

February 21, 2017

Greg Creighton
989 Crellin Road
Pleasanton, CA 94566

Subject: P17-0054, Patio Cover
Effective Date: March 9, 2017

Dear Mr. Creighton:

The City of Pleasanton Planning Division has completed its Administrative Design Review for your proposal to retain an existing 11-foot, 7-inch tall open-sided patio cover at the rear of the property located at 989 Crellin Road. Your proposed project meets all of the necessary requirements as outlined in the Pleasanton Zoning Ordinance. In accordance with Section 18.20.040(B)(2) of the Pleasanton Municipal Code, notice of your proposal was sent to your adjacent neighbors on February 1, 2017. No request was made for a public hearing. The project is, therefore, approved with the following conditions:

1. The patio cover shall conform substantially to the approved elevations, site plans, and other materials, Exhibit B, marked "Received January 30, 2017," on file at the Planning Division. 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. Within 30 days from the effective date of approval, the property owner shall obtain all applicable building permits for the patio cover.
3. Within 60 days of the effective date of this approval, the applicant shall install 1, 15 gallon size tall-growing evergreen tree/shrub, within the gap in the existing vegetation along the rear of the property to help screen views of the patio cover from the neighboring property at 1217 Vintner Way. A landscape plan showing the required evergreen tree/shrub shall be submitted to the Director of Community Development for review and approval prior to installation. The landscaping required by this condition shall be maintained at all times in a healthy manner as long as the patio cover remains on the subject property and that should the evergreen tree/shrub die it, shall be replaced within 30 days with a new 15 gallon sized evergreen tree/shrub of

COMMUNITY DEVELOPMENT

P. O. BOX 520, Pleasanton, CA 94566-0802

Planning	Building & Safety	Engineering	Traffic	Inspection
200 Old Bernal Ave. (925) 931-5600 Fax: 931-5483	200 Old Bernal Ave. (925) 931-5300 Fax: 931-5478	200 Old Bernal Ave. (925) 931-5650 Fax: 931-5479	200 Old Bernal Ave. (925) 931-5650 Fax: 931-5479	157 Main Street (925) 931-5680 Fax: 931-5484

the same species or an alternative species, subject to the review and approval by the Director of Community Development.

4. In the future, should lighting be installed on the patio cover, it shall be of low-intensity and directed downward and/or shielded to so as not to shine on the neighboring property at 1217 Vintner Way.
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 Saturday. No construction shall be allowed on State or Federal Holidays or 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. 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 attorney 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 attorney 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.

You may apply for a building permit after completion of the Administrative Design Review procedure's appeal period or, if you wish to apply for a building permit before the end of the appeal period, upon submittal of a signed Waiver Form to the Planning Division. The waiver acknowledges that plan check fees may be forfeited in the event that the approval is overturned or the design is significantly changed as a result of an appeal. In no case will a building permit be issued before the end of the appeal period.

At the time of building permit submittal, you must:

- a. submit a completed and signed Building Permit Questionnaire (attached) to the **PLANNING DIVISION**; and
- b. present a copy of this letter to the Building Division along with required plans.

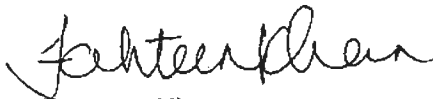
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If you have any questions about building permit fees or the building permit process, please contact the Building and Safety Division at (925) 931-5300.

Approval of the Administrative Design Review will become effective on **March 9, 2017** (Pleasanton Municipal Code Chapter 18.144), unless appealed prior to that time. Administrative Design Review approval shall lapse and become void one year following the effective date of project approval, unless prior to the expiration of one year, a building permit is issued and construction is commenced and diligently pursued toward completion or an extension has been approved by the City.

If you have any questions, please feel free to give me a call at (925) 931-5610.

Sincerely,



Fahteen Khan
Assistant Planner

A COPY OF THIS LETTER AND A COMPLETED BUILDING PERMIT QUESTIONNAIRE (ATTACHED) MUST BE PRESENTED TO THE BUILDING AND SAFETY DIVISION WHEN APPLYING FOR BUILDING PERMITS. THE QUESTIONNAIRE MUST THEN BE SUBMITTED TO THE PLANNING DIVISION.

EFFECTIVE DATE: March 9, 2017

BUILDING PERMIT QUESTIONNAIRE

This questionnaire is being sent to you to be completed and returned to the **Planning Division** when you file for a building permit for your recently approved project. Its purpose is to ensure that your plans are checked in a timely manner and that the project is built according to the approved plans. We appreciate your cooperation. If you have any questions, please call the Planning Division.

1. Applicant's Name and Address:

Greg Creighton
989 Crellin Road, Pleasanton, CA 94566

2. Project Address/Location:

989 Crellin Road, Pleasanton, CA 94566

3. Description of project for which a permit is being requested:

To construct an approximately 11-foot, 7-inch tall open-sided patio cover at the rear of the property located at 989 Crellin Road.

4. The building project for which this permit is being requested has been approved by the:

Planning Division Planning Commission
 City Council

5. Planning Division Project Number: P17-0054

6. Do you certify that the plans being submitted for issuance of building permits conform in every respect to the approved plans and to all conditions of approval required by the above bodies?

Yes No

7. If the answer to Question No. 6 is "No", please list every item on the submitted building permit plans which differs from the approved plans or conditions of approval. Use the reverse side or attach additional sheets if necessary. All changes to the approved plans should be clouded with delta numbers (Δ).

I hereby attest that the above is true and correct. I understand that failure to correctly answer these questions may result in a delay of issuance of building permits and that if changes are discovered after the permit is issued, I am responsible for revising the project to conform to the plans approved by the City boards and/or commissions.

Date

Signature and Title

Phone Number

RECEIVED

MAR 06 2017

**CITY OF PLEASANTON
PLANNING DIVISION**

March 2, 2017

Fahteen Khan
Assistant Planner
City of Pleasanton Community Development
PO Box 520
Pleasanton, CA 94566-0802
(925) 931-5600

Subject: P17-0054 Patio Cover Replacement
Administrative Design Review

Dear Mrs. Khan:

I received your letter dated February 21, 2017, indicating that the City of Pleasanton Planning Division has completed its Design Review and approved my Patio Cover proposal subject to certain conditions. I do not accept the conditions as described in the letter.

I am a long-term Pleasanton resident. I have owned and lived on this property for over 19 years. I am in the process replacing an existing patio cover built before I purchased the property that had reached the end of its useful life. This replacement is no larger or taller than the original patio cover. This patio cover replacement serves to enhance the City's aesthetic values by improving property within the City limits and does not compromise public health, safety, or general welfare. I refuse to accept random, unreasonable, arbitrary and permanent restrictions placed on my property mandated based on the whims of a transient tenant of an adjacent property. The following restrictions identified in the Administrative Design Review letter negatively affect my property's value, my ability to perform the work and my ability to enjoy my own property.

Construction Activity

I will not accept a restriction on the construction activity requirements for my property beyond the requirements as described in the Pleasanton Municipal Code. I am self-performing this project and my only available work times are on the weekend and during holidays. Residential weekend and holiday work hours are specifically addressed in the Municipal Code. Please modify this section to indicate that any construction activity associated with this project will be performed according to the requirements as described in the Pleasanton Municipal Code for construction activity on residential property.

Lighting

I will not accept a restriction on the lighting requirements for my property beyond the requirements as described in the Pleasanton Municipal Code. Please modify this section to indicate that any lighting installed on the Patio Cover will be installed according to the requirements as described in the Pleasanton Municipal Code for exterior illumination of residential property.

Landscaping

I will not accept a permanent restriction on the landscaping requirements for my property beyond the requirements as described in the Pleasanton Municipal Code. I will agree to plant a tree as part of Planning approval as discussed. A 15 gallon tree represents an undue financial burden as the cost to install this tree will run well over \$1,000. I will agree to plant a 5 gallon tree of my choosing. Please modify this section to indicate that a 5 gallon tree of my choosing will be installed within 60 days and

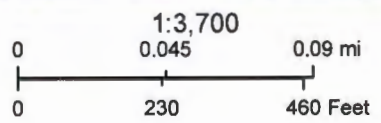
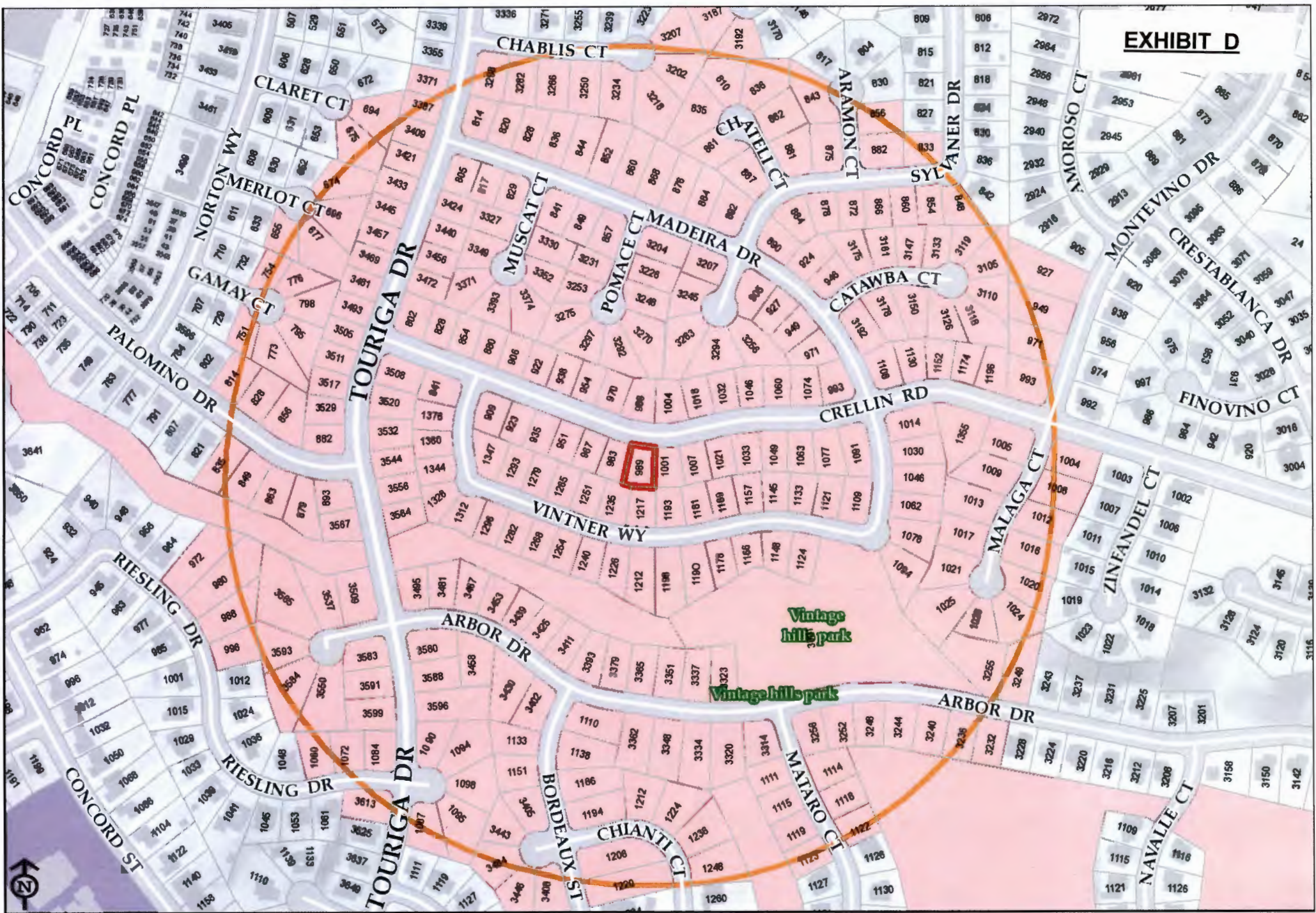
any other landscaping installed as part of this on the Patio Cover project will be installed according to the requirements as described the Pleasanton Municipal Code for landscaping of residential property.

Indemnification

I will not accept the liability for actions beyond my control. I will not defend or indemnify the City from and against claims brought by a third party. I will agree to hold the City harmless against any action on my part arising from this project, pending agreement and approval of the terms as described above. Please modify this section by removing any requirements to accept liability of a third party.



Greg Creighton
989 Crellin Road
Pleasanton, CA 94566
(408) 590-5677



P17-0054, 989 Crellin Road, Greg Creighton