

**P15-0364 (Conditional Use Permit), P15-0365 (Design Review)
& P15-0600 (Sign Design)
Exhibit A, Conditions of Approval**

**4299 Rosewood Drive
October 28, 2015**

Project Specific Conditions of Approval

Planning

1. The project developer shall obtain a Building Permit from the Building Department and any other applicable City permits for the project prior to the commencement of any construction.
2. Plans submitted to the Building and Safety Division shall include detail drawings and specifications of any proposed building or ground mounted lighting, including soffit lighting, building wash lighting, and parking lot lighting, subject to the review and approval by the Director of Community Development. Plans shall demonstrate to the satisfaction of the Director of Community Development that the lighting is of low-intensity, that the lighting source is concealed, and that the lighting is directed downward and designed or shielded so as to not shine onto neighboring properties. The project/building developer shall submit a final lighting plan with the plans submitted to the Building and Safety Division for permits, and include drawings and/or manufacturer's specification sheets showing the intensity, size, design, and types of light fixtures proposed for the exterior of the building and the site.
3. If additional hours of operation or activities beyond that proposed in the applicant's written narrative, dated "Received" October 16, 2015, on file with the Planning Division, are desired, prior City review and approval is required. The Community Development Director may approve the modification or refer the matter to the Planning Commission if judged to be substantial.
4. Plans submitted for plan check shall indicate that the materials and colors of the trash enclosure will match the color and stone material of Ranch 99 Market. The design of the enclosure on all four sides shall be shown on the plans submitted for issuance of building permits.
5. Plans submitted for plan check shall include the speaker audio system noise specification, and is required to meet the maximum noise limit of 70 dB at the property plane per the Pleasanton Municipal Code.
6. All HVAC equipment, antennas, satellite receiving stations, etc., shall be located within the building's roof-equipment screens, and shall project no higher than a horizontal plane defined by the top-edge of the roof screen.

7. The State of California's Green Building Standards Code, "CALGreen", shall apply to the project, if applicable.
8. Appliances meeting Energy Star standards shall be installed as part of the project. The proposed appliances shall be indicated on the plans submitted to the Building and Safety Division for the issuance of a building permit.
9. Energy efficient lighting shall be installed for the building. The energy efficient lighting shall be shown on the plans submitted for the issuance of a building permit.
10. The project shall be constructed to allow for future installation of a Photovoltaic (PV) system. The project/building developer shall comply with the following requirements for making the building photovoltaic-ready. Making the building photovoltaic-ready shall require the following measures to be implemented with the construction of the structure:
 - a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the buildings' 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; and
 - c. Engineering the roof to handle an additional load as determined by a structural engineer to accommodate the additional weight of a prototypical photovoltaic system beyond that anticipated for roofing.

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 building permit.

11. Water conservation devices shall be installed as part of the project. The water conservation devices shall be stated on the plans submitted for the issuance of a building permit.
12. 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 Planning Division.
13. 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 shopping center promotional events. At no time shall spot lighting be used in conjunction with such grand openings and/or promotional events.

14. The developer shall contact the Pleasanton Garbage Service (PGS) to determine the most suitable trash collection method to include the type and number of trash containers. All trash and refuse shall be contained completely within the trash enclosure. Trash containers shall be stored within the trash enclosure at all times except when being unloaded. The trash enclosure shall be sized to accommodate trash, recycling, and green waste containers. The construction plan set submitted for issuance of a building permit shall include a floor plan for the proposed trash enclosure which shows that the enclosure has been adequately sized to accommodate the trash and recycling containers.
15. The project shall comply with all current City/Pleasanton Garbage Service (PGS) recycling and composting programs.
16. 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.
17. 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, safety measures to protect the public from construction activities, temporary fencing, construction trailers, parking of construction vehicles, location of portable toilets, etc. Said plan shall be designed to minimize the loss of parking spaces and, if any need to be lost, to minimize the length of the time they are used for construction-related activities.
18. The applicant and/or developer shall submit a pad elevation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building Official and Director of Community Development certifying that the pad elevation(s) and building location (setbacks) are pursuant to the approved plans, prior to receiving a foundation inspection for the structure.
19. 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 quantity and type of proposed landscape screening shall be subject to the review and approval of the Director of Community Development prior to installation.

Landscape

20. 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

Fire

21. The fire lane shall be a minimum of 26 feet wide for 40 feet (20 feet on each side) at the relocated hydrant.
22. The fire department connection for the proposed building shall be within 50 feet of a hydrant.

Urban Stormwater

23. The project 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 Dublin-San Ramon Services District (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 applicant and/or food service owner shall instruct employees to conduct all washing activities in this area.

Traffic Engineering

24. 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.
25. The building permit plans for this development shall contain signing and striping plans that are subject to the approval of the City Traffic Engineer.
26. Plans submitted to the Building and Safety Division for permits shall show a minimum of 1 bicycle parking space. The location and style of the bicycle parking space(s) shall be subject to the review and approval by the City Traffic Engineer and Director of Community Development.
Bicycle racks shall:
 - a. Be visible and accessible
 - b. Support the frame of the bicycle and not just one wheel
 - c. Allow the frame and one wheel to be locked to the rack
 - d. Allow the use of either a cable or U-shaped lock
 - e. Be securely anchored
 - f. Be usable by bikes with no kickstand
 - g. Be usable by a wide variety of sizes and types of bicycles.
 - h.

STANDARD CONDITIONS OF APPROVAL

Planning Division

27. The location and operation of the proposed use and the proposed development shall conform substantially to the project plans and colors/materials board, Exhibit B, dated "Received, October 16, 2015," on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans or operation may be allowed subject to the approval of the Zoning Administrator if found to be in substantial conformance to the approved exhibits.
28. Prior to issuance of a building permit, the developer shall pay the required commercial development school impact fee as prescribed by state law and as adopted by the Pleasanton Unified School District.
29. 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.
30. 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.

31. 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.
32. Planning Division approval is required before any changes are implemented in site design, grading, building design, exterior colors or materials, landscape material, etc.
33. 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, up to a maximum of \$25,000. This cash bond or security shall be retained for one 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. No trees shall be removed other than those specifically designated for removal on the approved plans or tree report.
34. 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.
35. 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.
36. The approved building materials and colors shall be stated on the plans submitted for issuance of building permits.
37. 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. 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.

38. 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.
39. If the operation of this use results in conflicts pertaining to parking, noise, traffic/circulation, or other factors, at the discretion of the Director of Community Development, this conditional use permit may be submitted to the Planning Commission for their subsequent review at a public hearing.
40. There shall be no outdoor storage.
41. The proposed business shall maintain the area surrounding the drive-through kiosk in a clean and orderly manner at all times.
42. 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.
43. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.

Landscape

44. 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.
45. 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.
46. 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.
47. 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) generally outside of the existing tree

drip lines of the existing trees to be saved that are located near construction. The final location of said fencing shall be subject to review and approval of the Director of Community Development. 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.”

48. 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.

Engineering

49. A “Conditions of Approval” checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.
50. 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, 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 a 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.
51. 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.
52. 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 and includes but is not limited to slurry seal, overlay, restoration of landscaping and irrigation system, signing, striping, pavement marking or street reconstruction if deemed warranted by the City Engineer.

53. This approval does not guarantee the availability of sufficient water capacity to serve the project. Prior to the issuance of a grading permit, issuance of a building permit, or utility extension approval to the site, whichever is sooner, the applicant/developer shall submit written verification from Zone 7 Water Agency or the City of Pleasanton's Utility Planning Division that water is available for the project.
54. There shall be no direct roof leaders connected to the street gutter or storm drain system, unless otherwise approved by the City Engineer.
55. 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.
56. The project developer shall include erosion control measures on the final grading plan, subject to the approval of the City Engineer. The project developer is responsible for ensuring that the contractor is aware of such measures. All cut and fill slopes shall be revegetated and stabilized as soon as possible after completion of grading, in no case later than October 15. No grading shall occur between October 15 and April 15 unless approved erosion control measures are in place, subject to the approval of the City Engineer. Such measures shall be maintained until such time as a permanent landscaping is in place.
57. The project developer shall submit detailed landscape and irrigation plans as part of the improvement plans. The irrigation plan shall provide for automatic controls.

Fire

58. Prior to any construction framing, the project developer shall provide adequate fire protection facilities, including, but not limited to a water supply and water flow in conformance to the City's Fire Department Standards able to suppress a major fire.
59. All fire sprinkler system water flow and control valves shall be complete and serviceable prior to final inspection. Prior to the occupancy of a building having a fire alarm system, the Fire Department shall test and witness the operation of the fire alarm system. The project developer shall construct transit shelters with trash receptacles at locations determined by the Community Development Director and the City Engineer. The shelter and trash receptacle design shall be approved by the Planning Director prior to issuance of project building permits. An encroachment permit shall be obtained prior to installation. Lighting shall be provided if determined necessary by the City Engineer.

60. All commercial, industrial, and multi-family residential occupancies shall have valve tamper and water flow connected to an Underwriters Laboratory (UL) listed Central Station Service. Fire Department plan check includes specifications, monitoring certificate(s), installation certificate and alarm company U.L. certificate. Fire alarm control panel and remote annunciation shall be at location(s) approved by the Fire Prevention Bureau. All systems shall be point identified by individual device and annunciated by device type and point.
61. Provide a Hazardous Materials Declaration for this tenant and/or use. Form shall be signed by owner/manager of company occupying the suite/space/building. No building permit will be issued until the Hazardous Materials Declaration is provided. The form is available through the permit center or from the LPFD Fire Prevention Bureau.
62. Underground fire mains, fire hydrants and control valves shall be installed in conformance with the most recently adopted edition of NFPA Pamphlet 24, "Outside Protection".
 - a. Fire flow and duration shall be provided in accordance with 2013 CFC Appendix B.
 - b. All underground fire protection work shall require a California contractor's license type as follows: C-16, C-34, and C-36 or A.
 - c. All field-testing and inspection of piping joints shall be conducted prior to covering of any pipeline.
63. Electrical conduit shall be provided to each fire protection system control valve including all valve(s) at the water connections. The Livermore-Pleasanton Fire Department requires electronic supervision of all valves for automatic sprinkler systems and fire protection systems.
64. 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:
 - Installation of the on-site fire mains and fire hydrants. Specific installation drawings submitted by the licensed underground fire protection contractor shall be submitted to the Fire Prevention Bureau for approval.
 - Backflow prevention or connections to the public water mains
65. Address numbers shall be installed on the front or primary entrance for the building. Minimum building address character size shall be 12" high by 1" stroke. If building is located greater than 50 feet from street frontage, character size shall be 16" high by 1 ½" stroke minimum. 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 ¾" stroke. In all cases address numerals shall be of contrasting background and clearly visible in accordance with the Livermore-Pleasanton Fire Department Premises Identification Standards. This may warrant field verification and adjustments

based upon topography, landscaping or other obstructions. Conditions of approval checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.

66. The following items will be provided prior to any construction above the foundation or slab:
- a. Emergency vehicle access shall be provided to the site. 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 on-site fire hydrant(s) are required, they shall be installed, flushed and all valves open prior to any construction above the foundation or slab.
 - d. On-site fire hydrant(s) shall not be obstructed and shall be sufficiently above grade to have all hydrant valves and outlets accessible for emergency use.
 - e. Emergency vehicle access shall be a minimum of 20 feet in width. A clear height free of obstructions (power, cable, telephone lines, tree limbs, etc.) shall be provided. This clearance shall be a minimum of 13 feet-6 inches. Inside turning radius of 41 feet and outside turning radius of 52 feet shall be provided.

Building

67. 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 (with accurate elevations above sea level indicated) and on-site drainage control measures to prevent stormwater runoff onto adjoining properties.
68. After the issuance of a building or demolition permits, the applicant shall submit a waste management plan to the Building and Safety Division through (www.GreenHaloSystems.com). The plan shall include the estimated composition and quantities of waste to be generated and 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 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

69. 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.
70. The project developer shall submit a written dust control plan or procedure as part of the improvement plans.
71. The applicant shall pay the required sewer fees, traffic impact fees, and all other fees that the proposed use may be subject to prior to issuance of building permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
72. 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 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.

Urban Stormwater

73. The project shall comply with the NPDES Permit No. CAS612008, dated October 14, 2009, 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.;

and

http://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2007/march/alameda%20final%20order%20r2-2007-0025.pdf)

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) The NPDES Permit requires a proactive Diazinon pollutant reduction plan (aka Pesticide Plan) to reduce or substitute pesticide use with less toxic alternatives.
 - c) 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) 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.
- d) 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.
- e) 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.
- f) All metal roofs, if used, shall be finished with rust-inhibitive paint.
- g) 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/finalcon
stpermit.pdf](http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/finalcon
stpermit.pdf)

Stormwater

1. 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 Requirements

The Permit’s operation and maintenance requirements include but are not limited to the following:

- a) On-site storm drain inlets clearly marked and maintained with the words “No Dumping – Drains to Bay.”

- b) Proper maintenance of landscaping, with minimal pesticide and fertilizer use.
- c) Ensure wastewater from vehicle and equipment washing operations is not discharged to the storm drain system.
- d) 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.
- e) 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.
- f) 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.
- g) Vegetated swales with grasses shall be mowed and clippings removed on a regular basis.

CODE REQUIREMENTS

Fire

(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.)

- 74. 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.
- 75. Automatic fire sprinklers shall be installed in all occupancies in accordance with the 2013 California Building, Fire and Residential Codes; and City of Pleasanton Ordinance No. 2083. Installations shall conform to NFPA Pamphlet 13 with local amendments.
- 76. Fire alarm system shall be provided and installed in accordance with the CFC currently in effect, the City of Pleasanton Ordinance 2015 and 2002 NFPA 72 - National Fire Alarm Code. Notification appliances and manual fire alarm boxes

shall be provided in all areas consistent with the definition of a notification zone (notification zones coincide with the smoke and fire zones of a building). Shop drawings shall be submitted for permit issuance in compliance with the CFC currently in effect.

77. City of Pleasanton Ordinance 2015 requires that all new occupancies be provided with an approved key box from the Knox Company as specified by the Fire Department. The applicant is responsible for obtaining approval for location and the number of boxes from the Fire Prevention Bureau. Information and application for Knox is available through their website or the Fire Prevention Bureau. Occupant shall be responsible for providing tenant space building access keys for insertion into the Knox Box prior to final inspection by the Fire Department. Keys shall have permanent marked tags identifying address and/or specific doors/areas accessible with said key.
78. Underground fire mains, fire hydrants and control valves shall be installed in conformance with the most recently adopted edition of NFPA Pamphlet 24, "Outside Protection".
 - The underground pipeline contractor shall submit a minimum of three (3) sets of installation drawings to the Fire Department, Fire Prevention Bureau. The plans shall have the contractor's wet stamp indicating the California contractor license type, license number and must be signed. No underground pipeline inspections will be conducted prior to issuance of approved plans.
 - All underground fire protection work shall require a California contractor's license type as follows: C-16, C-34, C-36 or A.
 - All field-testing and inspection of piping joints shall be conducted prior to covering of any pipeline.
79. Dead-end fire service water mains shall not exceed 500 feet in length and/or have more than five Fire Department appliances* shall be looped around the site or building and have a minimum of two points of water supply or street connection. Zone valves shall be installed as recommended under NFPA, Pamphlet 24 and the Fire Marshal.

*Note: Fire Department appliances are classified as fire sprinkler system risers, fire hydrants and/or standpipes.
80. Portable fire extinguisher(s) shall be provided and installed in accordance with the California Fire Code currently in effect and Fire Code Standard #10-1. Minimum approved size for all portable fire extinguishers shall be 2A 10B:C.
81. 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.
82. 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

(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.)

83. 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.
84. The building(s) covered by this approval shall be designed and constructed to the Title 24 Building Standards, including Building, Electrical, Mechanical, Plumbing, Energy, Fire, Green Building and both State and Federal accessibility requirements in effect and as amended by the City of Pleasanton at the time of Building Permit submittal.
85. All building and/or structural plans must comply with all codes and ordinances in effect before the Building and Safety Division will issue permits.
86. Prior to issuance of a business license, the applicant shall contact the Building and Safety Division and the Fire Marshal to ensure that the proposed use of the tenant space meets Building and Fire Code requirements. If required, the applicant shall obtain all appropriate City permits.

< end >

August 4, 2015

City of Pleasanton- Planning Department
c/o Mr. Adam Weinstein, Planning Mgr.
P.O. Box 520
Pleasanton, CA 94566

Re: Starbucks, Rose Pavilion

Dear Mr. Weinstein,

As you are aware, Brixmor is currently considering the possibility of remodeling the Rose Pavilion Shopping Center on the East side of Rosewood Drive. The evaluation of this remodel is in its initial stages and would be tied to not only the proposed acquisition of the property currently owned by CVS; but also to the re-tenanting of that property and the requirements of that prospective Tenant.

As you are aware, Brixmor has engaged an architect to prepare preliminary renderings for this proposed remodel. These renderings at this point are only conceptual in nature as we evaluate the economics associated with upgrading the property and the return we would be able to achieve on that investment. The Starbucks development, while small in terms of square footage, based on our shopping center ownership experience, is crucial to any future redevelopment we hope to do here. We look forward to completing the Starbucks project and hope to close on the CVS purchase and find a suitable Tenant for that space.

Sincerely,



Matthew Berger
Senior Vice President, Leasing
West Region



PROPOSED BUILDING DESIGN



EXISTING CONDITION



PROPOSED BUILDING DESIGN



EXISTING CONDITION



PROPOSED BUILDING DESIGN



EXISTING CONDITION

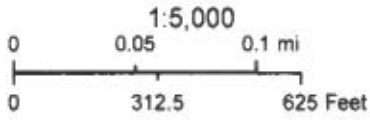
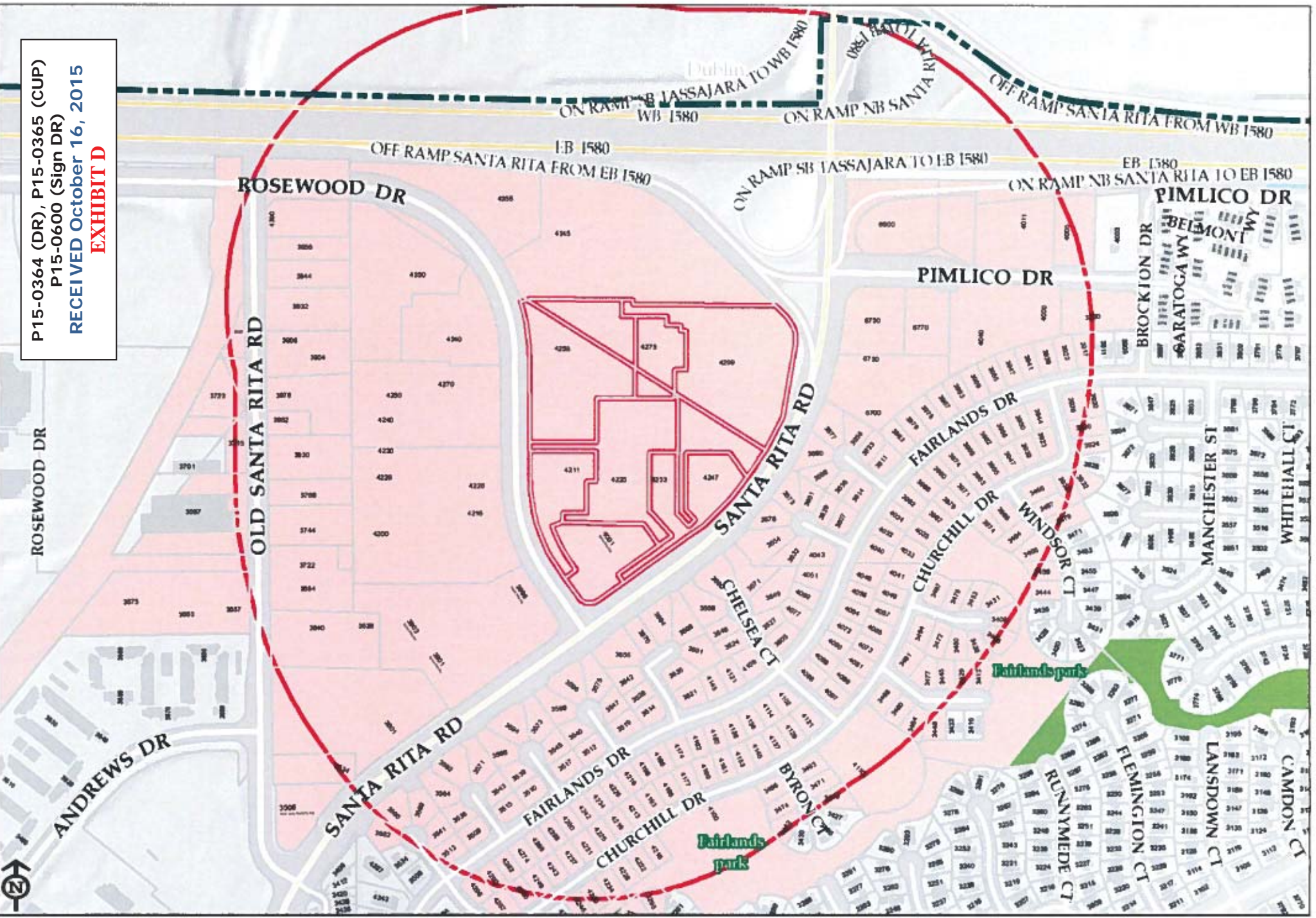


PROPOSED BUILDING DESIGN



EXISTING CONDITION

P15-0364 (DR), P15-0365 (CUP)
P15-0600 (Sign DR)
RECEIVED October 16, 2015
EXHIBIT D



P15-0364/P15-0365/P15-0600, 4299 Rosewood Drive

Planning Division
October 15, 2015

