

## Memorandum

To: City of Mercer Island, O. George Constantine, Darrell Offe  
Site: 8817 SE 44<sup>th</sup> St., Mercer Island, WA 98040  
MI Project: #SUB20-004  
Re: Justification for Exceptional Tree Removal per MICC 19.10.060.A.3  
Date: Dec. 16, 2020  
Project Arborist: Joseph Sutton-Holcomb  
ISA Certified Arborist #PN-8397A  
ISA Qualified Tree Risk Assessor  
Referenced Documents: Arborist Report (Tree Solutions, dated 12.16.2020)  
Site Plan (Offe Engineers)  
Attached: Tree Inventory Worksheet

My Clients, O. George Constantine and Darrell Offe, have submitted an application to subdivide the lot at the address above (King County Parcel #759810-0191). To accommodate the development of two residential homes on two separate parcels, if the subdivision is approved by the city. For the purposes of this memo, Lot 1 refers to the proposed northern lot, and Lot 2 refers to the proposed southern lot.

In order to make the property developable, several trees are proposed to be removed to accommodate the new residential structures, access to said structures, and to facilitate the installation of essential utilities.

Mercer Island City Code (MICC) section 19.10.060.A.3 states the following:

*Development proposals specified under subsection (A)(1) of this section shall retain exceptional trees with a diameter of 24 inches or more. Exceptional trees with a diameter of 24 inches or more that are retained shall be credited towards compliance with the retention requirements of subsection (A)(2) of this section. Removal of exceptional trees with a diameter of 24 inches or more, shall be limited to the following circumstances:*

*a. Retention of an exceptional tree(s) with a diameter of 24 inches or more will result in an unavoidable hazardous situation; or*

*b. Retention of an exceptional tree(s) with a diameter of 24 inches or more will limit the constructable gross floor area to less than 85 percent of the maximum gross floor area allowed under Chapter 19.02 MICC; or,*

c. Retention of an exceptional tree(s) with a diameter of 24 inches or more will prevent creation of a residential lot through a subdivision or short subdivision that is otherwise allowed by this title.

As the code notes above, trees with a diameter of 24 inches or more shall be retained unless their removal is justified based on the conditions noted in subsections a, b, and c.

In order to subdivide and develop the site, my clients propose to remove 9 trees over 24 inches diameter. Each tree proposed for removal is listed below, along with justification in accordance with one of the three allowable reasons per the code.

Additionally, in accordance with MICC 19.10.060.A.2.a. at least 30% of all regulated trees need to be retained on this single lot. A tree inventory worksheet is attached to this memo to demonstrate that this project will satisfy that requirement. This inventory worksheet also has details regarding the size of trees proposed for removal and replacement tree calculations.

Tree proposed for removal: 406

Tree Description: 16.7" DSH *Arbutus menziesii* in good health and structural condition

Justification (per MICC 19.10.060.A.3): Subsection C. This tree is directly adjacent to a proposed utility line for stormwater that is required in order to develop the site. The impacts to the proposed tree would likely lead to its decline, as this species is extremely sensitive to disturbance.

Tree proposed for removal: 409

Tree Description: 29.7" DSH *Pinus Jeffreyi* in good health and structural condition

Justification (per MICC 19.10.060.A.3): Subsection b. This tree is located within the proposed footprint of the home on lot 2. Retention of this tree would not be possible without limiting the constructable gross floor area to less than 85 percent of the maximum gross floor area allowed.

Tree proposed for removal: 419

Tree Description: 35.1" DSH *Pseudotsuga menziesii* in good health and structural condition

Justification (per MICC 19.10.060.A.3): Subsection b. This tree needs to be removed to provide access to buildable area on the proposed Lot 2. Retention of this tree would make it impossible to create driveway access and would be seriously impacted by excavation necessary to build a residential home on the site.

Tree proposed for removal: 421

Tree Description: 31" DSH *Pseudotsuga menziesii* in good health and structural condition

Justification (per MICC 19.10.060.A.3): Subsection b. Required excavation for the proposed home and lot one, and disturbance for driveway access on lot 2 would impact this tree to the point where stability would be of concern.

Tree proposed for removal: 423

Tree Description: 25.1" DSH *Pseudotsuga menziesii* in good health and structural condition

Justification (per MICC 19.10.060.A.3): Subsection C and B. This tree would be impacted by the construction of the proposed home on lot 2, and by a required stormwater detention pipe placed to the west of the house. The combination of impacts could affect tree stability if the tree was retained.

Tree proposed for removal: 425

Tree Description: 24.9" DSH *Pseudotsuga menziesii* in good health and structural condition

Justification (per MICC 19.10.060.A.3): Subsection B. This tree is located within the proposed footprint of the home on lot 2. Retention of this tree would not be possible without limiting the constructable gross floor area to less than 85 percent of the maximum gross floor area allowed

Tree proposed for removal: 431

Tree Description: 26.3" DSH *Pseudotsuga menziesii* in good health and fair structural condition

Justification (per MICC 19.10.060.A.3): Subsection A. This tree is not directly adjacent to any proposed buildings or access roads, but will be within striking distance of the proposed new building on Lot 1. This tree was rated as in "fair" structural condition due to the presence of *Porodaedalea pini* conks on the trunk, a definite sign of internal decay. The tree also has dead branches in the crown and has previously lost its top, which is an additional structural defect. Given these defects, this tree is not an ideal candidate for retention during development and removal is requested to mitigate potential risks to the building proposed to be constructed on lot 1.

Tree proposed for removal: 434

Tree Description: 26.6" DSH *Pseudotsuga menziesii* in good health and structural condition

Justification (per MICC 19.10.060.A.3): Subsection B. This tree is located within the proposed footprint of the home on lot 2. Retention of this tree would not be possible without limiting the constructable gross floor area to less than 85 percent of the maximum gross floor area allowed

Tree proposed for removal: 435

Tree Description: 39" DSH *Pseudotsuga menziesii* in good health and structural condition

Justification (per MICC 19.10.060.A.3): Subsection B. This tree is located within the proposed footprint of the home on lot 2. Retention of this tree would not be possible without limiting the constructable gross floor area to less than 85 percent of the maximum gross floor area allowed

Tree proposed for removal: E

Tree Description: 25.3" DSH Pseudotsuga menziesii in good health and structural condition

Justification (per MICC 19.10.060.A.3): Subsection C. This tree is directly adjacent to the existing gravel driveway that will provide access to the parcels. Improvements are proposed to this road, including paving and widening. These improvements would impact very close to the trunk of the tree, to the point where structural roots would likely need to be severed and tree stability would be in question.

*Total trees inventoried on this parcel: 46*

*Total trees greater than 24" DSH requested for removal: 10*

*Total number of trees proposed for removal (See Tree Retention Worksheet for more information): 24*

*Percentage of trees retained: 48%*

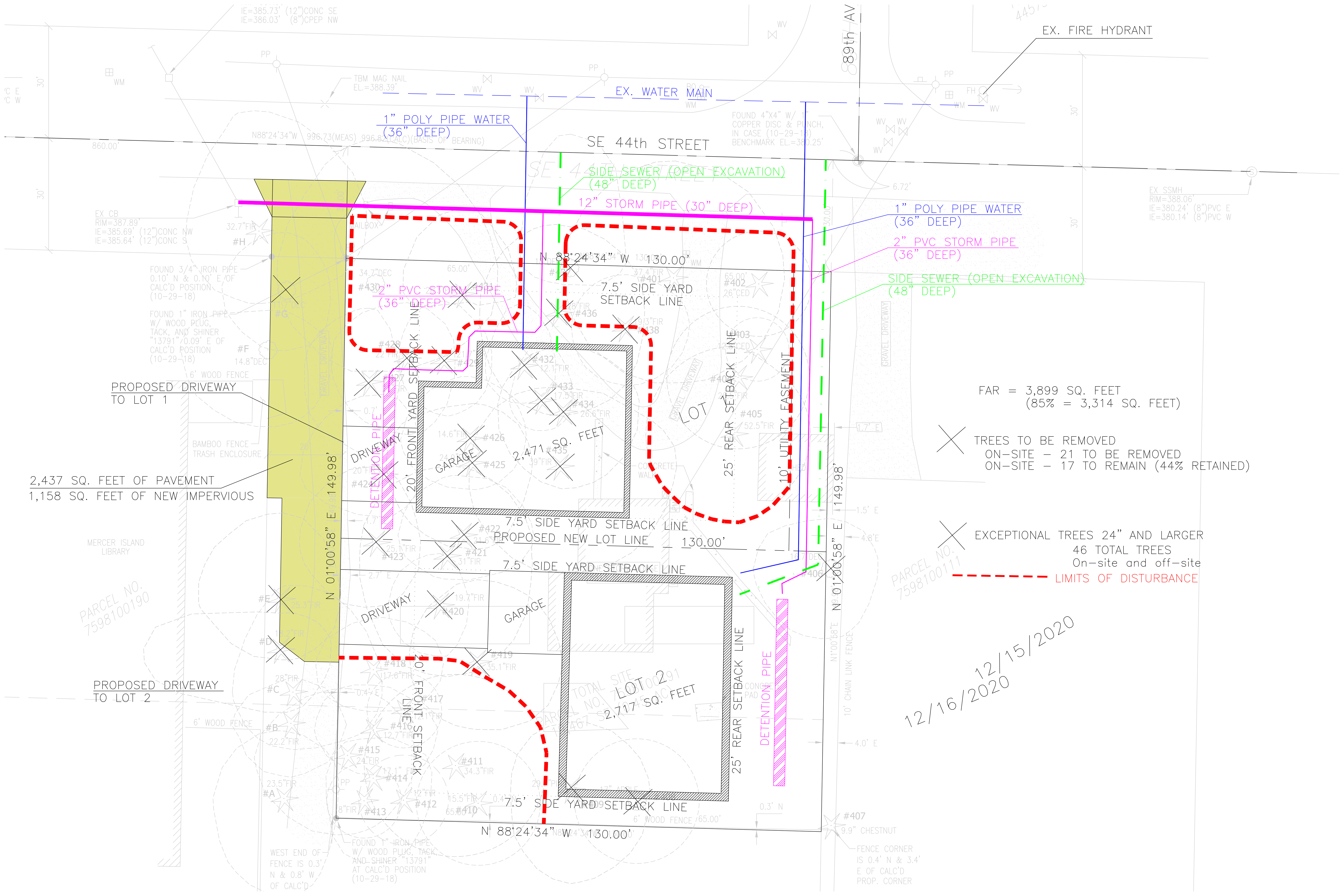
Respectfully submitted,

Joseph Sutton-Holcomb,  
Consulting Arborist

DRAFT

## Appendix A Assumptions & Limiting Conditions

- 1 Consultant assumes that the site and its use do not violate, and is in compliance with, all applicable codes, ordinances, statutes or regulations.
- 2 The consultant may provide a report or recommendation based on published municipal regulations. The consultant assumes that the municipal regulations published on the date of the report are current municipal regulations and assumes no obligation related to unpublished city regulation information.
- 3 Any report by the consultant and any values expressed therein represent the opinion of the consultant, and the consultant's fee is in no way contingent upon the reporting of a specific value, a stipulated result, the occurrence of a subsequent event, or upon any finding to be reported.
- 4 All photographs included in this report were taken by Tree Solutions, Inc. during the documented site visit, unless otherwise noted. Sketches, drawings and photographs (included in, and attached to, this report) are intended as visual aids and are not necessarily to scale. They should not be construed as engineering drawings, architectural reports or surveys. The reproduction of any information generated by architects, engineers or other consultants and any sketches, drawings or photographs is for the express purpose of coordination and ease of reference only. Inclusion of such information on any drawings or other documents does not constitute a representation by the consultant as to the sufficiency or accuracy of the information.
- 5 Unless otherwise agreed, (1) information contained in any report by consultant covers only the items examined and reflects the condition of those items at the time of inspection; and (2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, climbing, or coring.
- 6 These findings are based on the observations and opinions of the authoring arborist, and do not provide guarantees regarding the future performance, health, vigor, structural stability or safety of the plants described and assessed.
- 7 Measurements are subject to typical margins of error, considering the oval or asymmetrical cross-section of most trunks and canopies.
- 8 Tree Solutions did not review any reports or perform any tests related to the soil located on the subject property unless outlined in the scope of services. Tree Solutions staff are not and do not claim to be soils experts. An independent inventory and evaluation of the site's soil should be obtained by a qualified professional if an additional understanding of the site's characteristics is needed to make an informed decision.
- 9 Our assessments are made in conformity with acceptable evaluation/diagnostic reporting techniques and procedures, as recommended by the International Society of Arboriculture.



IE=385.73' (12") CONC SE  
IE=386.03' (8") CPEP NW

EX. FIRE HYDRANT

EX. WATER MAIN

1" POLY PIPE WATER  
(36" DEEP)

SE 44th STREET

SIDE SEWER (OPEN EXCAVATION)  
(48" DEEP)

12" STORM PIPE (30" DEEP)

1" POLY PIPE WATER  
(36" DEEP)

2" PVC STORM PIPE  
(36" DEEP)

SIDE SEWER (OPEN EXCAVATION)  
(48" DEEP)

EX SSMH  
RIM=388.06'  
IE=380.24' (8") PVC E  
IE=380.14' (8") PVC W

FAR = 3,899 SQ. FEET  
(85% = 3,314 SQ. FEET)

TREES TO BE REMOVED  
ON-SITE - 21 TO BE REMOVED  
ON-SITE - 17 TO REMAIN (44% RETAINED)

EXCEPTIONAL TREES 24" AND LARGER  
46 TOTAL TREES  
On-site and off-site  
LIMITS OF DISTURBANCE

PARCEL NO.  
7598100111

12/15/2020  
12/16/2020

2,437 SQ. FEET OF PAVEMENT  
1,158 SQ. FEET OF NEW IMPERVIOUS

PROPOSED DRIVEWAY  
TO LOT 2

PROPOSED DRIVEWAY  
TO LOT 1

MERCER ISLAND  
LIBRARY

PARCEL NO.  
7598100190

TOTAL SITE  
NO. 7020291  
2,717 SQ. FEET

FOUND 1" IRON PIPE  
W/ WOOD PLUG, TACK  
AND SHINER "13791"  
AT CALC'D POSITION  
(10-29-18)

#407  
9.9" CHESTNUT  
FENCE CORNER  
IS 0.4' N & 3.4'  
E OF CALC'D  
PROP. CORNER

FOUND 3/4" IRON PIPE  
0.10' N & 0.10' E OF  
CALC'D POSITION  
(10-29-18)

FOUND 1" IRON PIPE  
W/ WOOD PLUG,  
TACK, AND SHINER  
"13791" 0.09' E OF  
CALC'D POSITION  
(10-29-18)

WEST END OF  
FENCE IS 0.3'  
N & 0.8' W  
OF CALC'D

FOUND 1" IRON PIPE  
W/ WOOD PLUG, TACK  
AND SHINER "13791"  
AT CALC'D POSITION  
(10-29-18)

N 88°24'34" W 130.00'

N 01°00'58" E 149.98'

N 01°00'58" E 149.98'

PROPOSED NEW LOT LINE  
130.00'

7.5' SIDE YARD SETBACK LINE

7.5' SIDE YARD SETBACK LINE

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