Marston opened the public comments.

Jim Mosher commented that the City G-1 Policy needs additional work specifically the current reforestation section.

Homeowner Chris Casler displayed an acorn to the Commission to reinforce how much debris the tree creates. He stated that the goal is to remodel and re-landscape his home. He is pleased with the tree he selected with staff, and provided a photo.

Chair Marston closed the public comments.

Motion by Commissioner Howald; second by Commissioner Hayes, to approve the reforestation request to remove a City *Tristania conferta* / *Tristania* (Brisbane Box) tree to a Mexican Fortune Palm tree located at 1707 Tradewinds Lane Motion carries unanimously with Commissioner Cole excused.

C. Follow-Up: Removal of two *Washingtonia Robusta* (Mexican Fan Palm) trees – 239 Carnation Avenue

Consider:

- a. *Upholding the Municipal Operations Director's (MOD) decision to remove two (2) *Washingtonia robusta* (Mexican fan palm) trees at 239 Carnation Avenue in order for development of the property to occur;*

or

- b. *Moving one (1) or two (2) *Washingtonia robusta* (Mexican fan palm) trees, at the expense of the property owner at 239 Carnation Avenue, to the parkway adjacent to 2500 and 2520 Seaview Avenue.*

Director Pisani provided background on project and the appeal initiated by the neighbors. He also reviewed the public comments on the project.

There was an inquiry as to the direction given by the Planning Commission. Director Pisani stated that the Planning Commission did not review this development project since it met current zoning codes. He went on to say that the project was approved by the California Coastal Commission and clarified that the homeowner took the plans to the Coastal Commission because they have jurisdiction, and that the City required the three car garage because of the size of the home.

Commissioner Englebrecht said this removal violated the G-3 Policy, but understands that the trees need to be moved because of the three car garage which is required by the building code. He warned that this removal would be a loss of iconic trees and would set precedent.

Director Pisani said it was City code for the three car garage, but was also part of the Coastal Commission's approval. The property owner will pay for the relocation.

Discussion ensued regarding removal and storage of the trees, in particular if they could be removed, stored, and then replanted after construction on property. It was also not useful to request a waiver of the three car garage requirement as the trees are in the center of the property.

Chair Marston confirmed the trees could not be relocated because of utility and bio retention conflicts.

Chair Marston opened the public comments.

Kent Moore admitted that his email had contained some errors, but since then has discussed the issues with Director Pisani. He noted his concern that the G-3 Policy was not being followed and that he agreed with Commissioners Hayes and Englebrecht about the three car garage.

Jim Damon indicated he had sent a letter to the Commission. He stated that he had read the G-1 Policy and suggested tandem parking or other creative ways to keep the three parking spots. He called the bio retention area a “red herring” and requested the trees be preserved and replanted after construction.

Discussion ensued regarding the bio retention and alternative BMP devices.

Ron Wallner discussed logistics and the equity issues. He understood there is no protection of view rights, but noted this was public property and must be protected. Moving the trees 150 feet will remove them from his sight line.

Jim Mosher agreed with the previous speakers and Commissioner Englebrecht that other options were possible. He suggested the problem was the width of the driveway rather than the three car garage.

Tim Stevens said he can see the trees from his property. He praised the City's protection of trees generally and wanted the trees to remain in place.

Richard Madenburg noted that he had submitted emails in support of the preservation of the trees. He asked that the trees stay on Carnation and noted their importance in traffic calming. He also voiced his concern about the loss of a parking spot on Carnation due to the increased size of the proposed three car garage.

Andrew Goetz, homeowner's architect, explained that there was not enough space for the trees to remain no matter the parking requirement and noted the trees are not designated as landmark or street specific trees. Mr. Goetz also noted that the property owner had a reasonable right to build on the property.

Sue Madenburg said Mr. Goetz had been her architect and had positioned her home with a lovely view of the trees. Additionally, she was concerned about the size of the home and the loss of a parking space on the street.

Richard Humphrey stated that he had been attracted to the neighborhood by its beauty and these two trees in question specifically. He stated that he is opposed to the removal or relocation of the trees and noted that changes would result in a lowering of his own home value.

Bob Cortel expressed his love of the trees and that Plan B would be detrimental to his property and views.

Chair Marston closed the public comments.

Director Pisani presented the site plan at the request of Chair Marston with specific attention directed to the proposed driveway.

Chair Marston asked specific questions about the planned home.

Andrew Goetz stated that the new home will be three levels and 5,000 square feet. He noted that 4,000 square feet triggers the need for a three car garage.

Commissioner Howald asked about tandem parking and learned that would require a redesign of the house. He inquired about redesigning the driveway to accommodate the replanting of the trees.

Commissioner Anderson reminded the Commission of its purview and indicated that he was preparing a Motion.

Discussion ensued regarding the possibility of waivers, designation as special trees, and the wording of the Motion.

Motion by Commissioner Anderson; second by Commissioner Howald to:

- table the request to remove two *Washingtonia robusta* (Mexican Fan Palm) trees at 239 Carnation Avenue in order to allow City staff time to work with the homeowner and architect on a plan to maintain these two trees in place and or on property with similar adjacency; and
- to recommend that City Council designate the two *Washingtonia robusta* (Mexican Fan Palm) trees at 239 Carnation Avenue as Special Trees and be added to the Special Tree List.

Motion carried by unanimous vote with Commission Cole excused.

VIII. ANNOUNCEMENTS / FUTURE AGENDA ITEMS

Director Detweiler announced that the Concerts in Park have started and three more are scheduled. She also stated that the next Movie in the Park is August 26 at CYC. She commented that she would be making a presentation at the next City Council study session regarding the Santa Ana Mountains National Monument.

Commissioner Howald reminded the Commission that the LobsterFest was coming up for the Make A Wish Foundation and that you could still purchase tickets as the door.

IX. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Jim Mosher stated that he had sent in some comments late this afternoon. He noted that there is a proposal going to City Council for a bench donation with a sculpture and wondered why the Arts Commission did not request review by the the PB&R Commission prior to going to City Council.

X. ADJOURNMENT - 7:42 p.m.

Submitted by: Teri Craig
Teri Craig, Admin Assistant

Approved by: Marie Marston
Marie Marston, Chair