JTL Consultants
*Consulting Arborists and Biologists*
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# Protected Tree Report

**Project Address:**

1185 Sunset Blvd.
Los Angeles, CA 90026

**Prepared For:**

Jeff Farrington
Aragon Properties Corp.
1750 Glendale Blvd., Unit 102
Los Angeles, CA 90026
(818) 726-4818

**Prepared By:**

Ted Lubeshkoff
Registered Consulting Arborist

August 31, 2023

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# Summary

Aragon Properties plans to develop a vacant lot at 1185 Sunset Boulevard in Los Angeles by constructing two seven-story, 327-unit mixed-use commercial and residential buildings, which will include 41 very-low-income residential units and 9,462 square feet of commercial space. The project is seeking an entitlement request as part of the City of Los Angeles Planning Department's **Density Bonus**[1] incentive program for a Floor Area Ratio increase and a building height increase. There are seven street trees on the project site which are protected by Los Angeles Municipal Code **Chapter VI, Article 2, Section 62.161**. The City of Los Angeles Preservation of Protected Trees Ordinance 186,873 requires a Protected Tree Report be submitted outlining how the **Protected Trees** will be protected during the development project. No protected street trees will be removed for this project.

JTL Consultants conducted an inspection of the project site on August 16, 2023 and inventoried seven Mexican fan palms (*Washingtonia robusta*) on Sunset Boulevard. There are no Protected Tree and Shrub species, listed in the Preservation of Protected Trees Ordinance 186,873, on the project site.

The seven Mexican fan palms will be protected during the development project by installing tree protection fencing around the trees. The project arborist will be on-site when the tree protection fencing is installed and if any work takes place within the fenced enclosures.

# Introduction

## Background

Aragon proposes to build two seven-story, mixed-use commercial and residential buildings on a vacant lot at 1185 Sunset Boulevard  Los Angeles, CA 90026. The buildings will have 327 residential units, 41 of which will be used for very low-income households. There will be approximately 9,462 square feet of ground-floor commercial space. The lot is 107,170 square feet and the proposed buildings will have a total floor area of 321,300 square feet. The City of Los Angeles Planning Department's Density Bonus is a local incentive program designed to encourage the production of on-site affordable housing. Density Bonus Project Entitlement Requests include an On-Menu Incentive for the increase in the floor area ratio and an Off-Menu Incentive for an increase in the maximum building height. There are seven Mexican fan palm street trees on the property that are protected by Los Angeles Municipal Code, Section 62.162. Los Angeles Ordinance 186,873 requires a Protected Tree Report be submitted describing how the seven street trees will be protected during construction. Jeff Farrington from Aragon Properties requested JTL Consultants write a Protected Tree Report for this project and JTL Consultants inventoried the trees on August 16, 2023.

[1] Terms appearing in boldface type are defined in the Glossary

## Assignment

JTL Consultants' assignment was to identify all Protected Trees on the project site and write a Protected Tree Report outlining how the Protected Trees will be protected during construction. This report will comply with the City of Los Angeles Protected Tree Ordinance 186,873.

## Limits of Assignment

This report is based solely on a visual inspection of the site and trees on August 16, 2023 and a review of the project plans provided by Aragon Properties. The tree inspections were limited to ground level visual observations. Root crown inspections, aerial inspections, Tree Risk Assessments, and Tree Appraisals were not included in this assignment.

## Purpose and Use of the Report

The purpose of this report is to identify the Protected Trees on the project site and outline how the trees will be protected during the construction project. This report is intended to be used by Aragon Properties to implement the recommendations outlined in it. Upon submission, this report will become the property of Aragon Properties and its use will be at their discretion.

# Observations

## Site Description

The project site is located at 7979 Sunset Boulevard on the corner of Everett Street, in the Silver Lake-Echo Park-Elysian Valley Community Plan area of the City of Los Angeles, in the County of Los Angeles. The site is southwest of Dodger Stadium, northwest of the 110 Freeway, northeast of the 101 Freeway, and southeast of Echo Park. Griffith Park, the Griffith Observatory, the Greek Theatre, and the Hollywood Bowl are northwest of the project site. There are mixed commercial and retail businesses along Sunset Boulevard. The surrounding neighborhoods are comprised of single-family residences and apartment buildings. The project site is a vacant lot covered with several hundred tree-of-heaven trees (*Ailanthus altissima*) and various weeds. There are seven Mexican fan palm street trees in sidewalk openings on Sunset Boulevard. There are no Protected Tree and Shrub species listed in the Preservation of Protected Trees Ordinance 186,873 on the project site. (Appendix A – Tree Location Map, Appendix B – Photos, and Attachment – Site Plan)

## Tree Descriptions

In the following table, the tree numbers correspond to an aluminum number tag attached to the trunk of each tree and referenced on the Tree Location Map, Photos, and Site Plan. The photo letters correspond to those shown in Photos. The trees are street trees, non-native, and intentional ornamental plants. All trees will be preserved.

| | Tree # | Scientific Name<br>Common Name | Photo | Size | Cond. | Comments |
|---|---|---|---|---|---|---|
| 1 | 721 | *Washingtonia robusta*<br>Mexican fan palm | A | **DBH**: 20”<br>Hght: 100’<br>Wt.: 10’ | Fair | Curved trunk.<br>Mechanical damage.<br>Graffiti on trunk. |
| 2 | 722 | *Washingtonia robusta*<br>Mexican fan palm | A | DBH: 19”<br>Hght: 100’<br>Wt.: 10’ | Fair | Graffiti on trunk.<br>**Adventitious** roots. |
| 3 | 723 | *Washingtonia robusta*<br>Mexican fan palm | B | DBH: 19”<br>Hght: 100’<br>Wt.: 10’ | Fair | Curved trunk.<br>Mechanical damage.<br>Graffiti on trunk. |
| 4 | 724 | *Washingtonia robusta*<br>Mexican fan palm | B | DBH: 18”<br>Hght: 100’<br>Wt.: 10’ | Fair | Curved trunk.<br>Graffiti on trunk.<br>Adventitious roots. |
| 5 | 725 | *Washingtonia robusta*<br>Mexican fan palm | B | DBH: 19”<br>Hght: 100’<br>Wt.: 10’ | Fair | Curved trunk.<br>Graffiti on trunk.<br>Cavity in lower trunk. |
| 6 | 726 | *Washingtonia robusta*<br>Mexican fan palm | C | DBH: 19”<br>Hght: 100’<br>Wt.: 10’ | Fair | Curved trunk.<br>Graffiti on trunk.<br>Small palm growing at base of tree. |
| 7 | 727 | *Washingtonia robusta*<br>Mexican fan palm | C | DBH: 20”<br>Hght: 100’<br>Wt.: 10’ | Fair | Curved trunk.<br>Mechanical damage.<br>Hourglass trunk width. |

# Discussion

## Mechanical Damage

Additional mechanical damage to the Mexican fan palm street trees could occur during the construction.

Wounds to tree branches and trunks caused by mechanical damage may reduce tree stability by decreasing the wood strength, the internal movement of water and nutrients, and the ability to defend against decay. Protecting the trees with fencing will help prevent damage from construction. (Matheny, et al, 1998 and Fite, Kelby, and Smiley, 2008)

## Change in Grade

The grade will not be lowered or raised within the **dripline** of the Mexican fan palm street trees during construction.

The lowering or raising of the grade within the dripline can damage or kill a tree. The normal exchange of moisture and gases within the dripline is disrupted with the change in grade. The original grade should be maintained as far out from the trunk as possible. The change in grade can have immediate or long-term adverse effects on the tree. (Matheny and Clark, 1998)

## Trenching

Trenching within the dripline of the Mexican fan palm street trees will not occur during construction.

Trenching within the dripline can damage the root system of a tree and lead to tree decline or death. Ninety percent of the fine roots that absorb water and minerals are found in the upper few inches of soil. Roots require space, air, and water, and grow best where these requirements are met, which is usually at or near the soil surface. When roots are cut due to trenching, the cut should be clean, leaving no torn edges. Tunneling and bridging should be used to preserve roots wherever possible, underground lines should occupy common trenches. (Matheny, et al, 1998)

## Soil Compaction

Soil compaction could occur within the dripline of the two Mexican fan palm street trees during construction.

Soil compaction occurs when the pore space between soil particles is greatly reduced. This causes the reduction of oxygen available to the roots and can lead to decline in trees. Use of equipment, grading, digging, and heavily used walking paths can cause soil compaction in a construction area. Use of protective fencing, mulching within the protective fencing, and limiting the amount of access routes will minimize soil compaction. (Fite, et al, 2008)

# Conclusion

Aragon Properties plans to build two seven-story, 327-unit mixed-use commercial and residential buildings on a vacant lot at 1185 Sunset Boulevard which will include 41 very-low-income residential units and 9,462 square feet of commercial space. Jeff Farrington from Aragon Properties contacted JTL Consultants to write a Protected Tree Report for this project. JTL Consultants inventoried seven street trees at the project site on August 16, 2023. The street trees are protected by the Los Angeles Municipal Code, Section 62.162. No trees are proposed to be removed. There are no Protected Tree and Shrub species listed in the Preservation of Protected Trees Ordinance 186,873 on the project site. The recommendations will be followed to minimize the impacts of the construction activities on the street trees.

# Recommendations

1. Install tree protection fencing around the street trees at locations shown on the Site Plan.
    a. Chain-link fencing will be at least five-feet tall. This fencing will remain in place through the duration of the construction. Orange flexible fencing will not be used.
    b. The fencing will not be moved at any time for construction work unless the work is supervised by the project arborist.
    c. Within the fenced enclosures, no digging, trenching, soil compaction, or other soil disturbance will be allowed, and the fenced enclosures will be kept clear of building materials, waste, and excess soil.
2. Remove small palm from the base of Tree 726.
3. For aesthetics, the developer may want to consider removing graffiti from palm trunks.
4. The project arborist will be on-site when the tree protection fencing is installed and if any excavation, drilling, demolition, or backfilling takes place within the fenced enclosures of the three street trees. The project arborist will also make periodic site visits to ensure the tree protection fencing is in place and to monitor the condition of the trees.

# Glossary

**Adventitious Roots:** fibrous primary roots that grow independently and periodically from the tree roots.

**Condition:** one of four possible ratings:
Good - no apparent **defects** or structural problems
Fair - minor defects or structural problems
Poor - major defects or structural problems
Dead - extreme defects or structural problems

**DBH:** diameter of a tree trunk measured at 4 ½ feet above ground.

**Defect:** an internal or external point of weakness which can reduce the stability of the tree and include cracks, splits, cankers, galls, girdling, codominant limbs, and wounds.

**Density Bonus:** a Los Angeles City Planning local incentive program designed to encourage the production of on-site affordable housing in neighborhoods where multi-family zoning is allowed. Along with the City's Transit Oriented Communities Incentive Program, the Density Bonus Program is Los Angeles's biggest driver in producing mixed-income and 100% affordable housing.

Qualifying Density Bonus projects can select from a number of pre-vetted "on-menu" incentives or request the approval of "off-menu" waivers of development standards, in addition to a density increase of up to 35% and a reduction in parking requirements. These incentives apply to projects that seek a limited increase in allowed height, floor area, and lot coverage, along with reductions to yard/setback, open space, and lot width requirements. Developers can request off-menu incentives and waivers of development standards beyond the incentives of State Density Bonus Law.

**Dripline:** imaginary line defined by the branch spread of a single plant or group of plants, projected onto the ground. Roots are usually found within the dripline but can extend beyond the edge of the dripline.

**Los Angeles Municipal Code Chapter VI, Article 2, Section 62.161**

Chapter VI, Public Safety and Protection
Article 2, Streets and Sidewalks
Section 62.161, Planting, Maintenance, and Care of Plants in City Streets -Jurisdiction of the Board

The Board of Public Works, through its authorized officers and employees, shall exercise jurisdiction and control over the planting, maintenance and care of trees, plants, and shrubs in all streets of the City.

**Protected Tree**

The City of Los Angeles Preservation of Protected Trees, Ordinance 186,873, Section 46.01 defines a Protected Tree or Shrub as any tree or shrub within the City of Los Angeles that one of the following southern California native species, which measure four inches or more in cumulative diameter, four and one-half feet above ground:

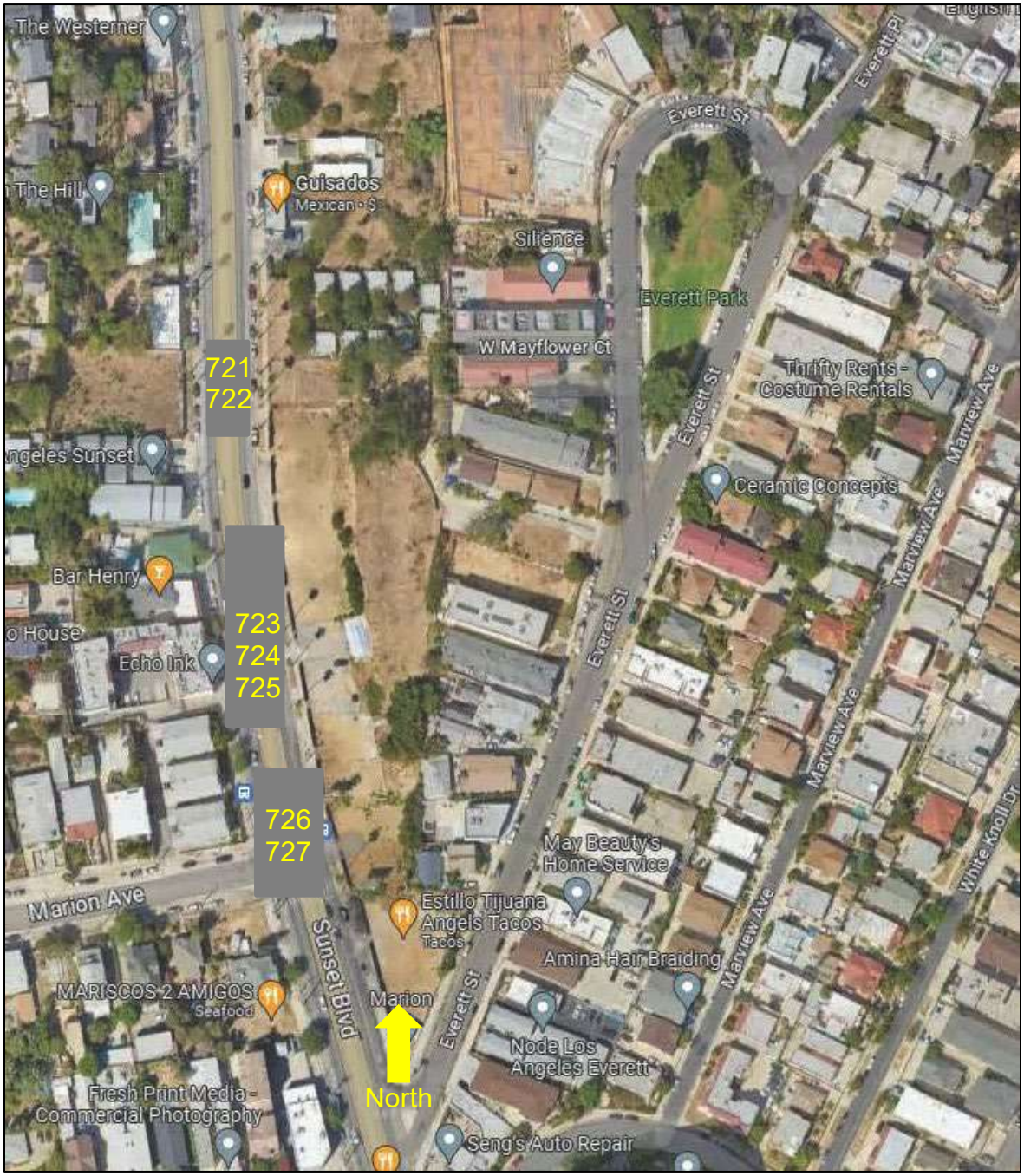
- Any Oak tree including Valley Oak (*Quercus lobata*) and California Live Oak (*Quercus agrifolia*), or any other tree of the oak genus indigenous to California but excluding the Scrub Oak (*Quercus berberidifolia*)
- Southern California Black Walnut (*Juglans californica var. californica*)
- Western Sycamore (*Platanus racemosa*)
- California Bay (*Umbellularia californica*)
- Mexican Elderberry (*Sambucus mexicana*)
- Toyon (*Heteromeles arbutifolia*)

# Bibliography

Fite, Kelby, and Smiley, Thomas E., Best Management Practices, *Managing Trees During Construction*, International Society of Arboriculture, Champaign, IL 2008.

Matheny, Nelda and Clark, James R., *Trees and Development: A Technical Guide to Preservation of Trees during Land Development*, International Society of Arboriculture, Champaign, IL 1998.

# Appendix A – Tree Location Map



# Appendix B – Photos




All trees are Mexican fan palms (*Washingtonia robusta*) and are protected street trees.

Photo A, facing southeast, showing Trees 721 and 722 at the northern end of the property.

Photo B, facing southeast, showing Trees 723, 724, and 725 in the middle of the property.

Photo C, facing southeast showing Tree 726 on the northeast corner of Sunset Boulevard and Marion Avenue, and Tree 727 on the southeast corner of Sunset Boulevard and Marion Avenue.

# Appendix C - Assumptions and Limiting Conditions

1. Any legal description provided to the consultant/appraiser is assumed to be correct. Any titles and ownerships to any property are assumed to be good and marketable.

2. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible for the accuracy of information provided by others.

3. The consultant/appraiser shall not be required to give testimony or attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.

4. Loss or alteration of any part of this report invalidates the entire report.

5. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior expressed written consent of the consultant/appraiser.

6. This report and values expressed herein represent the opinion of the consultant/appraiser, and the consultant's/appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.

7. Sketches, diagrams, graphs, and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys.

8. The tree locations in this report are not represented to be of survey quality but are sufficient to allow locating the tree in the field.

9. Unless expressed otherwise: 1) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and 2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the trees or property in question may not arise in the future.

10. Unless specifically stated, Tree Risk Assessments were not conducted on the trees described in this report and JTL Consultants is not responsible for the consequences of any risk associated with the trees, either inferred or implied.

# Appendix D - Certificate of Performance

I, Ted Lubeshkoff, certify:

- ✓ That I have personally inspected the tree(s) referred to in the report and have stated my findings accurately. The extent of the evaluation is stated in the attached report;
- ✓ That I have no current or prospective interest in the vegetation or the property that is the subject of this report and have no personal interest or bias with respect to the parties involved;
- ✓ That the analysis, opinions and conclusions stated herein are my own and are based on current scientific procedures and facts;
- ✓ That my analysis, opinions and conclusions were developed, and this report has been prepared according to commonly accepted arboriculture practices;
- ✓ That no one provided significant professional assistance to me, except as indicated within the report;
- ✓ That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the results if the assignment, the attainment of stipulated results, or the occurrence of any subsequent events.

I further certify that I, Ted Lubeshkoff, am Registered Consulting Arborist #513 with the American Society of Consulting Arborists, and Certified Arborist WE-8446A with the International Society of Arboriculture. I have been involved in the practice of arboriculture and the care and study of trees for over 25 years.

Signed  Date: 8/31/2023

# Appendix E - Qualifications

## TED LUBESHKOFF

**Registered Consulting Arborist and Principal**
JTL Consultants
(626) 358-5690 | Ted@JTLconsultants.com |JTLconsultants.com

Ted Lubeshkoff is a Registered Consulting Arborist, a Certified Arborist, Tree Risk Assessment Qualified. He has worked on public utility projects with various companies including Southern California Edison, Pacific Gas and Electric, Southern California Gas Company, California American Water, and Los Angeles Metropolitan Transit Authority.

### EDUCATION

Utah State University – Logan, UT College of Natural Resources, 1981-1985
University of La Verne – La Verne, CA – Bachelor of Arts Natural History, 1988

### CERTIFICATIONS

- Registered Consulting Arborist #513, American Society of Consulting Arborists
- Certified Arborist WE-8446A, International Society of Arboriculture
- Qualified Tree Risk Assessor, International Society of Arboriculture

### PROFESSIONAL SERVICE

- American Society of Consulting Arborists – American Forests “Ask an Arborist”
- International Society of Arboriculture – Proctor for Certified Arborist Exam
- Western Chapter of ISA – Co-chair Consulting Arborist Committee
- Street Tree Seminars – Executive Board Director

### PROFESSIONAL OUTREACH

City of Duarte Arbor Day Tree Planting, October 12, 2019
Instructed and oversaw the planting of trees in Royal Oaks Park by volunteers.

### PRESENTATIONS AND PUBLICATIONS

Facilitated Roundtable Discussion on *The Business Side of Consulting* , February 23, 2023.

Article: *Codes of Ethics and Standards of Professional Practice*. Western Arborist. Fall 2021.

City of Duarte Tree Care Workshop, September 7, 2019
Discussed soil information, photosynthesis, tree species identification and diversity, proper tree planting, irrigation techniques, proper tree placement, tree diseases.

Western Tree Failure Database Conference, March 28, 2019
Discussed the failure of an Italian Stone Pine (*Pinus pinea*) at the Kidspace Museum in Pasadena, California on July 28, 2015

Example Reports for Consulting Arborists, 3rd Edition, American Society of Consulting Arborists, 2013, 9707 Key West Avenue, Suite 100, Rockville, MD 20850

## NOTABLE PROJECTS

**LA Metro G-Line Bike Path Tree Damage Assessments June 2023**

Assessed 90 trees causing damage to the bike path, mapped the trees using ArcGIS software, and wrote a Tree Assessment Report making recommendations to repair the asphalt damage, while preserving the majority of the trees.

**Annual Inspection of a Historic Valley Oak, City of Westlake Village, April 2023**

Inspected the Aspenview Court valley oak to determine if there were dead branches in the canopy and decay in the root crown and to make pruning recommendations.

**LA Metro G-Line Busway Rapid Transit Improvements Project, March 2023**

Assessed 13 trees within the busway that could be impacted by 42 utility potholing locations, mapped the trees and boring locations using ArcGIS software, and wrote a Tree Assessment Report making recommendations to protect the trees during the potholing.

**LA Metro G-Line Busway Rapid Transit Improvements Project, January 2023**

Evaluated 38 trees within the busway that could be impacted by 88 geotechnical boring locations, mapped the trees and boring locations using ArcGIS software, and wrote a Tree Assessment Report making recommendations to protect the trees during the boring.

**Stephen Wise Temple School, Los Angeles, July 2022**

Wrote a Protected Tree Report for the City of Los Angeles Urban Forestry Division outlining tree protection measures for Protected Trees during the construction of a new Early Childhood Center and a fire access road.

**CA American Water, Las Lomas Booster Pump Station, Duarte, September 2022**

Wrote a Tree Protection Report for the City of Duarte outlining how Protected mature eucalyptus trees will be preserved during booster pump station improvements.

**Southern California Gas Company Pipeline Replacement, La Canada, May 2022**

Wrote a Tree Protection Report for the City of La Canada Flintridge outlining tree protection measures for Protected Trees on private property during a gas pipeline replacement project. Monitored tree protection measures during construction.

**UCLA Campus-Wide Tree Risk Assessments, September 2021 to April 2022**

Conducted International Society of Arboriculture Tree Risk Assessments of over 1,000 trees throughout the campus as part of the development of a Master Landscape Plan and wrote a Tree Risk Assessment Report. Tree Location and Risk Information was collected using a GIS-based database software.

**California High-Speed Rail Construction Project, April 2022**

Wrote a Tree Evaluation Report outlining the impacts a 1,620-foot underground utility trenching could have on a privately-owned almond orchard.

**Southern California Gas Company Valve Automation, Granada Hills, February 2022**

Wrote a Protected Tree Report for the City of Los Angeles Urban Forestry Division to show how a Protected Tree on private property will be protected during an underground gas pipeline valve automation project.

**LA Metro Westside Purple Line Extension Project, December 2021**

Evaluated 19 trees that could be impacted by utility confirmatory potholing excavations on the West Los Angeles Veterans Affairs Medical Center property and wrote a Tree Assessment Report outlining recommendations to protect the trees during potholing.

**LA Metro and LA County Beaches and Harbors, Bus Turnaround August 2021**

Wrote a Tree Assessment Report detailing impacts that could occur to trees and shrubs through the modification of a public parking lot to accommodate a bus turnaround loop, evaluating trees that might be disturbed during the project, and recommending mitigation measures for any risks identified.

**LA Metro Westside Purple Line Extension Project, November 2020 to Present**

Provide arborist support services including third-party report reviews of construction contractor-prepared documents and conduct tree inventories and nesting bird surveys. Write Tree Inventory and Nesting Bird Reports.

**Tree Risk Assessment of a Historic Valley Oak, City of Agoura Hills, August 2020**

Conducted a Tree Risk Assessment on a valley oak near the corner of Kanan Road and Agoura Road that had a major limb loss and made recommendations to mitigate the loss.

**Los Angeles Regional Interoperability Communications System Land Mobile Radio System, Topanga Peak, Santa Monica Mountains Los Angeles County, August 2020**

Wrote an Oak Tree Report to apply for a Coastal Development Oak Tree Report from the Los Angeles County Department of Regional Planning to show how 12 coast live oaks (*Quercus agrifolia*) within a 100-foot buffer around the project site will be protected during replacement of existing equipment and installation of new communications equipment.

**Southern California Gas Company Pipeline Repair Project, Sepulveda Community Gardens, Encino, June 2020 to August 2020**

Wrote Protected Tree Reports for the City of Los Angeles Recreation and Parks Department and the City of Los Angeles Urban Forestry Division to show how Protected Trees will be protected during underground gas pipeline repairs. Monitored during construction to ensure tree protection measures were adhered to.

**Decay Testing and Tree Risk Assessment of a Historic Valley Oak, City of Westlake Village, November 2019**

Conducted resistance drilling testing using a Resistograph® tool to measure the relative density of wood in the trunk of a valley oak and conducted a Tree Risk Assessment identifying, analyzing, and evaluating the risk of the tree.

**Tree Risk Assessments, City of El Monte Public Works, El Monte, August 2019**

Conducted Tree Risk Assessments on 29 mature lemon-scented eucalyptus trees in the center median planters of Garvey Avenue.

**Protected Tree Report, Las Virgenes Municipal Water District, Chatsworth, July 2019**

Wrote a Protected Tree Report showing how 56 trees that have Protected status will be protected during the Twin Lakes Pump Station Pipeline Installation Project.

# The American Society of Consulting Arborists

*in recognition of fulfillment of the requirements for*

*Registered Consulting Arborist® status*

*confers upon*

## Ted Lubeshkoff, RCA #513

*Registered Membership*

*12/19/2011*

Dr. James R. Clark, RCA #357
President

Both W. Palys, FASAE,CAE
Executive Director

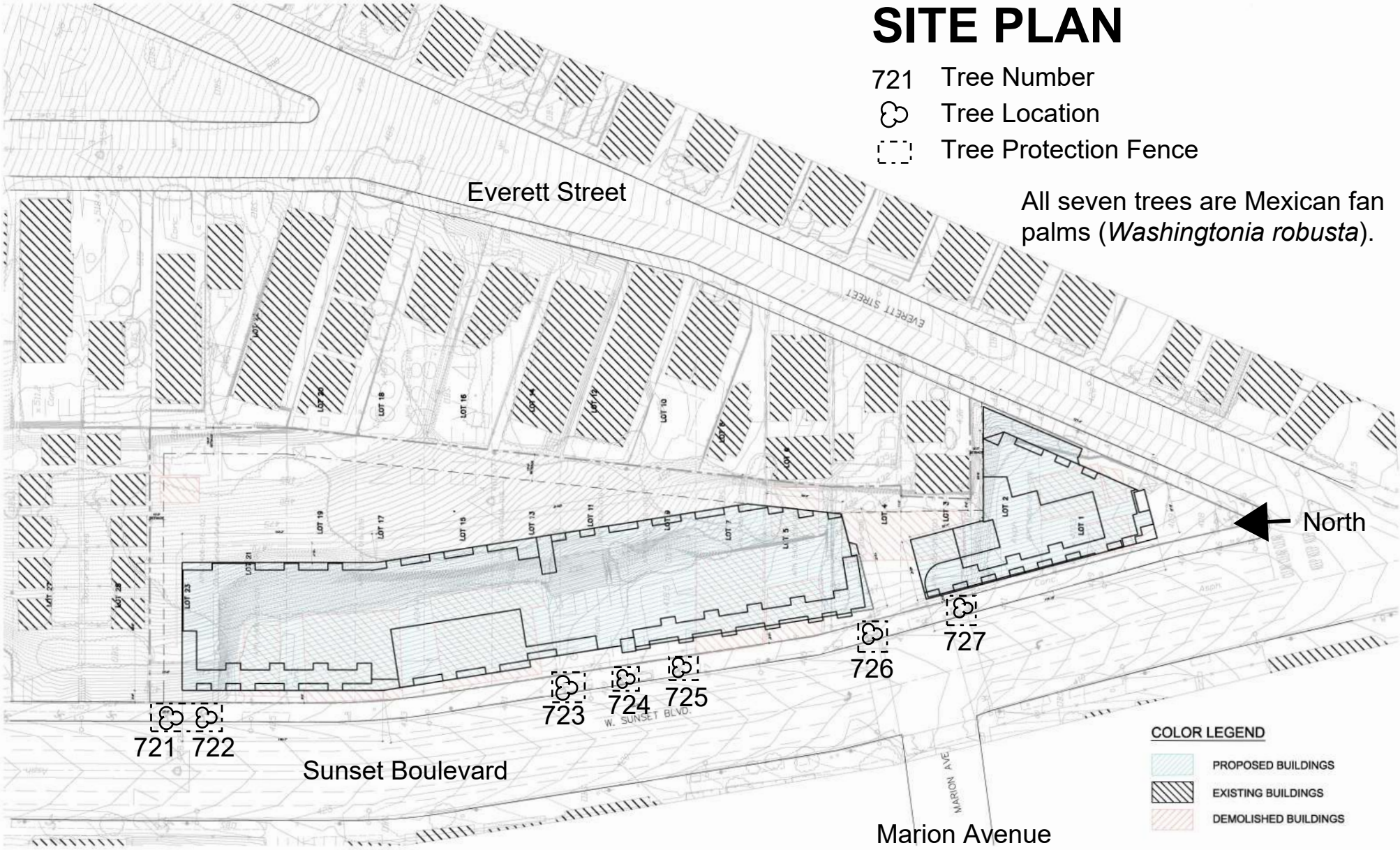
# SITE PLAN

721 Tree Number

Tree Location

Tree Protection Fence

All seven trees are Mexican fan palms (*Washingtonia robusta*).




ktgy Architecture + Planning 888.456.5849 ktgy.com

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**SUNSET & EVERETT**
LOS ANGELES, CALIFORNIA # 2022-0634

CONCEPT DESIGN // PIXEL
JULY 5, 2023

0 15 30 60

This Site Plan is an attachment to a Protected Tree Report, dated August 31, 2023, prepared by JTL Consultants, Consulting Arborists, Duarte, CA (626) 358-5690 JTLconsultants.com