

PLANNING COMMISSION CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. PC-2016-29

RESOLUTION RECOMMENDING APPROVAL OF THE APPLICATION OF
CATALYST DEVELOPMENT, FOR PLANNED UNIT DEVELOPMENT (PUD) REZONING
AND DEVELOPMENT PLAN APPROVAL, AS FILED UNDER CASE PUD-120

WHEREAS, Catalyst Development applied for: 1) rezoning of three parcels totaling approximately 31,798 square feet from RM-1,500 (Multi-Family Residential) to PUD-HDR (Planned Unit Development – High Density Residential) District; and 2) PUD Development Plan approval to retain and relocate the existing single-family residence on-site and construct 10 two-story townhomes and related site improvements located at 536 and 550 St. John Street and the vacant parcel to the east of 536 St. John Street; and

WHEREAS, at its duly notice public hearing of August 24, 2016, the Planning Commission considered all public testimony, relevant exhibits, and recommendations of the City staff concerning this application; and

WHEREAS, the proposed project is categorically exempt from environmental review pursuant to the California Environmental Quality Act Guidelines, Section 15332, In-Fill Development Projects. Section 15332 exempts from environmental review in-fill developments within City limits; and

WHEREAS, the Planning Commission determined that the proposed PUD development plan is appropriate for the site; and

WHEREAS, the Planning Commission made the following findings:

1. The proposed development plan is in the best interests of the public health, safety, and general welfare.

The proposed project, as conditioned, meets all applicable City standards concerning public health, safety, and welfare. The subject development would include the installation of all required on-site utilities with connections to municipal systems in order to serve the new lots. The project will not generate volumes of traffic that cannot be accommodated by the existing City streets and intersections in the area. The structures would be designed to meet the requirements of the Uniform Building Code, Fire Code, and other applicable City codes. The proposed development is compatible with the adjacent neighborhood and uses and would be consistent with the existing scale and character of the area. Adequate setbacks would be provided between the new buildings and adjacent properties.

Therefore, staff believes that the proposed PUD development plan is in the best interests of the public health, safety, and general welfare, and that this finding can be made.

2. The proposed development plan is consistent with the Pleasanton General Plan and any applicable specific plan.

The subject site's General Plan and Downtown Specific Plan Land Use Designation of "High Density Residential" requires projects to have densities of eight or more dwelling units per acre. The proposed residential project has a density of 15 units per acre. Therefore, it is consistent with the General Plan and Downtown Specific Plan land use designation for the site. The proposed project is located near public transportation, within proximity to the services and amenities of the Downtown area, and is located in an area already developed with adequately-sized infrastructure. In addition, the project would retain and preserve a historic resource. Staff concludes that the proposed development plan is consistent with the City's General Plan and Downtown Specific Plan, and staff believes that this finding can be made.

3. The proposed development plan is compatible with the previously developed properties in the vicinity and the natural, topographic features of the site.

The project site is surrounded by a variety of uses: single-family homes, townhomes, apartments, offices, and a restaurant, and is within close proximity to personal services. As conditioned, staff believes that the proposal would be compatible with the surrounding uses. The buildings have been sited to minimize impacts on surrounding neighbors to the extent feasible and have been designed to reduce their perceived mass. New landscaping would be installed throughout the site and perimeter to enhance off-site views. The subject site has relatively flat terrain and grading conducted on the site will be subject to engineering and building standards prior to any development.

Staff believes that the PUD development plans are compatible with the previously developed properties and the natural, topographic features of the site, and therefore, staff believes that this finding can be made.

4. Grading in conjunction with the proposed development plan takes into account environmental characteristics and is designed in keeping with the best engineering practices to avoid erosion, slides, or flooding, and to have as minimal an effect upon the environment as possible.

Grading of the site would be limited due to the existing flat terrain. City building code requirements would ensure that building foundations, on-site driveways, and parking areas are constructed on properly prepared surfaces. The proposed development would provide adequate drainage to prevent flooding. Erosion control and dust suppression measures will be documented in the building permit plans and will be administered by the City's Building and Safety Division and Engineering Department. The site is not located within an Alquist-Priolo Earthquake Fault Zone. The flood hazard maps of the Federal Emergency Management Agency (FEMA) indicate that the subject property is not located in a flood hazard zone. Therefore, staff believes that this finding can be made.

5. Streets, buildings, and other manmade structures have been designed and located in such manner to complement the natural terrain and landscape.

The project site is in a developed area of the City and would not involve the extension of any new public streets. The flat urban infill site has no significant physical landscape features and

is appropriate for redevelopment. Development of the site complements the natural terrain by making only minor changes as necessary to the site's existing, developable, relatively flat topography. The proposed buildings will be compatible in size and scale with surrounding structures and new landscaping would be installed. Therefore, staff believes that this finding can be made.

6. Adequate public safety measures have been incorporated into the design of the proposed development plan.

The improvements associated with the project would be consistent with City design standards. The driveway entrance is located and configured to provide adequate line-of-sight viewing distance in both directions, and to facilitate efficient ingress/egress to and from the subject site. Adequate access is provided to all structures for police, fire, and other emergency vehicles. Buildings are designed to meet the requirements of the California Building Code and other applicable City codes and all new buildings would be equipped with automatic fire suppression systems (sprinklers).

Although the site is not located within an Alquist-Priolo Earthquake Fault Zone, it would be subject to seismic shaking during an earthquake. The State of California provides minimum standards for building design through the California Building Standards Code. The California Uniform Building Code is based on the UBC and has been modified for California conditions with more detailed and/or stringent regulations. Specific seismic safety requirements are set forth in Chapter 23 of the UBC. The State earthquake protection law requires that buildings be designed to resist stresses produced by lateral forces caused by earthquakes. The City implements the requirements of the California Building Code through its building permit process. The proposed project will be required to comply with the applicable codes and standards to provide earthquake resistant design to meet or exceed the current seismic requirements. A site specific soils analysis would be conducted in conjunction with the building permit review.

Therefore, staff believes that the project has been designed to incorporate adequate public safety measures.

7. The proposed development plan conforms to the purposes of the PUD District:
The proposed PUD development plan conforms to the purposes of the PUD district. One of these purposes is to ensure that the desires of the developer and the community are understood and approved prior to commencement of construction. Another is to provide a mechanism whereby the City can designate parcels and areas requiring special consideration regarding the manner in which development occurs. Staff believes that the proposed project implements the purposes of the PUD ordinance in this case by providing an in-fill development that retains the existing historic home, is well-designed and sited on the subject site, and that meets the intent of the City's General Plan goals and policies, including those which promote in-fill, residential housing and encourage development of a variety of residential types within the Downtown. The retention of the historic home was a unique circumstance that warrants customized development standards for the site.

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Moreover, input from the adjacent property owners and Pleasanton residents has been sought and obtained through the Work Session; further opportunity for public comment will occur at the Planning Commission and City Council hearings. Staff believes that through the PUD process the proposed project has provided residents, the developer, and the City with a development plan that optimizes the use of the infill site in a sensitive manner. Therefore, staff believes that this finding can be made.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF PLEASANTON RESOLVES THE FOLLOWING:

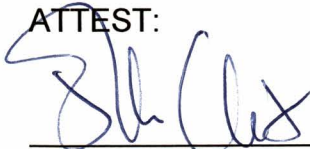
Section 1. Recommends approval of Case PUD-120, the application of Catalyst Development for for: 1) rezoning of three parcels totaling approximately 31,798 square feet from RM-1,500 (Multi-Family Residential) to PUD-HDR (Planned Unit Development – High Density Residential) District; and 2) PUD Development Plan approval to retain and relocate the existing single-family residence on-site and construct 10 two-story townhomes and related site improvements located at 536 and 550 St. John Street and the vacant parcel to the east of 536 St. John Street.

Section 2. This resolution shall become effective immediately upon its passage and adoption.

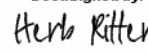
THIS RESOLUTION ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF PLEASANTON ON THE 13TH day of July THE FOLLOWING VOTE:

AYES: Commissioners Balch, Brown, Nagler, O'Connor, and Ritter
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Commissioner Allen

ATTEST:



~~Adam Weinstein~~ ELLEN CLARK
Secretary, Planning Commission

DocuSigned by:


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Herb Ritter
Chair

APPROVED AS TO FORM:



Julie Harryman
Assistant City Attorney

**EXHIBIT A
CONDITIONS OF APPROVAL**

**P16-1201 & PUD-120
536 & 550 St. John Street and Adjacent Vacant Parcel
August 24, 2016**

PROJECT SPECIFIC CONDITIONS OF APPROVAL

Planning Division

1. The permitted and conditionally permitted uses for the attached, single-family homes shall be those found in Section 18.32 of the Pleasanton Municipal Code (PMC).
2. The plans submitted to the Building and Safety Division for plan check and permit issuance shall be revised to show that the tandem parking space shall be located on the south side of the detached garage. The garage door on the north side of the detached garage shall be replaced with an outward swinging man door. The plans submitted to the Building and Safety Division for plan check and permit issuance shall be subject to the review and approval of the Director of Community Development prior to issuance of building permits.
3. The detached garage shall be designed with the same color and material palette as the existing historic home. The detached garage plans submitted to the Building and Safety Division for building permit issuance shall be revised to reflect the following:
 - a. The man door on the west elevation shall swing out (not into the garage) to maintain vehicle parking clearance; and
 - b. The board-and-batten siding and trim shall be horizontal wood channel boards.

The changes above shall be subject to the review and approval of the Planning Division prior to issuance of building permits.

4. The garage doors for the detached garage and new townhomes shall be automatic opening sectional roll-up doors and have a carriage style design. The applicant shall provide garage door design and material details to the satisfaction of the Director of Community Development. The garage door details shall be included in the plans submitted to the Building and Safety Division for plan check. The garage doors shall be subject to the review and approval of the Director of Community Development prior to the issuance of a building permit.
5. The garages and tandem parking space for the existing home shall not be modified or used for storage in a manner that would interfere with the ability to park two cars within the townhome garages, one car in the detached garage, or one car in the tandem space. Each resident shall utilize the garages and tandem parking space for the parking of vehicles only. In addition, boats, trailers, campers, motor homes, and other recreational vehicles shall not be parked or stored on-site and residents, guests, etc. shall only park in the garages, tandem space, or designated guest parking stalls and not park on the private street/driveway. The above parking restrictions for the development shall be included in

the project CC&Rs. Said restrictions shall be submitted for review and approval by the City Attorney and Director of Community Development prior to recordation of the Final Map.

6. The applicant shall obtain all necessary permits from the City prior to relocating the historic home on-site.
7. Any damage to the exterior of the home that results from the relocation of the home or removal of the porch addition shall be replaced and shall match the details, material, color, etc. of the existing home. The plans submitted to the Building and Safety Division for plan check shall include existing and proposed floor plans and elevation drawings and clearly indicate the extent of the area to be removed and what materials, details, colors, etc. will be used to seamlessly integrate the repaired exterior walls where the addition was removed. The colors, details, and materials of the repair work shall be subject to the review and approval of the Director of Community Development prior to issuance of building permits.
8. If laundry machines are desired for the historic home, they shall be installed entirely within the residence. The plans submitted to the Building and Safety Division for plan check shall clearly identify the location of the laundry machines on the new floor plans. Any exterior changes to the home that are necessary to accommodate laundry machines (i.e., vents) shall be shown on the elevation drawings. The floor plans and elevation drawings shall be subject to the review and approval of the Planning Division prior to issuance of building permits.
9. Accessory structures are not allowed and additions and/or expansions are not permitted to any structure. Future building and/or site improvements not covered by this development plan approval shall be subject to City review and approval prior to any changes to the building(s) and/or site.
10. The project developer/subdivider shall create the applicable access, use, and maintenance for the private drive with guest parking spaces subject to the review and approval of the City Attorney and Director of Community Development prior to recordation of the tract map.

Fencing and Landscaping

11. Picket style fencing, not to exceed 42-inches in height, shall be installed along the front and front sides of townhomes 7-10. The location and details of the fence shall be shown on the plans submitted to the Building and Safety Division for plan check and permit issuance and shall be subject to the review and approval of the Director of Community Development prior to issuance of building permits.
12. Fencing and the precast wall associated with this development shall conform to the fencing and wall details shown in Exhibit B, on file with the Planning Division. Minor modifications to the fencing and wall plan may be approved by the Director of Community Development without a PUD modification. Should the applicant and property owners along the southern portion of the site choose to install a different type of wall/fence along the shared south (rear) property line of Lots 1-6, said details (height, color, style, material, location) shall be included in the plans submitted to the Building and Safety Division for plan check and permit

issuance and shall be subject to the review and approval of the Director of Community Development prior to issuance of grading or building permits.

13. If new fencing is proposed on the east property line is proposed in the future, said details (height, color, style, material, location) shall be subject to the review and approval of the Community Development Director prior to removal and installation of fencing and issuance of a building permit for said fencing. The fencing along the western property line shall be that shown in Exhibit B. Should the adjacent property owner(s) and applicant wish to alter the type of fencing and/or increase the height of the fence on the western property line, review and approval from the Community Development Director shall be required prior to removal or installation of fencing.
14. Prior to removal and/or installation of fencing, retaining walls, or precast walls on shared property lines, written permission from the adjacent property owners to allow the project's new fencing, retaining walls, and/or precast walls between the project site and the adjacent properties shall be provided to the City. If the property owners do not provide written consent for a fence, retaining wall, and/or precast wall to be install on the shared property line, then fencing, retaining walls, and/or precast walls and footings shall be located entirely on the project site. Written permission and details for the fencing, retaining walls and/or precast walls on the shared property lines shall be submitted to the Community Development Director prior to issuance of building permits or installation of the fencing, retaining wall, and/or precast wall.
15. The maximum height for fencing and precast walls, including decorative columns, on the rear property line shall be 8 feet. The height shall be measured from the base of the retaining wall, if the fence or wall is located on top of a retaining wall or finished grade if not, from the project site to the highest point of the fence/wall. New fencing, retaining walls, or precast walls installed beyond the front of the historic home shall be limited to:
 - a. Picket style fencing and not exceed 42-inches in height; or
 - b. 30-inches in height if solid.

Changes to the existing fencing on the east side of the project site shall be subject to the same front yard fence setback of the historic home and style of fencing noted in "a" or "b" of this condition.

16. The applicant shall retain tree Nos. 49, 51, 53, 54, 55, and 56 referenced in the HortScience Tree Report, dated "June 20, 2016," on file with the Planning Division. 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 along the existing tree drip lines, as shown on the plans. The fencing shall remain in place until the final landscape inspection by the Community Development Department. Removal of such fencing prior to that time may result in a "stop work order." Said revisions shall be subject to the review and approval by the Director of Community Development prior to issuance of a building permit.

17. Prior to issuance of building permits, the applicant shall pay into the City's Urban Forestry Fund for the value of each tree removed for approval, Nos. 43-48, 50, and 52 in the HortScience Tree Report dated "June 20, 2016," on file with the Planning Division.
18. With the exception of the walnut tree (tree No. 43), the two existing City street trees (Nos. 51 and 54) located on the west and east sides along the St. John Street frontage of the site shall not be removed. Any proposed pruning of street trees to accommodate the proposed development shall be subject to approval by the City Landscape Architect prior to pruning. Pruning shall be conducted by a certified arborist familiar with the International Society of Arboriculture pruning guidelines and shall comply with the guidelines established by the International Society of Arboriculture, Tree Pruning Guidelines, current edition, to maintain the health of the trees. In addition, the following tree preservation methods shall be followed for the City street trees to be preserved:
 - a. The applicant shall utilize his best efforts to locate any new utility trenches outside the dripline of the existing street trees to be saved. If this is not feasible, then the applicant shall submit a report from a certified arborist acceptable to the City that indicates the trenching will not be detrimental to the health of the tree.
 - b. 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.
 - c. No signs, wires, or ropes shall be attached to the trees.
 - d. No stockpiling/storage of construction materials, fill, etc., shall take place underneath or within 5' of the dripline of the existing trees.
 - e. No equipment or temporary structures shall be placed within or beneath the dripline of the existing trees.

Failure to comply with these requirements may result in a stop-work order.

19. The project developer shall post cash, letter of credit, or other security satisfactory to the Director of Community Development in the amount of \$10,000 for the two City street trees (Nos 51 and 54 of the tree report on file with the City) along the St. John Street frontage of the site required to be preserved. 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. However, in the event the trees are destroyed or require removal during construction, the applicant shall be required to install replacement trees with the size, species and location of said trees to be determined by the City's Landscape Architect prior to installation. Said trees shall be required to be installed prior to completion of construction. If replacement trees are installed, the bond shall be returned to the applicant. No trees shall be removed other than those specifically designated for removal in these conditions of approval.
20. All trees used in landscaping shall be a minimum of twenty-four (24) box-size and all shrubs shall be a minimum of five (5) gallons.

21. The final landscape and irrigation plan shall be submitted to and approved by the Director of Community Development as part of the building permit plan set prior to issuance of a building permit. Plant species shall be drought tolerant in nature with an irrigation system that maximizes water conservation (e.g., drip system). All landscaping and irrigation in the common areas shall be installed within 15-days from the Planning Division final inspection of the last developed lot. The landscaping and irrigation indicated on the approved plans shall be installed before each house final, and reviewed and approved by the Planning Division.
22. 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); and applicant signature/date with the statement that "I agree to comply with the requirements of the prescriptive compliance option of the Water Efficient Landscape Ordinance."
 - b. Landscape Plan documenting: incorporation of compost at a rate of at least 4 cubic yards/1,000 square feet; compliance with the plant material criteria; compliance with the turf criteria; and compliance with the irrigation system criteria.

Green Building and Water Conservation

23. The current State of California's Green Building Standards Code, "CALGreen," shall apply, as applicable.
24. A minimum of one appliance or system that meets Energy Star standards shall be installed in each residential unit as part of the project. The appliance(s) or system(s) shall be stated on the plans submitted for issuance of a building permit.
25. All new buildings shall be constructed to allow for future installation of a photovoltaic (PV) system and solar water heating systems. The project applicant shall comply with the following requirements for making all new dwelling units 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 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. The project developer shall provide the future owners the necessary information delineating the means by which photovoltaic panels can be applied to the roofs of the structures covered by this approval. This information shall be submitted to the Director of Community Development for review and approval prior to the occupancy of the first unit.

- 26. A minimum of one water conservation device such as low-flow faucets, toilets, shower fixtures, etc. shall be installed in each residential unit as part of the project. The water conservation device(s) shall be stated on the plans submitted for issuance of a building permit.
- 27. This approval does not guarantee the availability of sufficient water capacity to serve the project. Prior to the recordation of a Parcel Map, issuance of a grading permit, issuance of a building permit, or utility extension approval to the site, whichever is sooner, the applicant 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. To receive the verification, the applicant may need to offset the project's water demand.
- 28. Prior to issuance of a building permit, the applicant shall pay the applicable Zone 7 and City connection fees and water meter cost for any water meters, including irrigation meters. Additionally, the developer shall pay any applicable Dublin-San Ramon Services District (DSRSD) sewer permit fee.
- 29. Only recycled water shall be used on the site during the grading and construction periods, and this specification shall be included on all grading plans and other construction documents.

Building and Construction Details

- 30. Details of the horizontal siding of the new townhomes shall be incorporated into the plans submitted to the Building and Safety Division for plan check and permits issuance and shall be subject to the review and approval of the Director of Community Development prior to issuance of building permits.
- 31. The stucco for the townhomes shall be smooth and hand-troweled. If the applicant can demonstrate to the satisfaction of the Director of Community Development that the appearance of hand-troweled stucco can be achieved mechanically, mechanical application of the stucco is allowed. Prior to issuance of a building permit, the applicant shall submit a finished stucco sample for the buildings. The stucco sample shall be subject to the review and approval of the Director of Community Development prior to application/installation on the buildings.
- 32. Wood-, fiberglass-, or vinyl-framed/sashed windows shall be utilized on the structures. If fiberglass- or vinyl-framed/sashed windows are used, they shall have a similar frame and sash thickness as found on a traditional wood-framed/sashed window unless the required

noise mitigation for this project prevents compliance with this requirement. In addition, simulated mullions must appear real and be on both sides of the glass. Windows of new structures shall be recessed two inches, glazed, with wood trimmed windowsills. No reflective glass is allowed. The window glazing shall be clear with no tint. Manufacturer's specification sheets, details, and sections of the windows, and window treatments (sills, trim, etc.) shall be shown on the building permit plans and shall be subject to review and approval by the Director of Community Development prior to issuance of a building permit.

33. Only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed inside or outside of the structures.
34. The developer shall comply with the recommendations of the noise and vibration study entitled "536 St. John Street Residences, Pleasanton, CA Environmental Noise and Vibration Study" by Charles M. Salter Associates, Inc., dated "1 July 2016," on file with the Planning Division. Prior to issuance of a building permit, the applicant's noise consultant shall specify the minimum STC rating required for each window of each townhome. Bathroom windows shall comply with the "living spaces" STC ratings indicated in the noise study. Details of the noise mitigations shall be submitted in conjunction with the plans submitted for issuance of building permits and shall be subject to review and approval by the Director of Community Development prior to issuance of building permits for the project. The applicant's noise consultant shall review the applicable noise mitigations shown on the building permit plans to ensure that the recommendations have been properly incorporated into the design. The consultant shall certify in writing that such recommendations have been followed.
35. The project developer shall provide a construction plan with the building permit plan set for review and approval by the Director of Community Development and Chief Building Official before issuance of a building permit. The construction plan shall show the proposed location of materials and equipment storage, scaffolding, safety measures to protect the public from construction activities, temporary fencing, construction trailers, parking of construction vehicles, location of portable toilets, etc. Said plan shall be designed to minimize the loss of public parking spaces and, if any need to be lost, to minimize the length of the time they are used for construction-related activities.
36. 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 developer shall submit a final lighting plan and include drawings and/or manufacturer's specification sheets showing the size and types of the light fixtures for the exterior of the buildings.
37. Prior to issuance of a building permit, the applicant shall contribute \$2,500 per new unit to the Bernal Park Reserve Fund.
38. The electrical plans for the homes shall provide telecommunications infrastructure consistent with state-of-the-art methods in effect at the time that building permit(s) are issued. The plan shall be part of the building permit plan set.
39. 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 Friday. No construction shall be allowed on State or Federal Holidays,

Saturdays, or Sundays. The Director of Community Development may allow earlier “start times” or later “stop times” for specific construction activities (e.g., concrete pouring) if it can be demonstrated to the satisfaction of the Director of Community Development that the expanded construction hours are necessary (e.g., the concrete foundations need to be poured early due to weather conditions). 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.

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

Agreements and Legal Documentation

41. At the time of recordation to subdivide the project site into 11 parcels plus one common area parcel, the applicant/project developer shall record Conditions, Covenants and Restrictions (CC&R's) which shall create a maintenance association for the development. The type of association established shall be subject to the approval of the City Engineer and Director of Community Development prior to submitting a final subdivision map. The association shall be responsible for the maintenance of all common utilities and stormwater treatment measures/areas, common access driveway and parking, landscaping shown on sheet L1 of Exhibit B, and irrigation. The buildings, landscape, and lot-specific drainage shall be the responsibility of the individual owner for the lot. The CC&R's shall be subject to the review and approval of the City Attorney prior to recordation of the final map. The City shall be granted the rights and remedies of the association, but not the obligation, to enforce the maintenance responsibilities of the association.
42. The recorded deed of sale for all lots covered by this PUD Development Plan approval shall include separately recorded disclosure statements or restrictive covenants indicating the following:
 - a. That the property is in an area subject to noise, activity, and traffic impacts associated with a Downtown location.
 - b. The adjacency of the Union Pacific Railroad and possible noise, including noise from train whistles and horns, and vibration impacts from said railroad.
 - c. That additions/modifications to the structures and garages are prohibited.
 - d. That the residents, tenants, guests, etc., are prohibited from parking on the driveway access, except within the two designated guest parking spaces, from St. John Street.
 - e. That boats, trailers, campers, motor homes, and other recreational vehicles are prohibited from being parked or stored on-site.
 - f. That the garages shall not be modified or used for storage in a manner that would interfere with the ability to park two cars within the garages of the townhomes, one

car in the detached garage, or one car in the tandem space adjacent to the detached garage and that each resident shall utilize the garages and tandem space for the parking of vehicles only.

Wording for these disclosures and covenants shall be written in simple/plain language, shall be submitted to the City Attorney for review and approval before recordation of the final map, and shall be recorded over the project site by separate instrument.

43. The project developer shall provide all initial buyers with copies of the project conditions of approval.

Climate Action Plan

44. The project shall meet or exceed 25% of Title 24 requirements and shall incorporate shade trees and/or cool roofs. This requirement and the specific components of compliance (e.g., shade trees and cool roof details) shall be shown on the plans submitted to the Building and Safety Division for plan check and shall be subject to the review and approval of the Director of Community Development prior to issuance of a building permit.
45. The applicant shall incorporate water-saving landscape plants that include xeriscaping and drought-resistant planting. Said plants, with location, species, size, etc., shall be shown on the plans submitted to the Building and Safety Division for plan check and shall be subject to the review and approval of the Director of Community Development prior to issuance of building and/or grading permits.
46. Rain gutters shall discharge into landscaping areas where feasible. These details shall be shown on the plans submitted to the Building and Safety Division for plan check and are subject to the review and approval of the Director of Community Development prior to building permit issuance.

Engineering Department

47. Prior to issuance of a grading or building permit, the applicant shall provide the City with written permission from the property owner at 568 St. John Street authorizing the applicant to encroach onto 568 St. John Street and reconstruct the retaining wall along the westerly property line.
48. The applicant shall reconstruct any non-ADA-compliant and/or uplifted and deficient sidewalk and curb and gutter along the project frontage identified prior to the issuance of the first construction permit by the Building and Safety Division.
49. The applicant shall construct a public sanitary sewer main within Parcel "A."
50. The applicant shall abandon all unused existing utility stubs in compliance with City standards and specifications.
51. The applicant shall be responsible for the undergrounding of the overhead utility lines across the project frontage on St. John Street. The undergrounding shall be completed prior to the first final inspection by the Building and Safety Division for any of the lots. All

utility lines shall be installed in conduit. Only PG&E switch enclosures or capacity banks can be installed above ground provided the units are screened with landscaping to the satisfaction of the Director of Community Development.

52. The applicant shall install slurry seal on St. John Street from lip of gutter to street centerline, after completion of utility undergrounding and frontage improvements, prior to the acceptance of improvements.
53. All landscaping within the public right-of-way along the project's frontage shall be maintained by the homeowners/maintenance association unless otherwise approved by the City Engineer. Necessary irrigation system, irrigation water meter, irrigation valves, irrigation controller, etc. shall be included on the final map plan.
54. The parcel of the relocated existing house shall be part of a drainage management area. The drainage management area shall be shown on the building permit grading plans submitted to the Building and Safety Division for plan check and permit issuance and shall be subject to the review and approval of the City Engineer prior to issuance of building permits.
55. The applicant shall submit Engineering Services sanitary sewer demand, water demand, and hydraulic and hydrologic calculations with the Improvement Plans stamped and signed by a California Registered Civil Engineer.
56. All required faithful performance bonds and labor materials bonds (security bonds) in a penal amount equal to 100 percent of the approved estimates of construction costs of improvements shall be submitted to and approved by the City prior to approval of the Final Map or issuance of the Building or Grading Permit, whichever comes first.
57. The applicant shall provide as-built drawings in AutoCAD 2010 or PDF prior to the release of the security bonds.

Operation Services Center – Environmental Services/Utilities Division

58. The sewer line shall be private from the new manhole on St. John Street into the development. Prior to submitting to the Building and Safety Division for plan check, sheet C6 of Exhibit B shall be revised to reflect this requirement.

Livermore-Pleasanton Fire Department

59. On-site access ways and internal drives, excluding the two guest parking spaces, shall be designated as fire lanes and identified as such by red curb striping and posted with signs. Signs shall be according to state standards and read "No Parking – Fire Lane." The red curb striping and sign location(s) and language shall be shown on the plans submitted to the Building and Safety Division for plan check and permit issuance and shall be subject to the review and approval of the Fire Department prior to issuance of building permits.

Traffic Engineering Division

60. The curb cut that extends between 568 and 550 St. John Street, located on the west end of the project's frontage, shall be redesigned to include a new tapered edge on the east side of the curb cut located at 568 St. John Street. The redesign details shall be shown on the plans submitted to the Building and Safety Division for plan check and shall be subject to the review and approval of the Traffic Division and Engineering Department prior to issuance of permits.
61. Comprehensive traffic control measures shall be implemented during construction, including scheduling of major truck trips and deliveries, to avoid peak travel hours. If necessary, as determined by the Traffic Engineer, proper lane closure procedures such as flagger stations, signage, cones, and other warning devices shall be implemented during construction.
62. The haul route for all materials to and from the project site shall be approved by the City's Traffic Engineer prior to issuance of a building permit, and shall include the provision to monitor the street surfaces used for the haul route so that any damage and debris attributable to the haul trucks is identified and corrected at the expense of the project applicant or developer.
63. The plans submitted to the Building and Safety Division for plan check shall include improvement plans for this development that contain signage and striping details. Said improvement plans shall be subject to the review and approval of the City Traffic Engineer prior to building permit issuance.

STANDARD CONDITIONS OF APPROVAL

Planning Division

64. The proposed Planned Unit Development Plan shall conform substantially to the project plans, color palette, and arborist report, Exhibit B, dated "Received June 20, 2016," on file with the Planning Division, except as modified by the following conditions of approval. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance to the approved exhibits.
65. The PUD development plan approval shall lapse two years from the effective date of this ordinance unless a tentative or parcel map, as applicable, is approved. If a tentative or parcel map is approved, the PUD development plan approval shall lapse when the tentative map or parcel map approval expires. If a final map is recorded before the tentative map or parcel map expires, then the PUD development plan approval shall not lapse.
66. All conditions of approval shall be attached to all building permit plan check sets submitted for review and approval, whether stapled to the plans or located on a separate plan sheet. These conditions of approval shall be attached at all times to any grading and construction plans kept on the project site. It is the responsibility of the applicant to ensure that the project contractor is aware of, and abides by, all conditions of approval. It is the

responsibility of the applicant to ensure that the project landscape contractor is aware of, and adheres to, the approved landscape and irrigation plans, and all conditions of approval. Prior approval from the Planning Division is required before any changes are constituted in site design, grading, building design, building colors or materials, green building measures, landscape material, etc.

67. The Applicant 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. 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 Applicant to the City, on a form generated by the PUSD, prior to building permit issuance.
68. The approved building colors and materials shall be indicated on the final building permit plans. Any proposed revisions to these approved colors or materials must be submitted for review and approval by the Director of Community Development prior to building permit issuance and/or painting/installation.
69. The height of the structures shall be surveyed and verified as being in conformance to the approved building height as shown on Exhibit B or as otherwise conditioned. Said verification is the project developer's responsibility, shall be performed by a licensed land surveyor or civil engineer, and shall be completed and provided to the Planning Division before the first framing or structural inspection by the Building and Safety Division.
70. All HVAC condensing units shall be shown on the plans and shall be subject to the review and approval of the Director of Community Development prior to building permit issuance. All HVAC condensing units shall be screened from views from public rights-of-way.
71. Prior to building permit submittal, a list of the green building measures used in the design of the new buildings, covered by this approval, shall be provided to the Planning Division for the review and approval by the Director of Community Development. The new buildings 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 for new Multifamily development.

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.

72. To the extent permitted by law, the project applicant shall defend (with counsel reasonable acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its 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.
73. The developer shall pay any and all fees to which the property 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 building permit is issued.

Landscaping

74. Six-inch vertical concrete curbs shall be installed between all paved and landscaped areas.
75. The project developer shall provide root control barriers and four inch perforated pipes for parking lot trees, street trees, and trees in planting areas less than ten feet in width, as determined necessary by the Director of Community Development at the time of review of the final landscape plans.
76. For purposes of erosion control, the applicant/developer shall plant a hydroseed mixture that has been designed by the project Landscape Architect. The hydroseed mixture shall be specified on the building permit plans for review and approval by the Director of Community Development and shall be maintained by the applicant/developer.
77. Prior to building 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.
78. The developer and future property owners are 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.
79. The developer and/or future property owners are encouraged to use best management practices for the use of pesticides and herbicides.

Tree Requirements

80. Except as modified by condition of approval Nos. 18-21 above, the project developer shall comply with the recommendations of the tree report prepared by HortScience, dated "June 20, 2016." No tree trimming or pruning other than that specified in the tree report shall occur. The project 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.

81. 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 (Nos 49, 53, 55, and 56), 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.
82. 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 Director of Community Development.
 - 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.

Construction

83. 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.
84. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
85. 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.

Building and Safety Division

86. 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 and on-site drainage control measures to prevent stormwater runoff onto adjoining properties.
87. Prior to issuance of building 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 developer intends to recycle at least 75 percent of the total job site construction 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 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.

Engineering Department

88. The project developer/owner shall grant an easement to the City over those parcels needed for public service easements (P.S.E.) and which are approved by the City Engineer, or other easements, which may be designated by the City Engineer.
89. This approval does not guarantee the availability of sufficient sewer capacity to serve the project.
90. There shall be no direct roof leaders connected to the street gutter or storm drain system, unless otherwise approved by the City Engineer.
91. Each lot shall have an independent water lateral connection to the public water main per Municipal Code Section 14.04.050.C.
92. Each lot shall have an independent sanitary sewer service lateral connection to the public sanitary sewer main per Municipal Code Section 15.32.090.A.
93. The minimum grade for the gutter flowline shall be set at one percent where practical, but not less than .75% unless otherwise approved by the City Engineer.
94. A detailed grading and drainage plan prepared by a licensed Civil Engineer including all supporting information and design criteria (including but not limited to any peer review comments), storm drain treatment calculations, etc., shall be submitted as part of the improvement plans.
95. The applicant's engineer shall investigate the structural section of the existing streets fronting the development. If the structural section is not adequate for the anticipated traffic demand, the structural section of the roadway shall be increased, as determined by the City Engineer. If the street section is adequate the entire street frontage shall be slurry sealed, unless otherwise determined by the City Engineer.
96. All landscaping within public right-of-way along the project's frontage shall be maintained by the homeowners association unless otherwise approved by the City Engineer and necessary irrigation system, irrigation water meter, irrigation valves, irrigation controller, etc. have been included on the plan for maintenance of all landscaping within public right-of-way.
97. The project developer shall comply with the recommendations of the project's geotechnical consultant. The project developer's geotechnical consultant shall review and approve all foundation, retaining wall, and drainage geotechnical aspects of the final development plans to ensure that the recommendations have been properly incorporated into the development. The consultant shall certify by writing on the plans, or as otherwise acceptable to the City Engineer, that the final development plan is in conformance with the geotechnical report approved with the project.

98. The project developer shall arrange and pay for the geotechnical consultant to inspect and approve all foundation, retaining wall, and drainage geotechnical aspects of project construction. The consultant shall be present on site during grading and excavation operations. The results of the inspections and the as-built conditions of the project shall be certified in writing by the geotechnical consultant for conformance to the approved plans and geotechnical report and submitted to the City Engineer for review and approval prior to occupancy.
99. The project developer shall construct vertical P.C.C. curbs and gutters within this development unless otherwise approved by the City Engineer. When the sidewalk is adjacent to the curb and gutter, they shall be poured monolithically.
100. A sanitary sewer lateral with two-way cleanout (located at the back of the sidewalk or curb, whichever is applicable) shall be provided to each lot of record within the development unless otherwise approved by the City Engineer.
101. 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.
102. 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.
103. 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.
104. The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and drainage control measures, including concrete-lined V-ditches, to protect all cut and fill slopes from surface water overflow. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of a grading permit.
105. All existing drainage swales that are filled shall have sub drains installed unless otherwise approved by the City Engineer and the developer's soils engineer. All sub drains shall have tracer wire along entire length of the sub drains and cleanouts installed with metal cap at the beginning of the pipe and at locations needed for maintenance. The end of the pipe shall terminate in a storm drain or other storm drain outfall, subject to the approval of the City Engineer. The project developer's engineer shall submit a final sub drain location map to the City Engineer prior to acceptance of the public improvements and/or project. It shall be the responsibility of the property owner to relocate a sub drain, if during the excavation of a pool or other subsurface structure, a sub drain is encountered. All property owners within the subdivision shall receive notice of the presence of these sub drains. Said notice shall be reviewed and approved by the City Attorney prior to distributing the notice.

106. The curb and gutter along the street shall have a subdrain installed at either the back of the curb or lip of gutter at the discretion of the City Engineer. This detail shall be shown on the improvement plans. Said drains shall be connected to the storm drain system or drained by other means acceptable to the City Engineer.
107. All existing septic tanks or holding tanks, if any, 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.
108. The project developer shall submit detailed landscape and irrigation plans as part of the improvement plans. The irrigation plan shall provide for automatic controls.
109. The applicant shall post with the City, prior to approval of the subdivision map, a separate performance bond for the full value of all improvements that are not to be accepted by the City of Pleasanton.
110. All retaining walls along the street shall be placed behind the Public Service Easement (PSE), unless otherwise approved by the City Engineer.

Livermore-Pleasanton Fire Department

111. The project developer shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
112. 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.
113. 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:
 - a. 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.
 - b. Backflow prevention or connections to the public water mains.
114. 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.
115. Address numbers shall be installed on the front or primary entrance for all buildings. Minimum building address character size shall be 12" high by 1" 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.

116. 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. Emergency vehicle access shall be a minimum of 20 feet in clear width. A clear height free of obstructions (power, cable, telephone lines, tree limbs, etc.) is required. This clearance shall be a minimum of 13 feet-6 inches. Inside turning radius of 45 feet and outside turning radius of 55 feet shall be provided.
 - c. Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height, measured to the roof eave, above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building.
 - d. The carrying capacity of the access route(s) shall be 69,000 pounds under all weather conditions.
 - e. Designated construction material storage and construction worker parking shall not obstruct the emergency vehicle access route(s).
 - f. On-site fire hydrants shall be in service. Fire hydrants shall be flushed and all valves open.

Community Development Department

117. 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.
118. The project developer shall submit a written dust control plan or procedure as part of the improvement plans.
119. The permit plan check package will be accepted for submittal only after the ordinance approving the PUD development plan becomes effective, unless the project developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the ordinance is overturned or that the design has significantly changed. In no case will a permit be issued prior to the effective date of the ordinance.

120. The project 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.
121. If any prehistoric or historic artifacts, or other indication of cultural resources are found once the project construction is underway, all work must stop within 20 meters (66 feet) of the find. A qualified archaeologist shall be consulted for an immediate evaluation of the find prior to resuming groundbreaking construction activities within 20 meters of the find. If the find is determined to be an important archaeological resource, the resource shall be either avoided, if feasible, or recovered consistent with the requirements of the State CEQA Guidelines. In the event of discovery or recognition of any human remains in any on-site location, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the County coroner has determined, in accordance with any law concerning investigation of the circumstances, the manner and cause of death and has made recommendations concerning treatment and dispositions of the human remains to the person responsible for the excavation, or to his/her authorized representative. A similar note shall appear on the improvement plans.
122. All existing wells on the site shall be removed or sealed, filled and abandoned pursuant to Alameda County Ordinance 73-68, prior to the start of grading operations. Wells shall be destroyed in accordance with the procedures outlined on the permit obtained from Zone 7. Zone 7 may request the developer/subdivider to retain specific wells for monitoring the ground water. The developer/subdivider shall notify the City of Zone 7 desire to retain any well and make provisions to save the well.

CODE CONDITIONS OF APPROVAL

(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.)

Building and Safety Division

123. 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.
124. The project developer shall post address numerals on the buildings so as to be plainly visible from all adjoining streets or driveways during both daylight and night time hours.
125. The buildings covered by this approval shall be designed and constructed to meet Title 24 state energy requirements.
126. All building and/or structural plans must comply with all codes and ordinances in effect before the Building and Safety Division will issue permits.

Livermore-Pleasanton Fire Department

127. 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.
128. Fire flow for residential construction shall follow the 2013 California Fire Code Appendix B. The Fire Marshall has the discretion to reduce the flow this project. In no case shall the fire flow be less than 1,500 gallons per minute.
129. Excluding the historic home, automatic fire sprinklers shall be installed in all occupancies in accordance with City of Pleasanton Ordinance 2015. Installations shall conform to NFPA 13D for residential occupancies.
130. Excluding the historic home, 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.
131. 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. 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.
 - b. All underground fire protection work shall require a California contractor's license type as follows: C-16, C-34, C-36 or A.
 - c. All field-testing and inspection of piping joints shall be conducted prior to covering of any pipeline.
132. 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.
133. 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.

134. 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.
135. 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).

URBAN STORMWATER CONDITIONS

136. The project developer shall include erosion control measures, prepared and signed by the Qualified Storm Water Pollution Prevention Plan Developer (QSD), on the final grading plan, subject to the review of the City Engineer. These erosion control measures shall be as required by the state's Construction General Permit. 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 project QSD and the City Engineer. Such measures shall be maintained until such time as a permanent landscaping is in place, site is stabilized and Notice of Completion (NOC) has been filed with the State Regional Water Board and/or accepted by City.
137. Homeowner Association / Maintenance Association shall be responsible for annual inspection, maintenance, and reporting of all stormwater NPDES facilities in accordance with the Operation and Maintenance Agreement executed between the City of Pleasanton and the applicant and recorded at the Alameda County Recorder's office.
138. The project shall comply with the City of Pleasanton's Stormwater NPDES Permit #CAS612008, dated November 19, 2015, and amendments (hereafter referred to as NPDES Permit). This NPDES Permit is issued by the California Regional Water Quality Control Board, San Francisco Bay Region (hereafter referred to as Regional Water Quality Control Board). Information related to the NPDES Permit is available at the City of Pleasanton Community Development Department, Engineering Division, and on line at:
 - <http://www.ci.pleasanton.ca.us/business/planning/StormWater.html>
 - http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/Municipal/index.shtml

Design Requirements

NPDES Permit design requirements include, but are not limited to, the following:

- a. Source control, site design, implementation, and maintenance standards when a regulated project (such as a residential subdivision project) creates and/or replaces

10,000 square feet or more of impervious surface, including roof area, street, and sidewalk.

- b. Hydromodification standards when a regulated project creates and/or replaces a total impervious area of one acre or more.
- c. Compliance with a Diazinon pollutant reduction plan (Pesticide Plan) to reduce or substitute pesticide use with less toxic alternatives.
- d. Compliance with a Copper Pollutant Reduction Plan and a Mercury Pollutant Reduction Plan.

139. 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 onsite drainage control measures including bioretention swales. Irrigated bioretention swales shall be designed to maximize stormwater entry at their most upstream point. The grading and drainage plans shall be subject to the review and approval of the City Engineer prior to the issuance of a grading or building permit, whichever is sooner.
- b. In addition to natural controls, the project developer may be required to install a structural control(s), such as an oil/water separator(s), sand filter(s), or approved equal(s) in the parking lot and/or on the site to intercept and pre-treat stormwater prior to reaching the storm drain. The design, location(s), and a schedule for maintaining the separator shall be submitted to the City Engineer/Chief Building Official for review and approval prior to the issuance of a grading or building permit, whichever is sooner. The structural control shall be cleaned at least twice a year (once immediately prior to October 15 and once in January).
- c. The project developer shall submit to the City Engineer the sizing design criteria and calculations for a hydromodification facility, if required, and for the treatment of stormwater runoff. The design criteria and calculations shall be subject to the review and approval of the City Engineer and shall be submitted prior to the issuance of a grading or building permit, whichever is sooner.
- d. Building/Structures shall be designed to minimize the occurrence and entry of pests into buildings, thus minimizing the need for pesticides, as determined by the Chief Building Official prior to the issuance of a building permit.
- e. The project's landscape and irrigation plans shall be designed to: 1) minimize the use of fertilizers and pesticides that can contribute to stormwater pollution; and 2) promote surface infiltration. Prior to the installation of project landscaping and irrigation, the project landscape architect shall submit a landscaping and irrigation plan to the City Engineer for review and approval and submit written verification stating the project incorporates the following:
 - i. Plants tolerant of saturated soil conditions and prolonged exposure to water in areas that provide detention of water.

- ii. Plants and soil amendments appropriate to site specific characteristics such as topography and climate.
 - iii. Landscaping and irrigation consistent with Bay-Friendly Landscaping.
 - iv. Water conservation techniques to promote surface infiltration.
- f. All metal roofs, gutters, and downspouts shall be finished with rust-inhibitive finish/paint as determined by the Chief Building Official.
- g. All projects using architectural copper roofing, gutters, downspouts, etc., shall utilize the following Best Management Practices for use and maintenance:
- i. During installation, copper material shall be pre-patinated at the factory. If patination is done on-site; collect the rinse water in a tank and haul off-site for disposal. With prior authorization from Dublin San Ramon Services District (DSRSD), you may collect the rinse water in a tank and discharge to the sanitary sewer. Optionally, consider coating the copper materials with a clear coating that prevents further corrosion and stormwater pollution. The clear coating, if utilized, shall be reapplied (as recommended by the coating manufacturer) to maintain its efficacy.
 - ii. During maintenance, the following applies during washing and patination:
 - 1. Minimize washing of architectural copper as it damages the patina and any protective coating.
 - 2. Block all storm drain inlets downstream of the wash.
 - 3. Collect in a tank and dispose off-site, or discharge the wash water to the sanitary sewer (with prior authorization from DSRSD).
- h. During re-patination, collect the rinse water in a tank and dispose off-site or discharge to sewer (with prior authorization from DSRSD).
- i. Roof drains shall drain away from the building foundation. Stormwater flow shall drain to a landscaped area or to an unpaved area wherever practicable as determined by the City Engineer/Chief Building Official.

Construction Requirements

140. The project shall comply with the "Construction General Permit" requirements of the NPDES Permit for 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).

Information related to the Construction General Permit is on line at:

- http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html
 - http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/finalconstpermit.pdf
- a. The Construction General Permit's requirements include, but are not limited to, the following:
- i. The project developer shall obtain a construction general permit (NOI) from the Regional Water Quality Control Board to discharge stormwater, and to develop and implement stormwater pollution prevention plans.
 - ii. The project developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) to the City Engineer/Chief Building Official for review and approval prior to the issuance of a grading or building permit, whichever is sooner. A copy of the approved SWPPP, including all approved amendments, shall be available at the project site for City review until all engineering and building work is complete and City permits have been finalized. A site specific SWPPP must be combined with proper and timely installation of the BMPs, thorough and frequent inspections, maintenance, and documentations. SWPPP for projects shall be kept up to date with the projects' progress. Failure to comply with the most updated construction SWPPP may result in the issuance of correction notices, citations, and/or stop work orders.
 - iii. The project developer is responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measures, shall be included in the SWPPP and implemented as approved by City.
 - 1. The project developer shall include erosion control/stormwater quality measures on the project grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the public storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and shall be 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 a building permit, and shall be 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.
 - 2. 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 vegetated areas 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.

3. Gather all sorted construction debris on a regular basis and place 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.
4. 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.
5. 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.
6. 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 by being windblown or by being spilled.
7. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
8. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into a street, gutter, or storm drain.
9. Equipment fueling area (if used at the construction site): use a designated area 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; check vehicles and equipment regularly for leaking oils and fuels; and dispose of rags and absorbent materials promptly and properly. Use of an off-site fueling station is strongly encouraged.
10. Concrete wash area: 1) locate wash out area away from storm drains and open ditches; 2) construct a temporary pit large enough to store the liquid and solid waste; 3) clean the pit by allowing concrete to set; 4) break up the concrete; and then 5) recycle or dispose of properly.
11. Equipment and vehicle maintenance area at the project site is not permitted; use an off-site repair shop.

- b. Within 30 days of the installation and testing of the stormwater treatment and hydromodification facilities, the designer of the site shall submit a letter to City Project Inspector/Construction Services Manager certifying the devices have been constructed in accordance with the approved plans for stormwater and C3 design for the project. The letter shall request an inspection by City staff.

Operation and Maintenance Requirements

141. The project shall comply with the operation and maintenance requirements of the NPDES Permit. All regulated projects (such as a residential subdivision projects) that create and/or replace 10,000 square feet or more of impervious areas shall enter into a recorded Stormwater Operation and Maintenance (O&M) Agreement for treating stormwater runoff from the site in perpetuity. The agreement is required to be recorded at the Alameda County Recorder's Office in a format approved by the City.

- a. The Operation and Maintenance Agreement shall clarify that the property owner(s) of the site shall be responsible for the following in perpetuity:
 - i. Maintaining all private stormwater treatment measures on the project site.
 - ii. Annually submitting a maintenance report to the City Operations Services Department, Utilities Division, addressing the implementation of the Operation and Maintenance Agreement requirements.

The final Operation and Maintenance Agreement shall be submitted to the Engineering Division prior to the issuance of a grading or building permit, whichever comes first. The Agreement is subject to review and approval of the City Engineer/City Attorney, prior to recordation.

142. The Operation and Maintenance Agreement responsibilities shall include, but not be limited to the following:

- a. Repainting text near the drain inlets to state "No Dumping – Drains to Bay."
- b. Ensuring maintenance of landscaping with minimal pesticide and fertilizer use.
- c. Ensuring no one is disposing of vehicle fluids and hazardous materials or rinse water from cleaning tools, equipment or parts into storm drains.
- d. Cleaning 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.
- e. Mowing and removing clippings from vegetated swales with grasses on a regular basis.

{end}

**EXHIBIT A.1
CONDITIONS OF APPROVAL**

**TRACT 8326
536 & 550 St. John Street and Adjacent Vacant Parcel
August 24, 2016**

PROJECT SPECIFIC CONDITIONS OF APPROVAL

Planning Division

1. The Vesting Tentative Map shall not be valid until the underlying zoning amendments (PUD-120 and P16-1201) have been adopted by the City Council and are in full force and effect.
2. The Final Subdivision Map plan check package will be accepted for submittal only after PUD-120 is adopted by the City Council, measured from the date of the ordinance.

Engineering Department

3. The applicant's title company shall record the final map, CC&Rs or maintenance agreement, Storm Water Operations and Maintenance Agreement, any grant deeds or easements, and any other required documents concurrently with the Alameda County Recorder's Office.
4. The applicant shall provide the City with a copy of the recorded final map in AutoCAD 2010 and PDF formats.

STANDARD CONDITIONS OF APPROVAL

Planning Division

5. Vesting Tentative Map 8326 shall be in substantial conformance to Exhibit B, dated "Received June 20, 2016" 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.
6. Vesting Tentative Subdivision Map 8326 shall lapse two years from the effective date of this approval unless a final subdivision map is recorded or an extension is approved by the City.
7. Vesting Tentative Subdivision Map 8326 shall incorporate by reference all applicable conditions and requirements of PUD-120, the PUD Development Plan covering this subdivision, as approved by the City Council.
8. Planning Division approval is required before any changes are implemented in the design, grading, drainage, etc., of the subdivision map.

9. To the extent permitted by law, the project applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

Engineering Department

10. A "Conditions of Approval" checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.
11. The in-lieu park dedication fees shall be paid to the City prior to approval of the map, at the rate then in effect, for the total number of buildable townhome lots on the map, unless this requirement has been otherwise satisfied.
12. Any existing assessment to which the property may be subject shall be cleared prior to the approval of the final map.
13. Prior to the first plan check, the applicant's engineer/surveyor shall submit a preliminary copy of the final map along with a preliminary copy of the title report and a copy of the adjoining deeds and/or recorded maps to the City. The City will forward these documents to its consultant who will estimate the cost for examining the map and certifying that the map is technically correct and in accordance with Section 66442 of the California Subdivision Map Act. After the consultant has provided a cost estimate, the applicant's engineer/surveyor may submit the first plan check along with a deposit for these costs along with all other standard plan check fees. Any unused portion of the estimate will be returned to the applicant after the map is recorded. Similarly, if the applicant withdraws their application in writing prior to the consultant having performed the work, any unused portion of the deposit will be returned to the applicant. Conversely, should consultant's estimate be insufficient to cover all of the consultant's time, the applicant will be required to pay the City the difference between the estimate and the actual cost prior to submittal of the map for the City Engineer's approval.
14. At the time applicant submits the fee for the consultant map review, the applicant shall also submit the following information to the City Engineer for review and approval:
 - a. Five prints of the final map.
 - b. One copy of the preliminary title report.
 - c. One set of the computer closures.
 - d. One legible copy of the latest recorded deed for the property being subdivided.

- e. One legible copy of the recorded deeds for each of the adjacent properties unless those properties are part of a recorded map which has been recorded within the last seven years; and
 - f. One legible copy of the recorded final map, parcel map, or record of survey used to prepare the final map.
15. Any dedications, open offers of dedication, or grants of easements may be dedicated and accepted on the face of the map. Agreements or other required items shall be recorded as separate documents concurrently with the recordation of the map.

{end}

Shirley
HERE
DAN SHERIDAN