

PLANNING COMMISSION CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. PC-2016-03

RESOLUTION APPROVING A CONDITIONAL USE PERMIT AND ADMINISTRATIVE DESIGN REVIEW FOR PATRICIA RUVALCABA, PJR DESIGN ASSOCIATES, AS FILED UNDER CASES P15-0748 AND P16-0222

WHEREAS, Patricia Ruvalcaba, PJR Design Associates, has applied for Conditional Use Permit and Administrative Design Review approval to establish development standards and construct an approximately 380-square-foot covered front porch and an approximately 411-square-foot single-story rear addition to the existing residence located at 455 Sycamore Road; and

WHEREAS, zoning for the property is PUD-MDR (Planned Unit Development – Medium Density Residential) District; and

WHEREAS, at its duly noticed public hearing of March 9, 2016, the Planning Commission considered all public testimony, relevant exhibits, and recommendations of the City staff concerning this application; and

WHEREAS, projects of this nature are categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Existing Facilities, Class 1; and

WHEREAS, the Planning Commission made the following findings:

1. The proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purpose of the district in which the site is located.

The request for the addition and covered front porch conforms to the purpose and objectives of the Zoning Ordinance and NSSP. As proposed, the project conforms to the applicable R-1-40,000 Zoning District and NSSP development standards and guidelines. Therefore, this finding can be made.

2. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity.

The project as conditioned would not be detrimental to the public health, safety, and general welfare, or materially injurious to properties or improvements in the vicinity. The project, which involves the expansion of an existing residential use, has been reviewed by other City Departments/Divisions and appropriate conditions of approval have been added to address any comments. The proposal would not negatively impact properties in the immediate vicinity of the site. Therefore, this finding can be made.

3. The proposed conditional use will comply with each of the applicable provisions of the zoning ordinance.

The proposed addition and covered front porch conform to the applicable R-1-40,000 Zoning District standards and are consistent with the applicable NSSP standards and guidelines. It is acceptable for the proposed project to follow the 25-foot minimum rear yard setback suggested by the NSSP. The conditional use will comply with each of the applicable standards of the Zoning Code and therefore this finding can be made.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF PLEASANTON RESOLVES THE FOLLOWING:

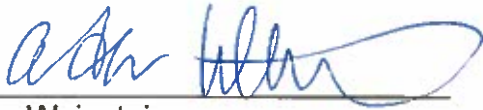
Section 1. Approves Cases P15-0748 and P16-0222, the application of Patricia Ruvalcaba, PJR Design Associates, for Conditional Use Permit and Administrative Design Review approval to establish development standards and construct an approximately 380-square-foot covered front porch and an approximately 411-square-foot single-story rear addition to the existing residence located at 455 Sycamore Road, subject to the Conditions of Approval shown in Exhibit A, attached hereto and made part of this case by reference.

Section 2. This resolution shall become effective 15 days after its passage and adoption unless appealed prior to that time.

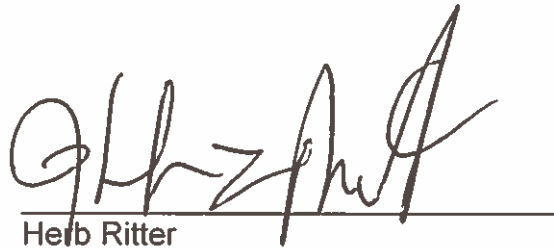
THIS RESOLUTION ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF PLEASANTON ON THE 9<sup>TH</sup> DAY OF MARCH 2016 BY THE FOLLOWING VOTE:

AYES: Commissioners Allen, Balch, Nagler, O'Connor, and Ritter  
NOES: None  
ABSTAIN: None  
RECUSED: None  
ABSENT: None

ATTEST:

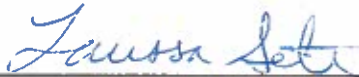


Adam Weinstein  
Secretary, Planning Commission



Herb Ritter  
Chair

APPROVED AS TO FORM:



Larissa Seto  
Assistant City Attorney

**EXHIBIT A  
CONDITIONS OF APPROVAL**

**P15-0748/P16-0222, PJR Design Associates  
455 Sycamore Road  
March 9, 2016**

**PROJECT SPECIFIC CONDITIONS OF APPROVAL**

**Planning Division**

1. The proposed single-story addition and covered front porch shall conform substantially to the site plan, floor plan, and elevations, Exhibit B, marked "Received February 17, 2016", on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Zoning Administrator if found to be in substantial conformance to the approved exhibits.
2. The colors and materials of the addition and covered front porch shall match those of the existing residence.
3. The applicant shall obtain all applicable City permits for the project prior to the commencement of any construction.
4. All exterior lighting for the subject project shall be of low intensity, directed downward and shielded in order to minimize its visibility from off-site. Outdoor lighting shall also not glare onto adjacent properties or streets. The exterior fixtures shall be compatible with the architectural style of the home. The type and location of light fixtures shall be subject to the review and approval of the Director of Community Development prior to building permit issuance.
5. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment, or coordination, etc., shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. No construction shall be allowed on State or Federal Holidays or Saturdays and Sundays. The Director of Community Development may allow earlier "start-times" or later "stop-times" for specific construction activities (e.g., concrete pouring), if it can be demonstrated to the satisfaction of the Director of Community Development that the construction noise and construction traffic noise will not affect nearby residents or businesses. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the applicant shall post on the site the allowable hours of construction activity.
6. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.

7. Portable toilets used during construction shall be kept as far as possible from existing residences and shall be emptied on a regular basis as necessary to prevent odor.
8. The building permit plan check sets shall show the dripline of the existing tree to the east of the addition.
9. The applicant shall post cash, letter of credit, or other security satisfactory to the Director of Community Development in the amount of \$5,000 for the existing tree required to be preserved. This cash bond or security shall be retained for one year following completion of construction, and shall be forfeited if the tree is destroyed or substantially damaged.
10. Prior to issuance of a grading or building permit, the project contractor shall install a temporary six foot tall chain-link fence (or other fence type acceptable to the Director of Community Development) outside of the drip line of the existing tree to the east of the addition. The fencing shall remain in place until final landscape inspection by the Community Development Department. Removal of such fencing prior to that time may result in a "stop work order."
11. The following statements shall be printed onto the site, grading, and landscape plans where applicable to the satisfaction of the Director of Community Development prior to issuance of a building permit:
  - a. No existing tree may be trimmed or pruned without prior approval by the Director of Community Development.
  - b. No equipment may be stored within or beneath the driplines of the existing trees.
  - c. No oil, gasoline, chemicals, or other harmful materials shall be deposited or disposed within the dripline of the trees or in drainage channels, swales, or areas that may lead to the dripline.
  - d. No stockpiling/storage of fill, etc., shall take place underneath or within five feet of the dripline of the existing trees.

## **STANDARD CONDITIONS**

### **Community Development Department**

12. The applicant shall pay all fees to which the use may be subject to prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
13. To the extent permitted by law, the project applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against

any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

### **Planning**

14. All conditions of approval for this case shall be reprinted and included as a plan sheet(s) with the building permit plan check sets submitted for review and approval. At all times, these conditions of approval shall be on all grading and construction plans kept on the project site.
15. Planning Division approval is required before any changes are implemented in site design, grading, house design, house colors or materials, etc.
16. This Conditional Use Permit and Administrative Design Review approval will lapse one year from the effective date of approval, unless a building permit has been issued and construction has commenced and is diligently pursued toward completion, or unless an extension has been approved by the City.
17. The building permit plan check package will be accepted for submittal only after completion of the 15-day appeal period, measured from the date of the approval letter, unless the project developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the approval is overturned on appeal, or that the design is significantly changed as a result of the appeal. In no case will a building permit be issued prior to the expiration of the 15-day time-period.

**[END]**