



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#21-1168

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: January 5, 2022

TITLE: Resolution Approving a Request to Relocate the “African Rain Tree” -
(Commission District 4)

Recommendation

Staff recommends the City Commission consider adopting a resolution approving a request to relocate the “African Rain Tree” located at 408 SW 4th Avenue.

Background

On December 15, 1987, the City Commission passed a resolution declaring specified trees in the City to be protected, deeming they may not be damaged or removed unless otherwise approved by the City Commission. The “African Rain Tree” located at 408 SW 4th Avenue is included in that list. Please see Protected Tree Resolution 87-318 attached as Exhibit 1. Currently, there are eight trees listed including the Rain Tree.

At the August 20, 2013, City Commission meeting, a resolution to relocate the “African Rain Tree” was approved, allowing the tree to be relocated to a site that was anticipated to be a public plaza/park space on the northeast corner of SW 3rd Avenue and SW 5th Street as part of the Marina Lofts development. Please see Resolution 13-142 attached as Exhibit 2.

As part of the analysis to relocate the tree, an arboriculture report drafted in July 2012 indicated the tree was nearly 80-feet tall, the canopy was 135-feet east to west, 110-feet north and south, with a diameter over 6-feet measured at a height of 54-inches. Please see the Arboricultural Consultant Rain Tree Report attached as Exhibit 3.

A consulting firm engaged by the applicant, Environmental Design, Inc., submitted a Tree Resource Evaluation for a Samanea Saman dated May 20, 2021, which includes an updated assessment of the tree. Please see the Environmental Design Rain Tree Report attached as Exhibit 4.

In addition, the applicant has provided documentation of other Selected Giant Tree Relocation projects that Environmental Design, Inc. has completed attached as Exhibit 5.

The Marina Lofts development was approved on the same date as the tree relocation (Resolution 13-142 attached as Exhibit 2) for a 33 story, 960-unit mixed use development that included 20,500 square feet of retail space and 12,000 square feet of restaurant space along with 1,313 parking spaces and extensive public improvements along the waterway and around the site, filling in the connection to the City's River Walk.

On October 23, 2020, the Development Services Department (DSD) received an application for the site where Marina Lofts was approved, for a revised development called Raintree Residences, which now indicates the African Rain Tree is to be relocated to a position near the New River to the northwest of its current location. This development application, which consists of a 784-unit mixed used development, is still under review by the Development Review Committee (DRC). The applicant has stated that they would like to relocate the tree closer to the New River to better accommodate the proposed development and allow for better access to the tree from the Riverwalk. The applicant has indicated that the new proposed location is at the terminus of SW 4th Avenue at the Riverwalk. Please see the Applicant's Narrative attached as Exhibit 6 (the new proposed location of the African Rain Tree can be found on page 11 of Exhibit 6).

Resolution 13-142 was adopted with nine conditions of approval. These conditions of approval have been repeated in this CAM apart from the condition related to the \$1,000,000 bond. The applicant has requested to reduce the bond amount to \$250,000 to provide for a more rational bond amount tied to tree preservation purposes (please see page 2 of Exhibit 6 for additional information).

Should the City Commission approve the resolution to relocate the tree, staff recommends the following conditions of approval, which were part of the previous relocation approval apart from the bond amount:

1. The applicant must provide the City with a five-year warranty period on the survival of the tree, subject to a \$250,000 bond or letter of credit provided by the applicant. Bond is payable to the City of Fort Lauderdale, proceeds of which shall be used for the purchase of trees for the City.
2. The applicant must provide a preparation and relocation period of at least nine (9) months between root pruning and tree relocation.
3. If for any reason Environmental Design Inc. is no longer the contractor relocating the Rain Tree, the developer shall contract services of another tree relocating company of equal or greater expertise and as approved by the City Arborist.
4. An International Society of Arboriculture (ISA) Certified Arborist shall be on-site any time work is done relative to the Rain Tree. Prior to conducting any work, applicant shall notify City Forester.
5. Upon relocation, the applicant is solely responsible for the long-term health and maintenance of the tree, including but not limited to pruning, trimming, and

watering. Any pruning and maintenance of the Rain Tree shall be performed by an ISA Certified Arborist. Prior to conducting any work, applicant shall notify City Forester.

6. The applicant shall obtain a permit to relocate the tree as specified in the Environmental Design Inc. Relocation Plan, pursuant to ULDR Section 47-21.12, Tree Preservation, and as approved by the City Arborist.
7. The existing soil at which the protected tree is currently located must be moved to the new location with the protected tree and is to be used as the soil in which the protected tree will be planted.
8. No more than ten percent (10%) of the crown of the protected tree will be pruned to facilitate its relocation.
9. Applicant shall have the right to protect the protected tree through minimally invasive means, subject to the approval of City staff, for the duration of the bond.

Currently the applicant has pulled a tree relocation permit in accordance with the existing approved resolution. The applicant was not able to secure a bond in the amount of \$1,000,000, however the applicant was able to secure a letter of credit in the amount of \$1,000,000, which the City Attorney has confirmed is equal to or better than a bond of the same amount. At this time, the applicant has started the preparation process for the eventual relocation of the tree (root pruning, canopy pruning, etc...). Should the current request not be granted the applicant will retain the right to relocate the tree to the previously approved location per resolution 13-142.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a 2021 Top Commission Priority, advancing the Parks and Public Places initiative.

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Public Places Focus Area
- Goal 3: Build a healthy and engaging community
- Objective: Improve access to and enjoyment of our beach, waterways, parks, and open spaces for everyone

This item advances the Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Here.

This item supports the Advance Fort Lauderdale 2040 Comprehensive Plan specifically advancing:

- Public Places Focus Area

- Parks, Recreation & Open Space Element
- Goal 2: Be a community with high quality parks and recreational facilities that highlight the character of our City.

Attachments

Exhibit 1 – Protected Tree Resolution 87-318

Exhibit 2 – Resolution 13-142

Exhibit 3 – Arboricultural Consultant Rain Tree Report

Exhibit 4 – Environmental Design Rain Tree Report

Exhibit 5 – Environmental Design Selected Giant Tree Relocation Projects

Exhibit 6 – Applicant's Narrative

Exhibit 7 – Resolution

Prepared by: Anthony Greg Fajardo, Director of Development Services Department

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