

ORDINANCE NO. 2280

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON APPROVING THE APPLICATION FOR A PLANNED UNIT DEVELOPMENT (PUD) DEVELOPMENT PLAN TO ESTABLISH DEVELOPMENT STANDARDS AND CONSTRUCT A 1,117-SQUARE-FOOT ADDITION TO THE FRONT, A 65-SQUARE-FOOT ATTACHED FRONT COVERED PORCH, AND A 160-SQUARE-FOOT ATTACHED REAR COVERED PORCH TO AN EXISTING SINGLE-FAMILY RESIDENCE LOCATED AT 544 SYCAMORE ROAD, AS FILED UNDER CASE NO. PUD-149

WHEREAS, on October 16, 2023, Douglas Harwood (“Applicant”) applied for PUD development plan approval under case No. PUD-149 to establish development standards and construct a 1,117-square-foot addition to the front, a 65-square-foot attached front covered porch, and a 160-square-foot attached rear covered porch to an existing single-family residence (“Project”) located at 544 Sycamore Road (“Property”); and

WHEREAS, the Property is designated Low Density Residential in the General Plan; and

WHEREAS, the Property is located in the North Sycamore Specific Plan area with a land use designation of PUD-A; and

WHEREAS, the proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 15182, Projects Pursuant to a Specific Plan; and

WHEREAS, on March 27, 2024, with a 5-0 vote, the Planning Commission determined the development plan is appropriate for the site, made the findings, and recommended to the Pleasanton City Council PUD-149 be approved; and

WHEREAS, on May 7, 2024, the Pleasanton City Council held a duly noticed public hearing on this application and considered all public testimony, agenda reports, and related materials, and the recommendations of City staff and the Planning Commission; and

WHEREAS, after review of the materials presented, the City Council determined that the PUD plan is consistent with the General Plan, North Sycamore Specific Plan, and purposes of the PUD ordinance based on the considerations set forth in this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council approves case PUD-149, the application of Douglas Harwood for PUD Development Plan approval to establish development standards and construct a 1,117-square-foot addition to the front, a 65-square-foot attached front covered porch, and a 160-square-foot attached rear covered porch to an existing single-family residence for 544 Sycamore Road, subject to the conditions as shown in Exhibit A, attached hereto and made part of this ordinance by this reference.

SECTION 2. A summary of this ordinance shall be published once within fifteen (15) days after its adoption in “The Valley Times,” a newspaper of general circulation published in the

City of Pleasanton, and the complete ordinance shall be posted for fifteen (15) days in the City Clerk's office within fifteen (15) days after its adoption.

SECTION 3. This ordinance shall become effective thirty (30) days after its passage and adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton, California, on May 7, 2024, and adopted on June 4, 2024 by the following vote:

Ayes:	Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown
Noes:	None
Absent:	None
Abstain:	None



Karla Brown, Mayor

ATTEST:



Jocelyn Kwong, City Clerk

APPROVED AS TO FORM:



Daniel G. Sodergren, City Attorney

**EXHIBIT A
CONDITIONS OF APPROVAL**

**PUD-149
544 Sycamore Road**

The applicant is hereby notified, as part of this approval, that (s)he is required to satisfy and maintain compliance with the conditions of approval below. Where approval by the Director of Community Development, Planning Division, Director of Engineering/City Engineer, City Attorney, Chief Building and Safety Official, Fire Department or other City staff is required, review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted practices related to the approval. In addition to complying with the conditions below, the applicant is required to comply with all applicable federal, state, and local laws that pertain to this project, whether or not specifically noted herein.

This approval is granted for a Planned Unit Development approval to establish development standards for an existing single-family residence zoned PUD (Planned Unit Development) - A (Agricultural) and construct a 1,117-square-foot addition to the front, a 65-square-foot attached front covered porch, and a 160-square-foot attached rear covered porch to the existing single-family residence of the property at Assessor Parcel No. 948-17-3-2 at 544 Sycamore Road. Development shall be substantially as shown on the project materials listed below:

- a. Project plans, Exhibit B, prepared by Douglas J. Harwood for Varma Kottapali & Soujanya Vuppa, dated "Received" on January 29, 2024, and kept on file in the Planning Division of the Community Development Department.
- b. Arborist Report, prepared by Carol Randisi, Buena Vista Tree Service, dated "Received" on December 15, 2023, and kept on file in the Planning Division of the Community Development Department.

The project materials listed above are collectively the "Approved Development Plan."

THIS APPROVAL IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. **APPROVAL AND REVISIONS:** The proposed development shall be in substantial conformance with the "Approved Plans," 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 with the approved exhibits. Planning Division approval is required before any changes are implemented in site design, grading, architectural design, house colors or materials, green building measures, landscape material, etc.

2. EXPIRATION - RESIDENTIAL PUD: The PUD development plan shall lapse two years from the effective date of this ordinance if the applicant does not apply for a building permit.
3. CONDITIONS OF APPROVAL CHECKLIST: The applicant shall submit a "Conditions of Approval Checklist" indicating all conditions in Exhibit A have been satisfied, incorporated into the building permit plans or improvements plans, and/or addressed. Said checklist shall be attached to all building permit and engineering permit submittals for review by the City prior to issuance of permits.
4. PUD PERIOD: The building permit submittal will only be accepted after the ordinance approving the Planned Unit Development (PUD) development plan becomes effective, unless the applicant submits a signed statement acknowledging the plan check fees may be forfeited in the event the ordinance is overturned. In no case will a building permit be issued prior to the PUD ordinance being in effect.
5. LIABILITY AND INDEMNIFICATION: To the extent permitted by law, the project applicant shall hold harmless, defend (with counsel acceptable to the City), and indemnify the City, its City Council, its officers, commissions, employees and agents from and against any claim, action, or proceeding brought by a third party against the indemnified parties and/or 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 DIVISION – 925-931-5600

Site Development and Building Design

6. DEVELOPMENT STANDARDS: Unless otherwise specified in the Conditions of Approval, the site development standards shall be those of the R-1-40,000 Zoning District in the Pleasanton Municipal Code. **(Project Specific Condition)**
7. ACCESSORY DWELLING UNIT: Accessory Dwelling Unit (ADU) standards shall be those as specified in the Pleasanton Municipal Code. **(Project Specific Condition)**
8. NORTH SYCAMORE SPECIFIC PLAN: All regulations and guidelines in the North Sycamore Specific Plan and approved by Ordinance 1576 are still in affect except as modified by the Conditions of Approval and Development Plan. **(Project Specific Condition)**
9. BUILDING MATERIALS AND COLORS: The building materials and colors in the Approved Plans shall be stated on the building permit plans.

10. **PAVING MATERIALS:** The color, material, design, and product specifications for the paving materials used on-site shall be in conformance with the Approved Plans and included with the building permit submittal. Any proposed modifications to the final paving design details shall be subject to review and approval by the Planning Division prior to issuance of building permits.
11. **WINDOWS:** Manufacturer type, design, material, and installation details for all windows within the project shall be specified for each unit/building in conformance with the Approved Plans in the building permit submittal. Any proposed modifications shall be subject to review and approval by the Planning Division prior to issuance of building permits.
12. **FENCE/WALL:** All fencing and walls shall be shown on the construction plans with the building permit submittal. The design and location must be approved by the Planning Division and comply with all setback requirements.
13. **LIGHTING PLAN:** The applicant shall submit a lighting plan with the building permit submittal. The plan shall include photometric contours, manufacturer's specifications on the fixtures, and mounting heights. All exterior lighting including landscape lighting shall be directed downward and designed or shielded so as to not shine onto neighboring properties or streets. The photometrics shall be reviewed and approved by the City Traffic Engineer and Director of Community Development prior to building permit issuance. The type and location of all exterior light fixtures shall be reviewed and approved by the Director of Community Development prior to building permit issuance.
14. **BUILDING SURVEY:** The applicant 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 PMC. These plans shall be approved by the Chief Building Official prior to building permit issuance. The site development plan shall include all required information to design and construct site, grading, paving, drainage, and utilities.
15. **PAD AND SETBACK CERTIFICATION:** The applicant shall submit a pad elevation certification prepared by a California licensed land surveyor or registered civil engineer to the Chief Building Official and Director of Community Development certifying the pad elevations and building locations (setbacks) are conforming to the approved plans, prior to receiving a foundation inspection for the structures.
16. **BUILDING HEIGHT CERTIFICATION:** The applicant shall submit a building height certification prepared by a California licensed land surveyor or civil engineer to the Director of Community Development before the first framing or structural inspection by the Building and Safety Division. The height of the

structures shall be surveyed and verified as being in conformance to the approved building heights as shown on Exhibit B or as otherwise conditioned.

17. FINAL INSPECTION: Final inspection by the Planning Division is required prior to occupancy.
18. FIREPLACES AND FIRE PITS: Fireplaces and fire pits shall be gas fireplaces, pellet fueled wood heaters, or EPA certified wood-burning appliances. The fireplace types shall be indicated on the plan and/or specification sheet(s) submitted to for issuance of building permits.

Construction Practices and Noticing

19. WORK HOURS: All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8 a.m. to 5 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. All construction equipment shall 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.
20. CULTURAL RESOURCES: If any prehistoric or historic artifacts, or other indication of cultural resources are found once the project construction is underway, all work shall 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 California Environmental Quality Act (CEQA) Guidelines. In the event that human remains are discovered during grading and construction of the project, work shall stop immediately. There shall be no disposition of such human remains, other than in accordance with the procedures and requirements set forth in California Health and Safety Code Section 7050.5, Public Resources Section 5097.98, and Title 14 California Code of Regulations Section 15064.5. These code provisions require notification of the County Coroner, who may then notify the Native American Heritage Commission, who in turn must notify the persons believed to be most likely descended from the deceased Native American for appropriate disposition of the remains. A similar note shall appear on the building permit and/or improvement plans.

Fees

21. FEES: The applicant shall pay any and all fees to which the property may be subject, prior to issuance of grading and/or building permits, or prior to recordation of the final map, whichever is applicable. The type and amount of the fees shall be those in effect at the time the permit is issued.
22. WATER FEES AND WATER METER CONNECTION FEES: The applicant shall pay the applicable Zone 7 and City connection fees and water meter cost for any water meters and irrigation meters, if applicable, prior to building permit issuance.
23. SEWER FEES: The applicant shall pay the applicable Dublin-San Ramon Services District (DSRSD) and City sewer permit fees prior to building permit issuance.

ENGINEERING DEPARTMENT – LAND DEVELOPMENT – 925-931-5650

24. Sewerage System – Applicant to confirm if property is on septic system or connected to the City of Pleasanton sewer system.
 - a. If the property is on a septic system, the applicant shall provide an inspection report to show the existing septic system is in a safe and healthy manner per Pleasanton Municipal Code §15.16.020C
 - b. If there is a sewer lateral system connected to main, provide a clean out per City of Pleasanton Standard Detail Drawing No. 409.

(Project Specific Condition)

LANDSCAPE ARCHITECTURE DIVISION – 925-931-5672

Trees

25. TREE REPORT: The applicant shall comply with the recommendations of the tree report prepared by Carol Randisi, Certified Arborist WE #6481A, Buena Vista Tree Service, dated December 2023. No tree trimming or pruning other than that specified in the tree report shall occur. The applicant shall arrange for the Project Arborist to conduct a field inspection prior to building permit issuance to ensure all recommendations have been properly implemented. The Project Arborist shall certify in writing all recommendations have been followed. ***(Project Specific Condition)***
26. TREE BOND: Any tree affected by development/construction must be protected per the Municipal Code. The applicant shall post cash, letter of credit, or other security satisfactory to the Director of Engineering/City Engineer, for all Heritage Trees and any other significant tree as deemed by the City Landscape Architect. The bond amount shall be \$13,050, or the value of tree #7 per the arborist report. This bond or security will be for the value of the tree(s), up to a maximum of

\$100,000, and shall be held for a minimum of 1 year following acceptance of public improvements or completion of construction, whichever is later, and shall be forfeited if the trees are destroyed or substantially damaged. An arborist shall be onsite during any tree work (i.e. root pruning, trimming, setting up tree protection, etc.). The bond or security may be released early with a certification letter by the arborist confirming he/she was present during said tree work and work was performed in accordance with the arborist's recommendations.

(Project Specific Condition)

27. TREE PRUNING: Pruning shall be conducted by a certified arborist familiar with the International Society of Arboriculture (ISA) pruning guidelines and shall comply with the guidelines established by the ISA, Tree Pruning Guidelines, current edition, to maintain the health of the trees.

28. TREE PROTECTION FENCING: Prior to issuance of a grading or building permit, the applicant shall install temporary 6-foot tall chain-link fencing (or other fence type acceptable to the Landscape Architecture Division) outside of the existing tree drip lines. The location of the tree protection fencing shall be shown on the demolition plans (if applicable), grading, building, and/or landscape plans. The fencing shall remain in place until final landscape inspection by the Landscape Architecture Division. Removal of such fencing prior to approval may result in a "stop work order."

END