

P14-0152
Exhibit A, Conditions of Approval

Rose Avenue Apartments
434 Rose Avenue
May 14, 2014

STANDARD CONDITIONS OF APPROVAL
Planning

1. The proposed development shall be in substantial conformance to Exhibit B, dated "Received, May 6, 2014," on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development.
2. 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 project applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorney's fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.
3. The project applicant or developer shall work with the Pleasanton Unified School District (PUSD) to develop a program to offset this project's long term effect on school facility needs in Pleasanton in addition to the school impact fees required by State law. This program shall be designed to fund school facilities necessary to offset this project's reasonably related effect on the long-term need for expanded school facilities. The method and manner for the provision of these funds and/or facilities shall be approved by the PUSD and in place prior to building permit issuance. Written proof of compliance with this condition shall be provided by the project applicant or developer to the City, on a form generated by the PUSD, prior to building permit issuance.
4. Prior to building permit submittal, a list of the green building measures used in the design of the units, covered by this approval, shall be provided to the Planning Division for the review and approval by the Director of Community Development. The units covered by this approval shall be designed to achieve a "certified rating" of a minimum of 50 total points, achieving at least the minimum points in each category, using BuildItGreen's current GreenPoints rating system.

The green building measures shall be shown on one of the first two pages of the plans submitted for issuance of a building permit. **Each point identified shall have a notation indicating the sheet the point can be found, and each sheet**

shall note where the point is located. All proposed green building measures shall be shown throughout the plan set, as appropriate, as determined by the Director of Community Development.

A special inspection by from the Planning Division shall be coordinated with regards to landscaping, irrigation, and exterior materials. All of the green building measures indicated on the approved checklist shall be inspected and approved by either the City of Pleasanton, a third party rater, or the applicants shall provide written verification by the project engineer, architect, landscape architect, or designer.

5. The State of California's Green Building Standards Code, "CALGreen", shall apply to the project, if applicable.
6. The two-unit apartment building shall be constructed to allow for the future installation of a Photovoltaic (PV) system and solar-water-heating systems. The project applicant shall comply with the following requirements for making the dwelling photovoltaic-ready and solar-water-heating-ready:
 - a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the building's main electrical panels;
 - b. An area shall be provided near the electrical panel for the installation of an "inverter" required to convert the direct current output from the photovoltaic panels to alternating current;
 - c. Engineer the roof trusses to handle an additional load as determined by a structural engineer to accommodate the additional weight of a prototypical photovoltaic system beyond that anticipated for roofing;
 - d. Plumbing shall be installed for solar-water heating; and,
 - e. Space shall be provided for a solar-water-heating tank.

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

7. All HVAC condensing units shall be located on the plans.
8. 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.
9. 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 applicant or 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.

10. Before project final, all landscaping shall be installed, reviewed, and approved by the Planning Division
11. Planning Division approval is required before any changes are implemented in site design, grading, house design, house colors or materials, green building measures, landscape material, etc.
12. Prior to the first framing or structural inspection, the project applicant or 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.
13. The approved building materials and colors shall be stated on the plans submitted for issuance of building permits.
14. 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.
15. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
16. 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.

SPECIAL CONDITIONS OF APPROVAL

Planning

17. The project applicant or 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.
18. A minimum of one appliance or system that meets Energy Star standards shall be installed in each apartment unit as part of the project. The proposed appliance or

system and how it adheres to Energy Star standards shall be stated on the plans submitted for the issuance of a building permit.

19. A minimum of one water conservation device such as low-flow faucets, toilets, shower fixtures, etc., shall be installed in each apartment unit as part of the project. The water conservation device(s) shall be stated on the plans submitted for the issuance of a building permit.
20. The dwelling units covered by this approval shall be constructed to encourage telecommuting by providing telecommunications infrastructure such as cabling for DSL service, wiring for total room access, etc. The project applicant or developer shall show the infrastructure on the building permit plan set prior to issuance of a building permit.
21. The project applicant or developer shall submit a building pad elevation certification and foundation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building and Safety Official, certifying that the pad elevations and building locations (setbacks) conform to the approved plans, prior to receiving a foundation inspection for the structure.
22. The project applicant or developer shall submit a final landscape and irrigation plan for the entire site with the building permit plan set to the Planning Division for review and approval by the Director of Community Development before the issuance of a building permit. Said landscape plan shall be detailed in terms of species, location, size, quantities, and spacing. Plant species shall be of drought tolerant nature with an irrigation system that maximizes water conservation (e.g. drip system).
23. The project shall comply with the State of California's Model Water Efficient Landscape Ordinance and shall implement Bay Friendly Basics. A licensed landscape architect shall verify the project's compliance with the ordinance: 1) prior to the issuance of a building permit; and 2) prior to final inspection. The verification shall be provided to the Planning Division.
24. Backflow prevention devices, above ground irrigation controls, and above ground irrigation meters shall be located and screened so as to minimize visual impacts. When feasible, these devices shall be installed by the property line with the most landscape screening to minimize visual impacts and/or shall be painted forest green, or an equivalent color, unless otherwise allowed by the Director of Community Development. The location of all backflow prevention devices, above ground irrigation controls, and above ground irrigation meters and the means to screen these devices shall be subject to the review and approval of the Director of Community Development before installation and shall be shown on the site plan, landscape plan, and utility plans submitted for the issuance of building permits and shall clearly be marked "above ground" on the plans.

25. This design review approval will lapse within one year from the date of approval unless a building permit is issued and construction has commenced and is diligently pursued toward completion or an extension has been approved by the City.
26. The project applicant or developer and future property owner is encouraged to use reclaimed gray water, rain water, etc., for landscape irrigation. If used, the details shall be shown on the permit plan set to the satisfaction of the Director of Community Development before issuance of a building permit.
27. The project applicant or developer and future property owner is encouraged to use best management practices for the use of pesticides and herbicides.
28. The project applicant or developer shall provide automatic opening sectional roll-up garage doors on the garages of the units covered by this approval. Unless otherwise approved by the Director of Community Development, the door design and material shall conform to the Exhibit B.
29. The two, one-car garages shall not be modified or used for storage in a manner that would interfere with the ability to park a vehicle within the garage and each resident shall utilize the garage for the parking of vehicles. In addition, boats, trailers, campers, motor homes, and other recreational vehicles shall not be parked or stored on-site in a garage or open parking space and residents, tenants, guests, etc. shall not park in the private driveway. The project applicant or property manager shall be responsible for enforcing these restrictions, which shall be stated clearly in all leases.
30. Scored permeable paving or decorative concrete pavers shall be used for the driveway. The driveway paving material and color(s) shall be submitted for review and approval by the Director of Community Development with the building permit plans prior to issuance of a building permit.
31. Prior to issuance of a building permit, the applicant shall contribute \$2,500 per new unit to the Bernal Park Reserve Fund.
32. Prior to issuance of a building permit, the project applicant or developer shall contribute the appraised value of the trees to be removed to the City's Urban Forestry Fund for tree mitigation.
33. The project shall comply with the current City/Pleasanton Garbage Service recycling and composting programs.
34. The project applicant or developer shall increase the size of the new trees to be planted from 15 gallon size to 24-inch box size. This change shall be shown on the landscape plan submitted with the building permit plan set to the satisfaction of the Director of Community Development before the issuance of a building permit.

35. All shrubs shall be a minimum of five-gallons, unless otherwise shown on the approved landscape plan.
36. The in-lieu park dedication fees shall be paid to the City prior to issuance of any building permits for the new rental units at the rate then in effect for the total number of new residential units to be constructed.
37. The project applicant or developer shall add trim to the windows on the north building elevation of the two-unit apartment building matching the trim on the front and side elevations. This change shall be shown on the building permit plans to the satisfaction of the Director of Community Development before issuance of a building permit.
38. The frame and sash of the windows on the two-unit apartment building shall have a similar thickness to a traditional wood-framed/sash window. This change shall be shown on the building permit plans to the satisfaction of the Director of Community Development before issuance of a building permit.
39. Except as otherwise approved by the Director of Community Development, the stucco on the new apartment building shall have a relatively smooth hand-troweled look and finish. The stucco finish shall be noted on the building permit plans. Prior to installation, the applicant shall submit a sample of the stucco wall finish for review and approval by the Director of Community Development.
40. The project applicant or developer shall revise the grading plan and landscape plan to show the straight alignment of the driveway curb along the south property line. This change shall be shown on the building permit plans to the satisfaction of the Director of Community Development before issuance of a building permit.
41. The following tree preservation/mitigation measures shall be incorporated into the project covered by this approval to the satisfaction of the Director of Community Development:
 - a. The project applicant or developer shall preserve tree #70, #72 and #73, #75 to #78, #80 and #81, and #84 to #88 as shown on the site plan and landscape plan unless otherwise determined by the Director of Community Development.
 - b. The project applicant or developer shall plant one, 24-inch box-size tree in each private yard area of the new rental units. The trees shall be shown on the planting plan for the said yard areas submitted with the building permit plan sets.
 - c. The project applicant or 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 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 building plans.

- d. The project applicant or developer shall comply with the recommendations of the tree report prepared for the project by HortScience, Inc., dated January 30, 2014. No tree trimming or pruning other than that specified in the tree report shall occur. The project applicant or developer shall arrange for the horticultural consultant to conduct a field inspection prior to issuance of City permits to ensure that all recommendations have been properly implemented. The consultant shall certify in writing that such recommendations have been followed. The final determination

SPECIAL CONDITIONS OF APPROVAL Engineering

42. A water meter (or sub-meter) for each unit of the two-unit apartment building shall be provided at the back of the sidewalk or street curb, whichever is applicable per City standards. This detail shall be shown on the building permit plans to the satisfaction of the Chief Building and Safety Official and the City Engineer.
43. A sanitary sewer lateral with two-way cleanout shall be provided at the back of the sidewalk or street curb, whichever is applicable per City standards, for the two-unit apartment building unless otherwise approved by the City Engineer.
44. A stub for each dry utility, such as electric power, gas, communication service, Cable television, street lights and alarm systems, shall be provided to the two-unit apartment building unless otherwise approved by the City Engineer.
45. All existing service drops (PG&E, Pac Bell, and Cable TV) to the existing home and new services to the proposed units within this development shall be installed underground in conduit to the nearest existing riser pole.
46. At the time of building permit plan submittal, the project applicant or 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 to prevent stormwater runoff onto adjoining properties.

STANDARD CONDITIONS OF APPROVAL Engineering

47. All existing septic tanks or holding tanks, if any are present on the property, shall be properly abandoned, pursuant to the requirements of the Alameda County Department of Health Services prior to the start of grading operations, unless specifically approved by the City Engineer.

48. All unused utility laterals, including but not limited to water, sewer and storm, shall be abandoned or removed as per city standard specifications and details to the satisfaction of the City Engineer and Chief Building and Safety Official.
49. All retaining walls along the street shall be placed behind the Public Service Easement (PSE), unless otherwise approved by the City Engineer.
50. The encroachment permit for haul route for all materials and equipment to and from this development shall be approved by the City Engineer prior to the issuance of any permit by City Building Division or Engineering Division.
51. Any damage to existing street improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the project developer. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
52. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve the project.

STANDARD URBAN STORMWATER CONDITIONS OF APPROVAL

The project shall comply with the “Alameda Countywide NPDES Permit #CAS612008 dated October 14, 2009 and amendments to this permit” 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 also comply with the “Construction General Permit” by the California Regional Water Quality Control Board, San Francisco Bay Region.

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

Design Requirements

53. The following requirements shall be incorporated into the project:
 - a. The project applicant or 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. This plan shall be

subject to the review and approval of the City Engineer prior to the issuance of any building permits.

- b. Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate and acceptable to the project soils engineer, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution.
 - Structures shall be designed to prohibit the occurrence and entry of pests into buildings, thus minimizing the need for pesticides.
 - Where feasible, landscaping shall be designed and operated to treat stormwater runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified. Soil shall be amended as required. (See planting guide line by Alameda County Clean Water Program.)
 - Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.
 - Landscaping shall also comply with City of Pleasanton ordinances and policies regarding water conservation.
- c. 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 and Safety Official and as required by the State Water Board.
- d. All metal roofs, if used, shall be finished with rust-inhibitive paint.
- e. 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.

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 stormwater

pollution prevention plans 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

54. The project applicant or developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review by the City Engineer/Chief Building and Safety 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.
55. 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.
56. The project applicant or 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 applicant or 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 and Safety 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 applicant or 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 and Safety Official. Such measures shall be maintained until such time as permanent landscaping is place.

- c. Gather all sorted construction debris on a regular basis and place it in the appropriate container for recycling; to be emptied at least on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater runoff pollution.
- d. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement adjoining the project site on a daily basis. Scrape caked-on mud and dirt from these areas before sweeping.
- e. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing 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. Use off-site fueling stations.
- j. 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. Use off-site repair shops.

Operation 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.

57. The measures for this project may include, but are not limited to:
- 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.
 - 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.

STANDARD CONDITIONS OF APPROVAL

Fire

58. The project applicant or developer shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
59. Prior to any construction framing, the project applicant or 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.
60. 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.
61. 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.

62. 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.
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 following items will be provided prior to any construction above the foundation or slab. NOTE: Periodic inspections will be made for compliance.
- a. Emergency vehicle access will be required to be provided to the site (tract), including the area where construction is occurring.
 - b. The carrying capacity of the access route(s) shall be 69,000 pounds under all weather conditions.
 - c. Designated construction material storage and construction worker parking shall not obstruct the emergency vehicle access route(s).
 - d. On-site fire hydrants shall be in service. Fire hydrants shall be flushed and all valves open.

STANDARD CONDITIONS OF APPROVAL
Building

65. All retaining walls higher than four feet from the top of the wall to the bottom of the footway shall be constructed of reinforced concrete, masonry, or other material as approved by the Director of Community Development, or shall be an approved crib wall type. Calculations signed by a registered civil engineer shall accompany the wall plans.
66. 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

how the project applicant or 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 and Safety Official prior to the issuance of a final building permit. During demolition and construction, the project applicant or developer shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only." The project applicant or developer shall contact Pleasanton Garbage Service for the disposal of all waste from the site.

STANDARD LANDSCAPING CONDITIONS OF APPROVAL
Landscaping Requirements:

67. The project applicant or developer shall enter into an agreement with the City, approved by the City Attorney, which guarantees that all landscaping and open space areas included in this project will be maintained at all times in a manner consistent with the approved landscape plan for this development. Said agreement shall run with the land for the duration of the existence of the structures located on the subject property.
68. Six-inch vertical concrete curbs shall be installed between all paved and landscaped areas.
69. The project applicant or 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.

Tree Requirements

70. 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.

Prior to issuance of a grading or building permit, the project applicant or developer shall install a temporary six foot tall chain-link fence (or other fence type acceptable to the Director of Community Development) outside of the existing tree drip lines, as shown on the plans. 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.”

STANDARD CONDITIONS OF APPROVAL Community Development Department

71. The project applicant or 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.
72. The project applicant or developer shall submit a written dust control plan or procedure as part of the building permit plans.
73. The project applicant or developer shall pay any and all fees to which the property may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
74. 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 Appendix K 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 building permit plans.

CODE REQUIREMENTS Planning

(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.)

75. The project shall meet all requirements of the City's Growth Management Plan, as determined by the Director of Community Development.
76. 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.
77. All exterior lighting including landscape lighting shall be directed downward and designed or shielded so as to not shine onto neighboring properties. The project/building project applicant or developer or developer shall submit a final lighting plan, and include drawings and/or manufacturer's specification sheets showing the size and types of light fixtures proposed for the exterior of the buildings.

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.)

78. All construction shall conform to the requirements of the California Fire Code currently in effect, City of Pleasanton Building and Safety Division and City of Pleasanton Ordinance 2015. All required permits shall be obtained.
79. Automatic fire sprinklers shall be installed in all occupancies in accordance with City of Pleasanton Ordinance 2015. Installations shall conform to NFPA Pamphlet 13 for commercial occupancies NFPA 13R for multifamily residential occupancies.
80. 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.
81. 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).

CODE REQUIREMENTS
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.)

82. The project applicant or developer shall post address numerals on the building so as to be plainly visible from all adjoining streets or driveways during both daylight and night time hours.
83. The building covered by this approval shall be designed and constructed to meet Title 24 state energy requirements.
84. All building and/or structural plans must comply with all codes and ordinances in effect before the Building and Safety Division will issue permits.

< End >

Arborist Report

**434 Rose Ave.
Pleasanton, CA**

**PREPARED FOR
Peter Michno
4049 1st. Street
Livermore, CA**

**PREPARED BY:
HortScience, Inc.
325 Ray St.
Pleasanton, CA 94566**

January 30, 2014



**Arborist Report
434 Rose Ave.
Pleasanton, CA**

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Tree Appraisal***

Arborist Report 434 Rose Ave. Pleasanton, CA

Introduction and Overview

Peter Michno is planning to construct a two-unit apartment building at 434 Rose Avenue. Currently one house exists on the site and will remain, with the other two units to be built behind the house in the vacant yard. HortScience, Inc. was asked to prepare an **Arborist Report** for the site as part of the application to the City of Pleasanton.

This report provides the following information:

1. An evaluation of the health and structural condition of the trees within the proposed project area based on a visual inspection from the ground.
2. An assessment of the trees that would be preserved and removed based on Peter Michno's planned use of the property.
3. An appraisal value of the trees according to the procedures described in the *Guide for Plant Appraisal* (Council of Tree and Landscape Appraisers).
4. Guidelines for tree preservation during the design, construction and maintenance phases of development.

Tree Assessment Methods

Trees were assessed on December 18, 2013. The survey included trees 6" in diameter and greater, located within and adjacent to the proposed project area. Trees located off-site that were either near the proposed project or had canopies extending over the property line were included. The assessment procedure consisted of the following steps:

1. Identifying the tree as to species;
2. Tagging each tree with an identifying number and recording its location on a map;
3. Measuring the trunk diameter at a point 4.5' above grade;
4. Evaluating the health and structural condition using a scale of 1 – 5:
 - 5 - A healthy, vigorous tree, reasonably free of signs and symptoms of disease, with good structure and form typical of the species.
 - 4 - Tree with slight decline in vigor, small amount of twig dieback, minor structural defects that could be corrected.
 - 3 - Tree with moderate vigor, moderate twig and small branch dieback, thinning of crown, poor leaf color, moderate structural defects that might be mitigated with regular care.
 - 2 - Tree in decline, epicormic growth, extensive dieback of medium to large branches, significant structural defects that cannot be abated.
 - 1 - Tree in severe decline, dieback of scaffold branches and/or trunk; most of foliage from epicormics; extensive structural defects that cannot be abated.
5. Rating the suitability for preservation as "high", "moderate" or "low". Suitability for preservation considers the health, age and structural condition of the tree, and its potential to remain an asset to the site for years to come.

- High:** Trees with good health and structural stability that have the potential for longevity at the site.
- Moderate:** Trees with somewhat declining health and/or structural defects that can be abated with treatment. The tree will require more intense management and monitoring, and may have shorter life span than those in 'high' category.
- Low:** Tree in poor health or with significant structural defects that cannot be mitigated. Tree is expected to continue to decline, regardless of treatment. The species or individual may have characteristics that are undesirable for landscapes, and generally are unsuited for use areas.

City of Pleasanton Urban Tree Protection Requirements

The Pleasanton Municipal Code Chapter 17.16 controls the removal and preservation of Heritage trees within the city. Heritage trees are defined as:

1. Any single-trunked tree with a circumference of 55 inches or more measured four and one-half feet above ground level;
2. Any multi-trunked tree of which the two largest trunks have a circumference of 55 inches (18 inches diameter) or more measured four and one-half feet above ground level;
3. Any tree 35 feet or more in height;
4. Any tree of particular historical significance specifically designated by official action;
5. A stand of trees, the nature of which makes each dependent upon the other for survival or the area's natural beauty.

Heritage trees may not be removed, destroyed or disfigured without a permit.

Description of Trees

Eighteen (18) trees representing five species were evaluated (Table 1). One street tree (#70) and three off-site trees (#71, 78 & 88) were evaluated because their canopies extend onto the subject property. Half of the trees (9 trees) assessed were in fair condition, 8 were in poor condition and one was in good condition. Descriptions of each tree are found in the **Tree Assessment Form** and approximate locations are plotted on the **Tree Assessment Map** (see Exhibits).

**Table 1. Condition ratings and frequency of occurrence of trees
 434 Rose Ave., Pleasanton, CA**

Scientific Name	Common Name	Condition			Total
		Poor (1-2)	Fair (3)	Good (4-5)	
<i>Ailanthus altissima</i>	Tree of heaven	2	2	0	4
<i>Citrus limon</i>	Lemon	0	1	0	1
<i>Quercus agrifolia</i>	Coast live oak	4	2	1	7
<i>Quercus ilex</i>	Holly oak	2	1	0	3
<i>Quercus lobata</i>	Valley oak	1	2	0	3
Total		8	9	1	18

The most common species assessed was coast live oak (7 trees). The largest was 36" diameter #70, a street tree growing in front of the existing house (Photo 1). Six coast live oaks were along the eastern property line, between the subject site and a vacant lot to the east (Photo 2). Those six trees were in poor (4 trees) to fair (2 trees) condition; they were young to semi-mature with a trunk diameter ranging from 9 to 15 inches. Many of the trees on the eastern border had been poorly pruned, creating asymmetrical and narrow canopies and trees with poor form (photo 3).



Photo 1: Coast live oak #70 was the largest tree assessed with a canopy spreading across the street.

Tree of heaven was the second most common species evaluated; four trees bordered the eastern edge of the property. They were in

fair (2 trees) to poor (2 trees) condition. The trees of heaven ranged in maturity with diameters from 6 to 26 inches. The largest tree of heaven (#71) was the closest tree to the street on the eastern border (Photo 4). This tree was off-site and part of the trunk bulging over the sidewalk.



#77 #78 #79 #80 #81

Photo 2: Trees lined the eastern property boundary.

Three holly oaks were growing along the eastern border. Two were in poor condition and one was in fair. All three trees were young averaging 8 inches in diameter. Two suffered from poor form due to heavy pruning and one was almost dead.

Three valley oaks also made up the eastern border. Two were in fair condition and one was poor. They averaged 9 inches in diameter and ranged from 6 to 13 inches. One (#78) valley oak was off-site and leaned heavily to the east; the two other valley oaks had poor structure due previous pruning and crowding by neighboring trees.

Four trees evaluated qualified as *Heritage* (#70, 71, 77 & 80). *Heritage* status of individual trees is identified in the ***Tree Assessment Form and Tree Assessment Plan*** (see Exhibits).



Photo 3 (left): Oaks #72-76 were pruned to remove branches on the west, creating asymmetric canopies.



Photo 4 (right): Tree of Heaven #71 was not on the property, but its canopy extended over the drive way. One trunk was dead; the base of the larger trunk was growing over the sidewalk.

Suitability for Preservation

Before evaluating the impacts that will occur during development, it is important to consider the quality of the tree resource itself, and the potential for individual trees to function well over an extended length of time. Trees that are preserved on development sites must be carefully selected to make sure that they may survive development impacts, adapt to a new environment and perform well in the landscape.

Our goal is to identify trees that have the potential for long-term health, structural stability and longevity. For trees growing in open fields, away from areas where people and property are present, structural defects and/or poor health presents a low risk of damage or injury if they fail. However, we must be concerned about safety in use areas. Therefore, where development encroaches into existing plantings, we must consider their structural stability as well as their potential to grow and thrive in a new environment. Where development will not occur, the normal life cycles of decline, structural failure and death should be allowed to continue.

Evaluation of suitability for preservation considers several factors:

- **Tree health**
Healthy, vigorous trees are better able to tolerate impacts such as root injury, demolition of existing structures, changes in soil grade and moisture, and soil compaction than are non-vigorous trees. For example, tree of heaven #83 likely will not tolerate construction impacts as well as the healthier trees of heaven.
- **Structural integrity**
Trees with significant amounts of wood decay and other structural defects that cannot be corrected are likely to fail. Such trees should not be preserved in areas where damage to people or property is likely. Tree # 79 was an example of such a tree.
- **Species response**
There is a wide variation in the response of individual species to construction impacts and changes in the environment. Valley oak is moderately tolerant of construction while coast live oak tolerates construction well.

- **Tree age and longevity**
Old trees, while having significant emotional and aesthetic appeal, have limited physiological capacity to adjust to an altered environment. Young trees are better able to generate new tissue and respond to change.
- **Species invasiveness**
Species that spread across a site and displace desired vegetation are not always appropriate for retention. This is particularly true when indigenous species are displaced. The California Invasive Plant Inventory Database (<http://www.cal-ipc.org/paf/>) lists species identified as being invasive. Pleasanton is part of the Central West Floristic Province. Tree of heaven has a *moderate* invasiveness rating.

Each tree was rated for suitability for preservation based upon its age, health, structural condition and ability to safely coexist within a development environment (see **Tree Assessment Forms** in Exhibits, and Table 2, following page).

We consider trees with good suitability for preservation to be the best candidates for preservation. We do not recommend retention of trees with poor suitability for preservation in areas where people or property will be present. Retention of trees with moderate suitability for preservation depends upon the intensity of proposed site changes.

**Table 2: Tree suitability for preservation
434 Rose Ave., Pleasanton, CA.**

High	These are trees with good health and structural stability that have the potential for longevity at the site. Coast live oaks # 70 and 80 were the only two trees highly suitable for preservation.
Moderate	Trees in this category have fair health and/or structural defects that may be abated with treatment. These trees require more intense management and monitoring, and may have shorter life-spans than those in the "high" category. Valley oak #78 and coast live oak #81 were both moderately suitable for preservation.
Low	Trees in this category are in poor health or have significant defects in structure that cannot be abated with treatment. These trees can be expected to decline regardless of management. The species or individual tree may possess either characteristics that are undesirable in landscape settings or be unsuited for use areas. Fourteen (14) trees had low suitability for preservation: four coast live oaks, four trees of heaven, three holly oaks, two valley oaks and one lemon.

Evaluation of Impacts and Recommendations for Preservation

Appropriate tree retention develops a practical match between the location and intensity of construction activities and the quality and health of trees. The **Tree Assessment** was the reference point for tree condition and quality. I referred to the Preliminary Grading Plan created by Alexander & Associates Inc. dated November 4th 2013 to estimate impacts to trees from the proposed construction.

The proposed site plan indicated that all trees except #82, 83 and 84 would be preserved. I recommend removing 13 trees, however, because of their poor condition: #71-77, 79, 82-86. Two of the trees identified for removal were *Heritage* (#71 & 77).

Tree of heaven #71 is off the property. I recommend removing it because of its poor condition, conflicts with the sidewalk, and its invasive nature. Following removal, the stump should be treated with an herbicide to prevent sprouting. I suggest contacting the owner of the tree to request his/her support in applying for a permit to remove the tree.

I recommend preserving five trees: #10, 78 (off-site), 80, 81 and 88 (off-site). These include two *Heritage* coast live oaks (#70 and 80). Preservation of the trees is predicated on the construction impacts being within the tolerances of the trees and on the implementation of specific recommendations in the *Tree Preservation Guidelines*.

Plans include preserving trees #78, 80 & 81 in a small opening along the edge of the driveway. The driveway will be constructed of permeable pavers. I recommend raising the finish grade of the driveway as much as possible and underlaying the base material with a geotextile to reduce the depth of excavation within the trees' root zones. Utilities will be placed underground as close to the units as possible to minimize root loss. Excavation for the pavement and utilities will need to be monitored by the Consulting Arborist and appropriate mitigation will be recommended based on the size and proximity of roots pruning required. Root loss will be unavoidable and may exceed tolerance of trees. See *Tree Preservation Guidelines* for further recommendations.

Street tree #70 will not be affected by the planned construction. Due to the heavy scaffold branches at awkward angles, I recommend an aerial inspection and pruning to reduce end weight. Pruning specifications are provided in the *Tree Preservation Guidelines*.

**Table 3: Assessment of Trees to be Preserved and Removed
 343 Rose Ave., Pleasanton**

Tree No.	Species	Trunk Diameter (in)	Heritage Tree?	Suitability for Preservation	Disposition
70	Coast live oak	36	Yes	High	Preserve
71	Tree of heaven	26	Yes	Low	Remove, low suitability
72	Coast live oak	13	No	Low	Remove, low suitability
73	Valley oak	9	No	Low	Remove, low suitability
75	Holly oak	8	No	Low	Remove, low suitability
76	Holly oak	8	No	Low	Remove, low suitability
77	Tree of heaven	13,6	Yes	Low	Remove, low suitability
78	Valley oak	6	No	Moderate	Preserve
79	Coast live oak	9	No	Low	Remove, low suitability
80	Coast live oak	15,14,14	Yes	High	Preserve
81	Coast live oak	14	No	Moderate	Preserve
82	Coast live oak	12	No	Low	Remove, low suitability
83	Tree of heaven	6,5	No	Low	Remove, low suitability
84	Holly oak	7	No	Low	Remove, low suitability
85	Valley oak	13	No	Low	Remove, low suitability
86	Coast live oak	10	No	Low	Remove, low suitability
87	Tree of heaven	10,6	No	Low	Remove, low suitability
88	Lemon	6,6,6,6,6	No	Low	Preserve, off-site

Tree Appraisal

The City of Pleasanton requires an appraisal of the value of the trees on the property. In appraising the value of the trees, we employed the standard methods found in ***Guide for Plant Appraisal***, 9th edition (International Society of Arboriculture, Champaign IL, 2000). In addition, we referred to ***Species Classification and Group Assignment*** (2004), a publication of the Western Chapter of the International Society of Arboriculture. These two documents outline the methods employed in tree appraisal.

The value of landscape trees is based on four factors: size, species, condition and location. Size is measured as trunk diameter, normally 54" above grade. The species factor considers the adaptability and appropriateness of the plant in the East Bay area. The ***Species Classification and Group Assignment*** lists recommended species ratings. Condition reflects the health and structural integrity of the individual. The location factor considers the site, placement and contribution of the tree in its surrounding landscape. We appraised tree of heaven (#71) at \$0, due to the risk of failure.

The appraised value of each tree is provided in the Exhibits. The value of the 14 trees to be removed is \$7,750. The value of the 5 trees to be preserved is \$32,300.

Tree Preservation Guidelines

The goal of tree preservation is not merely tree survival during development but maintenance of tree health and beauty for many years. Trees retained on sites that are either subject to extensive injury during construction or are inadequately maintained become a liability rather than an asset. The response of individual trees depends on the amount of excavation and grading, care with which demolition is undertaken, and construction methods. Coordinating any construction activity inside the **TREE PROTECTION ZONE** can minimize these impacts.

The following recommendations will help reduce impacts to trees from development and maintain and improve their health and vitality through the clearing, grading and construction phases.

Design recommendations

1. **TREE PROTECTION ZONE** shall be established a minimum of 15 feet from the trunks of trees 78, 80 & 81. Pavement design and utilities alignments shall be adjusted as needed to avoid root injury within this area. Spoil from trench, footing, utility or other excavation shall not be placed within the **TREE PROTECTION ZONE**, neither temporarily nor permanently.
2. Increase the size of the openings on the west side of trees #78, 80, and 81 to maintain the edge of pavement a minimum of five feet from the edge of trunks.
3. Raising the finish grade of the driveway as much as possible and underlaying the base material with a geotextile to reduce the depth of excavation within the trees' root zones.
4. Locate underground utilities and services as close to the new units as possible to avoid trenching within the root systems of trees to be preserved.
5. Any herbicides placed under paving materials must be safe for use around trees and labeled for that use.
6. Irrigation systems must be designed so that no trenching that severs roots larger than 1" diameter will occur within the **TREE PROTECTION ZONE**.

Pre-construction treatments and recommendations

1. The construction superintendent shall meet with the Project Arborist before beginning work to discuss work procedures and tree protection.
2. Protect the trunks of trees #78, 80 & 81 from inadvertent damage by erecting barriers (wood fence, hay bales, or similar) around the trunks to a height of 4-5 feet. Tree protection devices are to remain until all grading and construction is completed.
3. Because the plans involve grading within five feet of the trees, the project arborist should be on-site during to observe excavation and root pruning around the trees.
4. Prune trees to be preserved to raise canopies as needed for construction activities.
 - a. Street tree #70 should have an aerial inspection by a Certified Arborist to determine stability of branch connections. Prune tree to reduce end weight on heavy scaffold branches.
 - b. All pruning shall be done by a State of California Licensed Tree Contractor (C61/D49). All pruning shall be done by Certified Arborist or Certified Tree Worker in accordance with the Best Management Practices for Pruning (International Society of Arboriculture, 2002) and adhere to the most recent editions of the American National Standard for Tree Care Operations (Z133.1) and Pruning (A300).
5. Tree(s) to be removed that have branches extending into the canopy of tree(s) to remain shall be removed by a Certified Arborist or Certified Tree Worker. The Certified Arborist or Certified Tree Worker shall remove the trees in a manner that causes no damage to the tree(s) to remain.

Recommendations for tree protection during construction

1. Any approved grading, construction, demolition or other work within the **TREE PROTECTION ZONE** should be monitored by the Consulting Arborist.
2. All contractors shall conduct operations in a manner that will prevent damage to trees to be preserved.
3. Tree protection devices are to remain until all site work has been completed within the work area. Fences or other protection devices may not be relocated or removed without permission of the Project Arborist.
4. Construction trailers, traffic and storage areas must remain outside **TREE PROTECTION ZONE** at all times.
5. Any root pruning required for construction purposes shall receive the prior approval of and be supervised by the Project Arborist. Roots should be cut with a saw to provide a flat and smooth cut. Removal of roots larger than 2" in diameter should be avoided.
6. If roots 2" and greater in diameter are encountered and during site work must be cut to complete the construction, the Project Arborist must be consulted to evaluate effects on the health and stability of the tree and recommend treatment.
7. All grading within the dripline of trees shall be done using the smallest equipment possible. The equipment shall operate perpendicular to the tree and operate from outside the **TREE PROTECTION ZONE**. Any modifications must be approved and monitored by the Project Arborist.

8. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the Project Arborist so that appropriate treatments can be applied.
9. No excess soil, chemicals, debris, equipment or other materials shall be dumped or stored within the **TREE PROTECTION ZONE**.
10. Any additional tree pruning needed for clearance during construction must be performed by a Certified Arborist and not by construction personnel.

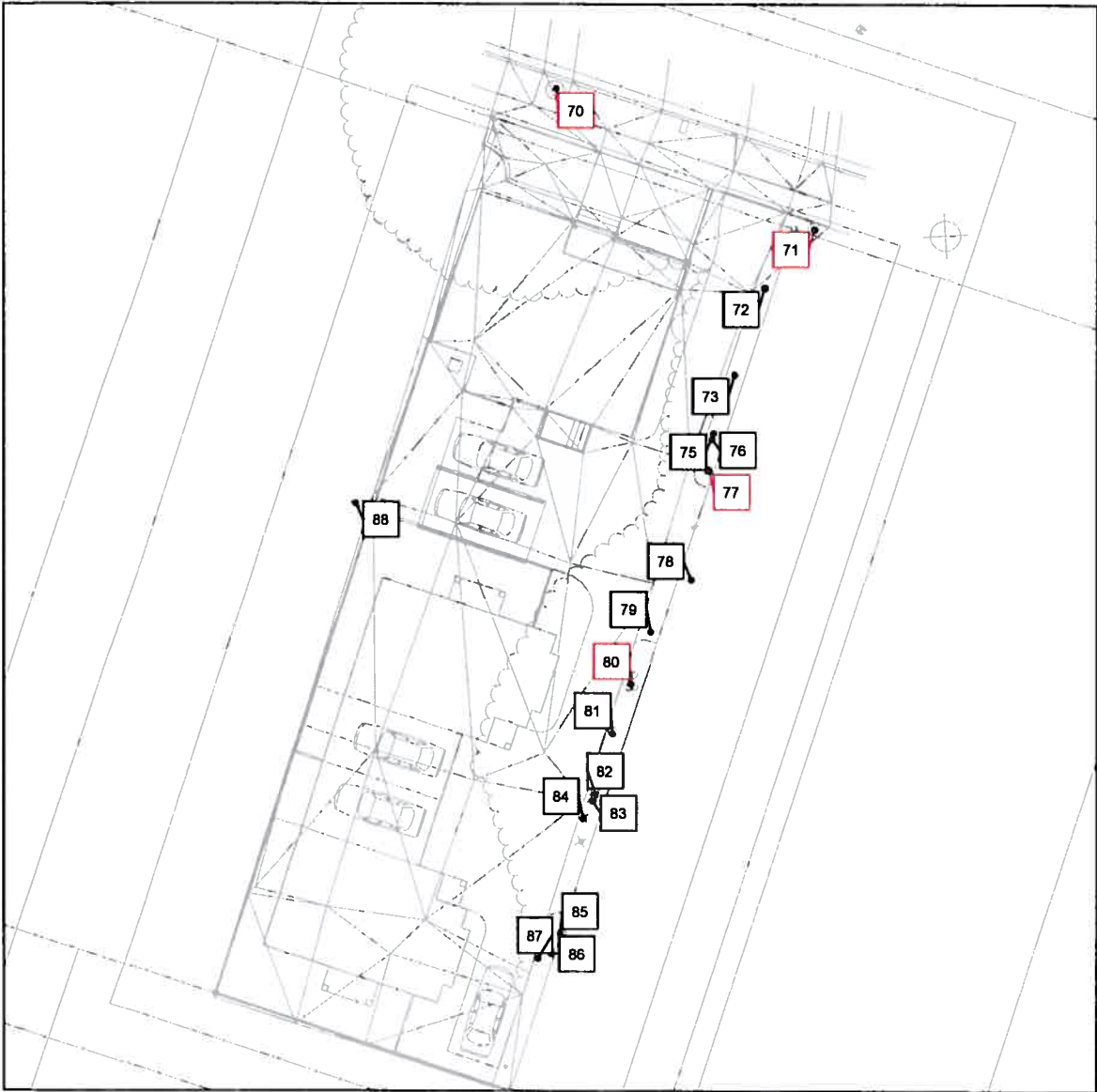
Maintenance of impacted trees

Trees preserved at 343 Rose Ave. will experience a different physical environment than pre-development. As a result, tree health and structural stability should be monitored. Occasional pruning, fertilization, mulching, pest management, and irrigation may be required. In addition, monitoring tree health and structural stability following construction must be made a priority. As trees age, the likelihood of failure of branches or entire trees increases. Therefore, it is recommended that the property owner have the trees inspected annually for structural condition and health and take appropriate action to preserve the trees.

HortScience, Inc.



Ryan Gilpin, M.S.
Certified Arborist #WE-10268A



Tree Assessment

**343 Rose Ave.
Pleasanton, CA**

Prepared for:
Peter Michno

December 2013

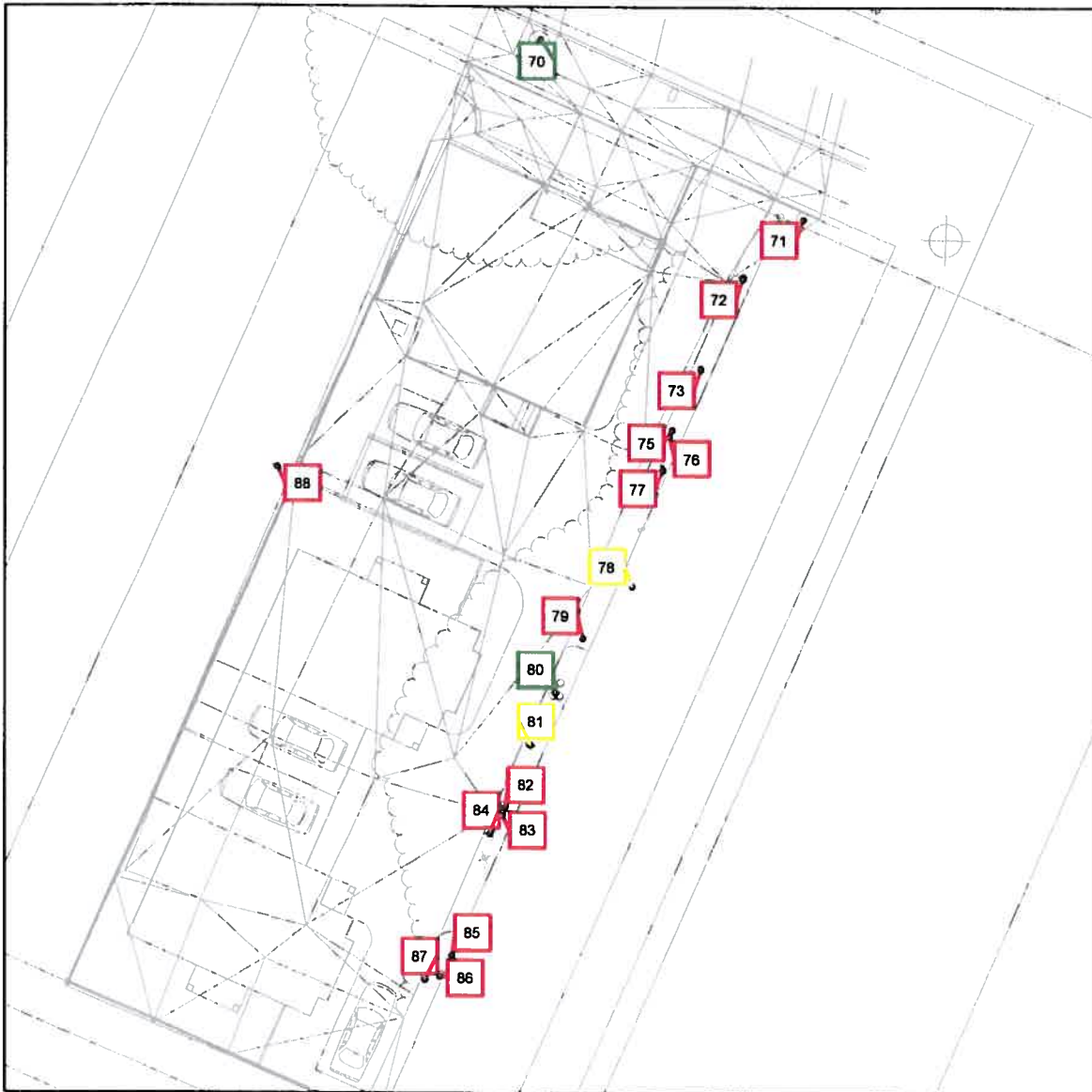
- Notes:
1. Tree locations are approximate.
 2. Base file is "Site Plan.dwg"
Modified Nov 6, 2013. Provided
by Hereld & Ayers Architects.
 3. Red indicates Heritage.

Heritage

- No
- Yes
- Trees
- - - SitePlan.dwg



325 Ray Street
Pleasanton, CA 94566
Phone (925) 484-0211
Fax (925) 484-0596



Tree Suitability for Preservation

**343 Rose Ave.
Pleasanton, CA**

Prepared for:
Peter Michno

December 2013

Notes:

1. Tree locations are approximate.
2. Base file is "Site Plan.dwg"
Modified Nov 6, 2013. Provided by Herold & Ayers Architects.
3. Colors indicate tree suitability for preservation.

Suitability for Preservation

- High
- Low
- Moderate

• Trees

--- SITE PLAN.DWG



325 Ray Street
Pleasanton, CA 94566
Phone (925) 484-0211
Fax (925) 484-0596

Tree Assessment

434 Rose Ave.
Pleasanton, CA
December 2013



Tree No.	Species	Trunk Diameter (in.)	Heritage Tree?	Condition 1=poor 5=excellent	Suitability for Preservation	Comments
70	Coast live oak	36	Yes	4	High	Street tree; huge spreading crown; several trunk wounds from passing trucks; 4 foot by 4 foot planter; hole through trunk from two merged branches; large, heavy scaffold branches at awkward angles.
71	Tree of heaven	26	Yes	2	Low	Off-site; multiple attachments at 5 ft.; asymmetrical towards road; dead stem; growing over sidewalk.
72	Coast live oak	13	No	2	Low	Pruned to one side; canopy to south; many pruning and trunk wounds.
73	Valley oak	9	No	3	Low	Bowed trunk; heavy asymmetrical pruning; low canopy ratio.
75	Holly oak	8	No	3	Low	Pruned asymmetrical; crooked trunk; growing vigorously.
76	Holly oak	8	No	1	Low	All but dead.
77	Tree of heaven	13,6	Yes	3	Low	Codominant from base; pruned asymmetrical; low canopy ratio.
78	Valley oak	6	No	3	Moderate	Off-site; crowded by neighbors; leaning heavily east; trunk outside canopy.
79	Coast live oak	9	No	2	Low	Extremely poor structure; vigorous canopy; crooked trunk.
80	Coast live oak	15,14,14	Yes	3	High	Multiple attachments from 2 ft.; spreading dominant canopy; minor dieback.
81	Coast live oak	14	No	3	Moderate	Crowded by neighbor; leaning south; codominant at 15 ft.
82	Coast live oak	12	No	2	Low	Topped at 10 feet.
83	Tree of heaven	6,5	No	2	Low	Codominant at base; dieback; leaning south.
84	Holly oak	7	No	2	Low	Recovering from topped at 10 ft.; vigorous growth.
85	Valley oak	13	No	2	Low	Pruned hard; previously topped; asymmetrical; codominant.
86	Coast live oak	10	No	2	Low	Heavy lean; poor structure; crowded by neighbors.
87	Tree of heaven	10,6	No	3	Low	Pruned asymmetrical; codominant at 4 ft.
88	Lemon	6,6,6,6,6	No	3	Low	Off-site. topped; neighbors backyard; no tag; multiple attachments from base.

Appraisal of Trees

434 Rose Ave.
Pleasanton, CA



Tree No.	Species	Trunk Diameter (in.)	Heritage Tree?	Appraised Value
70	Coast live oak	36	Yes	\$22,850
71	Tree of heaven	26	Yes	\$0
72	Coast live oak	13	No	\$1,000
73	Valley oak	9	No	\$1,350
75	Holly oak	8	No	\$850
76	Holly oak	8	No	\$150
77	Tree of heaven	13,6	No	\$200
78	Valley oak	6	No	\$650
79	Coast live oak	9	No	\$500
80	Coast live oak	15,14,14	No	\$6,000
81	Coast live oak	14	No	\$1,950
82	Coast live oak	12	No	\$850
83	Tree of heaven	6,5	No	\$50
84	Holly oak	7	No	\$400
85	Valley oak	13	No	\$1,700
86	Coast live oak	10	No	\$600
87	Tree of heaven	10,6	No	\$100
88	Lemon	6,6,6,6,6	No	\$850
			Total	\$40,050

Pleasanton Municipal Code

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Chapter 18.36 RM MULTI-FAMILY RESIDENTIAL DISTRICTS*

* **CodeAlert:** This topic has been affected by [2086](#). To view amendments and newly added provisions, please refer to the [CodeAlert Ordinance List](#).

18.36.010 Purpose.

In addition to the objectives prescribed in Section 18.04.010 of this title, the RM multi-family residential districts are included in this title to achieve the following purposes:

- A. To reserve appropriately located areas for family living in a variety of types of dwellings at a reasonable range of population densities consistent with sound standards of public health and safety;
- B. To preserve as many as possible of the desirable characteristics of the one-family residential district while permitting higher population densities;
- C. To ensure adequate light, air, privacy and open space for each dwelling unit;
- D. To provide space for semipublic facilities needed to complement urban residential areas and space for institutions that require a residential environment;
- E. To minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the land around them;
- F. To provide necessary space for off-street parking of automobiles and, where appropriate, for off-street loading of trucks;
- G. To protect residential properties from the hazards, noise and congestion created by commercial and industrial traffic;
- H. To protect residential properties from noise, illumination, unsightliness, odors, dust, dirt, smoke, vibration, heat, glare and other objectionable influences;
- I. To protect residential properties from fire, explosion, noxious fumes and other hazards. (Prior code § 2-6.22)

18.36.020 Required conditions.

All uses in the RM districts shall comply with the regulations prescribed in Chapter 18.84 of this title. (Prior code § 2-6.23)

 18.36.030 Permitted uses.

The following uses shall be permitted in the RM multi-family residential districts:

- A. One-family dwellings in which not more than two guest sleeping rooms may be used for lodging or boarding.
- B. Multi-family dwellings.
- C. Combinations of attached or detached dwellings, including duplexes, multi-family dwellings, dwelling groups, row houses and townhouses.

- D. Nursing homes and senior care/assisted living facilities for not more than three patients if located a minimum of 300 feet away from any personal wireless service facility approved after the adoption of the city's personal wireless service facility ordinance, Chapter 18.110 of this title, not including those personal wireless service facilities exempted in Section 18.110.010 of this title.
- E. Accessory structures and uses located on the same site as a permitted use and the following accessory structures and uses located on the same site with a permitted use or with a conditional use which has been granted a use permit in accord with the provisions of Chapter 18.124 of this title:
 - 1. Emergency standby electricity generator, fuel cell, and/or battery facilities provided that the facilities shall be tested from 8:00 a.m. to 5:00 p.m. Monday through Friday or from 10:00 a.m. to 12:00 noon on Saturday or Sunday only; the facilities shall not be tested for more than one hour during any day, and no testing shall be on federal holidays or on "Spare The Air Days" in Alameda County;
 - 2. Photovoltaic facilities.
- F. Not more than two weaned household pets, excepting fish and caged birds.
- G. Small family daycare homes.
- H. Second units meeting the requirements in Chapter 18.106 of this title.
- I. Employee housing (agricultural) that complies with California Health and Safety Code Sections 17008, 17021.5 and the other applicable provisions of the Employee Housing Act at California Health and Safety Code Section 17000 et seq., and to include a residential safety management plan.
- J. Supportive housing, subject to the provisions of Chapter 18.107.
- K. Transitional housing, subject to the provisions of Chapter 18.107. (Ord. 2062 § 2, 2013; Ord. 2061 § 2, 2013; Ord. 1885 § 2, 2003; Ord. 1880, 2003; Ord. 1743, 1998; Ord. 1636 § 5, 1994; Ord. 1126 § 7, 1984; prior code § 2-6.24)

18.36.040 Conditional uses.

The following conditional uses shall be permitted in the RM districts upon the granting of a use permit, in accord with the provisions of Chapter 18.124 of this title:

- A. Charitable institutions.
- B. Churches, convents, monasteries, parish houses, parsonages and other religious institutions.
- C. Golf courses.
- D. Hospitals and sanitariums, not including hospitals and sanitariums for mental, drug addict or liquor addict cases.
- E. Lodging houses.
- F. In the RM-1,500 district only, motels.
- G. Nursery schools if located a minimum of 300 feet away from any personal wireless service facility approved after the adoption of the city's personal wireless service facility ordinance, Chapter 18.110 of this title, not including those personal wireless service facilities exempted in Section 18.110.010 of this title.
- H. Private recreation parks and swim clubs.
- I. Private schools if located a minimum of 300 feet away from any personal wireless service facility approved after the adoption of the city's personal wireless service facility ordinance, Chapter 18.110 of this title, not including those personal wireless service facilities exempted in Section 18.110.010 of this title, and tutorial schools, and colleges, not including art, craft, music, dancing, business, professional or trade

schools or colleges.

J. Private noncommercial clubs and lodges, not including hiring halls.

K. Public utility and public service facilities including pumping stations, power transmission stations, power distribution stations, equipment buildings, service yards, drainageways and structures, water reservoirs, percolation basins, well fields, and storage tanks. These facilities must be found by the planning commission to be necessary for the public health, safety, or welfare.

L. Trailer parks in accord with the regulations prescribed in Chapter 18.108 of this title.

M. Accessory structures and uses located on the same site as a conditional use and the following accessory structures and uses located on the same site as a permitted use or a conditional use that has been granted a use permit:

1. Small electricity generator facilities located on the same site as multi-family dwellings, a charitable institution, religious institution, golf course, hospital, sanitarium, lodging house, motel, nursery school, nursing home, senior care/assisted living facility, private recreation park, private swim club, private school, private noncommercial club, or public facility and that meet the following criteria:

a. The fuel source for the generators shall be natural gas, bio diesel, or the byproduct of an approved cogeneration or combined cycle facility;

b. The facilities shall use the best available control technology to reduce air pollution;

c. The facilities shall not create any objectionable odors at any point outside of the property plane where the facilities are located;

d. The facilities shall not exceed a noise level of 45 dBA at any point on any residentially zoned property outside of the property plane where the facilities are located; and

e. On a site with fuel cell facilities, small electricity generator facilities shall not be permitted unless the aggregate wattage of the two facilities is less than one megawatt. If the aggregate wattage of the two facilities is one megawatt or greater, the small electricity generator facilities shall be subject to all requirements and processes prescribed in this title for medium or large electricity generator facilities, whichever is the most applicable, in the subject zoning district;

f. The facilities shall be cogeneration or combined cycle facilities, if feasible;

2. Small fuel cell facilities that meet the following criteria:

a. The facilities shall not create any objectionable odors at any point outside of the property plane where the facilities are located;

b. The fuel cell facilities shall not exceed a noise level of 45 dBA at any point on any residentially zoned property outside of the property plane where the facilities are located; and

c. On a site with electricity generator facilities, small fuel cell facilities shall not be permitted unless the aggregate wattage of the two facilities is less than one megawatt. If the aggregate wattage of the two facilities is one megawatt or greater, the small fuel cell facilities shall be subject to all requirements and processes prescribed in this title for medium or large fuel cell facilities, whichever is the most applicable, in the subject zoning district;

Small fuel cell facilities are encouraged to be cogeneration or combined cycle facilities.

N. Home occupations conducted in accord with the regulations prescribed in Chapter 18.104 of this title.

O. Large family daycare homes in accordance with the provisions of Chapter 18.124, Article II of this

title.

P. Small bed and breakfasts and bed and breakfast inns in accordance with provisions of Chapter 18.124 of this title. (Ord. 1885 § 2, 2003; Ord. 1880, 2003; Ord. 1812, 2000; Ord. 1743, 1998; Ord. 1690 § 4, 1996; Ord. 1636 § 6, 1994; Ord. 1153 §§ 1, 2, 1984; Ord. 1126 § 8, 1984; prior code § 2-6.25)

18.36.045 Temporary conditional uses.

The following conditional uses shall be permitted in RM districts upon the granting of a temporary conditional use permit in accord with the provisions of Section 18.116.050 of this title:

A. Christmas tree sales lots. (Ord. 1443 § 2, 1989)

18.36.050 Prohibited uses.

The following uses shall not be permitted in the RM districts:

A. Any use not specifically or conditionally permitted by this chapter, unless a determination is made under Chapter 18.128 of this title.

B. Barbed wire fences or any fence which has attached to it, for purposes of prohibiting people or animals from climbing the same, barbed wire regardless of type, with the following exceptions:

1. Where this title specifically allows for the keeping of horses,

2. Where property, although zoned for residential use, has not yet developed pursuant to that zoning and, thus, a great deal of open acreage still remains and is used for the keeping of horses and other animals included in the agricultural district, such usage becoming nonconforming as a result of the change in zoning.

C. Gunsmiths.

D. Firearm sales.

E. Any process, equipment or material which has been determined by the planning commission to be detrimental or harmful to the public health, safety or welfare or injurious to property. This determination shall be made at a public hearing set and noticed pursuant to Section 18.12.040 of this title and shall be subject to review by or appeal to the city council as set forth in Section 18.124.090 of this title. (Ord. 1880, 2003; Ord. 1738 § 1, 1998; prior code § 2-6.25(a))

18.36.060 RM-1,500 district—Reduced site area per dwelling unit with parking under or within structure.

In an RM-1,500 district where all required parking is located under or within the same structure as the dwelling units served, one dwelling unit shall be permitted for each 1,200 square feet of site area. (Prior code § 2-6.26)

18.36.070 Underground utilities.

Electric and communication service wires to a new structure shall be placed underground from the nearest utility pole. If the city engineer finds upon application by the property owner, that compliance is not feasible or economically justifiable, he or she shall permit different service arrangements. The property owner shall comply with the requirements of this section without expense to the city and shall make the necessary arrangements with the public utility involved. (Ord. 2000 § 1, 2009; prior code § 2-6.27)

18.36.080 Off-street parking.

Off-street parking facilities shall be provided for each use in the RM districts as prescribed in Chapter 18.88 of this title. (Prior code § 2-6.28)

18.36.090 Off-street loading.

Off-street loading facilities shall be provided for each use in the RM districts as prescribed in Chapter 18.92 of this title. (Prior code § 2-6.29)

18.36.100 Signs.

No sign, outdoor advertising structure, or display of any character shall be permitted in the RM districts except as prescribed in Chapter 18.96 of this title. (Prior code § 2-6.30)

18.36.110 Design review.

All uses shall be subject to design review as prescribed in Chapter 18.20 of this title. Applicants are advised to confer with the zoning administrator before preparing detailed plans. (Ord. 1656 § 1, 1995; prior code § 2-6.31)

Pleasanton Municipal Code

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[Title 18 ZONING](#)

Chapter 18.80 CORE AREA OVERLAY DISTRICT**18.80.010 Purpose.**

In order to encourage the efficient use of land consisting of parcels of unusual size and shape located in the core area of Pleasanton and to facilitate the development of smaller multi-family rental housing projects, this chapter provides modified development standards applicable to an identified area of the community designated the core area overlay district. (Prior code § 2-2.3301)

18.80.020 Area designation.

The core area overlay district shall include the area designated “Area for Modified Housing Development Standards” on the map following this chapter and incorporated herein by reference. (Prior code § 2-2.3302)

18.80.030 Applicability.

The modified standards contained in this chapter shall apply only to multi-family or mixed multi-family/commercial and office projects containing 10 or less multi-family rental dwelling units. (Prior code § 2-2.3303)

18.80.040 Underlying zoning.

The modified standards in this chapter shall apply to property zoned RM (multi-family residential) and C-C (central commercial) overlain by the core area overlay district. Except as modified in this chapter, all other regulations embodied in the underlying zoning of a subject property shall apply to its development. (Prior code § 2-2.3304)

18.80.050 Modified development standards—Yard requirements.

- A. Yard requirements for property in an underlying RM district are as follows:
1. Front, 15 feet minimum
 2. Side, five feet minimum one side, 10 feet minimum both sides, 10 feet minimum for street side of corner lot;
 3. Rear, 10 feet minimum.

No structure shall exceed the height of a sloping plane 15 feet in height at the interior of the minimum required side or rear yard and sloping away from the side or rear property line five feet for each additional 15 feet in height.

- B. No yard requirements shall apply to property in the underlying C-C district. (Prior code § 2-2.3305 (a))

18.80.060 Modified development standards—Open space requirements.

Open space requirements for property in underlying RM and C-C Districts are as follows:

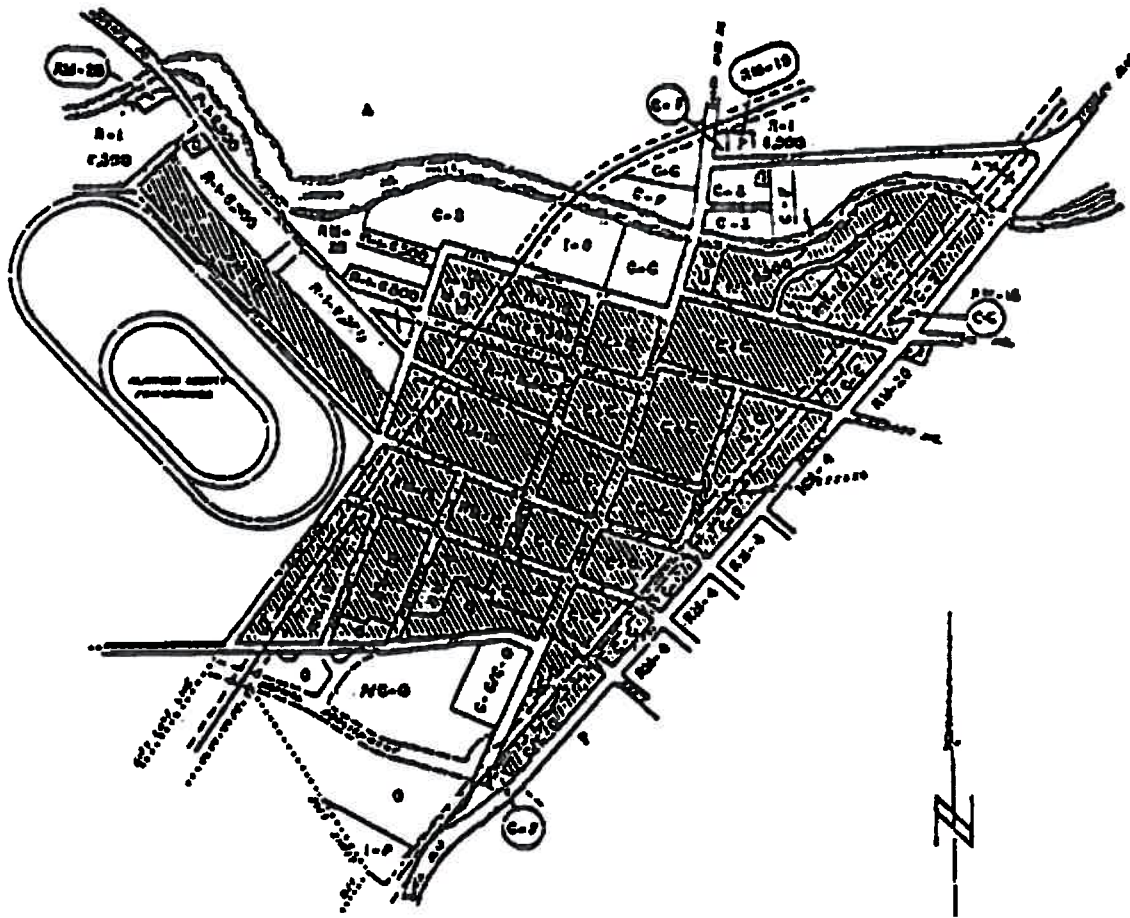
- A. Private Open Space.
1. For dwellings with one bedroom or less than 75 square feet of private open space per dwelling unit with a minimum dimension of five feet for aboveground decks of an upstairs unit and eight feet for ground-level areas;
 2. For dwellings with two or more bedrooms, 50 square feet per bedroom of private open space per dwelling unit with minimum dimensions as described in subsection(A)(1) of this section.
 3. All dimensions for private open space shall be subject to the provision of adequate light and air to adjacent properties.
- B. Group Space. There shall be no requirement for group open space in the core area overlay district for qualifying projects. (Prior code § 2-2.3305(b))

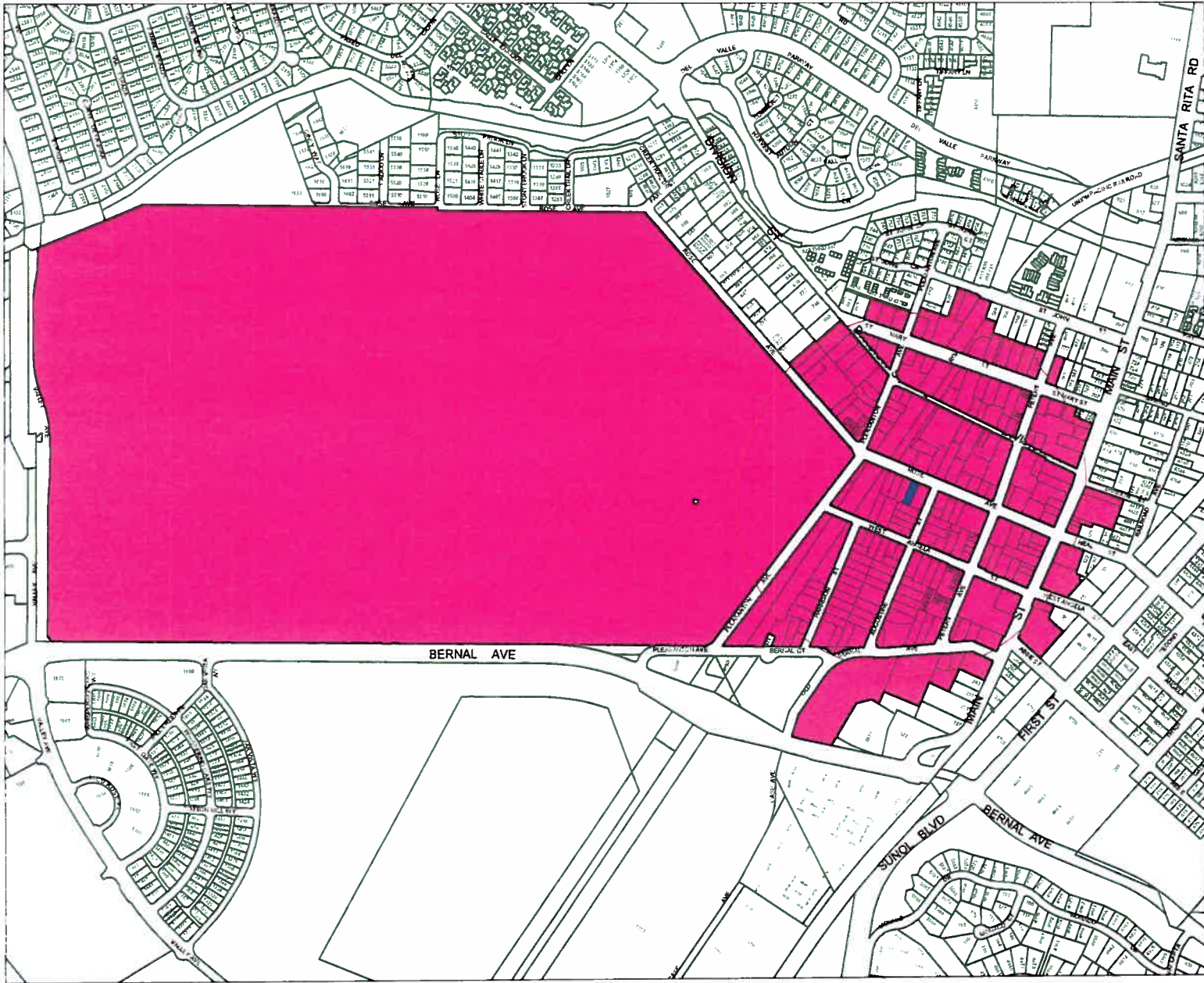
18.80.070 Modified development standards—Off-street parking requirements.

Off-street parking requirements for property in the underlying RM and C-C districts are as follows:

- A. Studio apartments, one space per dwelling unit;
- B. One and two bedroom apartments, one and one-half spaces per dwelling unit;
- C. Three or more bedroom apartments, two spaces per dwelling unit;
- D. No visitor parking in addition to the required number of spaces need be provided;
- E. In the underlying C-C district where residential and commercial or office uses are mixed, one bedroom and smaller dwelling units may provide one parking space per dwelling unit;
- F. All parking may be uncovered;
- G. All other relevant provisions of Section 18.88.080 shall apply to parking facilities provided in the Core Area Overlay district provided that in appropriate instances the zoning administrator may authorize minor reductions in dimension requirements. (Prior code § 2-2.44-5(c))

EXHIBIT A AREA FOR MODIFIED HOUSING DEVELOPMENT STANDARDS





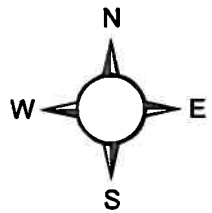
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