

TREE REMOVAL PERMIT

FILE NO.	PDA10-008-01
LOCATION OF PROPERTY	555 Bailey Avenue
ZONING DISTRICT	IP(PD) Planned Development
ENVIRONMENTAL STATUS	Exempt
OWNER/ADDRESS	International Business Machines Corp

After investigation and hearing held pursuant to Chapter 13.32 of the San José Municipal Code, the Director of City Planning finds:

1. **That the condition of the trees with respect to disease, danger of falling, proximity to an existing or proposed structure, and/or interference with utility services, is such that preservation of the public health or safety requires their removal in that the trees have been determined to be a hazard by a qualified arborist requiring immediate removal.**

Based upon the above-stated finding, the Director of Planning **approves** the subject **Tree Removal Permit to allow the removal of one (1) ordinance-size Cottonwood tree, approximately 63-inches in circumference; and (5) non-ordinance size trees, including three (3) Blue Gum Eucalyptus trees and two (2) Callery Pear trees, located at an existing research and development facility on a 1,180 gross acre site** subject to the following conditions:

1. **Replacement Tree.** Within 30 days of the Valid Date of this Permit, the applicant shall replace the trees removed with **ten (10)** 15-gallon trees planted on the same property as the trees that were removed. The replacement trees may be street trees planted in the public right-of-way along the project frontage, if street trees do not currently exist. (Contact the City Arborist at 408-794-1901 or arborist@sanjoseca.gov for the designated street trees). Alternatively, the replacement tree requirement for up to five (5) trees may be satisfied by donation of \$300.00 per replacement tree to the "Our City Forest" non-profit organization, (408) 998-7337 or www.ourcityforest.org. The applicant shall provide appropriate evidence such as, but not limited to, photographs and/or receipts to the Planning Project Manager, to verify compliance with the mitigation requirements. Such evidence should be labeled **PDA10-008-01** and sent to the Planning Project Manager, within 30 days of the replacement of the subject tree. If the applicant chooses to donate to "Our City Forest" for the offsite tree planting, a receipt (labeled **PDA10-008-01**) shall be provided to the Planning Project Manager within 30 days of the Valid Date of this Permit.

The Director's decision may be appealed to the Planning Commission by submitting a completed Notice of Appeal on the form available in the Department of City Planning and Building and a \$2,232.00 fee. The appeal must be delivered in person and received on or before **5:00 p.m., May 07, 2012**.

If the Director's decision is not appealed, this Permit may be executed the day following this appeal period. A copy of the Validated Permit will be mailed to you, and available in the Planning Department located on the 3rd Floor Tower of City Hall. If the decision is appealed, your Project Manager will notify you; you may not execute the Permit until after the Planning Commission makes a decision on the appeal.

APPROVED and issued by the Director of Planning on this day, **April 27, 2012**.

JOSEPH HORWEDEL, DIRECTOR
Planning, Building and Code Enforcement

Deputy

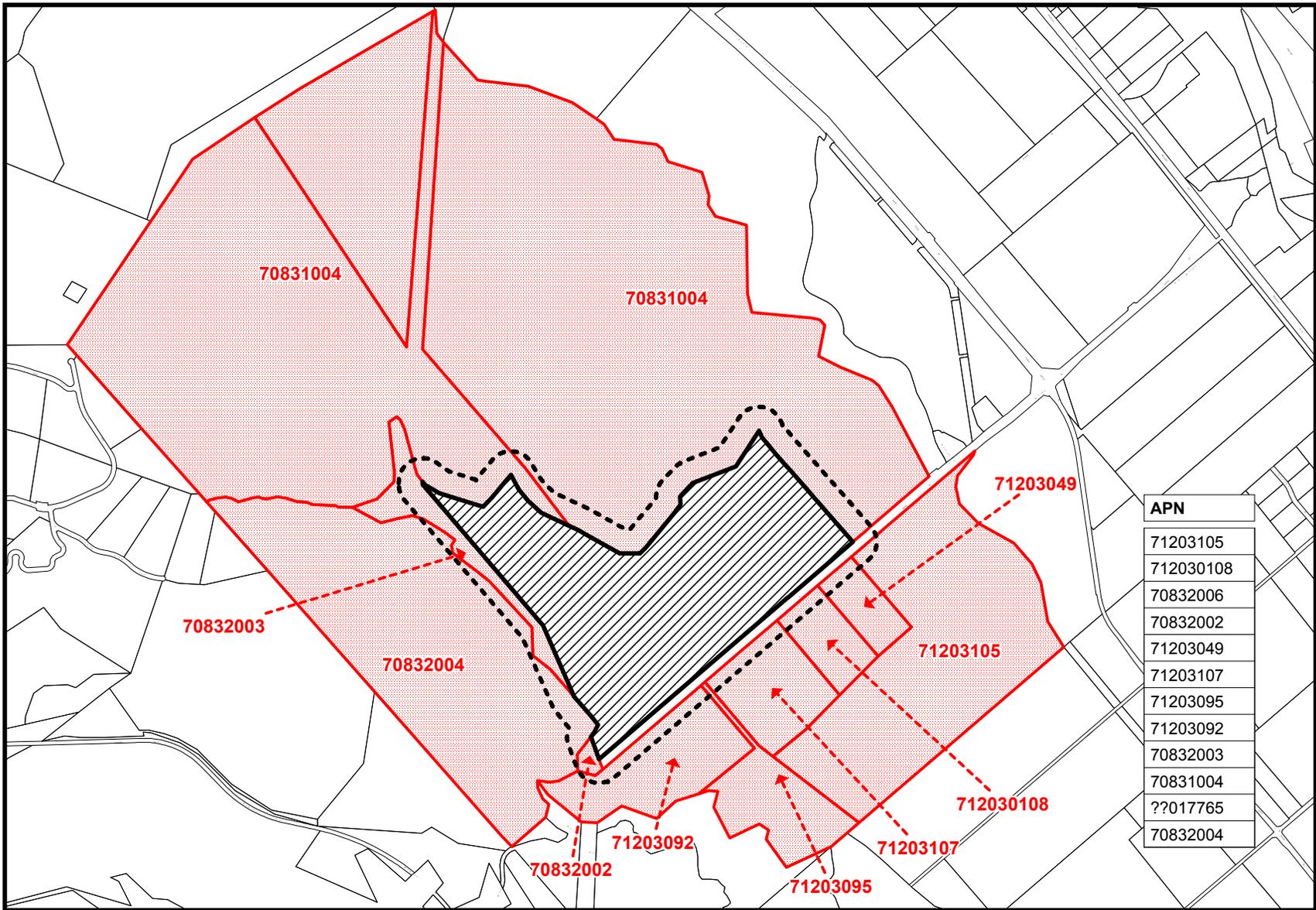
PLEASE NOTE: Permit not valid for tree removal until after
May 07, 2012 and until countersigned below:

PERMIT VALID ON _____.

JOSEPH HORWEDEL, DIRECTOR
Planning, Building and Code Enforcement

Deputy

cc: **Kevin Ventura, Bartlett Tree Experts, 15015 Los Gatos Boulevard, Los Gatos, CA 95032**



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File No: PDA10-008-01

District: 2

NOTICING RADIUS: 300 FEET



CAPITAL OF SILICON VALLEY
 Prepared by the Department of Planning,
 Building, and Code Enforcement
 Date: 1/09/12