

APPEAL OF PLANNING COMMISSION DECISION TO THE CITY COUNCIL

Today's Date: _____

Date of Planning Commission Decision: _____

Last day to file Appeal (ten days): _____

APPELLANT: _____

(Name)

(Address)

(City, State, Zip)

(Telephone)

APPEAL: _____

(Case Number and Project Name)

(Property Address)

FEE: ~~\$362.00~~ ~~\$420.00~~ (effective 7/1/15) per appeal (project)

PAID BY: _____ check/number _____ Cash _____ Money Order

HAND DELIVERED: _____ MAILED: _____

STATE REASON FOR FILING THIS APPEAL: _____

Ttamps Petera Campos
Print Your Name

[Signature]
Signature

Staff:

SCAN AND E-MAIL TO: Esther Gilliland, Lori Asuncion, Karen Costa, Christian Clegg, Florence Low, David Kwong, Richard Larrouy, Thomas Pace, David Stagnaro, and Sylvia Sandoval **AND CC TO:** Bonnie Paige, Geoff Aspiras, and Eliza Garza.

JUN 15 2016

APPEAL OF PLANNING COMMISSION DECISION TO THE CITY COUNCIL

Today's Date: 15 June 2016 Date of Planning Commission Decision: 16 June 2016

Last day to file Appeal (ten days): 15 June 2016

APPELLANT: GARY MARIANI / MARIANI CONSTRUCTION COMPANY
(Name)
5650 WEST 15TH STREET
(Address)
TRACY, CA 95304
(City, State, Zip)
(209) 406-4040 or (209) 470-8880
(Telephone) (property owner's No.)

APPEAL:

(Case Number and Project Name)

1421 NORTH HUNTER STREET, STOCKTON, CA.
(Property Address) 95202

FEE: \$362.00 ~~\$420.00 (effective 7/1/15) per appeal (project)~~ See attached fee schedule.

PAID BY: _____ check/number _____ Cash _____ Money Order

HAND DELIVERED: _____ MAILED: _____

STATE REASON FOR FILING THIS APPEAL: TREE IS NOT HEALTHY
AND IS IN A POSITION TO BE BOTH A
HAZARD TO THE OCCUPANTS AND VISITORS,
but also to the structure itself,
especially the roof.

Old trees (Valley Oak) are known
to be unpredictable in the dropping of
limbs.

THOMAS PETER CAMARON
Print Your Name Property owner

Signature [Signature]

Staff:

SCAN AND E-MAIL TO: Esther Gilliland, Lori Asuncion, Karen Costa, Christian Clegg, Florence Low, David Kwong, Richard Larrouy, Thomas Pace, David Stagnaro, and Sylvia Sandoval **AND CC TO:** Bonnie Paige, Geoff Aspiras, and Eliza Garza.

Public Works

Heritage Oak Tree Permit

(209) 937-8206/8220

FY 2015-16 Adopted Fee Schedule

<i>Account #</i>	<i>Effective Date</i>	<i>Description</i>	<i>Amount</i>
010-3071-329.11-00	7/1/2015	Removal Administration Fee, permit for removal	\$62.25
010-3071-329.11-00	7/1/2015	The Record Notice Fee	\$107.00
010-3071-329.11-00	7/1/2015	Independent Arborist Report	\$80.25
010-3071-329.11-00	7/1/2015	Appeal to City Council of Permit Denial	\$362.00



CITY OF STOCKTON

JUN 15 2016

COMMUNITY DEVELOPMENT DEPARTMENT

Permit Center • 345 N. El Dorado Street • Stockton, CA 95202-1997 • 209 / 937-8266 • Fax 209 / 937-8893
www.stocktongov.com/cdd

June 6, 2016

Gary Mariani
Mariani Construction Co.
5650 W. 11th Street
Tracy, CA 95304

**NOTICE OF DECISION REGARDING HERITAGE TREE PERMIT HEARING FOR
1417 N. HUNTER STREET, STOCKTON, CA**

Dear Mr. Mariani:

As you know, I have been delegated by the Director of Community Development the responsibility to conduct the hearing for your application requesting removal of two heritage oak trees at 1417 N. Hunter Street. The hearing was conducted on June 6, 2016 at 1:00 P.M. At the hearing, I heard your request, including the concerns you mentioned about safety and potential loss of tree limbs, interference with overhead utilities, and potential damage to the office building on the site; heard from Public Works staff; reviewed the arborist's report; and heard from members of the community

After considering the testimony of all who attended the hearing today and reviewing the written materials provided to me, I have decided to deny issuance of the heritage tree permit. As a result, the heritage trees shall not be removed.

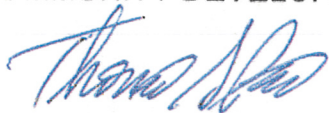
This decision is based on the factors listed in Stockton Municipal Code, Section 16.130.030.C.1, including:

- a. The healthy condition of the trees, as indicated in the arborist's report, the lack of information indicating any hazardous conditions, and the recommendation of the arborist to properly maintain the trees in order to preserve their condition.
- b. The lack of necessity to remove the trees in order to construct any proposed improvements.
- c. The lack of unique topographical conditions on the site.
- d. The number of recent tree removals in the neighborhood and the concerns expressed by community members about continued tree loss.

This decision may be appealed to the City Council by filing an appeal with the City Clerk within ten days of this decision in compliance with Chapter 16.100 of the Stockton Municipal Code.

If you have any questions regarding this matter, please contact Victor Machado at (209) 937-8899 or by email at Victor.Machado@stocktonca.gov.

DAVID W. KWONG, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT



THOMAS S. PACE
DEPUTY DIRECTOR, PLANNING & ENGINEERING

EMC: Victor Machado, Parks Manager
David Kwong, Director of Community Development
Bonnie Paige, City Clerk