

PLANNING COMMISSION CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. PC-2016-15

RESOLUTION APPROVING A DESIGN REVIEW FOR
TIM AND CATHY SWAIN, ON BEHALF OF ROBERT WENTWORTH, AS FILED
UNDER CASE P16-0863

WHEREAS, Tim and Cathy Swain, on behalf of Robert Wentworth, has applied for Design Review approval to construct an approximately 1,200-square-foot single-story home with an attached 764-square-foot garage and 565-square-foot storage area at 1101 Sleepy Head Lane (formerly 1157 Sleepy Head Lane); and

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

WHEREAS, at its duly noticed public hearing of May 25, 2016, the Planning Commission considered all public testimony, relevant exhibits, and recommendations of the City staff concerning this application; and

WHEREAS, this project is categorically exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15182, Residential Projects Pursuant to a Specific Plan; and

WHEREAS, the Planning Commission determined that the proposed project is consistent with the appearance of the existing buildings in the area.

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

Section 1. Approves Case P16-0863, the application of Tim and Cathy Swain, on behalf of Robert Wentworth, for Design Review approval to construct an approximately 1,200-square-foot single-story home with an attached 764-square-foot garage and 565-square-foot storage area at 1101 Sleepy Head Lane (formerly 1157 Sleepy Head Lane), subject to the conditions 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.

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THIS RESOLUTION ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF PLEASANTON ON THE 25TH DAY OF May 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:



Dan Sodergren
City Attorney

**EXHIBIT A
CONDITIONS OF APPROVAL**

**P16-0863
1101 Sleepy Head Lane, Swain Residence
May 25, 2016**

PROJECT SPECIFIC CONDITIONS OF APPROVAL

Planning Division

1. The proposed development, including final color, roofing and material samples, shall be in substantial conformance to Exhibit B, dated "May 12, 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 Director of Community Development if found to be in substantial conformance to approved exhibits.
2. No building permit shall be issued prior to recordation of Parcel Map 10390.
3. Prior to issuance of a building permit, the applicant shall submit a growth management application for Zoning Administrator review and action. The growth management approval shall be granted prior to issuance of a building permit.
4. The residence shall be constructed to allow for the future installation of a photovoltaic system and a solar-water-heating system. The applicant or building developer shall comply with the following requirements to make the residence photovoltaic- and solar-water-heating-ready:
 - a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the building's main electrical panels;
 - b. An area shall be provided near the electrical panel for the installation of an "inverter" required to convert the direct current output from the photovoltaic panels to alternating current;
 - c. Engineer the roof trusses to handle an additional load as determined by a structural engineer to accommodate the additional weight of a photovoltaic and solar water heating system beyond that anticipated for roofing;
 - d. Plumbing shall be installed for solar-water heating; and
 - e. Space shall be provided for a solar-heating tank.

These measures shall be shown on the building permit plan set submitted to the Director of Community Development for review and approval before issuance of the first building permit.

5. The applicant/building developer shall provide a fencing plan with design details with the building permit submittal. The fence type and height shall conform to the PUD guidelines.

6. The dwelling unit covered by this approval shall be constructed to encourage telecommuting by providing telecommunications infrastructure such as cabling for DSL service, wiring for total room access, etc. The applicant/building developer shall show the infrastructure on the building permit plan set prior to issuance of a building permit.
7. The applicant/building developer shall submit a building pad elevation certification and foundation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building Official, certifying that the pad elevations and building locations (setbacks) conform to the approved plans, prior to receiving a foundation inspection for the structure.
8. Only recycled water shall be used on the site during the grading and construction periods, and this specification shall be included on all grading plans and other construction documents.
9. All exterior lighting including landscape lighting shall be directed downward and designed or shielded so as to not shine onto neighboring properties. The project/building developer shall submit a final lighting plan, and include drawings and/or manufacturer's specification sheets showing the size and types of light fixtures proposed for the exterior of the buildings.

Landscape

10. Plans submitted for plan check shall replace the majority of the redwood trees with native, drought-tolerant trees. Plans shall also include an additional ten native trees throughout the property. Final tree species and location shall be submitted for review and approval of the City Landscape Architect prior to issuance of building permits and a minimum of 30% of the trees shall be a minimum 24-inch box size.
11. The project applicant shall submit a final landscape and irrigation plan for the entire site with the building permit plan set to the Planning Division for review and approval before installation. Said landscape plan shall be detailed in terms of species, location, size, quantities, and spacing. Plant species shall be of drought tolerant nature with an irrigation system that maximizes water conservation (e.g. drip system).
12. The project shall comply with the State of California Model Water Efficient Landscape Ordinance and Bay Friendly Basics Landscape Checklist. Prior to issuance of a Building Permit, the applicant shall submit the following documentation to the Planning Division:
 - a. Landscape Documentation Package, which includes date; project applicant/contact information; project address; total landscape area; project type (new, rehabilitated, public, private, cemetery, homeowner-installed); water supply type (potable, recycled, well, greywater, combination of potable/greywater); Water Efficient Landscape Worksheet; Soil Management Report; Landscape Design Plan; Irrigation Design Plan [if permanent irrigation is proposed]; Grading Design Plan; and applicant signature/date with the statement that "I agree to comply with the requirements of the Water Efficient Landscape Ordinance."
 - b. Certificate of Completion prior to occupancy of the home.

STANDARD CONDITIONS

Planning Division

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, 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 attorney's 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.
14. The design review approval shall lapse one year from the effective date of this approval unless a building permit is obtained and construction diligently pursued, or the City has approved a time extension.
15. The applicant shall work with the Pleasanton Unified School District (PUSD) to develop a program to offset this project's long term effect on school facility needs in Pleasanton in addition to the school impact fees required by State law. This program shall be designed to fund school facilities necessary to offset this project's reasonably related effect on the long-term need for expanded school facilities. The method and manner for the provision of these funds and/or facilities shall be approved by the PUSD and in place prior to building permit issuance. Written proof of compliance with this condition shall be provided by Applicant to the City, on a form generated by the PUSD, prior to building permit issuance.
16. 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, Saturdays, or Sundays. The Director of Community Development may allow earlier "start times" or later "stop times" for specific construction activities, e.g., concrete pouring. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the hours of construction shall be posted on site.
17. All Heating, Ventilation, and Air Conditioning (HVAC) condensing units shall be located on the plans.
18. All conditions of approval shall be attached to all permit plan sets submitted for review and approval, whether stapled to the plans or located on a separate plan sheet.
19. Prior to occupancy, the landscape architect or landscape designer shall certify in writing to the Director of Community Development that the landscaping within the front yard has been installed in accordance with the approved landscape and irrigation plans with respect to size, number, and species of plants and overall design concept. Within nine months of occupancy, the landscape architect or landscape designer shall certify in writing to the Director of Community Development that the landscaping within the side and rear yards has been installed in accordance with the approved landscape and irrigation plans.

20. Planning Division approval is required before any changes are implemented in site design, grading, house design, house colors or materials, green building measures, landscape material, etc.
21. The developer and future homeowners are encouraged to use best management practices for the use of pesticides and herbicides.
22. The project developer must provide to the Director of Community Development a building height certification performed by a licensed land surveyor or civil engineer. Said certification must allow for the installation of finished roof materials and must meet the approved building height.
23. The approved building materials and colors shall be stated on the plans submitted for issuance of building permits.
24. Campers, trailers, motor homes, or any other similar vehicle are not allowed on the construction site except when needed as sleeping quarters for a security guard.
25. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
26. 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.
27. The applicant and future homeowner are encouraged to use reclaimed gray water, rain water, etc., for landscape irrigation. If used, the details shall be shown on the permit plan set to the satisfaction of the Director of Community Development before issuance of a building permit.
28. All fireplaces shall be a gas fireplace, pellet fueled wood heater, or EPA certified wood-burning appliance. The fireplace type shall be indicated on the floor plan and/or specification sheet(s) submitted for issuance of building permits.

Engineering Department

29. The project applicant shall arrange and pay for the geotechnical consultant to inspect and approve all foundation, retaining, and wall and drainage geotechnical aspects of project construction. The consultant shall be present on site during grading and excavation operations. The results of the inspections and the as-built conditions of the project shall be certified in writing by the geotechnical consultant for conformance to the approved plans and geotechnical report and submitted to the City Engineer for review and approval prior to occupancy.
30. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of a permit.
31. Any damage to existing street improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the project developer. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.

32. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve the project.
33. The project developer and/or the project developer's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.
34. All dry utilities (electric power distribution, gas distribution, communication service, Cable television, street lights and any required alarm systems) required to serve existing or new development shall be installed in conduit, underground in a joint utility trench unless otherwise specifically approved by the City Engineer.
35. The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and drainage control measures, including concrete-lined V-ditches, to protect all cut and fill slopes from surface water overflow. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of a grading permit.

Building Division

36. Prior to issuance of building or demolition permits, the applicant/building shall submit a waste management plan to the Building and Safety Division. The plan shall include the estimated composition and quantities of waste to be generated and indicate how the project developer intends to recycle at least 75 percent of the total job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance of a final building permit. During demolition and construction, the applicant/ building developer shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only." The project developer shall contact Pleasanton Garbage Service for the disposal of all waste from the site.
37. At the time of building permit plan submittal, the project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures to prevent stormwater runoff onto adjoining properties.

Landscaping

38. The applicant/building developer shall provide root control barriers and four inch perforated pipes for trees near driveways and street, and trees in planting areas less than ten feet in width, as determined necessary by the Director of Community Development at the time of review of the final landscape plans.
39. The current \$25,000 tree bond submitted to the City for tree preservation as part of improvements associated with Parcel Map 10390, shall be retained by the City for one year following acceptance of public improvements or completion of construction associated with Parcel Map 10390 or this applications (P16-0863), whichever is completed later, and shall be forfeited if the trees are destroyed or substantially damaged.
40. For purposes of erosion control, the applicant/building developer shall plant a hydroseed mixture that has been designed by the project Landscape Architect. The hydroseed mixture shall be specified on the building permit plans for review and approval by the Director of

Community Development and shall be maintained by the applicant/developer until the site areas are landscaped.

41. Prior to issuance of a grading or building permit, the project developer shall install a temporary six foot tall chain-link fence (or other fence type acceptable to the Director of Community Development) outside of the existing tree drip lines. 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."
42. The following statements shall be printed on to 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 Community Development Director.
 - 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.

Fire Department

43. All construction shall conform to the requirements of the 2013 California Fire Code; City of Pleasanton Ordinance No. 2083. All required permits shall be obtained prior to work commencement.
44. Automatic fire sprinklers shall be installed in all new buildings in accordance with the 2013 California Building, Fire and Residential Codes; and City of Pleasanton Ordinance No. 2083. Installations shall conform to NFPA Pamphlet 13D with local amendments.
45. The Fire Prevention Bureau reviews building/civil drawings for conceptual on-site fire mains and fire hydrant locations only. Plan check comments and approvals DO NOT INCLUDE:
 - a. Installation of the required building sprinklers in accordance with NFPA 13D.
 - b. Specific installation drawings submitted by the licensed fire protection contractor shall be submitted to the Fire Prevention Bureau for approval.
46. The following items will be provided prior to any construction above the foundation or slab:
 - a. Emergency vehicle access shall be maintained to the site or tract, including the area where construction is occurring. If Public Works Improvements are part of the project to access the site, an emergency vehicle access plan shall be submitted for review and approval.

- b. Designated construction material storage and construction worker parking shall not obstruct the emergency vehicle access route(s).
 - c. Where a project is phased as part of the development approved by the City, specific access, water supply and fire hydrant installations will be required as part of each phase. As needed a phasing plan with these improvements will be required.
47. Address numbers shall be installed on the front or primary entrance for all buildings. Minimum building address character size shall be minimum 4" high. by 1/2" stroke. If building is setback from primary access 50 feet or greater, address size shall be increased for visibility and in accordance with Livermore-Pleasanton Standard Operating Procedures – Premises Identification Standards. Where multiple access is provided, address or tenant space number shall be provided on each access and/or warehouse door and character size shall be no less than 4" high by 1/2" " stroke. This may warrant field verification and adjustments based upon topography, landscaping or other obstructions.

Community Development Department

48. The project applicant/developer shall submit a refundable cash bond for hazard and erosion control. The amount of this bond will be determined by the Director of Community Development. The cash bond will be retained by the City until all the permanent landscaping is installed for the development, including individual lots, unless otherwise approved by the department.
49. The project developer shall submit a written dust control plan or procedure as part of the improvement plans.
50. The project developer shall pay any and all fees to which the property may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
51. If any prehistoric or historic artifacts, or other indication of cultural resources are found once the project construction is underway, all work must stop within 20 meters (66 feet) of the find. A qualified archaeologist shall be consulted for an immediate evaluation of the find prior to resuming groundbreaking construction activities within 20 meters of the find. If the find is determined to be an important archaeological resource, the resource shall be either avoided, if feasible, or recovered consistent with the requirements of the State CEQA Guidelines. In the event of discovery or recognition of any human remains in any on-site location, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the County coroner has determined, in accordance with any law concerning investigation of the circumstances, the manner and cause of death and has made recommendations concerning treatment and dispositions of the human remains to the person responsible for the excavation, or to his/her authorized representative. A similar note shall appear on the improvement plans.

CODE REQUIREMENTS

(Applicants/Developers are responsible for complying with all applicable Federal, State and City codes and regulations regardless of whether or not the requirements are part of this list. The following items are provided for the purpose of highlighting key requirements.)

Fire Department

52. All construction shall conform to the requirements of the California Fire Code currently in effect, City of Pleasanton Building and Safety Division and City of Pleasanton Ordinance 2015. All required permits shall be obtained.
53. All buildings undergoing construction, alteration or demolition shall comply with Chapter 14 (California Fire Code currently in effect) pertaining to the use of any hazardous materials, flame- producing devices, asphalt/tar kettles, etc.
54. The building(s) covered by this approval shall conform to the requirements of the California Building Code currently in effect, the California Fire Code currently in effect and the City of Pleasanton Ordinance 2015. If required plans and specifications for the automatic fire sprinkler system shall be submitted to the Livermore-Pleasanton Fire Department for review and approval prior to installation. The fire alarm system, including water flow and valve tamper, shall have plans and specifications submitted to Fire Prevention for review and approval prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building(s).

Building Division

55. The project developer shall submit a building survey and/or record of survey and a site development plan in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton. These plans shall be approved by the Chief Building and Safety Official prior to the issuance of a building permit. The site development plan shall include all required information to design and construct site, grading, paving, drainage, and utilities.
56. The project developer shall post address numerals on the building so as to be plainly visible from all adjoining streets or driveways during both daylight and night time hours.
57. The building covered by this approval shall be designed and constructed to meet Title 24 state energy requirements.
58. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.

Urban Stormwater

59. The project shall comply with the "Alameda Countywide NPDES Permit #CAS612008 dated November 19, 2015 and amendments to this permit" issued by the California Regional Water Quality Control Board, San Francisco Bay Region, a copy of which is available at Community Development Department, Public Works/Engineering section at City offices, Alameda County Clean Water Program, at the State Water Board, and the following websites:

http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/Municipal/index.shtml;

and

http://www.swrcb.ca.gov/sanfranciscobay/water_issues/programs/stormwater/Municipal/R2-2015-0049.pdf

A. Design Requirements

1. The Permit design requirements include, but are not limited to, the following:
 - a. Source control, site design measures, and design and implementation of stormwater treatment measures are required when commercial, industrial or residential development creates and replaces 10,000 square feet or more of impervious surface, including roof area, streets and sidewalk.
 - b. The Permit requires a proactive Diazinon pollutant reduction plan (aka Pesticide Plan) to reduce or substitute pesticide use with less toxic alternatives.
2. The following requirements shall be incorporated into the project:
 - a. The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures including bio-swales. Irrigated bio-swales shall be redesigned as needed to the satisfaction of the City Engineer to optimize the amount of the stormwater running off the paved surface that enters the bio-swale at its most upstream end. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of any building permits.
 - b. Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate and acceptable to the project soils engineer, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution.
 - Structures shall be designed to prohibit the occurrence and entry of pests into buildings, thus minimizing the need for pesticides.
 - Where feasible, landscaping shall be designed and operated to treat stormwater runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be

specified. Soil shall be amended as required. (See planting guidelines of the Alameda County Clean Water Program.)

- Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.
 - Landscaping shall also comply with City of Pleasanton ordinances and policies regarding water conservation.
- c. Roof drains shall discharge and drain away from the building foundation. Ten percent of the stormwater flow shall drain to a landscaped area or to an unpaved area wherever practicable.

B. Construction Requirements

The project developer is responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measures, shall be included in the Stormwater Pollution Prevention Plan (SWPPP) and implemented as approved by the City.

- a. The project developer shall include erosion control/stormwater quality measures on the final grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and are subject to the review and approval of the City Engineer/Chief Building Official. If no grading plan is required, necessary erosion control/stormwater quality measures shall be shown on the site plan submitted for an on-site permit, subject to the review and approval of the Building and Safety Division. The project developer is responsible for ensuring that the contractor is aware of and implements such measures.
- b. All cut and fill slopes shall be revegetated and stabilized after completion of grading, but in no case later than October 15. Hydroseeding shall be accomplished before September 15 and irrigated with a temporary irrigation system to ensure that the grasses are established before October 15. No grading shall occur between October 15 and April 15 unless approved erosion control/stormwater quality measures are in place, subject to the approval of the City Engineer/Chief Building Official. Such measures shall be maintained until such time as permanent landscaping is in place.
- c. Gather all sorted construction debris on a regular basis and place it in the appropriate container for recycling to be emptied at least on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater runoff pollution.
- d. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement

adjoining the project site on a daily basis. Scrape caked-on mud and dirt from these areas before sweeping.

- e. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing into the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.
- f. Create a contained and covered area on the site for the storage of cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system through being windblown or in the event of a material spill.
- g. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
- h. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, or storm drains.

C. Operation Requirements

The following requirements shall be incorporated into the project:

- a. The applicant, present homeowner, and future homeowners of the home covered by this approval are encouraged to use best management practices for the use of pesticides and herbicides.
- b. Vegetated swales with grasses shall be mowed and clippings removed on a regular basis.

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