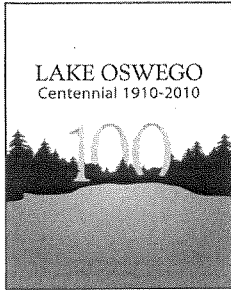


MEMORANDUM



TO: Development Review Commission (DRC)
FROM: Debra Andreades, Senior Planner
DATE: February 27, 2013
SUBJECT: LU 12-0042

On Friday February 22, 2013, the Staff Report for LU 12-0042 was issued with a recommendation of approval for construction of a new veterinary clinic on Douglas Way. As stated in the report, there are 12 trees on site and the applicant is requesting removal of 11 of those trees, for which a separate invasive tree removal permit was submitted (10 Hawthorne and one Norway maple). Although invasive trees require a permit, mitigation planting is not required.

On Friday February 22, 2013, the City's contract arborist visited the site to verify the invasive trees species, and found that the 10 Hawthorns on site are invasive species but the two maples were actually Sugar maples, not Norway maples, and therefore not invasive species. One of the maples (17.75" dbh) is proposed to be preserved and the other (19" dbh) is proposed to be removed. As of the date of the staff report, staff believed that both trees were invasive; therefore, there was no discussion of mitigation for the one maple tree. The Invasive Tree Removal Application is attached as Exhibit F-11.

Following is a discussion of the criteria for tree removal for the 19-inch Sugar maple, which needs a verification tree removal permit:

The removal is for development or landscaping purposes allowed pursuant to the City Code;

The maple tree proposed for removal is located in close proximity of the footprint of the proposed structure that would surround the tree roots on three sides with disturbance. This standard is met

The removal will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks;

The site is relatively flat; therefore, the removal of this tree will not affect erosion or soil stability. Although the tree is near other trees to be preserved in the vicinity the tree does not provide windbreak for these trees and its removal will not impact adjacent trees. Erosion and drainage issues have been adequately addressed by the proposed site and drainage plans, and will be further reviewed at the time of issuance of building permit.

The removal will not have a significant negative impact on the character, aesthetics, or property values of the neighborhood, except when alternatives to tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone; and

The site contains relatively few trees and the majority are invasive species (10 out of 12 trees). Of the two maples, one is over 18 inches in diameter, the maple with the most expansive canopy is being preserved (see photo, above). The



most significant tree in the vicinity is located off-site on the property to the west, a 22.5" Douglas fir. Therefore, staff finds that the proposed tree removal will not have significant negative impact on the neighborhood.

The removal is not for the sole purpose of providing or enhancing views.

The removal of the maple tree will not improve any view, and, as stated above, is being removed for development purposes.

Staff finds that the removal request for one maple tree complies with the applicable criteria and can be approved. The applicant should apply for a verification tree removal permit for one tree prior to approval of any building permits.

Mitigation

Mitigation shall require trees with a diameter of 5 caliper inches or greater which are removed be replaced with trees of the same or approved variety with a diameter no less than 3 caliper inches each, to equal or exceed the caliper inches of trees removed. Replacement planting shall increase the amount of tree canopy and the extent of tree grove area in excess of the amount lost through development.

The applicants are requesting the removal of one tree, a 19" maple. Per the LGVC standards cited above, mitigation must replace 19 caliper inches, or seven trees. The Landscape Plan (Exhibit E-24) shows 19 trees on site (not including street trees) that are 2" caliper at 54 inches above grade which is a sufficient number of trees. Because the trees are 2" caliper at 54 inches above grade, they may meet the 3-inch caliper required for mitigation at the industry-standard measurement, which is measured six inches above the root ball. Provided that the mitigation trees are at least 3" caliper measured 6 inches above and at least 2" diameter at 54 inches above grade, the landscaping trees and the mitigation trees can be used to satisfy both standards.

CONCLUSION

Staff concludes that the criteria for removal of one maple tree have been met with an additional condition of approval that the applicant apply for a verification tree removal permit, prior to issuance of the building permit. Staff recommends the following revised conditions of approval:

A. Prior to Issuance of any Building Permit, the Applicants/Owners Shall:

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9. Apply for and obtain a verification tree removal permit for one tree, (19" maple). Replacement trees shall consist of seven mitigation trees, measuring a minimum 3-inch caliper at six inches above grade.

B. Prior to any Construction Activity on the Site or in the Public Rights of Way, the Applicants/Owners Shall:

1. Comply with Conditions of Approval A(1)-(8 9), above.

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D. Prior to any Final Building Inspection or Occupancy of the Project, the Applicants/Owners Shall:

1. Install all landscaping as required by Conditions A(3) and (9), above, and as shown on Exhibit E-24.