



REPORT/RECOMMENDATION

To: MAYOR AND COUNCIL	Agenda Item # <u>IV. J.</u>
From: Wayne D. Houle, PE Director of Engineering	<input checked="" type="checkbox"/> Action <input type="checkbox"/> Discussion <input type="checkbox"/> Information
Date: July 17, 2012	
Subject: Resolution No. 2012-98 Adopting Findings And Decision Regarding Valley View Road And Sally Lane	

Recommendation:

Adopt attached Resolution No. 2012-98 Adopting Findings And Decision Regarding Valley View Road And Sally Lane.

ATTACHMENTS:

Resolution No. 2012-98



**RESOLUTION NO. 2012-98
ADOPTING FINDINGS AND DECISION RE:
VALLEY VIEW ROAD AND SALLY LANE TREE REMOVAL**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, as follows:

Section 1. BACKGROUND.

- 1.01 City Council and staff received complaints from neighborhood residents relating to impaired sight lines at the intersection of Sally Lane and Valley View Drive.
- 1.02 City staff consulted with traffic engineers at WSB and Associates who performed an analysis of the sight lines at the intersection.
- 1.03 On September 30, 2011, WSB made its written report to City Engineer Wayne Houle.
- 1.04 The WSB report recommended the removal of all of the plantings in the Valley View Road right of way east of its intersection with Sally Lane located adjacent to 7025 Sally Lane. The plantings consist of six spruce trees located closest to the intersection and twenty-one arborvitae trees located further back from the intersection.
- 1.05 The WSB report also recommended the removal of three trees located in the Valley View Road right of way west of its intersection with Sally Lane adjacent to 7028 Sally Lane.
- 1.06 According to the WSB report, the removal of these trees are necessary to bring the intersection into compliance with the decision site distance standards in the MnDOT Road Design Manual Chapter 2-5.08.04.
- 1.07 Doug and Jill Benner are the owners of the home located at 7025 Sally Lane. Wayne Alexander is the owner of the home located at 7028 Sally Lane.
- 1.08 On September 30, 2011, City Engineer Wayne Houle sent Mr. and Mrs. Benner and Mr. Alexander the WSB report and advised them that it would be considered at the City Council's October 4 meeting.
- 1.09 On October 4, 2011, the City Council approved a motion requiring the adjacent property owners to remove the trees identified in the WSB report as interfering with the site lines at the intersection of Valley View Road and Sally Lane.
- 1.10 On October 14, 2011, City Engineer Houle sent a letter to the Benners and Mr. Alexander notifying them that they were obligated to remove the offending trees within 30 days.
- 1.11 On October 30, 2011, the Benners submitted a letter to the City Council, along with a report from consulting engineers RLK Incorporated, asking the Council to rescind the notice requiring removal of the trees.
- 1.12 At its November 1, 2011 meeting, the City Council suspended the 30-day notice until December 6, 2011 for a legal review by the City Attorney.

ENGINEERING DEPARTMENT

- 1.13 At its December 6, 2011 meeting, the Council revised its position and voted to require the delimiting of the spruce trees closest to the intersection to a height of eight feet, with the arborvitaes remaining.
- 1.14 At its December 20, 2011 meeting, the Council reaffirmed its position that the spruce trees be delimited to a height of eight feet.
- 1.15 At the City's initiative, City representatives and the Benners engaged in mediation. Benners have continually refused to either remove the trees in the right of way or to delimit the spruce trees closest to the intersection.

Section 2. FINDINGS.

- 2.01 All of the trees identified in the WSB report limit the sight distances at the intersection of Sally Lane with Valley View Road and adversely impact safety at the intersection.
- 2.02 The WSB report utilizes the accepted MnDOT Road Design Manual standard and the presumptive ten second decision time standard for drivers on Sally Lane at the Valley View intersection. The WSB report assumes a 20 mph approach speed of vehicles on Valley View Road.
- 2.03 The report prepared by RLK at the request of Mr. and Mrs. Benner does not dispute the fact that the application of the presumptive ten second decision time standards and the 20 mph approach vehicle speed requires the removal of all the trees planted in the right of way adjacent to the Benner property to meet the required sight line distance.
- 2.04 The RLK report states that the existence of the trees in the right of way still allows a 200 foot stopping distance for vehicles on Valley View Road to avoid a vehicle entering the intersection from Sally Lane. The RLK report recommends the installation of signs on Valley View Road to warn drivers of the approaching Sally Lane intersection.
- 2.05. WSB reviewed the RLK report. In its November 21, 2011 memorandum to City Engineer Houle it summarizes the difference in its approach from the emergency stopping analysis performed by RLK. The WSB memorandum states:

Stopping Sight Distance versus Intersection Sight Distance: RLK mentions the stopping sight distance criterion of 200'. This is a last resort way of avoiding an accident. Which means the approaching motorist locking up the brakes to avoid a collision. 200' of sight distance only allows for 4.5 seconds of decision making time, which is less than the 6.5 second Highway Capacity Manual default for driver gap acceptance. This is also assuming the approaching vehicle is not accelerating.
- 2.06 The City Council believes that the appropriate decision from a safety standpoint is to eliminate the sight distance impairment for vehicles turning onto Valley View Road from Sally Lane rather than leave that safety hazard in place and rely on the ability of drivers on Valley View Road to make an emergency stop to avoid a collision.
- 2.07 The Council is appreciative of the fact that the removal of the trees will have some impact on the Benners' property. However, the trees are clearly within the City's Right of Way. There are plantings and other landscaping that can be done on the Benners' property to mitigate the impact of the tree removal.

