

CITY COUNCIL STUDY SESSION
Tree Removal and Park Study
VIA VIDEOCONFERENCE
September 29, 2020
5:30 p.m.

AGENDA

Requested by the City Manager

1. MEETING CALLED TO ORDER

At the Study Session of the City Council of University City held via videoconference, on Tuesday, September 29, 2020, Mayor Terry Crow called the meeting to order at 5:30 p.m.

In addition to the Mayor, the following members of Council were present:

Councilmember Stacy Clay
Councilmember Aleta Klein
Councilmember Steven McMahon
Councilmember Jeffrey Hales
Councilmember Tim Cusick
Councilmember Bwayne Smotherson

Also, in attendance were City Manager, Gregory Rose; City Attorney, John F. Mulligan, Jr.; Director of Public Works, Sinan Alpasian; Director of Parks, Recreation & Forestry, Darren Dunkle; Parks Commission Chair, Kristin Sobotka, and Kelly Schaefer of the Locmueller Group

2. TREE REMOVAL

Mr. Rose stated this is a presentation on the City's Tree Removal Program, which is managed by Mr. Dunkle and his staff in the Parks, Recreation & Forestry Department.

Mr. Dunkle provided Council with an overview of the process.

Tree Inspections

- Tree inspections are handled through the Forestry Division
- Forestry supervisor and tree trimmer are both ISA Certified Arborists
- Forestry supervisor has a Tree Risk Assessment Qualification (TRAQ) Certificate
- Tree inspections are either initiated by resident request or by staff request.

ANSI 300 Standards

- Forestry Division follows ANSI 300 Tree Risk Assessment Standards.
- Three Levels of Risk Assessment:
 - Level 1 – Limited Visual Assessment; (Drive-by)
 - Level 2 – 360-degree visual assessment to look at the Crown, Trunk, Trunk Flare, above-ground roots, and other site conditions
 - Level 3 – aerial assessments, decay detection, root crown examination; *(drilling or tomography by taking a cross-section to determine issues)*

Risk Category Levels

1. Likelihood of failure is imminent
2. Probable
3. Possible
4. Improbable

Resident Notification

- Once an assessment has been completed, the Forestry Supervisor will notify the resident if there is an issue or not, and if so, will let them know what actions will be taken or not.
- Once this has been completed, the Forestry Supervisor will schedule the work needed or required based on the findings of the Assessment and the Risk Categories.
- Major hazards are addressed immediately

Appeal Process

- Resident has a right to appeal to the Urban Forestry Commission
- Appeals shall be filed in writing with the Director of Parks, Recreation and Forestry and the City Manager for placement on the Urban Forestry Commission's agenda within ten (10) days after the notification
- An appeal shall be based on a claim that the regulations or rules adopted have been incorrectly interpreted or applied, and shall specify the reasons
- The Commission may reverse, affirm or modify the order, decision, or determination of the City Forester. The Commission shall render its decision by majority vote after an appeal hearing.
- Per the Ordinance, the Commission's ruling is final.

Street Trees are Essential

- Carbon Sequestration
- Stormwater Management; (tree roots soak up a lot of water)
- Absorption of Air Pollution
- Energy Savings; (shade)
- Street Pavement Life; (shade equals a longer life)
- Mental Health
- Crime and Safety
- Property Value
- Economic Impact

Councilmember Smotherson thanked the City Manager for this presentation because the removal of City trees has been a problem he's faced ever since he's been on Council. In fact, residents have often expressed the belief that the City places more value on its trees than it does on the mental health and safety of its residents because, in most instances, these decisions are made based on the health of the tree with little regard given to a resident's concerns. He stated in looking at the Appeals Process which states, "An appeal shall be based on a claim that the regulations or rules adopted have been incorrectly interpreted or applied," it's pretty understandable why they would feel this way.

Councilmember Smotherson stated there really does not appear to be any recourse; especially when you factor in that a resident's concerns are almost always based on their judgment, which more than likely will never meet the criterion set forth in the Ordinance.

Councilmember McMahon stated based on his experience as liaison for the Forestry Commission, he too would agree that the vast majority of concerns expressed by residents were never equivalent to the information provided by the forester, nor would they meet the criteria described in the Appeals Process. Why the tree was a nuisance was based on their personal opinions, which put them at a disadvantage when arguing the dispute. As a result, most of these hearings had no significant value for residents.

Councilmember McMahon stated until recently, he was unaware that residents could apply for a Forestry Activity Permit that would allow them to prune, spray or remove a City tree. So perhaps, if some of these rules were tweaked it would provide a little more direction to residents.

- Disseminate information associated with the Forestry Activity Permit to residents, along with explicit instructions on how they can get a tree removed.

- Conduct a review of the Appeals Process and corresponding Ordinance to determine whether supportive measures could be included for residents.
- Refund the cost of any expenses incurred for residents who succeed at the appeals level. Knowledge of the City's reimbursement process might prompt residents to conduct more detailed investigations that help them gain a better understanding of how an issue could be resolved.
- Other municipalities have a process in their tree removal policies that provides for exceptions to the rules like those granted to developments that require tree removal. Residents can pay for the cost of removal as long as they can provide a mitigation plan.

Councilmember McMahon stated if such a high percentage of the City's appeals are denied, can this really be considered a fair process? The ultimate goal should be to provide residents with options and a collaborative process that helps them achieve the results they are seeking.

Councilmember Smotherson stated a prime example of this problem is illustrated by the pictures he took in 2018, of a home at 1445 Sheridan. The owners of this residence asked that a City tree be cut down based on their belief that it presented a safety hazard. The forester determined that the tree was still healthy and their request was denied. Shortly thereafter, the tree crashed into their house.

Mayor Crow thanked Kristin Sobotka, Chair of the Parks Commission for joining tonight's meeting and encouraged her participation as Council moves forward in this discussion.

Councilmember Hales stated one thing addressed during his tenure as liaison for the Forestry Commission in 2018, was the Forester's extensive list of trees, with diagrams illustrating areas where trees could be planted. And in several instances, there were large trees planted in very small tree lawns. Is this something that should be reconsidered today? Mr. Dunkle stated that list has now been expanded and categorized. So today as his department is moving forward, trees are being replaced with a species specifically tailored for that site.

Councilmember Hales questioned whether the fact that U City has been designated as a Tree City impacts the role of the Forestry Commission and the current Appeals Process? Mr. Dunkle stated while there is no direct impact on how the City governs its trees, Tree City USA does have four requirements: (1) that you have a Forestry Board or Department; (2) that you have a tree care ordinance; (3) that you hold Arbor Day celebrations, and (4) that you spend \$2.00 per capita on forestry-related items. Councilmember Hales asked if there was also a requirement that the Board/Commission meet a specific number of times throughout the year? Mr. Dunkle stated the Board/Commission is required to meet at least six times a year.

Councilmember Clay stated this topic is somewhat personal because in the last two weeks two trees have been cut down in his neighborhood, one of which was located in front of his house. In both instances, staff removed all of the limbs but left the 15-foot wide tree trunks. Is that how the removal process is structured? Mr. Dunkle stated yes, removals are accomplished in stages. There is a two-man crew that takes care of these trees and the first step entails removing the limbs, and the second step entails scheduling a time to remove the trunks. Councilmember Clay stated while he was not asking for any special treatment, his wife would love to know if there is a specific timeframe for when the second removal would occur? Mr. Dunkle stated at this point, he does not have a definite timeframe for when the trunks will be removed.

Mr. Rose stated since it is difficult to determine when storms that require staff's immediate action might occur, he is appreciative of Mr. Dunkle's hesitancy in providing a specific timeframe. But it would be unusual for staff to not complete the second step in excess of 60 days.

Councilmember Clay asked if there has been or will be a request for more dollars to be expended on tree trimming? Mr. Rose stated in this year's budget Council allocated more funds towards tree pruning because this is something that has not occurred in almost ten years. So there will be a catch-up period. However, a plan has already been devised for how that will be accomplished.

Mr. Rose stated trying to determine exactly when a tree's life has expired can be challenging, and in that regard, he thinks staff did an admirable job in reaching their conclusions about the tree at 1445 Sheridan. However, as Council is probably aware, U City has more than 40,000 trees. So, he believes that the City's investment in tree pruning will pay dividends in the long run and hopefully prevent some of these situations from happening.

Chairman Sobotka stated she thinks it is important for Council to know that while consideration is given to the information provided by the homeowner and staff, they are totally guided by the policies and criteria the Commission was established under. So if a tree is healthy and not causing actual danger to humans or property, the tree is given the benefit of the doubt and will remain untouched; despite the fact that it may be a nuisance. Chairman Sobotka stated she often sympathizes with many of these residents because she has a bunch of Sycamore Trees in her front yard that are a pain in the neck. But the bottom line is that the tree being a nuisance for the homeowner is not a factor the Commission is supposed to use in making their decisions. And her fellow Commissioners have expressed real concerns about the current criteria being undermined if additional processes are added to the Appeals Process.

Mayor Crow asked if there was a record of the total number of requests and appeals received each year? Mr. Dunkle stated in his year and a half tenure there have been no requests or appeals.

Chairman Sobotka stated this will be her third year on the Commission and during that time there have only been five or six appeals. However, none have occurred this year.

Mr. Rose stated although one resident's request has been reiterated on numerous occasions, he does not believe there have been any new requests or appeals during his tenure.

Mayor Crow stated while he is amenable to Council having this discussion and perhaps, conducting a review to determine why the process was created the way that it is, he would caution his colleagues against crossing over into the purview of the Forestry Commission or City Manager. That is a can of worms that at some point, everyone would regret because once you go down that pathway you've sort of thrown out the purpose for why the Commission was created.

Councilmember McMahon stated his suggestions were never intended to change the structure or for Council's consideration. They were directed to Mr. Dunkle, his staff, and the Forestry Commission. He stated the Application for a Forestry Permit and appeals process associated with that permit have already been established under Section 105.160, paragraph (b) of the Ordinance. So his only intent was to provide options and more detailed instructions so that residents who feel as though their requests are falling on deaf ears have an opportunity to present their case in a way that might be more meaningful.

Councilmember Smotherson concurred with Councilmember McMahon's comments and stated their intent is merely to broaden the process to provide residents with a pathway that would lead to a more satisfying experience.

Councilmember Hales stated he thinks something the City Manager said is important for everyone to keep in mind; the City has 40,000 trees within an 81-mile radius. So, he views this as a community issue since there is no way staff can have their eyes on every issue associated with this number of trees. We are all in this together and the goal should be to encourage our residents to call the City or their Councilperson whenever they see a problem because lately, staff's response to these complaints has been rather swift.

Mr. Rose stated with Council's approval, he will ask Mr. Dunkle to work with the Forestry Commission to evaluate the current policies and determine whether there is room for expansion of the Appeal Process, and then those results will be brought back to the Mayor and Council for consideration.

3. **PARKING STUDY**

Mr. Rose stated the Director of Public Works has oversight of the Parking Study and can share his insights into the process and findings. However, in the interest of time, he would ask Kelly Schaefer of the Locmueller Group to make her presentation.

Ms. Schaefer stated she is a Senior Traffic Engineer, with eleven years of traffic engineering experience. In 2019, the City asked Locmueller to perform a Parking Study of on-street parking in three zones, and a visual inspection of Parking Lots 4 and A.

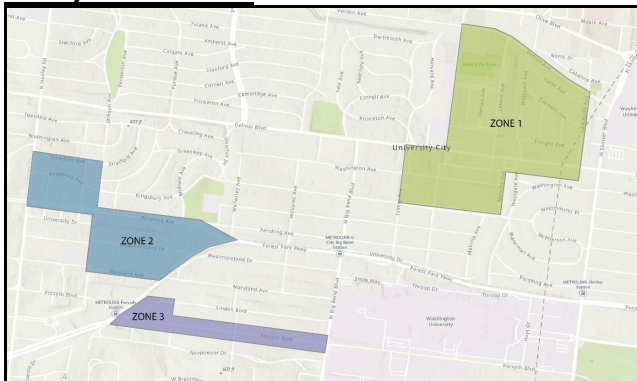
Purpose

- Identify current parking surpluses and deficiencies
- Make general observations of who is utilizing on-street parking, parking turnover, and duration
- Suggest on-street parking management strategies
- Recommend strategies to increase effective on-street parking supply

Context

- U City was founded in 1906 and most of the study areas were platted and built pre-1930
- Neighborhoods not built to accommodate personal vehicles
- Need context-sensitive and forward-thinking solutions to address parking issues

Study Area Zones



Zone 1

Zone 1 is bordered on the north/south by Kingsbury, and east/west by Kingsland, Trinity, and East Gate.

- Land Use
 - Entertainment (the Loop); commercial (depicted in pink); multi-family residential to the north and south of Delmar
- Ownership
 - Mix of owner-occupied and rentals
 - Washington University one of the most prominent property owners
 - High % of residents likely affiliated with the university
- Parking
 - On-street, private and municipal surface lots, municipal garage, off-street residential
 - Permits on the south side of Kingsbury

Washington University Parking Policies

Locmueller reached out to Wash U for information about their parking policies to complete the picture.

- On-campus parking provided on and near Danforth
- Lots split up into Zones 1-5
 - Zone 1 is for graduate students only

- Zone 5 (2 locations) are remote commuter options for a lower cost
- Annual costs
 - Permit for Zones 1-4: \$852
 - Zone 5: \$450, \$642
 - Red pass (all zones, faculty only): \$2,124
- Cooperation with City
 - Lofts mixed-used development now includes parking in rent

Ms. Schaefer stated Locmueller also received the following information:

- The zone approach was implemented in 2017.
- The cost for Zones 1 through 4 originally started at \$757. No increases are planned for this year.
- In total, Wash U provides almost 7,400 parking spaces for permit holders, and 970 visitor and hourly spaces.
- Wash U believes the demand for Zone 1 is generally high, while on a typical day, other Zones have some availability; i.e., Zone 2 has 50 available spots.
- Wash U manages the supply and demand for these Zones by permit and people type.
- Wash U has a U-Pass system that offers free MetroLink and MetroBus rides.

Zone 2

Zone 2 borders Pershing; goes north to Stratford; south to Forsyth and east/west to Hanley and Forest Park.

•Land Use

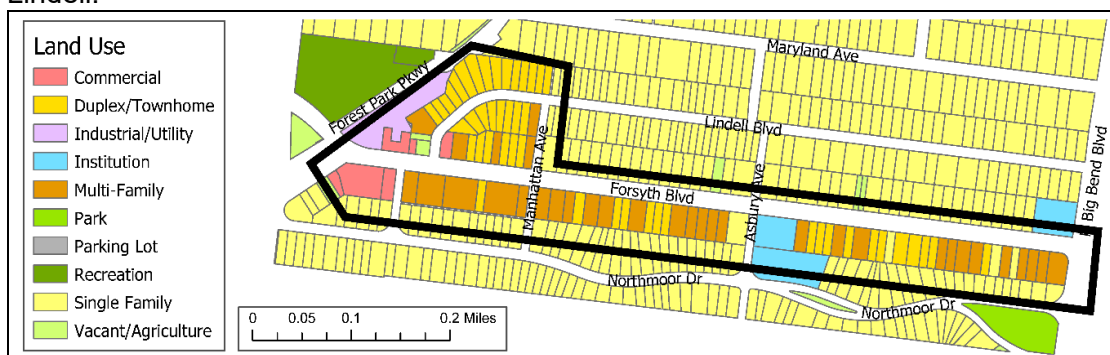
- Mostly single-family; multi-family along Pershing; some commercial on Jackson
- Adjacent to Clayton

•Parking

- On-street, off-street residential
- Parking prohibited in certain locations

Zone 3

Zone 3 is located along Forsyth from Forest Park to Big Bend and includes the western portion of Lindell.



•Land Use

- Commercial to the west; multi-family residential along Forsyth

•Parking

- On-street, off-street residential
- Metered near businesses on Lindell
- Restricted parking on the north side of Forsyth and in front of Our Lady of Lourdes

Ms. Schaefer stated in order to conduct an analysis, the first step was to collect data and perform observations.

- Data was recorded hourly for each Zone; two people per car.
- Streets were broken up into blocks and the relative utilization of each was recorded.

The benefits of this approach versus a more detailed count; such as license plate recording, is that Locmueller was able to make observations during the count, cover a much larger area, and provide a cost-effective solution. Each hour the engineers and planners looked for utilization and repeat users of parking spaces; if the demand was turning over; who was parking in these areas, i.e., personal or service vans; who was walking through the areas, i.e., patrons, students, families, and anything else that could be observed, i.e., parking signs, restrictions, and illegal parking.

Data collection was scheduled for a typical weekday and weekend in the spring of 2019. Easter, Labor Day, and Wash U finals were avoided, and the team made sure the weather was favorable to ensure they were recording typical conditions throughout each zone.

Zone 1

- Most complex zone because of its diversity of land uses
- Subdivided to assist with data summary, analysis, and recommendations.
- Referred to as Subareas A, B, and C

Zone 1 - Weekday

- Highest hourly demand occurred at 7 pm
- Subarea A
 - Minimal street parking occurring; consistently higher or lower; some streets had 50% or less parking; some had 75 to 90% or more, i.e., Clemmons, Leland, and Interdrive
 - Reflects commuting parking trends
- Subarea B - The Loop
 - Busiest later in the evening
 - High turnover
 - Lot A 90% utilized
 - Lot 4 75% utilized
- Subarea C
 - High utilization
 - Low turnover on Kingsbury and Melville
 - Students typically leave the area between 4 and 6 p.m.
 - Higher residential density
 - Potential for non-residential parking

A more in-depth study can be conducted if the City desires to know whether students were residents, non-residents, or someone trying to park close to the University.

Although Washington was very busy, it appeared to be mostly residential parking since there were no observations of students going to and from their vehicles.

Zone 1 - Saturday

- Highest hourly demand at 3 pm
- Subarea A
 - Minimal street parking occurring
 - Utilization increases thru the day
- Subarea B - The Loop
 - Busy all day, more in evening
 - High turnover
 - Lot A & 4 75-90% utilized
- Subarea C
 - High utilization
 - Lower than weekday

- Utilization decreased thru the day

It was hard to identify exactly why there was a lower utilization rate on Kingsbury and Melville but it could potentially be a sign that there was some student parking on these streets during the day.

Zone 1 - Other Notes/Observations

Notes and observations were supplemented with online research.

- Parking Signage
 - Minimal or none for some lots
 - Sight obstructions for some signs
 - Signs for Lot 4; which is free parking, signs only on Kingsland and Leland
 - Public vs. private unclear
- Wayfinding Signs
 - Small font
 - Locations not near major parking areas
- Metered parking on Delmar inconsistent
 - Potentially due to the Trolley project
- Online resources
 - Delmar Loop website shows parking on PDF map, Lot 4 is not a main feature, and Interactive map doesn't show all parking

Zone 2 - Weekday

- Highest hourly demand at 7 pm
- Pershing has the highest utilized street parking
- Primarily multi-family housing
- Utilization on Pershing stayed around 75% most of the day, 100% at night
- Other streets less than 50%, generally less than 25%

Based on concerns about people parking in this area and walking to their jobs in Clayton, extra attention was given to Maryland and Westmoreland, the southernmost streets in Zone 2. One car was parked on Maryland from 2 to 7 p.m. There was a maximum of 15 cars parked on Westmoreland at one time at around 3 p.m. These were lawn care and other home service vehicles.

Zone 2 - Saturday

- Highest hourly demand at 2 pm; Pershing, Alta Dena, and Westgate
- Similar utilization patterns as the weekday: higher with increase later in the day
- On other streets, demand did not change throughout the day and had little turnover

Zone 3 - Weekday

- Highest hourly demand at 1 pm; reduced after 3 p.m.
- Near commercial uses, utilization 75-90% with significant turnover
- Southside of Forsyth Boulevard was more utilized than north due to higher density residential

Zone 3 - Saturday

- Highest hourly demand at 3 pm on Forsyth
- Near commercial uses, utilization 50-75% with significant turnover
- Near residential, reduced utilization started around 5 pm
- Similar utilization patterns as the weekday: higher with increase later in the day
- On other streets, demand did not change throughout the day, and little turnover

Data Summary

- On-street parking demand is directly related to the land use adjacent to the street and the intensity of that use
- Residential land uses see a slight increase in parking demand in the evening unless the residences are mostly occupied by students
- Commercial land uses see higher parking utilization in the late afternoon and evening hours during the weekday
- An interesting aspect of parking in U City is the impact that students in Subarea C. Those working 9 to 5 are more predictable, but students that live close to the University keep their cars parked in the same spot most of the day.

Zone 1

- Several streets were over 90% parked; Subareas B and C
 - Delmar Blvd and other streets serving Loop patrons
 - Near higher density residential

Zone 2

- Zero streets exceeded 90% parking utilization during the times' data was collected

Zone 3

- Lindell Boulevard has higher utilization around commercial and residential land uses

Potential Solutions - All Zones

- Require a residential parking permit or add nominal cost to parking permits
 - May not reduce on-street parking demand as any resident, including renters, would be eligible
 - May result in spillover parking on other streets
 - Requires enforcement resources
- Improve regulations for developments that modify existing buildings with dimensional non-conformities
 - Current ambiguity in city code regarding what triggers needing to bring the entire building into conformity
 - Need for more explicit regulations as to what modifications to existing buildings would require bringing an entire building into conformity, including off-street parking requirements
- Uniformly and frequently enforced parking regulations
 - Create a culture of compliance

Potential Solutions - Zone 1

- Better use of parking supply
 - Promote shared-parking arrangements
 - Confine employee parking to specific parking areas
 - Improve on-street and online way-finding and parking information
 - Shared parking and residential permits
- Reduce demand on parking spaces
 - Facilitate and encourage alternate modes of transportation
- Management Strategies
 - Enforce parking restrictions and meters
 - Residential parking permits
 - Review zoning codes

Potential Solutions - Zones 2 & 3

- Higher utilization along Pershing Avenue (Zone 2) and Forsyth Avenue (Zone 3)
- A residential parking permit would be effective in removing parking not for the adjacent homes

Councilmember Hales stated this study came before the Traffic Commission on two occasions, and at the second meeting the Commission requested a copy of the tracked changes for the

modifications they made during the first meeting. Of particular importance was this statement on page 24, "*Washington University and U City's proximity presents challenges to managing on-street parking demand in Zone 1*". However, it appears as though the two pages explaining this analysis in detail; which the Commission asked to be restored and submitted to Council, were removed.

Ms. Schaefer stated this is a summary of the modifications she received and submitted to Errol on June 30th:

1. "*Revise page 9.*" This page was revised and the sentence about the ownership of the parking garage on Delmar was relocated.
2. "*Revise pages 9 through 11.*" Information about Wash U's parking and policies were added.
3. "*Revise Page 23.*" The presentation of observations was revised to emphasize that study observations, though meant to be performed during times that reflect typical conditions, were limited to two days in the field. And that more extensive and costly forms of data collection were not utilized.
4. To Councilmember Hale's specific comments, she responded, "*Other markups you'll find in the documents*".
5. The table of contents was a tracked change.
6. The information about Wash U's parking was cut from pages 24 and 25 and relocated to pages 9 through 11.

Councilmember Hales stated although he did see the information regarding Wash U's parking on page 9, his concern was about the removal of the statement regarding how Wash U's proximity presented challenges because this is a constant stressor for residents in the 6600 blocks of Kingsbury, Washington, and other streets in the 1st Ward. Councilmember Hales noted that he had made a copy of this statement from the original document and provided it to Council this evening.

Ms. Schaefer stated her notes did not reflect that request, so she would apologize for any misunderstanding.

Councilmember Hales stated he thinks the study is fairly thorough, although one of the results the Traffic Commission had hoped to achieve was some possible solutions for this problem. Was any consideration given to initiating hourly restrictions; 2-hour parking from 9 to 5 for individuals without a residential permit? Ms. Schaefer stated that is something that could be explored on Washington, Melville, and Kingsbury because it would address unauthorized parking for non-residents. It could, however, create new concerns if they attempt to look for new places to park within the neighborhood.

Councilmember Cusick asked if the Traffic Commission had reviewed any of the recommendations contained in the study and reached any conclusions? Councilmember Hales stated the Commission received the entire presentation and at their last meeting recommended that the study, along with their amendments, be submitted to Council for consideration.

Mr. Rose stated the next step in the process is for staff to finalize the study and present it to Council for acceptance, which grants staff the authority to advance the recommendations contained therein.

4. ADJOURNMENT

Mayor Crow thanked Kristen and Kelly for their participation and adjourned the Study Session at 6:30 p.m.

LaRette Reese
City Clerk