

**Exhibit A**  
**Draft Conditions of Approval**

**PCUP-283, 4430 Willow Road, Suites L and N**  
**October 27, 2010**

**I. Project Specific Conditions:**

**Planning Division:**

1. The use shall comply with all applicable requirements of the City's noise ordinance. Should noise become a concern after commencement of the operation of the subject use, the applicant may have to install sound attenuating devices, or other approved alternative, within the subject tenant space.
2. If additional hours and activities beyond what was stated in the applicant's written narrative and schedule of activities, dated "Received September 16, 2010," on file in the Planning Division, are desired, prior City review and approval is required. Such modification may be approved by the Director of Community Development if found to be in substantial conformance with the approval. The Director of Community Development may also refer the matter to the Planning Commission if the proposed changes would be significant.
3. The applicant or responsible party shall pay any additional sewer capacity for the subject use as determined by the Director of Operations Services. This fee shall be paid prior to issuance of a building permit and/or prior to operation.
4. Child-care, daycare, preschool, after-school tutoring, and similar child-related uses are not part of this approval.
5. All activities and gatherings shall be conducted within the building and all exterior doors shall remain closed when not being used for ingress/egress purposes.
6. If signs are desired, the applicant shall submit a sign proposal to the City for review and approval prior to sign installation. All signage shall receive approval from the Hacienda Owners Association prior to submitting to the City.
7. At no time shall balloons, banners, pennants, or other attention-getting devices be utilized on the site except as allowed by Section 18.96.060K of the Pleasanton Municipal Code for grand openings.

## II. Standard Conditions:

### Community Development:

8. 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.

### Planning Division:

9. The location and operation of the proposed use shall conform substantially to Exhibit "B" (site plan, floor plans, and written narrative), dated "Received, September 16, 2010," on file with the Planning Division, except as modified by the conditions of approval herein. Minor changes to the approved operation and schedule may be approved by the Director of Community Development.
10. This conditional use permit approval will lapse one (1) year from the effective date of approval unless Bay Area Peace Evangelical Church receives a business license.
11. If the operation of this use results in conflicts pertaining to parking, noise, traffic/circulation, or other factors, at the discretion of the Director of Community Development, this conditional use permit may be submitted to the Planning Commission for their subsequent review at a public hearing.
12. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.
13. The applicant shall maintain the area surrounding the tenant space in a clean and orderly manner at all times.
14. 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 attorney's fees), action, or proceeding brought by a third party 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.
15. If the applicant wishes to relocate the use to a new address or tenant suite, the applicant shall secure a new conditional use permit prior to occupying the new building or tenant suite.

### **III. Code Requirement**

*(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 Division:**

16. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval.
17. Prior to issuance of a business license, the applicant shall contact the Building Division and the Fire Marshall to ensure that the proposed use of the tenant space meets Building and Fire Code requirements. If required, the applicant shall obtain all appropriate City permits.

#### **Fire Department:**

18. Portable fire extinguisher(s) shall be provided and installed in accordance with the 2007 California Fire Code and Fire Code Standard #10-1. Minimum approved size for all portable fire extinguishers shall be 2A 10B:C.

{end}



September 15, 2010

Ms. Janice Stern  
Planning Manager  
City of Pleasanton  
200 Bernal Avenue  
Pleasanton, CA 94566

Re: Conditional Use Permit  
Bay Area Peace Evangelical Church  
Site 31D, Pleasanton One

Dear Janice:

This letter is being provided in accordance with the Declaration of Covenants, Conditions and Restrictions for Hacienda, Article III, Section 3.2, Paragraph 3.2.3, Plan Changes and Plans for Changes to Improvements. The Design Review Committee for the Hacienda Owners Association has reviewed the application for a conditional use permit. This application was submitted by the Bay Area Peace Evangelical Church, on behalf of The Antrim Group, LTD/AHM-4430 Willow Investors LLC, Site 31D, dated September 14, 2010. This modification is in substantial compliance with the guidelines set forth in the Design Guidelines and Covenants, Conditions and Restrictions.

The proposed conditional use permit will allow the Bay Area Peace Evangelical Church to operate a church at 4430 Willow Road in suites L and N. The church will offer worship services, ministry, religious instruction and activities at various times throughout the week primarily on the weekend and in the evenings. In consideration of the conditional use permit, the applicant has reviewed site parameters of concern including: parking, traffic and noise. Based on a comprehensive review of space allocation and business practice, the applicant has demonstrated that their noise, parking and traffic impacts will be no greater, and likely much less, than those seen for currently approved uses. The description of the use proposal for this modification is attached.

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

Sincerely,

A handwritten signature in black ink, appearing to read "James Paxson", written over a horizontal line.

James Paxson  
General Manager, HBPOA

cc: Shannon Havill  
Brad Hirst

File: 31D\_100601\_approval.let  
dc: DEVADESAPPAMOD

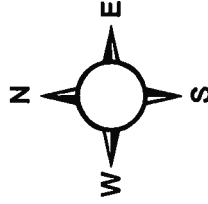
PCUP-283, Li

City of Pleasanton

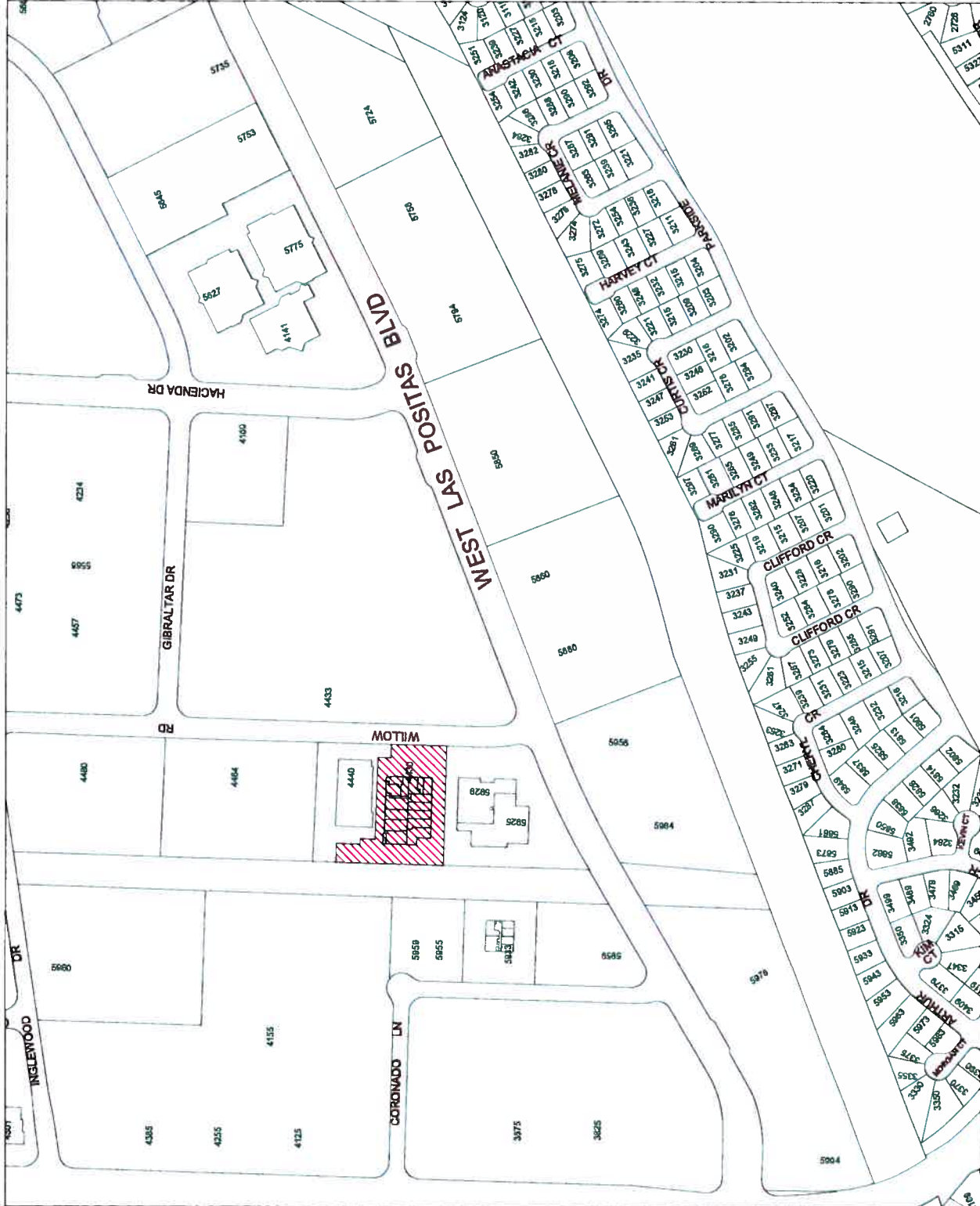
GIS

Department

4430 Willow Rd



Printed 10/14/2010





PCUP-283, Li

City of Pleasanton

GIS

Department

4430 Willow Rd

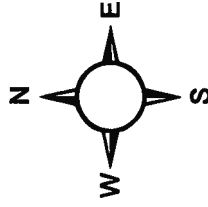
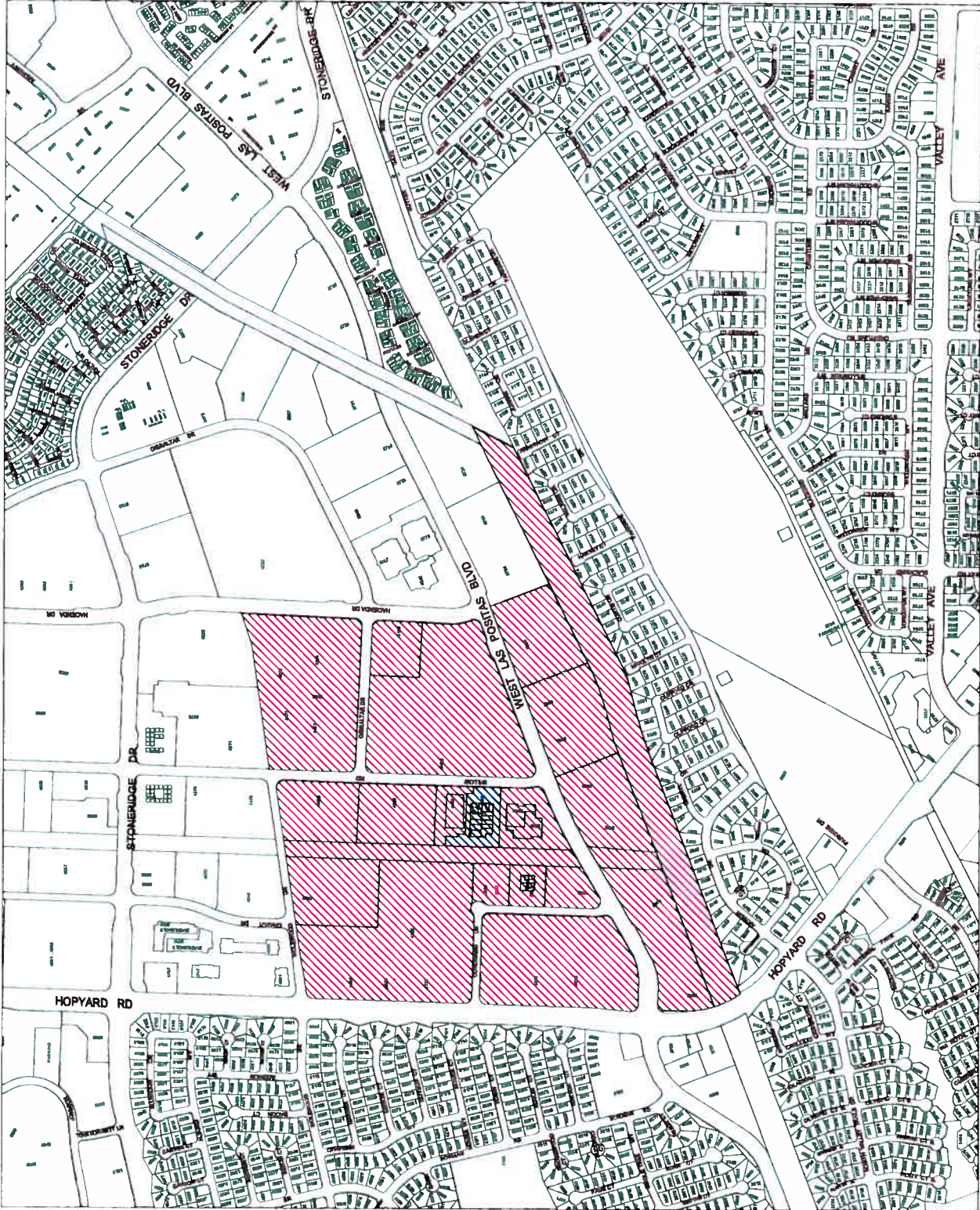


EXHIBIT E

Printed 10/14/2010



**EXHIBIT A  
VESTING TENTATIVE TRACT MAP 8020  
PTR-8020/STAPLES RANCH  
DRAFT CONDITIONS OF APPROVAL**

**DEFINITIONS**

**For the purposes of these Conditions of Approval the following definitions apply:**

1. ACSPA: "ACSPA" shall mean the Alameda County Surplus Property Authority.
2. City: Unless otherwise specified, "City" shall mean the City of Pleasanton.
3. Cost-Sharing Agreement: "Cost-Sharing Agreement" shall mean the agreement entered into between the Surplus Property Authority of Alameda County, City of Livermore, and City of Pleasanton dated September 4, 2007.
4. Development Agreement: "Development Agreement" shall mean the agreement entered into between the City of Pleasanton and the Surplus Property Authority of Alameda County for the Staples Ranch project, pursuant to California Government Code § 65864 and § 65865.
5. EIR: "EIR" shall mean the Stoneridge Drive Specific Plan Amendment/Staples Ranch project Environmental Impact Report certified on February 24, 2009, and the Final Environmental Impact Report Supplement (SEIR) certified on August 24, 2010.
6. Neighborhood Park: "Neighborhood Park" shall mean the neighborhood park planned for the Staples Ranch Site.
7. Neighborhood Park/Detention Basin Funding and Improvement Agreement: "Neighborhood Park/Detention Basin Funding and Improvement Agreement" shall mean the agreement between the City of Pleasanton and the Surplus Property Authority of Alameda County and/or the developers of the Staples Ranch Site regarding the design, construction, and funding of the Staples Ranch Neighborhood Park and/or the storm water detention basin in the Staples Ranch Neighborhood Park.
8. Pre-Development and Cooperation Agreement: "Pre-Development and Cooperation Agreement" shall mean the agreement entered into between the City of Livermore, County of Alameda, Surplus Property Authority of the County of Alameda, City of Pleasanton, and CalMat Co., dba Vulcan Materials Company, Western Division dated September 18, 2007.
9. PSE: "PSE" shall mean public service easement.
10. PUD: "PUD" shall mean planned unit development.

11. Specific Plan: "Specific Plan" shall mean the Stoneridge Drive Specific Plan Amendment/Staples Ranch, adopted August 24, 2010 by the City Council.
12. Staples Ranch Site: "Staples Ranch Site" shall mean the approximately 124-acre project area where the Staples Ranch planned unit developments are proposed.



## CONDITIONS OF APPROVAL

1. Vesting Tentative Map Tract 8020 shall be as shown on the vesting tentative map plans and related exhibits, Exhibit B, dated "Received October 4, 2010", except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance to the approved exhibits.
2. The project shall comply with the applicable mitigation measures of the Stoneridge Drive Specific Plan Amendment/Staples Ranch EIR Mitigation Monitoring and Reporting Plan (MMRP), provisions of the Stoneridge Drive Specific Plan Amendment/Staples Ranch (SPA), dimensions (e.g., public service easements, setbacks, trail widths, landscaping area widths, etc.) of PUD-57, PUD-68, and PUD-80 and provisions of the agreements listed in the definition section of PUD-57 (agreements). If the conditions of approval for this case conflict with the MMRP, SPA, dimensions of PUD-57, PUD-68, and/or PUD-80, and/or the agreements, the MMRP, SPA, PUDs, and agreements apply.
3. All improvements shall be subject to the review and approval of the City Engineer.
4. Prior to approval of the improvement plans, the applicant shall submit written verification of Zone 7's approval of all: 1) proposed improvements on Zone 7's property, including all grading, temporary structures, temporary supports, paving, bridges, etc.; 2) access roads to the Arroyo Mocho maintenance roads, including all grading, paving, gates, etc., and 3) the hydraulic modeling, scour analysis and any proposed scour and erosion protection.
5. If feasible the bridge light standards (poles and fixtures) shall be a maximum of 15' in height and, to the extent feasible, shall be similar in appearance to the residential street light standard design shown in Exhibit B of PUD-68 and shall use LED lighting. The final design shall be subject to the review and approval of the Director of Community Development.
6. The design of the pedestrian portions of the bridge shall be aesthetically enhanced. The enhancement shall be subject to the review and approval of the Director of Community Development prior to improvement plan approval.
7. The sidewalks on the bridge will be 8' in width and the bike lanes over the bridge will be 6' in width.
8. On the bridges, there will be at least 1' of clear space between the center-most travel lanes and center abutment.
9. Bridge construction will require special plan checks and inspections and the applicant will be responsible for all plan check and inspection costs as determined by the City Engineer.

10. Prior to approval of the improvement plans, hydraulic modeling and scour erosion analysis for the actual Stoneridge Drive bridge designs shall be completed and approved by Zone 7. Hydraulic modeling and scour analysis shall demonstrate that post-construction channel flow rates for 100-year ultimate build-out storm event, channel capacity, and channel velocities in the Arroyo Mocho do not negatively impact the bed or banks of the arroyo and that where such impacts may occur, scour and erosion protection is adequately addressed. The hydraulic modeling and scour analyses, as well as improvements within Zone 7 right-of-way, shall conform to Zone 7 design standards and be subject to review and approval by Zone 7; the City Engineer shall oversee the review. The ACSPA shall be responsible for the hydraulic modeling.
11. Before the final design of the bridge plans is started, the depth of the LAVMA line south of the proposed bridges shall be potholed. The applicant's engineer shall provide the pothole information to the City Engineer.
12. The location of the entrance road into the basin shall be revised to match the location of the entrance road shown on PUD-80, unless otherwise determined by the City Engineer and the Director of Parks and Community Services.
13. Prior to the recordation of the final map, grading for the basin shall be revised to show a temporary 8' wide aggregate base (AB) maintenance road around the top of the basin. The road shall be designed to support maintenance vehicles and shall be subject to the review and approval of the City Engineer.
14. The entrance road into the basin shall be a hard surface which can support emergency and maintenance vehicles, unless otherwise determined by the City Engineer and Director of Parks and Community Services. The hard surface shall be colored concrete. The final design and color of the surface will be subject to the review and approval of the Director of Community Development.
15. The 4' tall basin fence and gates will be installed in the basin as generally shown in PUD-80. The final fence design and color shall be subject to the review and approval of the Director of Community Development.
16. All public landscaping shall adhere to the City of Pleasanton's adopted Bay Friendly Landscape Guidelines. Compliance with the guidelines will be determined by the Director of Parks and Community Services.
17. To the extent feasible, street medians shall be landscaped.
18. The project's public improvements shall comply with the State of California's Model Water Efficient Landscape Ordinance. A licensed landscape architect shall verify the project's compliance with the ordinance prior to acceptance of the final improvements. The verification shall be provided to the Engineering Division.

19. The weir's surface will be rip rap. The color and stone type will be subject to the review and approval of the City Engineer prior to approval of final improvement plans.
20. The size of the weir will be reduced to the extent feasible as determined by the City Engineer.
21. In all City rights of way all irrigation systems including pipes, valves, heads, boxes, etc. shall be designed for the use of recycled water, unless waived by the City Engineer.
22. The applicant shall construct temporary aggregate base (AB) vehicle access roads and related improvements (including gates, barriers, etc.) for Zone 7 and the City of Pleasanton on both northern and southern Arroyo Mocho maintenance roads (by the bridges), prior to bridge construction, unless already constructed or bonded for by the developers of PUD-68 and PUD-70.
23. The applicant shall construct the permanent multi-use paved public trail connection from the southern boundary of lot 5 to the northern Arroyo Mocho maintenance road. Required improvements may include grading, gates, barriers, and similar features. A running path shall be included if feasible. Any trail improvements within Zone 7 property shall be subject to review and approval by Zone 7 to ensure that design does not interfere with Zone 7's primary use of the maintenance road for flood protection activity.
24. The City of Pleasanton may construct a paved public multi-use (pedestrian, bicycle, etc.) trail connection to the southern Arroyo Mocho maintenance road. Required improvements may include grading, gates, barriers and similar features. A running path shall be included if feasible. Any trail improvements within Zone 7's property shall be subject to review and approval by Zone 7 to ensure that design does not interfere with Zone 7's primary use of the maintenance road for flood protection activity.
25. Prior to any grading on lot 2, the applicant shall pay \$26,150 into the City's Urban Forestry Fund as mitigation for the removal of trees on the 11± acre commercial parcel.
26. Prior to issuance of grading permits on lots 6 and 7, the applicant shall install an orange plastic construction fence, or equivalent as determined by the City Engineer, at the driplines of the trees on lots 6 and 7. The tree protection zone shall be subject to the review and approval of the City Engineer prior to grading. If a fence is difficult to place due to existing berm grading, it may be placed farther away from the tree driplines, if deemed appropriate by the City Engineer.
27. Prior to grading, the applicant shall provide written verification from Zone 7 to the City Engineer that all unused or abandoned wells have been properly destroyed.

28. Prior to grading the applicant shall provide written verification from Zone 7, PG&E, and AT&T that the proposed grading plan is supportable if grading is proposed on or near the existing Zone 7, PG&E, or AT&T utility easements, as determined by the City Engineer.
29. The applicant shall check the site for the existence of abandoned septic tanks and drain lines. If they are found to exist on the site, they should be excavated and removed from the site prior to grading as determined by the City Engineer.
30. As required by and subject to the Pre-Development and Cooperation and Cost-Sharing Agreements if the improvements to El Charro Road and the flood improvements are not already under construction or bonded for by the City of Livermore for the El Charro Specific Plan development, the ACSPA shall construct these improvements as part of any first phase of Staples Ranch development. Any such roadway and flood control improvements shall be constructed so as to comply with all applicable provisions of the Pre-Development and Cooperation Agreement, including but not limited to Section 3.2 thereof.
31. The ACSPA shall replace the existing eight-inch water line in Staples Ranch Drive between Vermont place and the senior continuing care community site (PUD-68) with a new 12-inch water line. Prior to occupancy, the ACSPA shall install new house water service connections along Staples Ranch Drive to this new water main. The location of the new line, and the timing of the connections shall be subject to the review and approval of the City Engineer.
32. The 72" outfall leading to the Arroyo Mocho shall be maintained by the City of Pleasanton.
33. The applicant shall be responsible for conducting sonic vermin control immediately prior to and during grading and construction of public improvements. The details of the sonic rodent control measures, including the location of the sonic devices shall be submitted to and subject to the review and approval of the Planning Manager prior to the issuance of a grading permit or building permit, whichever is sooner. The approved measures shall be included in the plan sets submitted for the issuance of a grading permit and the plans submitted for the issuance of a building permit.
34. Portable toilets used during construction shall be emptied on a regular basis as necessary to prevent odor.
35. Construction trailers shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period. At no time shall campers, trailers, motor homes, or any other vehicle be used as living or sleeping quarters on the construction site. All such vehicles shall be removed from the site at the end of each workday.
36. Prior to the recordation of the final map, the eastern boundary of the property shall be reconciled with the City of Livermore's El Charro Road improvement plans such

that there is not a conflict by the eastern boundary of Lot 1 and the location of the El Charro Road right of way. The final location of the eastern boundary line of the map shall be subject to the review and approval of the City Engineer.

37. Prior to the recordation of the final map, the proposed public sidewalk easement on Lot 1 by El Charro Road shall be extended to Stoneridge Drive.
38. The applicant shall dedicate sufficient right of way along El Charro Road south of Stoneridge Drive to allow for the future extension of the south bound bike lane. The exact amount will be determined during the improvement plan and final map plan check stage.
39. The applicant shall dedicate a 15' wide PSE along the project's Stoneridge Drive frontage (both sides of the street).
40. Prior to the City's acceptance of the public improvements, the applicant shall install a temporary sign by Trevor Parkway and the southern Arroyo Mocho bridge stating the trail system will end and the distance to the end. The exact wording, location, and design of the sign shall be subject to the review and approval of the City Engineer.
41. Prior to the recordation of the final map, the section drawings shall be revised such that: 1) it is clear what is being constructed as part of the final map improvement plans and what is not, and 2) the responsible party to construct each improvement shall be clearly stated and consistent with the developer/ACSPA responsibilities as provided in the Specific Plan.
42. Prior to recordation of the final map, the Sheet Notes on Exhibit B shall be modified as follows:

Sheet 2 Notes:

Note 1

Before any final map is approved for recordation or improvement plans or individual lot grading plans are issued for construction, the City of Livermore or the applicant shall have started the construction or bonded for the following off-site improvements below.

El Charro Road improvements as prepared by Kier Wright and off-site flood control improvements located on the east side of El Charro Road subject to a CLOMAR/LOMAR submitted to FEMA.

A FEMA Letter of Map Amendment for the completed flood improvements will be required prior to the occupancy of any structure.

### Note 3

Stoneridge Drive, El Charro Road (north of Stoneridge Drive) and Street A will be public streets owned in fee by the City of Pleasanton. El Charro Road southerly of Stoneridge Drive shall be dedicated in fee to the City of Pleasanton.

### Note 4

Lot 3 shall be dedicated in fee to the City of Pleasanton with the first final map and Lot 4 shall be transferred to the City of Pleasanton in accordance with the Neighborhood Park Agreement for Purchase and Sale of Real Property between the applicant and the City of Pleasanton.

The notes on sheet 2 regarding lots 5, 6 and 7 shall be revised to include reciprocal private parking and access easements. These easements shall be shown on the final map and shall be granted with the sale of any of these lots.

The notes on sheet 2 regarding lots 5, 6 and 7 shall be shown on the final map and shall be revised to include reciprocal utility and drainage easements.

### Sheet 3 Notes

All stockpiled material shown on the Conceptual Earthwork Distribution/Grading Exhibit noted to be moved to lots 5, 6, and/or 7 on the opposite side of Stoneridge Drive shall be moved prior to placing of utilities within Stoneridge Drive to avoid any potential damage to utilities unless otherwise approved by the City Engineer.

The applicant shall create temporary rights of entry to allow stockpiled material shown on the Conceptual Earthwork Distribution/Grading Exhibit to be moved to another lot. Additionally, the applicant shall create temporary cross drainage easements between adjacent lots to allow drainage flow across property lines until such time as the final grading is complete. On the final map, the applicant shall additionally create EVA and utility easements needed for PUD-57, PUD-68, and PUD-80, and the maintenance and access easements needed north of the proposed berm for PUD-68 as determined by the City Engineer.

### Sheet 4 Notes

Before Stoneridge Drive between Trevor Parkway and El Charro Road is accepted by the City as a public road, a temporary 5' wide aggregate base pathway shall be constructed by the applicant on lot 3 on the south side of Stoneridge Drive between the southern Arroyo Mocho Bridge and the temporary access road to the Arroyo Mocho to allow pedestrians access to the arroyo, unless otherwise determined by the City Engineer.

Section A-A shall be revised to allow for a 11' left turn lane and, at a minimum, a 6' wide median island as shown on the plan view (synchronize cross section with plan view).



### Sheet 7 Notes

Detail "A" shall be revised to reflect the existing 8" water main within Staples Ranch Drive easterly of Vermont Place to be abandoned and new water laterals to the existing homes shall be connected to the proposed 12" water main to avoid any water quality issues that could occur within the 8" waterline stub.

The applicant shall install reclaimed water line laterals of the size and approximate location as shown for domestic water supply lines along the Stoneridge Drive frontage. The domestic and reclaimed water line laterals shall be separated a minimum of 10' horizontally. The exact location and size of the laterals will be determined by the City Engineer.

### Sheet 8 Notes

Drainage areas 1 and 2 and any paved trail connections shall be addressed with a note on the tentative improvement plans to indicate how hydromodification is being addressed for these drainage areas.

The access ramps to the Arroyo Mocho shall be added to the storm water treatment calculations.

### Sheet 9 Notes

A sampling manhole shall be provided on Lot 4 by PUD-57's storm drain inlet. The location and design of the manhole shall be subject to the review and approval of the City Engineer.

43. A "Conditions of Approval" checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.
44. The applicant shall comply with the recommendations of the project's geotechnical consultant. The project applicant's geotechnical consultant shall review and approve all public improvements and grading of the final improvement 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.
45. The project applicant shall arrange and pay for the geotechnical consultant to inspect and approve all public improvements and grading. The consultant shall be present on site during grading and excavation operations. The results of the inspections and the 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 acceptance of improvements.

46. The project applicant 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.
47. The project applicant shall construct vertical P.C.C. curbs and gutters unless otherwise approved by the City Engineer.
48. 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.
49. 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 applicant. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
50. Prior to the acceptance of the final map improvements a maintenance association or district shall be required for the basin on lot 4 in accordance with the Neighborhood Park/Detention Basin Funding and Improvement Agreement, unless otherwise approved by the City Engineer.
51. The project applicant and/or the project applicant's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.
52. The project applicant 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.
53. The project applicant shall include erosion control measures on the grading plan, subject to the approval of the City Engineer. The project applicant is responsible for ensuring that the contractor is aware of such measures. All cut and fill slopes shall be re-vegetated and stabilized as soon as possible after completion of grading, in no case later than October 15. No grading shall occur between October 15 and April 15 unless approved erosion control measures are in place, subject to the approval of the City Engineer. Such measures shall be maintained until such time as sufficient vegetation is established.
54. Storm drainage swales, gutters, inlets, outfalls, and channels not within the area of a dedicated public street or public service easement approved by the City Engineer shall be privately maintained by the property owners or through an association approved by the City.

55. The project applicant shall be responsible for the installation of the street lighting system serving the development. Not including the light standards on the bridge, the street lights shall be LED units mounted on galvanized steel poles with poured in place bases, on the LS-1C schedule per City requirements and PG&E standard details, unless otherwise specifically approved. The lighting system design shall conform to the Illuminating Engineering Society (IES). Approval for the number, location, and type of electroliers shall be subject to the review and approval of the City Engineer.
56. The project applicant shall submit detailed landscape and irrigation plans as part of the improvement plans. The irrigation plan shall provide for automatic controls. All landscaping and irrigation shall be subject to the review and approval of the Director of Operations Services, Parks and Community Services, and the Director of Community Development.
57. All existing drainage swales that are filled shall have subdrains installed unless otherwise approved by the City Engineer and the applicant's soils engineer. All subdrains shall have cleanouts installed at the beginning of the pipe. 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 applicant's engineer shall submit a final subdrain location map to the City Engineer prior to acceptance of the public improvements.
58. Prior to approval of the improvement plans, the project applicant shall submit written verification of plan approval from all applicable outside agencies having jurisdiction.
59. 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, hydromodification worksheets, etc., shall be submitted as part of the improvement plans.
60. There will be an attempt to achieve a public sanitary sewer pipe slope of 0.005 (0.5%) with a velocity of 2.0% per second. A slope of 0.003 (0.3%) is acceptable, if necessary, to meet site conditions.
61. There will be an attempt to achieve a gutter slope of 0.75%.
62. The improvement plans for this development shall contain signage and striping plans that are subject to the approval of the City Traffic Engineer.
63. Prior to the first plan check, the project 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 project 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 project applicant after the map is recorded. Similarly, if the project 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 project applicant. Conversely, should consultant's estimate be insufficient to cover all of the consultant's time, the project 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.

64. At the time project applicant submits the fee for the consultant map review, the project applicant shall also submit the following information to the City Engineer for review and approval:

- a. Two prints of the final parcel 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 this Parcel Map.

65. 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.

66. The project applicant shall provide the City with a reproducible Mylar copy of the recorded map with all recording data shown.

67. When the map is submitted for the City Engineer's signature, the applicant shall provide the City with an electronic copy of the Final Map. In addition to the information shown on the final map, the electronic information submitted should include:

- Street names as approved by the Planning Division.
- Any dedications, open offers of dedication, or grants of easements may be dedicated and accepted on the face of the map. Agreement or other

required items shall be recorded as separate documents concurrently with the recordation of the final map.

68. As determined by the City Engineer, access to, around, and into the basin on lot 4 shall be provided to the City of Pleasanton during and after grading.

### **URBAN STORMWATER CONDITIONS OF APPROVAL**

69. The provisions of NPDES No. CAS0029831 shall apply; provided, however, if an agency other than the City determines the provisions of NPDES No. CAS0029831 do not apply, City shall not be financially responsible for any increased costs to the applicant resulting therefrom.

70. The project shall also comply with the "Construction General Permit" by the California Regional Water Quality Control Board, San Francisco Bay Region:

- ([http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml))

### **Stormwater Design Requirements**

71. The Permit design requirements include, but are not limited to, the following:

- The Permit requires a proactive pollutant reduction plan (aka Pesticide Plan) to reduce or substitute pesticide use with less toxic alternatives.
- The Permit requires complying with the Copper Pollutant Reduction Plan and the Mercury Pollutant Reduction Plan.

72. The following requirements shall be incorporated into the project:

- The project applicant shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures including bio-swales. Irrigated bio-swales shall be redesigned as needed to the satisfaction of the City Engineer to optimize the amount of the stormwater running off the paved surface that enters the bio-swale at its most upstream end. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of any building permits.
- In addition to natural controls the project applicant may be required to install a structural control, such as an oil/water separator, sand filter, or approved equal to intercept and pre-treat stormwater prior to reaching the storm drain. The design, locations, and a schedule for maintaining the separator shall be submitted to the City Engineer for review and approval prior to issuance of building permits. The structural control shall be cleaned at least twice a year: once immediately prior to October 15 and once in January.

- The project applicant shall submit sizing design criteria to treat stormwater runoff and for hydromodification, at the time of improvement plan submittal and an updated detailed copy of calculations with subsequent submittals.
- Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate and acceptable to the project soils engineer, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. All landscaping shall be subject to the review and approval of the City Engineer.
- Where feasible, landscaping shall be designed and operated to treat stormwater runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified. Soil shall be amended as required. (See planting guidelines by Alameda County Clean Water Program.)
- Minimal landscaping for erosion control purposes shall be required in the basin on lot 4.
- All paved outdoor storage areas shall be designed to minimize pollutant runoff. Bulk materials stored outdoors that may contribute to the pollution of stormwater runoff must be covered as deemed appropriate by the City Engineer/Chief Building Official and as required by the State Water Board.
- A regular program of inspecting vehicles for leaks and spills, and of sweeping/ vacuuming, litter control, and spill cleanup shall be implemented. Such program shall be submitted to the Director of Community Development for review and approval prior to issuance of building permits.
- The applicant shall raise the grades on Street A such that if there is an overland drainage release from the detention pond on lot 4 the storm water shall release toward Stoneridge Drive and shall not block Street A, unless otherwise approved by the City Engineer.

### **Stormwater Construction Requirements**

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

Construction activities (including other land-disturbing activities) that disturb one acre or more (including smaller sites that are part of a larger common plan of development) are regulated under the NPDES stormwater program. Operators of regulated construction sites are required to develop and implement stormwater pollution prevention plans and file a construction general permit (NOI) from the State Water Resources Control Board to discharge stormwater.

- ([http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/docs/finalconstpermit.pdf](http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/finalconstpermit.pdf))



74. The project applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review by the City Engineer/Chief Building Official prior to issuance of building or engineering permits. A reviewed copy of the SWPPP shall be available at the project site until grading and building permits have been signed off by the inspection departments and all work is complete. A site specific SWPPP must be combined with proper and timely installation of the BMPs, thorough and frequent inspections, maintenance, and documentation. Failure to comply with the reviewed construction SWPPP may result in the issuance of correction notices, citations or stop work orders.
75. The amendments to the SWPPP and all the inspection forms shall be completed and available at the site for inspection by the city, county or state staff.
76. The project applicant is responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measure, shall be included in the SWPPP and implemented as approved by the City:
- The project applicant shall include erosion control/stormwater quality measures on the final grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and are subject to the review and approval of the City Engineer/Chief Building Official. If no grading plan is required, necessary erosion control/stormwater quality measures shall be shown on the site plan submitted for an on-site permit, subject to the review and approval of the Building and Safety Division. The project applicant is responsible for ensuring that the contractor is aware of and implements such measures.
  - 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 in accordance with the construction general permit in effect at the time of revegetation and stabilization. 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 and a cash bond shall be required from the applicant until such time as sufficient vegetation is established.
  - Gather all sorted construction debris on a regular basis and place it in the appropriate container for recycling; to be emptied at least on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater runoff pollution.
  - 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.

- 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.
- Create a contained and covered area on the site for the storage of cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system through being windblown or in the event of a material spill.
- Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
- Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, or storm drains.
- Equipment fueling area: Use off-site fueling stations as much as possible. Where on-site fueling occurs, use designated areas away from the storm drainage facility, use secondary containment and spill rags when fueling, discourage "topping off" of fuel tanks, place a stockpile of absorbent material where it will be readily accessible, and check vehicles and equipment regularly for leaking oils and fuels. Dispose rags and absorbent materials promptly and properly.
- Concrete wash area: Locate wash out areas away from the storm drains and open ditches, construct a temporary pit large enough to store the liquid and solid waste, clean pit by allowing concrete to set, breaking up the concrete, then recycling or disposing of properly.
- Equipment and vehicle maintenance area: Use off-site repair shop as much as possible. For on-site maintenance, use designated areas away from the storm drainage facility. Always use secondary containment and keep stockpile of cleanup materials nearby. Regularly inspect vehicles and equipment for leaks and repair quickly or remove from the project site. Train employees on spill cleanup procedures.

### **Stormwater Operation Requirements**

77. Until the project is accepted, unless otherwise determined by the City Engineer or Chief Building Official, the applicant shall enter into a recorded Stormwater Treatment Measures Inspection and Maintenance Agreement for ongoing

maintenance and reporting of required stormwater measures. These measures may include, but are not limited to:

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

## **TRAFFIC ENGINEERING**

78. The joint trench shall include 3" conduit for fiber optic cable. Conduit and pull boxes shall follow the City of Pleasanton standard specifications for curve sweeps, pull box type and pull box spacing.

79. The applicant shall install 24 strand fiber optic cable from intersection of Trevor Parkway to El Charro Road. Fiber optic cable shall follow the City of Pleasanton Standard Specifications.

80. Prior to the acceptance of Stoneridge Drive between Trevor Parkway and El Charro Road as a public road, the applicant shall install a temporary 5' wide aggregate base (AB) pedestrian path north of Stoneridge Drive, unless permanent sidewalks have been constructed or bonded for as part of the development of PUDs 57, 68 and 80, or as otherwise determined by the City Engineer. This will include a temporary pathway along the frontage of the CLC where a future driveway entrance will be constructed by others.
81. The westbound left turn pocket from Stoneridge Drive into Lot 3 shall be increased from 175' to 200'.
82. All gates installed to limit access to Zone 7 path that runs along the Arroyo Mocho shall have open pedestrian access.
83. The applicant shall install an AC curb along frontage of Lot 5 where future driveway will be installed by CLC.
84. The southbound right turn from El Charro Road to Stoneridge Drive will be constructed to allow auto delivery trucks to complete the turn without entering the bike lane. Developer will submit truck turning template layout to the City Engineer for review and approval. Design may require adjustment of the property line on the south east corner of Lot 1.
85. Bus turnouts shall include bus shelter pad as shown in the City of Pleasanton Standard details (DWG no. 124).
86. Bus shelter pad adjacent to lot 4 shall be moved to the east to accommodate the walking path around the detention basin.

## **WATER SUPPLY**

87. Prior to approval of the final map, it shall be demonstrated that sufficient water supply will be available for the project in accordance with Government Code section 66473.7.
88. The applicant acknowledges the rights and duties of the City set forth in the Development Agreement between the applicant and City related to the project, including those rights and duties relating to water supply.

## **DEED DISCLOSURES**

89. All required disclosures, deed riders, and easements shall be subject to the review and approval of the City Attorney's Office prior to the recordation of a Final Map for the Staples Ranch Site.

90. Conveyance documents for all parcels on the senior continuing care site (lots 5, 6, and 7) shall include the required disclosures, deed riders, and easements listed below. Property owners of lots 5-7 on the Staples Ranch Site shall provide all of its future tenants and any purchaser of lots 5-7 with copies of the required disclosures, deed riders, and easements listed below. The property owner of the senior continuing care community site(s) on lots 5-7 will:

- a. Disclose to all potential residents the proximity of the I-580 freeway and that high efficiency particulate air (HEPA) filters are required to be installed in all living units constructed within 247' of southern edge of the existing closest travel lane of the I-580 freeway and maintained by the senior continuing care community management. The HEPA air filters shall be maintained by the senior continuing care community management in a good condition, with the filters regularly changed by the management company as recommended by the HEPA filter manufacturing company. The "southern edge of the closest existing travel lane" shall be the closest southern edge located immediately north of the project site at the time the project PUD was approved by the City Council.
- b. Establish procedures, including a phone number, so that the on-site manager will be the initial contact to handle all HEPA filter complaints from residents.
- c. Disclose that the proposed landscape buffer by Hendrick Automotive Group (PUD-57) may not be installed for several years.

91. Conveyance documents for all parcels on the senior continuing care site (lots 5, 6, and 7) shall include the required disclosures, deed riders, and easements listed below. Property owners of lots 5-7, shall provide all of its future tenants and any purchaser of lots 5-7 with copies of the required disclosures, deed riders, and easements listed below. The property owner of the senior continuing care community site(s), lots 5-7 will:

- a. Disclose to all potential residents the proximity of the Livermore Airport and the potential for noise and other nuisance from aircraft operations.
- b. Establish procedures, including a phone number, so that the on-site manager will be the initial contact to handle all airport noise complaints from residents.
- c. Include a deed rider on the conveyance of any property that states:

Grantee hereunder acknowledges and agrees that the subject property is located in the vicinity of an active and operating general aviation airport, outside the City of Livermore's designated Airport Protection Area and 65 CNEL impact area. Grantee accepts possible and normal consequences including noise, light and vibration arising out of the proper operation of aircraft for current and future operations consistent with the 1975 Livermore Airport Master Plan and Grantee hereby acknowledges and agrees that no

claim of nuisance shall lie based on the foregoing. Grantee shall not be deprived of any right it might have against any individual or private operator for negligent or unlawful operation of aircraft. Grantee hereby covenants to include this same paragraph, in its entirety, in any subsequent deed by Grantee of all or any portion of the subject property. Grantee further covenants to include this same paragraph within any lease for all or any portion of the subject property.

92. Conveyance documents for lots 1-7 on the Staples Ranch Site shall include the required disclosures listed below. Property owners of lots 1-7 shall provide all of its future tenants and any purchaser of any property of lots 1-7 with copies of the required disclosures listed below.

The property owner will disclose to all potential tenants and property owners conditions that may not be readily apparent which may occur on or near the Staples Ranch Site:

- a. The presence of and typical activities and physical characteristics associated with the auto mall planned on the Staples Ranch Site including vehicle servicing, washing, and vacuuming, bright lighting, illuminated freestanding freeway sign, noise, early and late hours of operation, and large truck deliveries.
- b. The presence of and typical activities and characteristics associated with park uses on the Staples Ranch Site including bright lights, noise, large buildings, large delivery trucks, early and late use hours of park use.
- c. The presence of typical activities and characteristics associated with retail and/or office uses on the Staples Ranch site including bright lighting, noise, early and later hours of operation, and large delivery trucks.
- d. The future extension El Charro Road to Stanley Boulevard, as shown in the General Plan.
- e. The future extension of Stoneridge Drive to El Charro Road, as shown in the General Plan and in the Stoneridge Drive Specific Plan Amendment/Staples Ranch.
- f. The anticipated I-580 freeway widening by Caltrans.
- g. The presence of the PG&E gas line and Zone 7 water line.

93. Property owners of lots 1-7 shall include deed riders/disclosures about the Livermore Municipal Airport consistent with Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353.

94. Conveyance documents for lots 1-7 shall include the required disclosures, deed riders, and easements listed below. Property owners of lots 1-7 on the Staples Ranch Site shall provide all of its future tenants and any purchaser of lots 1-7 with copies of the required disclosures, deed riders, and easements listed below.



a. All property owners shall disclose the following about the Pre-Development and Cooperation Agreement:

- Applicant acknowledges that the City has provided to applicant a copy, and the applicant is aware of the existence, of that certain Pre-Development and Cooperation Agreement by and among the City of Livermore, the County of Alameda, the Surplus Property Authority of the County of Alameda, the City of Pleasanton, and CalMat Co., d/b/a Vulcan Materials Company, Western Division ("Vulcan"), dated as of September 18, 2007 (the "Cooperation Agreement"), and further acknowledges that applicant has reviewed and understands the provisions of the Cooperation Agreement, including but not limited to the provisions thereof that prohibit the City's issuance of certain permits for applicant's project unless and until the City complies with its obligations under the Cooperation Agreement, and allow Vulcan to join applicant as a real party in interest in any action to enforce the City's obligations under the Cooperation Agreement. Applicant consents to the recordation of the Memorandum of Agreement on title to Applicant's property and shall execute and deliver to City all documents required to evidence the consent to recordation.
- This property is located in the vicinity of operating quarries on land designated by the County of Alameda for sand and gravel quarry and related operations, including asphalt and concrete plants, landfill, recycling of construction materials, reclamation and other similar uses (the "Quarry Lands"). The Quarry Lands have been designated by the State of California as containing aggregate and mineral resources of regional significance. Operations and reclamation activities at the Quarry Lands are projected to continue until at least 2030. Quarry operations may result in airborne particulate matter, bright lights, noise and vibration, unattractive visual appearance, and heavy truck traffic. El Charro Road serves as the main access route to the Quarry Lands and is subject to a high volume of heavy truck traffic related to the Quarry Lands.

b. All property owners shall attach the following rider to each deed for any property within the Staples Ranch Site:

Grantee hereunder acknowledges and agrees that the subject property is located in the vicinity of active and operating quarries and processing facilities. Grantee also acknowledges that quarry operations may result in airborne particulate matter, bright lights, noise and vibration, unattractive visual appearance, and heavy truck traffic on El Charro Road and adjacent streets and roadways within or outside the quarries. Grantee accepts possible inconvenience of discomfort from any of the foregoing and Grantee hereby acknowledges and agrees that no claim of nuisance

shall lie based on any of the foregoing. Grantee hereby covenants to include this same paragraph, in its entirety, in any subsequent deed by Grantee of all or any portion of the subject property. Grantee further covenants to include this same paragraph within any lease for all or any portion of the subject property.

95. Staples Ranch Site property owners of lots 1-4, shall either record the deed rider below or Livermore's standard Avigation Easement a copy of which is attached as Exhibit G of the Cost-Sharing Agreement.

Grantee hereunder acknowledges and agrees that the subject property is located in the vicinity of an active and operating general aviation airport, outside the City of Livermore's designated Airport Protection Area and 65 CNEL impact area. Grantee accepts possible and normal consequences including noise, light and vibration arising out of the proper operation of aircraft for current and future operations consistent with the 1975 Livermore Airport Master Plan and Grantee hereby acknowledges and agrees that no claim of nuisance shall lie based on the foregoing. Grantee shall not be deprived of any right it might have against any individual or private operator for negligent or unlawful operation of aircraft. Grantee hereby covenants to include this same paragraph, in its entirety, in any subsequent deed by Grantee of all or any portion of the subject property. Grantee further covenants to include this same paragraph within any lease for all or any portion of the subject property.

**< End >**