

STAFF REPORTS

**CITY COUNCIL
February 25, 2003**

To: Mayor and City Council

From: George J. Rodericks, City Manager

SUBJECT: TREE REMOVAL – CENTER DRIVE

BACKGROUND

In January we received a request from a resident on Montana Circle to consider removal of several (11) pine trees along the west side of Center Drive. The trees are adjacent to a deteriorating wood fence and the resident is desirous of replacing the fence with a block wall. Replacement of the wood fence with a block wall requires only a ministerial permit through the City's Building Department. Replacement will necessitate cutting the root systems of the adjacent trees and may possibly jeopardize their stability.

The cost of removal of all eleven (11) trees is \$2,800. The resident has offered to pay for a portion of the removal, how much has not yet been negotiated. In addition, the resident has also offered to replace the trees with crape myrtle trees at their cost – how many and what size has also not yet been negotiated.

The trees are located in the parkway and are City trees. Pursuant to the Villa Park Municipal Code, "...the City Manager may authorize the pruning or removal by the City, or by any other person as herein provided, of any tree...which interferes with the construction, maintenance or use, of any driveway, sidewalk, curb or other construction work..." In addition, another section of the same ordinance specifies that "...it shall be unlawful for any person to cut down, girdle, remove, injure, deface or destroy any tree or shrub...on any parkway, planting easement, or right-of-way within the City without first obtaining a written consent therefore from the City Council..."

As staff attempted to reconcile these two conflicting policy authorities, in light of conflicting authorities, the more restrictive authority applies and staff referred the issue to the Community Development Committee for direction.

FINDINGS

The Community Development Committee reviewed the issue and determined that in light of the conflicting policies and the number of trees involved, this issue was best discussed by the entire City Council.

The trees were inspected by the City's Tree Landscaper and it was determined that the root systems of the trees would be irreparably damaged by the footings of the new block walls. As a result, the trees could become unstable during high winds or other acts of God. This instability could cause the trees to topple into the neighboring property

and/or the street possibly causing damage. It was recommended that the trees be removed. The cost of removal of all eleven (11) trees was \$2,800.

In addition to a discussion regarding permission to remove the trees, the Council may wish to consider clarifying the conflicts in the Code. In order to prevent undue delay and bureaucracy, it is important to retain some level of authority at the staff level to authorize the pruning, trimming, adjustment, and removal/replacement of trees by contractors and residents, upon request and with due cause. Standards for replacement can be written into the Code and could include a minimum box size (24" or 36" box) and caliper size (it is recommended that deciduous trees of 8-10 feet in height have a trunk diameter of 1 1/4" – evergreen trees are measured by the size of the root ball).

The Council may also wish to consider some sort of trigger that escalates the issue to the Council, such as number of trees removed at any single location, or key locations (i.e. Taft, Wanda, Santiago, etc.) where removal is subject to Council review.

FISCAL IMPACT

The cost to remove all eleven (11) trees is \$2,800.

RECOMMENDATION

Review and Discuss.

If the Council desires removal of the trees, it is recommended that the Council authorize the Chairman of the Community Development Committee and/or the City Manager to negotiate a compromise with the adjacent property owner for the cost of removal of the trees and replacement with an appropriate tree(s) in appropriate size and number.