

April 4, 2014

Thara Johnson
City of Redmond
Dept. of Planning & Community Development
15670 NE 85th St.
Redmond, WA 98052

Commercial
Infrastructure
Residential

Subject: Benjamin Estates - Tree Exception
LDC File No.: 12-166

Dear Ms. Johnson,

Pursuant to your review of the previously submitted materials for the Benjamin Estates project we are providing you with this request for Exception in order to remove 13 Landmark Trees within the project. In addition we are also requesting an exemption from meeting the minimum required 35% retention requirement. The request is necessary in order to develop the site to its highest use.

Redmond Zoning Code (RZC) 21.72.090(a) provides authorization upon written request from the applicant. RZC 21.72.090(B) provides Criteria by which the exception request must comply.

The requested Landmark Trees to be removed are denoted as #8, #19, #20, #21, #24, #29, #30, #58, #59, #75, #77, #80 and #82, as shown on the "Tree Preservation Plan." It is our objective to show that the exception request meets the required criteria as cited above, and detailed as follows:

Exception Criteria (per RZC 21.72.090(B))

1. *The exception is necessary because:*

- a. *There are special circumstances related to the size, shape, topography, location, or surroundings of the subject property; or*

Response:

Trees #19, #20 and #24

Tree #8	44.4" Western Red Cedar	Good Health
Tree #19;	51.7" Western Red Cedar	Good Health
Tree #20;	35.9" Douglas Fir	Good Health
Tree #24;	38.8" Douglas Fir	Good Health

The site generally slopes from the west to the east. This element of the topography requires that the detention facility be located along the eastern portion of the site. Trees #8, #19, #20 and #24 cannot be saved because of the required construction of the pond. These trees are located directly in areas where cuts and fills in excess of 4' are located.

Trees #58 and #59

Tree #58;	40.5" Douglass Fir	Good Health
Tree #59;	40" Douglas Fir	Good Health

The size and shape of the property lends itself to utilizing a main access road running east west parallel to NE 100th Street, right down the center of the property. Unfortunately construction of the road will require the removal of trees #58 and #59.

Trees #80, #82

Tree #80;	44.1" Western Red Cedar	Fair Health
Tree #82;	42.4" Douglas Fir	Good Health

Required construction related to the frontage improvement within NE 100th St will require that Trees #80 and #82 be removed. Canopy's for these trees are approximately 18 feet. These trees are located within 10' of the proposed ditch and sidewalk. Trenching in excess of 4' for the ditch and piped stormwater will be done within 10' as well.

Trees #21, #28, #29, #30, #60, #72, #75 & #77

Tree #21;	52.5" Western Red Cedar	Good Health
Tree #28;	38.3" Western Red Cedar	Good Health
Tree #29;	30" Douglas Fir	Fair Health
Tree #30;	32" Douglas Fir	Good Health
Tree #60;	Pacific Willow	Poor Health
Tree #72;	39" Douglas Fir	Fair Health
Tree #75;	30" Douglas Fir	Good Health
Tree #77;	34.2" Douglas Fir	Good Condition

Home sites and lots have been located in order to save a large stands of trees in the southwest corner of the site and the northeast corner. One landmark Tree, #69 may be impacted due to its large canopy. It is within the larger stand, is to be retained but impacted. Landmark Tree #72 will also be impacted due to a large canopy, even though development activity will not be done within 20' of the trunk. Two Landmark trees fall just outside the area where a large number of trees are to be saved. These two Landmark Trees fall directly in the building pad for Lot 14. These trees, #75 and #77 will require removal. In addition Lots 2 and 3 each have a Landmark Tree, #29 and #30, located in the building pad areas as well. We have tried to move the units as far forward towards the street as possible, but the expansive drip lines will not allow for them to be saved. We have been able to minimize the impacts to Landmark Tree #28, but it still will be impacted minimally. Construction of Unit 1 may be able to be done in order remove the impact, but at this time we anticipate a small amount of fill within 5' of the drip line.

It would appear that Landmark Tree #21 could be saved, but excavation work associated with the foundation of unit 1 is 10 feet into the 20' drip line. It is also anticipated that a few feet of fill will also be placed within 18 feet of the tree.

- b. *Strict compliance with the provisions of this code may jeopardize reasonable use of property; or*

Response:

Strict compliance with this provision would eliminate lots 1-3, 7, 9, and 13 and 14 outright. Required Stormwater detention facility relocation would eliminate and additional 3, lots 10-12. This would result in a total of 7 lots being proposed which is significantly below the project density allocation for properties within the RIN Zone. Properties in the RIN zone are allowed up to 6 dwelling units per acre. The resulting 7 lots would provide 2.6 dwelling units per acre. This approach would substantially jeopardize the reasonable use of the property.

- c. *Proposed vegetation removal, replacement, and any mitigating measures proposed are consistent with the purpose and intent of the regulations; or*

Response:

Removal of vegetation is consistent with the applicable guidelines, including retention of tree stands within Tracts B, and C. It should be noted that Tract B includes multiple stands of significant trees. All proposed trees to be retained will be done in accordance with the RZC. Tree replacement will also be in accordance with the RZC, and all replacement trees are to be placed on site. Replacement trees will be placed away from areas where damage is likely such as post development grading, and proximity to utilities, homes, and roads.

- d. *The granting of the exception or standard reduction will not be detrimental to the public welfare or injurious to other property in the vicinity; or*

Response:

The retention of the significant trees as shown in the Tree Preservation Plan, allows for as many trees as possible to be retained in stands which will provide protection for the trees as a group, whereas saving individual trees, by themselves can lead to increase for windfall. The exception will allow for replacement trees to be planted in areas where other stands exist and those that are planted in new stands. This will increase the protection for those existing trees over time, and allow for the replacement trees to root in a manner that allows for their long term health. The subject Landmark trees to be removed, if saved on its own, and by itself may actually pose a threat to the public welfare as single trees are more susceptible to wind damage.

- e. *The strict compliance with the provisions of this code would be in conflict with the increased density of urban centers and result in development that would be inconsistent with the adopted vision for the neighborhood.*

Response:

As previously stated strict compliance would substantially reduce the density below thresholds normally sought after within the UGA (4 du/acre), and also below substantially below the RIN zoning guidelines of 5 du/acre, and the vision for the Willows / Rose Hill neighborhood.. It would also hamper the City's effort to meet their mandated Growth Targets.

2. *If an exception is granted below the required minimum retention standard of 35 percent, tree replacement shall be at a minimum of three trees for each significant tree removed. Tree replacement ratios may be modified for master plans within urban centers to allow for 1:1 replacement when accompanied by a three-tier vegetative replacement plan The exception is necessary because:*

Response:

The project is also requesting an exemption to fall below the 35% tree retention requirement.

25% of the trees on the site are located where the storm water facilities need to be. Another 20% are removed for ROW Construction. In order to construct the site in accordance with City Design Standards, A portion of the site needs to be elevated to drain to the Pond. This required mass grading eliminates another 10% of the trees. In effect this removes more than half of the trees on the site from being potentially saved regardless of home site construction.

The majority of the remaining trees on site are located in the interior or central portions of the project. With lot sizes in the RIN zone averaging 4,000 sf. Typical lot dimensions would be 45'x90'. The driveway takes up 20' of depth, and the home takes up about 50' of depth. This results in a limited 20' back yard to save trees. In addition there is a 5' setback from all drip lines of trees to be saved further reducing the area to 15'. The average drip line for this site is 14'. This makes it nearly impossible to save any trees in the rear yards. You will note that we are not able to save a single tree in any rear yards.

While the proposal only provides for retention of 11% we are anticipating saving an additional 14 trees, that are designated as impacted, which would bring our percentage of saved trees up to 30%. This is about 1.5 trees per proposed lot. The applicant has strategically targeted areas to retain trees where long term viability and health could be supported. Based on the above factors the number of trees we are retaining is the best that can be done, while still developing the Site to its best potential.

In addition Tree Replacement has been provided in accordance with City code at a 3:1 ratio for Significant Trees removed beyond the required 35%, and 3:1 for Landmark Trees.

3. *Native Growth Protection Area (NGPA). Trees within an established Native Growth Protection Area shall not be removed, except when removal has its specified purpose:*

Response:

The proposed development does not have any NGPA areas where the specified criteria would apply.

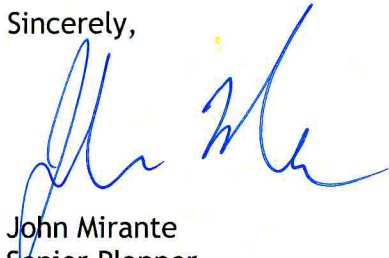
4. *Proposed tree removal, replacement, and any mitigation proposed are consistent with the purpose and intent of this section*

Response:

The proposed tree removal in conjunction with the replacement trees are in compliance with RZC 21.72 as demonstrated in the Arborists Report, the Tree Preservation Plan and the Landscape Plan.

Thank you for your consideration in this request. Please contact me if you have any questions or comments regarding this issue.

Sincerely,



John Mirante
Senior Planner
LDC Inc.