

December 20, 2022

Andrew Leon, Planner  
City of Mercer Island  
Community Planning and Development  
9611 SE 36<sup>th</sup> Street  
Mercer Island, WA 98040

RE: Notice of Incomplete Application for File No. SUB22-008

With respect to your notice of incomplete application for file number SUB22-008 dated November 30<sup>th</sup>, 2022 we are submitting the below specific responses:

### ***Planning***

#### Review Comments,

*MICC 19.08.020(C)(3) states that complete applications for Preliminary Short Subdivisions must include a plat certificate (title report) dated not more than 30 days before the filing date of the application. The title report provided with the application is dated October 3, 2022, which is more than 30 days before the date of application (November 16, 2022). Please provide an updated title report dated no more than 30 days before the date of application.*

#### Response,

Attached is a copy of most recent Title Report issued within the last two weeks.

### ***Trees***

#### Review Comments,

*MICC 19.19.060(A)(2)(a) requires retention of 30% of trees on the site with a diameter of 10 inches or greater. Additionally, development must be designed to minimize tree removal. The project cannot be approved unless the tree retention requirements are met.*

#### Response,

Consistent with MICC 19.19.060(A)(2)(a) and utilizing Arborist Report dated April 20<sup>th</sup>, 2022 prepared by Thomas Hanson of ARBOR INFO LLC, we are attaching revised Tree Tables Plan C-2.1 and Trees Retention Plan C-3.0 for city review. These plans will show total of 69 trees surveyed by the project surveyor and referenced in the Arborist Report, out of the 69 existing trees there 26 trees that are considered unregulated trees with DBH < 10" and/or trees that are in poor conditions as referenced in the Arborist Report. This leaves total 43 viable existing trees which include regulated trees with DHB > 10" plus trees that are fair / good conditions.

The attached plan sheets will show total 32 trees proposed to be removed to make room for the construction of proposed 4 houses, proposed 4 individual driveways, proposed on-site access road, proposed water and sewer connections, and proposed on-site storm water retention / detention (R/D) system with associated storm conveyance system.

Out of 32 trees there are 8 trees that are unregulated with DBH < 10" and/or in poor conditions as referenced in the Arborist Report, leaving 24 viable trees to be removed, this means percentage of actual viable trees to be retained is  $43 - 24 = 19 \Rightarrow (19 / 43) \times 100 = 44.2\%$  exceeding the minimum 30% of required trees to be retained. Please refer to attached Civil Plans sheets C-2.1 and C-3.0, to attached Table – A (unregulated + poor conditions trees) and to Table – B (viable trees to be removed).

Additionally, consistent with the referenced Arborist Report, there are 14 existing trees with DBH of 24" and greater that are considered Exceptional Trees per MICC 19.10.070, out of which 5 trees will be retained a percentage of 30.8 %, please refer to attached Table – C and to attached Civil Plans for additional information and clarification.

To protect trees to be retained we proposed the specific techniques to be utilized during the construction of the proposed 4 lot short plat, these techniques include but not limited to:

1. Air Brush Shovel to locate the tree's root zones.
2. Installation of 6' tree protection fence around the tree's drip/root line.
3. Tunneling instead of trenching for utilities installation.
4. Hand excavation instead of machine excavation for proposed houses foundation.
5. Stump grinding instead of stump pulling.
6. Long tree branches will be trimmed just enough to accommodate permitted house height.
7. Routing of construction traffic away from retained tree root areas to prevent soils compaction.

Review Comments,

*The provided Tree Inventory Worksheet is incomplete. Please submit an updated [Tree Inventory Worksheet](#) that is fully filled out. Since the site is currently considered one lot, please submit one Tree Inventory Worksheet for the project.*

Response,

Please refer to attached completed Tree Inventory Worksheets, this sheet will show number of existing trees, number of trees to be cut, number of trees to be retained, and percentage of trees to be retained 44.2% consistent with MICC 19.19.060(A)(2)(a).

Review Comments,

*Replacement is required for any trees that are removed, as per the replacement ratios in MICC 19.10.070. It appears that most of the property is an exceptional grove. All exceptional trees must be replaced with six trees. At least half of the replacement trees need to be native to the Pacific Northwest (see the [Native Plant Guide for Western Washington Yards](#)). The replacement trees must be at least 10 feet apart from each other, structures, fences, and utilities. If you can demonstrate that no room exists on site for all required replacement trees, you can request that the remainder can be a fee in lieu. A tree watering plan must also be submitted to ensure that the trees survive long term.*

Response,

The attached completed Tree Inventory Worksheets will show number of required replacement trees which will be shown on construction plans and will be planted to maximum extent possible consistent with MICC 19.10.070.

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Review Comments,

*This site contains several exceptional trees. Any exceptional trees with trunk diameters over 24 inches must be retained and protected at arborist given protections zones unless their removal is justified under MICC 19.10.060(A)(3).*

Response,

The attached revised Civil Plans, the attached Table – C, and attached Tree Inventory Worksheets will show 14 existing exceptional trees with DBH > 24” as surveyed and referenced in the Arborist Report, and will show 5 exceptional trees to be retained, and required replacement trees which will be shown on construction plans and will be planted to maximum extent possible consistent with MICC 19.10.070.

We trust the above responses are sufficient to address the city review comments as requested, and in the meantime, please let us know if you have any questions or need additional information to complete and approved your review for the subject proposed 4 lot short plat application.

Sincerely,



Mazen Haidar, PE  
Pacific Land Engineering.

Attachment,

Cc: Jintao (Adison) Cui, Project Owner.

<b>Table - A</b>			
<b>Existing Unregulated Trees (less than 10" DBH)</b>			<b>Trees in Poor Conditions</b>
<b>Tag #</b>	<b>Tree #</b>	<b>DBH</b>	
762	7	7.5"	
881	38	7.1"	
885	40	7.5 "	
867	42	6.5"	
887	43	9.6"	
755	6	10"	X
991	57	6.4"	
1001	58	9.5"	X
1002	59	9.2"	X
1004	61	8.5"	X
1005	62	8.5"	
1007	64	8.5"	X
1008	65	6.1"	
837	17	8.4"	
964	44	5.0"	
965	45	7.2"	
966	46	5.0"	
891	48	6.8"	X
868	51	11.1"	X
890	47	10.3"	X
742	22	12.2"	X
836	16	17.5"	X
789	15	14.5"	X
778	11	11.9"	X
767	9	12.9"	X
763	8	12.1"	X
<b>Total = 26 Tree</b>			

**Table - B**

<b>Existing Vialbe Trees To Be Removed Regulated ( DBH &gt; 10") and in Fair / Good Condition</b>				
<b>Tag #</b>	<b>Tree #</b>	<b>DBH</b>	<b>Condition</b>	<b>Exceptinal</b>
604	25	19.6"	GOOD	
603	24	23.5"	GOOD	
628	26	38.6"	GOOD	X
631	35	31.6"	FAIR	X
633	34	25.1"	FAIR	X
634	33	28.1"	GOOD	X
632	36	19.4"	GOOD	
635	55	32.0"	GOOD	X
786	12	18.9"	FAIR	
787	13	19.5"	GOOD	
1010	67	15.6"	GOOD	
1006	63	25.2"	GOOD	X
851	21	21.2"	GOOD	
850	20	12.7"	GOOD	
849	19	19.6"	GOOD	
854	27	32.9"	GOOD	X
844	31	15.5"	GOOD	
847	29	10.4"	FAIR	
846	30	20.0"	GOOD	
855	28	39.1"	GOOD	X
856	32	28.3"	GOOD	X
865	37	17.6"	GOOD	
882	52	21.9"	GOOD	
898	54	13.9"	GOOD	
<b>Total Viable Trees to Be Removed = 24 Tree</b>				

**Table - C****Existing Exceptional Trees (DBH > 24")**

<b>Tag #</b>	<b>Tree #</b>	<b>DBH</b>	<b>Exceptional Trees To Remain</b>
571	4	41.5"	X
768	10	28.7"	X
628	26	38.6"	
854	27	32.9"	
855	28	39.1"	
856	32	28.3"	
634	33	28.1"	
633	34	25.1"	
631	35	31.6"	
833	50	26.1"	X
635	55	32.0"	X
637	56	36.9"	
1006	63	25.2"	
568	2	25.5"	X
<b>Total = 14 Tree</b>			<b>Total = 5 Tree</b>