February 9, 2013

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

Subject: Kirkmond - Landmark Tree Exception

LDC File No.: 12-109 City File No.: DEV120050

Dear Ms. Johnson,

Pursuant to your review of the previously submitted materials for the Kirkmond project we are providing you with this request for Exception in order to remove 5 landmark trees within the project. The request for the removal of the landmark trees 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 #841, #844, #845, #890 and #899, as shown on the "Tree Preservation Plan." These trees are located directly within the proposed building pads for lots 14,15,40 and 41 and are therefore requested to be removed in order to develop the property. It is our objective to show that the exception request meets the required criteria as noted above.

## 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: The site has numerous trees, and 10 landmark trees spread throughout the site. The size and shape of the property lends itself to utilizing a main access road running north and south parallel to 134<sup>th</sup> Ave NE. the placement of the access road has been done to minimize impacts to trees, provide more than the required open space, save half of the landmark trees, and quit a few stands of significant trees. The applicant has reviewed many alternative layouts, structure alternatives and locations to accommodate the size and shape of the property, and save all the landmark trees, but has been unable to do so.

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 the retention of significant trees, and retention of tree stands within Tracts A,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 38.5% of significant trees as shown in the Tree Preservation Plan, allows for most trees to be retained in stands which will provided 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. 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.

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 proposed tree retention for the development is 38.5%, well above the 35% listed above.

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.