

**EXHIBIT A
DRAFT CONDITIONS OF APPROVAL**

**P17-0634 and P17-0635
5900 Owens Drive, CalBay Development, LLC
November 8, 2017**

PROJECT SPECIFIC CONDITIONS

Planning Division

1. If additional hours of operation, number of staff, or activities beyond that proposed in the applicant's narrative, Exhibit B, dated "Received September 28, 2017," on file with the Planning Division, are desired, additional City review and approval is required. The Director of Community Development may approve the modification or refer the matter to the Planning Commission if judged to be substantial.
2. If operation of this use results in conflicts pertaining to parking, interior or exterior noise, traffic/circulation, or other factors, at the discretion of the Community Development Director, this Conditional Use Permit may be submitted to the Planning Commission for its subsequent review at a public hearing. If necessary, the Commission may modify or add conditions of approval to mitigate such impacts, or may revoke said Conditional Use Permit.
3. 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 applicant shall submit a final lighting plan including photometrics and drawings and/or manufacturer's specification sheets showing the size and types of light fixtures. The lighting plan shall be subject to the review and approval by the Director of Community Development prior to issuance of building permits for the project.
4. No signage is approved as part of this application. Prior to installation, all signage shall be subject to separate staff level approval if compliant with the Hacienda Design Guidelines or Sign Design Review approval if non-compliant with the Hacienda Design Guidelines.
5. No newspaper dispensers shall be allowed outside of the building.
6. All backflow prevention devices, above ground irrigation controls, and above ground irrigation meters shall be located and screened so as to minimize visual impacts. The location of all backflow prevention devices, above ground irrigation controls, and above ground irrigation meters and the type of proposed screening shall be subject to the review and approval of the Director of Community Development prior to installation. If above-ground, they shall be painted forest green or an equivalent dark-green color. Screens shall consist of landscaping satisfactorily integrated into the landscape plan. Weather protection devices such as measures to protect pipes from freezing shall require approval by the Planning Division prior to use; at no time shall fabric or other material not designed and/or intended for this purpose be wrapped around or otherwise placed on these devices.

7. The trash and recycling containers shall be kept inside the existing enclosure at all times, except during pick-up times. The trash enclosure shall meet all City and Livermore-Pleasanton Fire Department requirements.
8. All proposed mechanical units, air conditioning equipment, blowers, make-up air units, ducts, etc. shall be shown on the building permit plans. The project developer shall effectively screen from view all ducts, blowers, air conditioning equipment, and any other mechanical equipment, whether on the structure, on the ground, or on the roof, with materials architecturally compatible with the building. Screening details shall be shown on the plans submitted for issuance of building permits, the adequacy of which shall be determined by the Director of Community Development. All required screening shall be provided prior to occupancy.
9. The location of any pad-mounted transformers shall be subject to approval by the Director of Community Development prior to issuance of permits by the Building and Safety Division. Such transformers shall be screened by landscaping or contained within an enclosure matching the building and with painted metal or wood gates. All transformers shall be shown on the plans submitted for issuance of building permits.
10. Prior to issuance of a building permit, the project developer shall pay the applicable Zone 7 and City connection fees and water meter cost for any water meters, including irrigation meters. Additionally, the project developer shall pay any applicable Dublin-San Ramon Services District (DSRSD) sewer permit fee.
11. The project developer shall provide a construction plan with the building permit plan set for review and approval by the Director of Community Development and Chief Building Official before issuance of a building permit. The construction plan shall show the proposed location of materials and equipment storage, scaffolding, safety measures to protect the public from construction activities, temporary fencing, construction trailers, parking of construction vehicles, location of portable toilets, etc.
12. All parking spaces shall be striped. Wheel stops shall be provided unless the spaces are fronted by raised concrete curbs, in which case sufficient areas shall be provided beyond the ends of all parking spaces to accommodate the overhang of automobiles.
13. The applicant/developer shall install a minimum of two trash receptacles within the sidewalk area near the main entry doors and outdoor dining area. The trash receptacle design and location shall be shown on the plans submitted for issuance of building permits and shall be subject to review and approval by the Director of Community Development prior to issuance of building permits for the project.
14. The design of the bicycle racks shall be shown on the plans submitted to the Building and Safety Division for plan check and permit issuance and shall be subject to the review and approval of the Director of Community Development prior to issuance of permits.
15. Final inspection by Planning Division is required prior to occupancy.

16. All conditions of approval shall be included as a plan sheet with all permit plan sets submitted for review and approval. The applicant/developer/responsible party shall create and complete a "Conditions of Approval" checklist indicating that all conditions in Exhibit A have been satisfied, incorporated into the plans, and/or addressed. Said checklist shall be attached to all plan checks submitted for review and approval by the City prior to issuance of permits.

Traffic Engineering Division

17. Prior to submittal of a building permit, the applicant shall submit a signage and striping plan that clearly indicates: (a) the western drive aisle, at the two points it intersects with the drive-through queue lane, will remain clear at all times; and (b) drive-through vehicles entering the subject parcel from Chabot Drive will be directed to utilize the eastern and northern drive aisles to enter the drive-through queue lane. Prior to occupancy, all signage and striping shall be installed to the satisfaction of the City Traffic Engineer.
18. Prior to occupancy, both accessibility ramps (north and south sides) at the driveway on Chabot Drive shall be reconstructed in accordance with current code requirements to the satisfaction of the City Traffic Engineer.
19. The applicant shall pay traffic impact fees for the subject use as determined by the City Traffic Engineer. These fees shall be paid prior to issuance of a building permit.
20. Comprehensive construction traffic control plans shall be submitted to the traffic engineer for review and approval prior to the issuance of a building permit. The plans shall include the use of proper lane closure procedures such as flagger stations, signage, cones, and other warning devices.
21. The haul route for all materials to and from the project shall be approved by the Traffic Engineer prior to the issuance of a permit, and shall address the need to schedule major truck trips and deliveries during off peak travel times, to avoid peak travel congestion. It shall also include the provision to monitor the street surfaces used for the haul route so that any damage and debris attributable to the haul trucks is identified and corrected at the expense of the project applicant or developer.

Landscape Architecture Division

22. The following statements shall be included within 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 to be saved 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 to be saved.

- c. No oil, gasoline, chemicals, or other harmful materials shall be deposited or disposed within the dripline of the trees to be saved 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 to be saved.
23. The project developer shall post cash, letter of credit, or other security satisfactory to the Director of Community Development in the amount of \$5,000 for each tree required to be preserved (including the City street trees along the project frontage), up to a maximum of \$25,000. This cash bond or security shall be retained for one year following completion of construction and shall be forfeited if the trees are destroyed or substantially damaged. No trees shall be removed other than those specifically designated for removal on the approved plans.
 24. 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 City's Landscape Architect) outside of the existing trees to be preserved, unless otherwise approved by the City's Landscape Architect. The fencing shall remain in place until final landscape inspection of the Community Development Department. Removal of such fencing prior to that time may result in a "stop work order."
 25. Detailed landscaping/irrigation plans shall be submitted to the Planning Division for review and approval prior to the issuance of building permits. The landscaping plan shall include materials, sizing, and spacing. Plant species shall be of a drought-tolerant nature with an irrigation system that maximizes water conservation throughout the development (e.g. drip system).
 26. The applicant shall enter into an agreement with the City, approved by the City Attorney, which guarantees that all landscaping installed as part of this project will be maintained at all times in a manner consistent with the landscape plan approved for this development. Said Agreement shall run with the land for the duration of the existence of the structure located on the property.
 27. Prior to occupancy, the landscape architect or landscape designer shall certify in writing to the Director of Community Development that the landscaping 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.
 28. The project developer shall provide root control barriers and four inch perforated pipes for parking lot trees, street trees, 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.
 29. All trees used in landscaping shall be a minimum of twenty-four (24) box-size and all shrubs shall be a minimum of five (5) gallons.

30. The project shall comply with the City of Pleasanton's Water Efficient Landscape Ordinance (PWELO). Per Section 492.3 of PWELO, prior to issuance of a building permit, the applicant shall submit the following documentation in PDF format to the City's Landscape Architecture Division and shall be subject to the review and approval of the City's Landscape Architect prior to issuance of a building permit:
- a. Landscape Documentation Package, which includes:
 - i. Project information.
 - ii. Water Efficient Landscape Worksheet.
 - iii. Soil management report.
 - iv. Landscape design plan.
 - v. Irrigation design plan; and
 - vi. Grading design plan.
31. Per Section 492.9 of PWELO, upon completion of construction and prior to a final inspection by the Building and Safety Division, the applicant shall submit the following documentation in PDF format to the City's Landscape Architecture Division for review and approval:
- a. Certificate of Completion, which includes:
 - i. Part 1: Project information sheet.
 - ii. Part 2: Certificate of installation according to the landscape documentation package.
 - iii. Part 3: Irrigation scheduling.
 - iv. Part 4: Schedule of irrigation landscape and irrigation maintenance.
 - v. Part 5: Landscape irrigation audit report; and
 - vi. Part 6: Soil management report (if not previously submitted).

Building and Safety Division

32. In accordance with the Fats, Oils and Grease (FOG) Program, all sinks and wash basins in the coffee shop (excluding those located inside the restrooms) shall be plumbed to a grease trap. The grease trap(s) shall be installed in an above ground orientation with sufficient clearance above the grease trap(s) for routine maintenance and constructed out of a plastic material for corrosion resistance and ease of replacement.

Engineering Department

33. Prior to issuance of a building permit, provide water demand calculations and size of the existing water meter.
34. Prior to issuance of a building permit, abandon all unused existing utility stubs in compliance with City standards and specifications.
35. All proposed work shall be constructed in compliance with City Standard Specifications and Details dated November 2016.

36. Prior to issuance of a building permit, submit a Utility Plan showing all existing and proposed utilities including water and sewer main, laterals, water meters, back flow device, above ground double check detector check assembly.
37. The project shall be designed and constructed in conformance with the latest National Pollution Discharge Elimination System (NPDES) Permit requirements.
38. Prior to issuance of a building permit, a Stormwater Requirements Checklist and an exhibit shall accompany the checklist showing existing impervious area, impervious area to be removed and replaced, and new impervious area to be created. May need to comply as per NPDES permit section C.3.i of Municipal Regional Storm water Permit Order No. R2-2015-0049 for all development project which create/and or replace 2500 sq. ft. or more of impervious area.
39. Prior to occupancy, reconstruct all non-ADA-compliant and/or uplifted and deficient sidewalk and curb and gutter along the project frontage.
40. Prior to occupancy, install stencils or markers (NO DUMPING DRAINS TO BAY) to all storm water inlets – on site and along the project frontage – in compliance with City standard detail 210 or 211.
41. Prior to occupancy, paint on-site public fire hydrant (with Kelly Moore Yellow Rust Inhibitor Safety Yellow #1700-63 or approved equal paint) in compliance with City standard specification section 14-02E.

STANDARD CONDITIONS

Planning Division

42. The proposed drive-through coffee-shop, operations, site improvements, and exterior building modifications approved by this Conditional Use Permit and Design Review shall conform substantially to the narrative, project plans, and color/material board, Exhibit B, marked "Received September 28, 2017," on file with the Planning Division, except as modified by these conditions. Minor changes to the plans or operations may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance to the approved exhibits.
43. This Conditional Use Permit and Design Review approval will lapse within one (1) year from the date of approval unless a building permit is issued and construction has commenced and is diligently pursued toward completion or the City has approved an extension.
44. The project developer shall obtain a building permit from the Building and Safety Division and any other applicable City permits for the project prior to the commencement of any construction.

45. 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.
46. Any excess soil from the site shall be off-hauled from the site and disposed of in a lawful manner. No temporary stockpiling of dirt on this site shall occur without specific review and approval by the Community Development Director.
47. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period. At no time shall campers, trailers, motor homes, or any other vehicle be used as living or sleeping quarters on the construction site. All such vehicles shall be removed from the site at the end of each workday.
48. Planning Division approval is required before any changes are implemented in site design, grading, building design, exterior colors or materials, landscape material, etc.
49. 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. Prior to construction, the hours of construction shall be posted on site.
50. Portable toilets used during construction shall be emptied on a regular basis as necessary to prevent odor.
51. 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 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.

Engineering Department

52. At no time shall the delivery of construction material, parking of construction vehicles, or storage of construction material impede the flow of traffic, unless temporary and approved by the City Engineer.
53. Any damage to existing street or sidewalk improvements during construction on the subject property shall be repaired to the satisfaction of the Director of Community Development and City Engineer at full expense to the developer. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.

54. 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.

Building and Safety Division

55. Prior to issuance of building or demolition permits, the applicant 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 show 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. The proposed plan must be approved by the Building and Safety Division prior to any building inspections. 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 project 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.

Community Development Department

56. 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.
57. The project developer shall submit a written dust control plan or procedure as part of the improvement plans.
58. 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.

Planning Division

59. At no time shall balloons, banners, pennants, or other attention-getting devices be utilized on the site except as allowed by Section 18.96.060K of the Zoning Ordinance for grand openings or by Section 18.116.040 of the Zoning Ordinance if approved by temporary conditional use permit as part of a decorating plan in conjunction with outdoor sales events. At no time shall spot lighting be used in conjunction with such grand openings and/or outdoor sales events.

Building and Safety Division

60. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.
61. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval.
62. Prior to occupancy, the applicant shall contact the Building and Safety Division and Fire Marshal to ensure that the proposed use of the subject building/structures meet Building and Safety and Fire Code requirements. If required, the applicant shall obtain all appropriate City permits.

STANDARD URBAN STORMWATER CONDITIONS

63. The project shall comply with the NPDES Permit No. CAS612008, dated November 19, 2015, and amendments, issued the by California Regional Water Quality Control Board, San Francisco Bay Region, a copy of which is available at the Community Development Department, Public Works/Engineering section at City offices, Alameda County Clean Water Program and at State Water Board:

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

The project shall comply with the "Construction General Permit" as required by the San Francisco Bay Regional Water Quality Control Board:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml)

A. Design Requirements

1. The NPDES Permit design requirements include, but are not limited to, the following:
 - a. Source control, sight 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. Hydro-modification standards are required when a new development or redevelopment project creates and replaces total impervious area of one acre or more.
 - c. The NPDES Permit requires a proactive Diazinon pollutant reduction plan (aka Pesticide Plan) to reduce or substitute pesticide use with less toxic alternatives.
 - d. The NPDES Permit requires complying with the Copper Pollutant Reduction Plan and the Mercury Pollutant Reduction Plan.
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. In addition to natural controls the project developer may be required to install a structural control, such as an oil/water separator, sand filter, or approved equal (on-site) to intercept and pre-treat stormwater prior to reaching the storm drain. The design, locations, and a schedule for maintaining the separator shall be submitted to the City Engineer/Chief Building Official for review and approval prior to issuance of building permits. The structural control shall be cleaned at least twice a year: once immediately prior to October 15 and once in January.
 - c. The project developer shall submit sizing design criteria to treat stormwater runoff and for hydromodification, if required, at the time of PUD plan submittal and an updated detailed copy of calculations with subsequent submittals.
 - d. 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.

- i. Structures shall be designed to prohibit the occurrence and entry of pests into buildings, thus minimizing the need for pesticides.
 - ii. 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 guide line by Alameda County Clean Water Program).
 - iii. 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.
 - iv. Landscaping shall also comply with City of Pleasanton ordinances and policies regarding water conservation.
- e. Trash areas, dumpsters and recycling containers shall be enclosed and roofed to prevent water run-on to the area and runoff from the area and to contain litter and trash, so that it is not dispersed by the wind or runoff during waste removal. These areas shall not drain to the storm drain system, but to the sanitary sewer system and an area drain shall be installed in the enclosure area, providing a structural control such as an oil/water separator or sand filter. No other area shall drain into the trash enclosure; a ridge or a berm shall be constructed to prevent such drainage if found necessary by the City Engineer/Chief Building Official. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer. The project developer shall notify the Dublin-San Ramon Services District (DSRSD) upon installation of the sanitary connection; a copy of this notification shall be provided to the Planning Department.
- f. All paved outdoor storage areas shall be designed to minimize pollutant runoff. Bulk materials stored outdoors that may contribute to the pollution of stormwater runoff must be covered as deemed appropriate by the City Engineer/Chief Building Official and as required by the State Water Board.
- g. All metal roofs, if used, shall be finished with rust-inhibitive paint.
- h. Roof drains shall discharge and drain away from the building foundation. Ten percent of the stormwater flow shall drain to landscaped area or to an unpaved area wherever practicable.

B. Construction Requirements

The Construction General Permit's construction requirements include, but are not limited to, the following:

Construction activities (including other land-disturbing activities) that disturb one acre or more (including smaller sites that are part of a larger common plan of development) are regulated under the NPDES stormwater program. Operators of

regulated construction sites are required to develop and implement a Stormwater Pollution Prevention Plan and to obtain a Construction General Permit (NOI) from the State Water Resources Control Board to discharge stormwater:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/finalconstpermit.pdf

Stormwater

1. The project developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review by the City Engineer/Chief Building Official prior to issuance of building or engineering permits. A reviewed copy of the SWPPP shall be available at the project site until engineering and building permits have been signed off by the inspection departments and all work is complete. A site specific SWPPP must be combined with proper and timely installation of the BMPs, thorough and frequent inspections, maintenance, and documentation. Failure to comply with the reviewed construction SWPPP may result in the issuance of correction notices, citations or stop work orders.
2. The amendments to the SWPPP and all the inspection forms shall be completed and available at the site for inspection by the city, county or state staff.
3. The project developer is responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measure, shall be included in the 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 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, place it in the appropriate container for recycling, and empty 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 in 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.
- i. Equipment fueling area: Use off-site fueling stations as much as possible. Where on-site fueling occurs, use designated areas away from the storm drainage facility, use secondary containment and spill rags when fueling, discourage "topping off" of fuel tanks, place a stockpile of absorbent material where it will be readily accessible, and check vehicles and equipment regularly for leaking oils and fuels. Dispose rags and absorbent materials promptly and properly.
- j. Concrete wash area: Locate wash out areas away from the storm drains and open ditches, construct a temporary pit large enough to store the liquid and solid waste, clean pit by allowing concrete to set, breaking up the concrete, then recycling or disposing of properly.
- k. Equipment and vehicle maintenance area: Use off-site repair shop as much as possible. For on-site maintenance, use designated areas away from the storm drainage facility. Always use secondary containment and keep stockpile of cleanup materials nearby. Regularly inspect vehicles and equipment for leaks and repair quickly or remove from the project site. Train employees on spill cleanup procedures.

C. Operation and Maintenance Requirements

The Permit's operation and maintenance requirements include but are not limited to the following: The operation and maintenance of treatment measures including but not limited to bio-swales, lawns, landscaped areas with deep-rooted plants, oil/water separator, filterra units, etc., requires completing, signing and recording an agreement with Alameda County recorder's office in a format approved by the State and Alameda County.

1. All projects, unless otherwise determined by the City Engineer or Chief Building Official, shall enter into a recorded Stormwater Treatment Measures Inspection and Maintenance Agreement for ongoing maintenance and reporting of required stormwater measures. These measures may include, but are not limited to:
 - a. A mechanism shall be created, such as a property owners' association, to be responsible for maintaining all private streets, private utilities and other privately owned common areas and facilities on the site including stormwater treatment measures. These maintenance responsibilities shall include implementing the maintenance plan, which is attached to the Stormwater Treatment Measures Inspection and Maintenance Agreement. This document shall be reviewed by the City Attorney's Office and recorded with the final map.
 - b. On-site storm drain inlets clearly marked and maintained with the words "No Dumping – Drains to Bay."
 - c. Proper maintenance of landscaping, with minimal pesticide and fertilizer use.
 - d. Ensure wastewater from vehicle and equipment washing operations is not discharged to the storm drain system.
 - e. Ensure that no person shall dispose of, nor permit the disposal, directly or indirectly, of vehicle fluids, hazardous materials or rinse water from cleaning tools, equipment or parts into storm drains.
 - f. Clean all on-site storm drains at least twice a year with one cleaning immediately prior to the rainy season. The City may require additional cleanings.
 - g. Regularly but not less than once a month, sweep driveways, sidewalks and paved areas to minimize the accumulation of litter and debris. Corners and hard to reach areas shall be swept manually. Debris from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Wastewater containing any soap, cleaning agent or degreaser shall not be discharged into the storm drain.
 - h. Vegetated swales with grasses shall be mowed and clippings removed on a regular basis.

2. Restaurants and similar developments: The restaurant shall include a contained area for cleaning mats, containers, and equipment. The wash area shall be covered or shall be designed to prevent runoff onto or from the area. The area shall be connected to the sanitary sewer, subject to approval by the DSRSD, or shall be collected in a containment area and removed regularly by a disposal and recycling service. If connected to the sanitary sewer, a structural control such as a sand filter or oil/ water separator shall be used, and a sign shall be posted prohibiting the dumping of hazardous materials. Other methods may be used subject to the approval of the Chief Building Official. The project developer, property owners and business owners shall instruct employees to conduct all washing activities in this area.
3. Outdoor loading areas: The loading areas shall be covered. No other area shall drain into the loading area; a containment berm shall be constructed to prevent such drainage if found necessary by the City Engineer/Chief Building Official. The loading area may be required to drain to the sanitary sewer if required by the City Engineer/Chief Building Official, subject to approval by the DSRSD. If connected to the sanitary sewer, a structural control such as an oil/water separator or sand filter shall be used, and a sign shall be posted prohibiting the dumping of hazardous materials.
4. A regular program of inspecting vehicles for leaks and spills, and of sweeping/vacuuming, litter control, and spill cleanup shall be implemented. Such program shall be submitted to the Director of Community Development for review and approval prior to issuance of building permits.

<end>



4305 HACIENDA DRIVE, SUITE 330 PLEASANTON, CA 94588
E: info@hacienda.org P: 925.734.6500 F: 925.734.6501
WWW.HACIENDA.ORG

September 28, 2017

Mr. Adam Weinstein
Planning Manager
City of Pleasanton
200 Bernal Avenue
Pleasanton, CA 94566

Re: **Site Modifications**
5900 Owens Drive
Site 5E

Dear Adam:

This letter is being provided in accordance with the Declaration of Covenants, Conditions and Restrictions for Hacienda, Article III, Section 3.2, Paragraph 3.2.3, Plan Changes and Plans for Changes to Improvements. The Design Review Committee for the Hacienda Owners Association has reviewed the application for several site modifications. This application was submitted by GreenbergFarrow, on behalf of CB Pleasanton Partners, LLC, Site 5E, dated September 26, 2017. This approval modifies the approval granted in the Association's letter dated June 27, 2017. This modification is in substantial compliance with the guidelines set forth in the Design Guidelines and Covenants, Conditions and Restrictions.

The Hacienda Owners Association has reviewed and approved the following changes to the site:

1. Modifications to the proposed drive-through lane to improve internal circulation in the vicinity of the Owens Drive access drive and the entry to the drive-through lane.
2. Modifications to landscaping in the patio area through the addition of planters.

All proposed modifications have been made to be consistent with the existing site plan and architecture. The design and description for this modification are included on the attached plan sheets.

This application is hereby approved by the Hacienda Owners Association and may be processed for necessary approvals by the City of Pleasanton. Please feel free to contact me at the Association's office if I can be of any assistance in this matter.

Sincerely,

James Paxson
General Manager, HBPOA

cc: Ryan Shea
Barney Michalchuk
Al Baez

