

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF PLEASANTON APPROVING THE APPLICATION OF CONTINUING LIFE COMMUNITIES FOR PLANNED UNIT DEVELOPMENT (PUD) DEVELOPMENT PLAN APPROVAL, AS FILED UNDER CASE PUD-68**

**WHEREAS**, Continuing Life Communities has applied for Planned Unit Development (PUD) development plan approval to establish allowed uses and the construction of a senior continuing care community of approximately 1,079,150 square feet and related site improvements on approximately 46 acres located southwest of the intersection of I-580 and El Charro Road (Staples Ranch); and

**WHEREAS**, an Environmental Impact Report (EIR) for the Staples Ranch project (of which this development plan is part) has been certified by the City Council on February 24, 2009, an Environmental Impact Report Supplement (SEIR) for the Staples Ranch Project has been certified by Pleasanton City Council on August 24, 2010, and the potential environmental impacts of this proposed development plan have been addressed in that EIR and SEIR, and no further environmental review is necessary; and

**WHEREAS**, the Planning Commission adopted Resolution 2009-18, determining that the proposed development plan is appropriate for the site, making findings and recommending to the Pleasanton City Council that PUD 68 be approved; and

**WHEREAS**, on \_\_\_\_\_, 2010, the Pleasanton City Council held a duly noticed public hearing on this application and considered all public testimony, agenda reports and related materials, and the recommendations of City staff and the Planning Commission; and

**WHEREAS**, the Pleasanton City Council finds that the proposed development plan is consistent with the City's General Plan, the Stoneridge Drive Specific Plan Amendment/Staples Ranch and the purposes of the PUD District Ordinance as set forth in Exhibit C attached hereto and made a part of this ordinance by this reference.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1.** Approves Case PUD-68, the application of Continuing Life Communities for Planned Unit Development (PUD) development plan approval to establish allowed uses and the construction of a senior continuing care community of approximately 1,079,150 square feet and related site improvements on approximately 46 acres located southwest of the intersection of I-580 and El Charro Road (Staples Ranch), subject to the conditions as shown in Exhibit A, attached hereto and made part of this ordinance by this reference.

**Section 2.** A summary of this ordinance shall be published once within 15 days after its adoption in the "Valley Times", a newspaper of general circulation published in the City of Pleasanton, and the complete ordinance shall be posted for 15 days in the City Clerk's Office within 15 days after its adoption.

**Section 3.** This ordinance shall be effective 30 days after its passage and adoption

The foregoing Ordinance was introduced at a \_\_\_\_\_ meeting of the City Council of the City of Pleasanton on \_\_\_\_\_, 2010 and adopted at a regular meeting of the City Council of the City of Pleasanton on \_\_\_\_\_, 2010 by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Jennifer Hosterman, Mayor

ATTEST:

\_\_\_\_\_  
Karen Diaz, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Jonathan P. Lowell, City Attorney

**EXHIBIT A**  
**PROJECT-SPECIFIC CONDITIONS OF APPROVAL**  
**PUD-68, CONTINUING LIFE COMMUNITIES**  
**STAPLES RANCH**  
\_\_\_\_\_, 2010

**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. CEQA: "CEQA" shall mean the California Environmental Quality Act.
3. City: Unless otherwise specified, "City" shall mean the City of Pleasanton.
4. 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.
5. 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.
6. 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.
7. Neighborhood Park: "Neighborhood Park" shall mean the neighborhood park planned for the Staples Ranch Site.
8. 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.
9. 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.

10. PSE: "PSE" shall mean public service easement.
11. PUD: "PUD" shall mean planned unit development.
12. Specific Plan: "Specific Plan" shall mean the Stoneridge Drive Specific Plan Amendment/Staples Ranch, adopted by the City Council on August 24, 2010.
13. Staples Ranch Project Area: "Staples Ranch Project Area" shall mean the approximately 169-acre project area proposed to be annexed into the City of Pleasanton as part of the Staples Ranch project, including adjacent right-of-way along the Arroyo Mocho Channel, El Charro Road, and Interstate 580 (I-580) within the City's Sphere-of-Influence and Urban Growth Boundary.
14. Staples Ranch Site: "Staples Ranch Site" shall mean the approximately 124-acre project area where the Staples Ranch planned unit developments are proposed.

## CONTINUING LIFE COMMUNITIES

1. The proposed development shall be in substantial conformance to the Development Plans, Slope Planting Plan, Conceptual Color Palette, Green Point Checklist, Project Narrative, Waste Diversion Plan, Additional Parking Analysis, Transportation Management Plan, Plan to Reduce Air Pollution from Stationary Sources, Tree Report, Fencing Proposal by Existing Residents, Health Risk Assessment, dated Received January 21, 2009, Exhibit B, and Addendum to the Written Narrative Concerning Delivery Trucks, dated Received April 24, 2009, Exhibit B, and Noise Study, dated May 4, 2009, Exhibit B, 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 if found to be in substantial conformance to the approved exhibits, Exhibits A and B, inclusive.
2. **Permitted and Conditional Uses.** The permitted and conditionally permitted uses shall be as follows:

### Permitted Uses

- a. Assisted Living, skilled nursing, and related accessory uses including restaurants, cafes, beauty shops, massage services, physical therapy, gift shops, religious services, permanent sales office, and recreation activities for the residents of the site.
- b. Home occupations conducted in accord with the regulations prescribed in Chapter 18.104, Home Occupations, of the Pleasanton Municipal Code.
- c. Not more than two weaned household pets, excepting fish and caged birds, per dwelling unit.
- d. Accessory uses conducted in accord with the regulations prescribed for permitted accessory uses in Chapter 18.36, RM Multi-Family Residential Districts of the Pleasanton Municipal Code.
- e. Dry land hay farming on any of the site until first occupancy of any building.

### Conditional Uses

- f. Accessory uses conducted in accord with the regulations prescribed for conditionally allowed accessory uses in Chapter 18.36, RM Multi-Family Residential Districts of the Pleasanton Municipal Code.

Temporary Events and Uses

- g. Temporary events, and temporary sales events related to an on-site permitted use or conditionally permitted use may be allowed, subject to the review and approval of the Planning Manager. The event or sale may be for more than three days, subject to the review and approval of the Planning Manager. Temporary Use Permit approval shall be required for events and uses proposed for more than three consecutive days.
- h. Temporary on-site sales office. Temporary use permit approval shall be required for the structure, site design, and use. The sales office may be approved for more than a year.

**3. Site Development Standards.**

- a. All future additions, site design changes, and new structures shall be reviewed on a case-by-case basis in accordance with the purposes and requirements of Chapter 18.68 of the Pleasanton Municipal Code. All future site design changes, landscaping changes, building additions, and new buildings shall be subject to a PUD Modification process, except as otherwise conditioned.
- b. The exterior wall finish of the Health Center shall be stucco. The elevations facing Stoneridge Drive shall have a smooth, troweled Santa Barbara finish.
- c. Building windows shall be recessed as shown on page A1.3 of Exhibit B with the following exceptions:
  - (i.) The windows on the north elevation of the Central Plant shall be recessed. The plans shall be revised to address this requirement, prior to the issuance of a building permit for the Central Plant.
  - (ii.) The windows on the Health Center which are located around the special care courtyard shall be recessed. The plans shall be revised to address this requirement, prior to the issuance of a building permit for the Health Center.

All windows proposed and required to be recessed shall be recessed one to two inches into the building wall. A section detail showing the proposed window recess shall be submitted with the plans submitted for the issuance of a building permit.

Additional windows may be recessed, if so desired by the applicant.

- d. The roof tiles on the buildings shall be brown.
- e. The colors and design of the wall tile treatment on the front elevation of the Health Center shall be subject to the review and approval of the Planning Manager, prior to the issuance of a building permit.

- f. All on-site walkways shall be a minimum of four feet in width clear.
- g. All porches, decks, and outdoor patios shall be a minimum of six feet in width.
- h. Prior to installation, the design of the outdoor furniture shall be submitted for review and approval by the Planning Division.
- i. If a portion of the project site shall be used for freeway widening, prior to the widening, the property owner of the project site shall apply for a PUD Modification for a modified freeway frontage design. Additional landscape treatments may be required by the City.
- j. Equipment, vehicles, etc. shall not project above the golf cart storage area wall by the I-580 freeway. The storage area shall be designed to have a trellis system above the storage area to help deter storage of tall items. The trellis system shall not project above the top of the wall surrounding the golf cart storage area.
- k. Emergency standby electricity generators shall:
  - (i.) Only be tested from 8:00 a.m. to 5:00 p.m. Monday through Friday or from 10:00 a.m. to 12:00 noon on Saturday or Sunday.
  - (ii.) Not be tested for more than one hour during any day.
  - (iii.) Not be tested on "Spare the Air Days" in Alameda County.
  - (iv.) Shall be completely screened.
- l. The emergency vehicle access between the senior continuing care community site (PUD-68) and the Hendrick Automotive Group site (PUD-57) shall be relocated approximately 280 feet north, generally between buildings A and B on Exhibit B of PUD-57.
- m. A current or prospective tenant of the senior continuing care community may request at any time that the management convert its unit to a disabled-equipped unit to accommodate his/her physical needs. The management of the development shall make such modifications, such as grab bars, elevated toilet facilities, lowered counters, etc., for the resident in a timely manner and at no cost to the resident.
- n. The management of the senior continuing care community shall make space available in the common areas of the Club House and Health Center for printed materials/information to be provided to the residents by the City or other social service agencies. The management shall meet with the City's Park and Community Services representative prior to final occupancy of Phase 1 to discuss means by which this can be accomplished.

4. **Signage.** All signage shall generally be as conceptually shown on Exhibit B with the following exceptions and conditions:
- a. A maximum of two monument signs, a maximum of five feet in height, shall be allowed on Stoneridge Drive. The signs shall be located so as not to create a line of sight obstruction. The text letters on the signs shall not exceed 12 inches in height.
  - b. A maximum of one sign visible from the freeway shall be allowed. The text letters on the sign shall not exceed 24 inches in height.
  - c. If illumination is proposed, it shall be halo illumination or a top down type of illumination.
  - d. Only the sign copy and logo shall be illuminated.
  - e. One sign which directs the public to the Arroyo Mocho trail shall be provided on the applicant's property near the public sidewalk and the trail connection.
  - f. A comprehensive sign program shall be submitted to the Planning Manager for review and approval under a separate Sign Design Review application prior to submittal of the first building permit application. The Planning Commission and the City Council shall be notified of the Planning Manager's action on their Actions Report.

5. **Parking and Circulation.**

- a. Prior to the issuance of a building permit in Phase 1:
  - (i.) The Club House parking spaces near the unloading and delivery truck back up areas shall be revised to be employee parking only and shall be signed as such. The location of the employee parking and the location and design of the sign(s) shall be subject to the review and approval of the Planning Manager.
  - (ii.) The golf cart parking by the woodshop building shall be for employees only and shall be signed as such. The location and design of the sign shall be subject to the review and approval of the Planning Manager, prior to the issuance of a building permit.
  - (iii.) The plans shall be revised such that the two parking spaces at the terminus of the drive aisle between ILU #1 and the woodshop building shall be redesigned as a vehicle turn around (and not parking), unless otherwise approved by the City's Traffic Engineer and Fire Marshal prior to the issuance of a building permit.
  - (iv.) An additional disabled person parking space shall be provided by the southernmost Villas.
- b. Prior to the issuance of a building permit for Phase 2:



- (i.) The unloading area by the Health Center shall be revised to accommodate a 30-foot long delivery truck. The unloading area shall be located behind the Health Center and shall not be located in the drive aisle. The location of the unloading area shall be subject to the review and approval of the Planning Manager.
  - (ii.) The plans shall be revised such that the parking areas near the Health Center's delivery truck unloading area shall be employee parking only and shall be signed as such. The location of the employee parking and the location and design of the sign(s) shall be subject to the review and approval of the Planning Manager.
- c. All parking plans shall be subject to the review and approval of the Planning Manager, the City Engineer, and the Chief Building Official prior to the issuance of a building permit.
- d. Wheel stops shall be provided unless the spaces are fronted by concrete curbs, in which case sufficient areas shall be provided beyond the ends of all parking spaces to accommodate the overhang of automobiles.
- e. The property owner shall inform each delivery company delivering to the Health Center, Clubhouse, or Central Plant that its drivers are not to use Stoneridge Drive west of Trevor Parkway when accessing or leaving the PUD site.

**6. Landscaping and Tree Preservation.**

- a. The project developer shall comply with the recommendations of the tree report prepared by HortScience dated "Received July 28, 2008". No tree trimming or pruning other than that specified in the tree report shall occur. The project developer shall arrange for the arborist to conduct a field inspection prior to issuance of grading permits to ensure that all pre-construction recommendations have been properly implemented. The arborist shall certify in writing to the City that such recommendations have been followed.
- b. An existing tree on the site shall not be removed, unless the HortScience report, dated "Received July 28, 2008," recommends its removal. The project developer shall post cash, letter of credit, or other security satisfactory to the Planning Manager in the amount of five thousand dollars (\$5,000) for each tree required to be preserved, up to a maximum of twenty-five thousand dollars (\$25,000). This cash bond or security shall be retained for one year following completion of construction and shall be forfeited if the tree is removed, destroyed, or disfigured. If the tree is removed, destroyed, or disfigured during construction, the applicants shall pay a fine in the amount equal to the appraised value of the subject tree. If the fine based on the appraised value of the tree(s) exceeds the bond

amount, the applicants shall pay the difference between the bond and the appraised value of the subject tree(s).

- c. Prior to the issuance of a building permit, the applicant shall:
- (i.) Revise the plans to show a variety of ground cover and shrub clusters on both sides of the sidewalk along Stoneridge Drive. Groundcover shall be kept to a minimum, as groundcover typically requires more water than shrubs. Turf shall not be used. The shrubs and groundcover shall include some or all of the following species:

Shrubs

- Acacia redolens (plant tolerates some aridity)
- Ceanothus “Yankee Point” (plant tolerates some aridity)
- Shrub blocks of crape myrtle (plant tolerates some aridity)

Ground Cover

- Hemerocallis “Stella d’oro”—Dwarf yellow Daylily (plant tolerates some aridity; requires regular water during blooming season)
- Erigeron karvinskianus—Santa Barbara Daisy (plant tolerates some aridity)
- Cottoeaster “Lowfast” (plant tolerates some aridity)
- Rosmarinus officinalis (plant tolerates some aridity)

A few additional decorative species may be used, if the species are known to tolerate some aridity.

- (ii.) Revise the plans to include landscaping in sandy loam stormwater filtration areas, if sandy loam filtration areas are proposed.
- (iii.) Revise the plans such that palm trees, if proposed, are only proposed around the outdoor pool.
- d. With the exception of the landscaping buffer south of the emergency generator by the Central Plant, all perimeter landscaping, including all berm landscaping and street trees shall be installed prior to the occupancy of any buildings on site.
- e. Installation of the landscape buffer along the eastern boundary line by Hendrick Automotive Group’s site (PUD-57) may be delayed until Phase 4 of PUD construction.

To help ensure that an adequate landscape buffer is provided by Hendrick Automotive Group’s site (PUD-57), prior to the issuance of a building permit the project developer shall work with the Hendrick Automotive Group and enhance the proposed landscaping buffer along Hendrick Automotive Group’s western boundary line by funding the installation of additional trees

in its western landscape buffer area. The funding shall be provided for the installation of 17 additional deodar cedar trees a minimum of 24-inch box in size. The cost estimate and verification of the agreement with Hendrick Automotive Group shall be provided to the Planning Manager prior to the issuance of a building permit.

- f. The landscaping planters on the north side of the sidewalk along Stoneridge Drive shall be a minimum of 15 feet in width. The trail connection to the Arroyo Mocho may be located in the landscape planter area.
- g. Once building construction has commenced, undeveloped portions of later development phases shall be hydroseeded annually with native wildflowers.
- h. Protective chain link or securely staked nylon fencing shall be installed around the existing trees to be saved during all construction activities. The location of said fencing shall be subject to the review and approval of the Planning Manager prior to the issuance of a grading permit. In addition, the following tree preservation methods shall be followed:
  - (i.) The applicants shall utilize their best efforts to locate any new utility trenches outside the dripline of the existing trees to be saved. If this is not feasible, then the applicants 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 trees.
  - (ii.) 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.
  - (iii.) No signs, wires, or ropes shall be attached to the trees.
  - (iv.) No stockpiling/storage of construction materials, fill, etc., shall take place underneath or within five feet of the dripline of the existing trees.
  - (v.) 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.

## **7. Fencing and Walls.**

- a. All fencing and walls proposed by the existing residents to the west shall be installed prior to the issuance of a building permit. All other perimeter fencing and walls, including the wall on the berm, shall be installed prior to the occupancy of any building on site.
- b. Prior to the issuance of a building permit, the plans shall be revised to show the existing soundwall along the western property line. Privacy fencing is not required to be installed on the east side of the existing soundwall.

- c. The pink split face wall color is not approved. Prior to the issuance of a building permit, the applicant shall revise the plans and remove this color from the plan set.
  - d. The wall on the shared boundary line with Hendrick Automotive Group (PUD-57) shall be eight feet in height. The wall may be a brown split-face block wall or the off-white wall shown on sheet 23 of Exhibit B for PUD-57. Prior to the issuance of a building permit, the plans shall be revised to show the proposed wall design and the location of the wall. The design and location shall be subject to the review and approval of the Planning Manager.
  - e. Walls and solid privacy fencing shall not be located on the existing PG&E and Zone 7 easements by I-580. The plans shall be revised to address this, prior to the issuance of a building permit.
  - f. Prior to the issuance of a building permit, the applicant shall obtain an easement from the property owner to the east such that it can access and maintain the wall around the Central Plant storage yard and around the emergency generator by the storage yard. The easement language shall be subject to the review and approval of the City Attorney, prior to the issuance of a building permit. If an easement cannot be obtained, then the walls shall be setback a minimum of five feet from the eastern boundary line.
  - g. The berm retaining wall shall be designed such that no weight of the berm or retaining wall is transferred to the Zone 7 Cross Valley Transmission Pipeline.
  - h. The footing of the berm retaining wall shall be located such that it is not located in Zone 7's easement area. The location of the footing shall be subject to the review and approval of the City Engineer, prior to the issuance of a building permit.
8. **Car Wash Area.** If a common car wash area is provided, the car wash area shall be covered and drained through an oil grease separator/sand silt filter to the sanitary sewer, subject to approval by DSRSD. If the area is connected to the sanitary sewer, a sign shall be posted prohibiting the dumping of hazardous materials. No other area shall drain to the car wash area; a berm shall be installed to prevent such drainage if found necessary by the City Engineer/Building and Safety Division. The location of the car wash area, and design of the carwash cover shall be subject to the review and approval of the Planning Division and Building and Safety Division, prior to the issuance of a building permit.

9. **Lighting.** All light standards by the existing Vermont Place residents to the west and by the terminus of Staples Ranch Drive shall be a maximum of ten feet in height.
10. **Noise.**
  - a. There shall be no truck deliveries, parking lot sweeping, or leaf blowing between the hours of 8:00 p.m. and 8:00 a.m.
  - b. If an emergency standby electricity generator is proposed, the noise level from the generator shall not exceed 60 dBA (Lmax) at any habitable structure. The project developer shall submit a noise study to the Director of Community Development verifying that the generator adheres to this requirement prior to the issuance of a building permit for the generator.
11. **Growth Management.** The City Council at the time the PUD is approved may determine the number of independent living units to which the Growth Management Ordinance applies.
12. **Green Building.** The total number of multifamily green building points to be achieved shall be determined by the applicant; however, the project shall exceed the minimum number of points required on the checklist, as determined by the Green Building Compliance Official.
13. **Pedestrian Access to Zone 7s Maintenance Road as a Pedestrian Trail.** If there is pedestrian access to the Zone 7 maintenance road from the Zone 7 G-3 channel to the eastern edge of Vermont Place, the developer shall pay to the City an amount equal to the actual cost (materials and labor) to install a six-foot tall redwood fence along the rear of the residential properties bordering the pedestrian access. The amount and timing of the payment to the City shall be determined by the City Director of Parks and Community Services. The City may elect to use the developer payment for landscaping along the pedestrian access in lieu of fencing.
14. **Transferring Land by Vermont Place.** Prior to the transfer of land to the Vermont Place homeowners, the applicant shall grade the land to be transferred such that it is generally at the same elevation as the back yards on Vermont Place, and storm drainage will drain to Vermont Place or to another location as determined by the City Engineer. The grading and the land transfer shall occur at approximately the same time, as determined by the City Engineer, to minimize storm drainage impacts to the Vermont Place homeowners. The grading and drainage plans shall be subject to the review and approval of the City Engineer, prior to the recordation of the land transfer. The applicant shall prepare all maps, plots, and descriptions necessary to process this land transfer including processing all required lot line adjustments through the Community Development Department.

The applicant shall conduct a nesting bird survey, in the same manner as described in BIO-5.1 of the EIR, prior to grading the land to be transferred.

15. **Road by the Neighborhood Park.** The road to the guard house shall be a public road from the intersection at Stoneridge Drive to the guard house. The project developer shall design the roadway and locate the guardhouse such that there is a turn around before the guard house which allows for the U-turn of vehicles without entering the senior continuing care community.
16. **Grading.** The fill above the existing ground elevation shall not exceed six feet within a seven-foot horizontal distance from the centerline of Zone 7's existing 36-inch cross valley water transmission line. Grading in Zone 7's easement shall be subject to the review and approval of the City Engineer, prior to the issuance of a grading permit. Verification of submission of the plans to Zone 7 shall be submitted the City Engineer, prior to the issuance of a grading permit.
17. **Commercial Cooking Areas.**
  - a. Uses with commercial cooking facilities shall be equipped at all times with filtering devices to minimize odors and fumes. Details of said devices shall be shown on the plans submitted for issuance of building permits and shall be subject to review and approval by the Building and Safety Division prior to issuance of building permits.
  - b. Uses with commercial cooking facilities shall include a contained area for cleaning mats, containers, and equipment. The wash area shall be covered or shall be designed to prevent runoff onto or from the area. The area shall be connected to the sanitary sewer, subject to approval by DSRSD, or shall be collected in a containment area and removed regularly by a disposal and recycling service. If connected to the sanitary sewer, a structural control such as a sand filter or oil/ water separator shall be used, and a sign shall be posted prohibiting the dumping of hazardous materials. Other methods may be used subject to the approval of the Chief Building Official. The restaurant owner shall instruct employees to conduct all washing activities in this area.
18. **Utilities and Storm Drainage.**
  - a. Prior to the issuance of a building permit, the applicant shall survey the underground PG&E, AT&T, and Zone 7 utility lines on the site and shall show their locations on the plans.
  - b. The applicant is encouraged to install separate water meters for each of the different housing types (ILUs, Garden Terrace, Villas) to meet the City's water and sewer rate classifications. In addition, the applicant is encouraged to install separate water meters for each of the different structures and uses on site including the Club House, the Central Plant, the Health Center, etc.

The proposed metering shall be subject to the review and approval of the City Engineer, prior to the issuance of a building permit.

- c. All water meters shall be tapped off of public main throughout the complex, including irrigation, domestic, and fire, unless waived by the City Engineer.
- d. The water and sewer lines by the AT&T easement shall be adjusted such that a few of the proposed manholes by the easement can be eliminated. The number and location of the manholes shall be approved by the City Engineer prior to the recordation of a Final Map.
- e. The public water and sewer mains and public sanitary sewer (shown on sheet C-5) shall be relocated. The line shall commence at the intersection of the public entrance road and Stoneridge Drive and run north along the public entrance road under the entry gates to the loop road along the eastern portion of the project at which point the line shall "T". Northern lines from the "T" intersection shall run north in the eastern loop road and connect into Hendrick Automotive Group's site at a location between buildings A and B shown on Exhibit B of PUD-57. The southern lines from the "T" intersection shall continue west on the loop road to the westerly side of the Villas loop road on the southern portion of the project and then run south along the Villas westerly loop road to Staples Ranch Drive and connect with the water and sewer mains in Staples Ranch Drive.

Public sewer and water utility connections from the terminus of Staples Ranch Drive through the Continuing Life Communities site (PUD-68) connecting to Stoneridge Drive and Hendrick Automotive Group's site (PUD-57) shall be required prior to occupancy. PSEs shall be required. The location of the utility lines and PSEs shall be subject to the review and approval of the City Engineer.

- f. The eight- inch fire water service surrounding Lot 5 (the Health Center) shall be private and shall be connected to the public water main on the public entrance road and/or Stoneridge Drive.
- g. The Villas on Lot 6 may have a private water main serving those units, with the exception that those units adjacent to the public water main may have services directly off the public water main. The Villas served from the private water main may be served with just one water meter. Each Villa served from the public water main may have its own separate meter.
- h. To minimize storm drain maintenance, the number of storm drain lines under the berm shall be reduced, prior to the issuance of a building permit. The number and location of the lines shall be subject to the review and approval of the City Engineer.

- i. Prior to the issuance of a building permit, the applicant shall demonstrate how large maintenance trucks will access the northern side of the berm for storm drain and berm maintenance. An access easement may need to be obtained from Hendrick Automotive Group (PUD-57). The access proposal shall be subject to the review and approval of the City Engineer and the Planning Manager.
  - j. All public street sections shall have a subdrain installed under the curb and/or gutter. These subdrains shall be connected to the storm drain system.
  - k. Prior to construction of the public entrance road, section F-F of sheet C-2 of Exhibit B shall be revised to provide for the treatment of stormwater.
  - l. All fountain, pond, and lake drainage shall be connected to the storm drain system if allowed by the Alameda County Health Department. A copy of the Alameda County Health Department's approval/denial shall be provided to the City Engineer, prior to the issuance of a building permit.
  - m. If an emergency standby electricity generator is proposed, its refueling and maintenance operations shall incorporate stormwater best management practices for servicing and refueling as determined by the City Engineer.
19. **Maintenance Association.** A maintenance association shall be created for the project, as determined by the City Attorney.
- a. The maintenance agreement for the project shall clearly state:  
At a minimum, the maintenance association or lot owners shall be responsible for the maintenance of the following:
    - (i.) All landscaping and irrigation systems adjacent to the site which are located on Caltrans' property by the I-580 freeway.
    - (ii.) All street tree landscaping and irrigation adjacent to the project site which are located in the public right of way, not including median landscaping on Stoneridge Drive.
    - (iii.) All on-site landscaping, irrigation, and lighting.
    - (iv.) The roadway median, including all median landscaping and irrigation, located west of the Neighborhood Park.
    - (v.) All back of curb landscaping and irrigation and the sidewalk on the western portion of the roadway west of the Neighborhood Park.
    - (vi.) Storm drainage swales, gutters, inlets, outfalls, and channels not within the area of a dedicated public street, not including the public water line loop and sewer line loop located in a PSE approved by the City Engineer. The public water and sewer line loops approved by the City Engineer shall be maintained by the City.



- (vii.) Any bus shelter required as part of the project including maintenance of the lighting, seating, and trash receptacle.
  - (viii.) Zone 7's and the City of Pleasanton's on-site access to the Arroyo Mocho, including any gates, locks or other similar features.
  - (ix.) The public access to the northern Arroyo Mocho maintenance road on the southwest corner of the site.
  - (x.) Any required inspection, maintenance, and reporting of stormwater treatment measures. An annual maintenance report shall be required.
  - (xi.) Implementation of the Integrated Pest Management Plan.
- b. The proposed maintenance agreement shall be subject to the review and approval of the City Attorney prior to the issuance of a building permit.

**20. Deed Disclosures.**

- a. Conveyance documents for all parcels on the senior continuing care site(s) shall include the required disclosures, deed riders, and easements listed below, in addition to the deed disclosures listed in the General Conditions of approval section below. 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. Each property owner on the Staples Ranch Site shall provide all of its future tenants and any purchaser of any property on the Staples Ranch Site with copies of the required disclosures, deed riders, and easements listed below. The property owner of the senior continuing care community site(s) will:
- (i.) 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 feet 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.
  - (ii.) 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.
  - (iii.) Disclose that the proposed landscape buffer by Hendrick Automotive Group (PUD-57) may not be installed for several years.
- b. Conveyance documents for all parcels on the Staples Ranch Site shall include the required disclosures listed below. All required disclosures 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. Each property owner on the Staples Ranch Site shall provide all of its future tenants and any purchaser of any property on the Staples Ranch Site 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:

- (i.) 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.
  - (ii.) 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.
  - (iii.) 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.
  - (iv.) The future extension El Charro Road to Stanley Boulevard, as shown in the General Plan.
  - (v.) The future extension of Stonridge Drive to El Charro Road, as shown in the General Plan and in the Stoneridge Drive Specific Plan Amendment/Staples Ranch.
  - (vi.) The anticipated I-580 freeway widening by Caltrans.
- c. Conveyance documents for all parcels on the senior continuing care site(s) shall include the required disclosures, deed riders, and easements listed below. 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. Each property owner on the Staples Ranch Site shall provide all of its future tenants and any purchaser of any property on the Staples Ranch Site with copies of the required disclosures, deed riders, and easements listed below. The property owner of the senior continuing care community site(s) will:
- (i.) Disclose to all potential residents the proximity of the Livermore Airport and the potential for noise and other nuisance from aircraft operations.
  - (ii.) 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.
  - (iii.) 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.

- d. Property owners 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.
- e. Conveyance documents for all parcels on the Staples Ranch Site shall include the required disclosures, deed riders, and easements listed below. 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. Each property owner on the Staples Ranch Site shall provide all of its future tenants and any purchaser of any property on the Staples Ranch Site with copies of the required disclosures, deed riders, and easements listed below.
  - (i.) 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.
- (ii.) 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.

{end}

**EXHIBIT A**  
**GENERAL CONDITIONS OF APPROVAL**  
**PUD-68, CONTINUING LIFE COMMUNITIES**  
**STAPLES RANCH**  
\_\_\_\_\_, 2010

**GENERAL CONDITIONS**

1. **Expiration.** The Planned Unit Development (PUD) development plan approval shall lapse two years from the effective date of this ordinance unless a building permit is obtained and construction diligently pursued, unless otherwise vested by an approved development agreement for the property.
  
2. **Specific Plan Amendment, Environmental Impact Report (EIR) Mitigation Measures, Code Measures, Regional Permits, and Agreements.** All projects shall be developed in accordance with the Stoneridge Drive Specific Plan Amendment/Staples Ranch project.

All mitigation measures of the Stoneridge Drive Specific Plan Amendment/Staples Ranch EIR are hereby incorporated by reference and shall be implemented as required by the EIR and the Mitigation Monitoring and Reporting Plan. If any of the conditions of approval conflict with any applicable EIR mitigation measures, the requirements of EIR mitigation measures apply.

Stoneridge Drive Specific Plan Amendment policies, EIR mitigation measures, agreement requirements, implementation details, and clarifications related primarily to the future subdivision, construction, and/or operation of the proposed project are in Appendix 1 of these conditions of approval.

Code measures, regional permit requirements, implementation details, and clarifications which are applicable to the project and are related primarily to the future subdivision, construction, and/or operation of the proposed project are also primarily in Appendix 1.

3. **General Requirements and Conditions.**
  - a. The approved building colors and materials shall be indicated on the final building permit plans. Substitutions shall not be allowed unless otherwise approved by the Planning Division.
  
  - b. Any new indoor or outdoor fireplace shall be a gas fireplace, pellet fueled wood heater, or Environmental Protection Agency (EPA)-certified wood burning appliance. The fireplace type shall be indicated on the plans submitted for issuance of a building permit.
  
  - c. All excess soil from the site shall be off-hauled from the site and disposed of in a lawful manner. No stockpiling of dirt on this site shall occur without specific review and approval by the Planning Division.

- d. Only modular newspaper dispensers accommodating more than one (1) newspaper shall be allowed outside of any building within the development. The design of these dispensers shall be approved by the Planning Division. Dispensers within the public right of way shall require an encroachment permit by the Engineering Division.
- e. The plans submitted for the issuance of a building permit shall show all existing and planned streets adjacent to the site.
- f. The applicants shall submit construction plans (wet stamped and signed), Title 24 calculations, site specific soils report, the completed Building Permit Questionnaire, and any other plans and documentation required by the Building and Safety Division, along with the necessary fees, to initiate the City's plan check process. The number of plans and documents required shall be determined by the Building and Safety Division.
- g. All conditions of approval for this case shall be reprinted and included as one of the first two plan sheet(s) of the building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading and construction plans kept on the project site. It is the responsibility of the property owner to ensure that the project contractor is aware of, and abides by, all conditions of approval. Prior approval from the Director of Community Development must be received before any changes are constituted in site design, grading, building design, building colors or materials, landscape material, etc.
- h. The building permit plans shall accurately show all existing public improvements near the subject development (i.e., signals, street lights, street signs, utility vaults and boxes, etc.) and shall clearly indicate any proposed modifications to the existing public improvements. Proposed modifications to the public improvements shall be subject to review and approval by the City Engineer and Planning Division prior to issuance of a building permit.
- i. Building and situs plans are to be submitted to the Building and Safety Division on a computer disk in a format approved by the Chief Building Official. Digitized information shall be submitted before requesting a final inspection and should reflect as built situs and architectural information as approved by the Chief Building Official.
- j. The project developer shall submit a refundable bond for hazard and erosion control prior to issuance of an Engineering or Building and Safety Division permit. The amount of this bond will be determined by the City Engineer.
- k. The applicants shall submit a pad elevation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building

Official, certifying that the pad elevations and building location (setbacks) are pursuant to the approved plans, prior to receiving a foundation inspection for the structure.

- l. The height of the building 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 Building and Safety Division before the first framing inspection by the Building and Safety Division, unless otherwise required by the Building and Safety Division.
- m. The applicant shall submit a final utility plan showing the proposed sewer system, water supply, storm drainage, electric power distribution, gas distribution, communication service, cable television, and any required alarm system for the site. Said plan shall be subject to the review and approval of the City Engineer prior to the issuance of any building permits.
- n. Final inspection by the Planning Division is required prior to occupancy.
- o. Prior to issuance of building permit(s), the property owner shall pay the required school impact fee as prescribed by state law and as adopted by the Pleasanton Unified School District.
- p. Unless otherwise stated in the Development Agreement, prior to the first plan check of any Final Map, including Final Parcel Map related to the PUD site, the applicant's engineer/surveyor shall submit a preliminary copy of the Final Map or Parcel Map (whichever is applicable) 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.

#### **4. Green Building and Recycling.**

- a. The green building project checklist shall be reprinted as one of the first two plan sheet(s) of the building permit plan check sets submitted for review and approval. For each green building measure proposed, the checklist shall

include information noting the page number in the plan set where the green building measure is addressed.

- b. The final green building project checklist shall be on, at all times, all grading, landscaping, and construction plans kept on the project site. It is the responsibility of the property owner to ensure that the project contractor is aware of, and abides by, all the green building requirements.

**5. Landscaping and Irrigation.**

- a. A final landscape plan and irrigation plan shall be submitted to and approved by Director of Community Development as part of the building permit plan set prior to issuance of a building permit. Said landscape plan shall be detailed in terms of species, location, size, quantities, and spacing.
- b. At and adjacent to all public roads and sidewalks, root control barriers and four inch perforated pipes shall be provided for trees in planting areas less than ten feet in width.
- c. All trees used in landscaping shall be a minimum of 15 gallons in size and all shrubs a minimum of five gallons with the following exceptions:
  - (i.) All street trees shall be a minimum of 24-inch box in size.
  - (ii.) Larger minimum sizes may be required in these conditions of approval or proposed in Exhibit B.
  - (iii.) Smaller shrub sizes may be approved by the Director of Community Development prior to the issuance of a building permit if larger-sized shrubs are not reasonably available.
- d. Six inch (6") vertical concrete curbs shall be installed between the parking spaces and the landscaped areas and between all drive aisles and landscaped areas. Breaks may be required in the curbs to allow stormwater to enter the landscaping areas.
- e. The project developer shall install an automatic low flow irrigation system for all project landscaping, including the street landscaping adjacent to the site which is installed in the City right of way. The low flow irrigation system shall be designed to maximize water conservation throughout the development.
- f. Prior to the issuance of a building permit, if the City Manager determines that the use of recycled water has been adequately studied as required per CEQA, then 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 and Director of Operation Services. The property owner may consider using recycled water on-site, such as in the landscaping areas fronting Stoneridge Drive, if approved by the City Engineer and Director of Operation Services.



- g. The property owner shall be responsible for the maintenance of all street landscaping, including ground cover, shrubs, and trees, adjacent to its property.
- h. The property owner shall enter into an agreement with the City, approved by the City Attorney, which guarantees that all landscaping installed as part of this project, including street landscaping adjacent to the site, will be maintained at all times in a manner consistent with the approved landscape plan for this development. Said agreement shall run with the land for the duration of the existence of the structures located on the property.
- i. Prior to occupancy, the landscape architect for the project 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.

**6. Construction Requirements.**

- a. The property owner shall be responsible for conducting sonic vermin control immediately prior to and during grading and construction. 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.
- b. Dust and mud shall be contained within the boundaries of the property during times of construction. The project developer shall submit a written dust control plan or procedure as part of the building permit plans.
- c. Portable toilets used during construction shall be emptied on a regular basis as necessary to prevent odor.
- d. 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.
- e. Any damage to existing street or sidewalk improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the developer. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.

**7. Phasing.** Phase I—Infrastructure Improvements for the Staples Ranch Site. Prior to occupancy of any building on site:

- a. The stormwater flow control basin in the Neighborhood Park shall be constructed and operational as determined by the City Engineer.

- b. The Stoneridge Drive extension from Trevor Parkway to El Charro Road shall be constructed and operational, as determined by the City Engineer.
  - c. The ACSPA shall replace the existing 8 inch water line in Staples Ranch Drive between Vermont place and the senior continuing care community site (PUD-68) site with a new 12 inch water line. Prior to occupancy, the ACSPA shall reconnect all existing 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.
  - d. All public water and sewer lines loops on the PUD site shall be installed. All necessary public water and sewer line loops shall be installed as determined by the City Engineer.
  - e. All emergency vehicle access (EVA) connection points shall have a knock box, as determined by the Fire Marshal.
  - f. An access easement shall be provided to Zone 7 and the City of Pleasanton allowing for maintenance equipment to access the Arroyo Mocho. The easement shall be located generally as shown on Exhibit B for Case PUD-68 and shall be redesigned to be wide enough to accommodate the largest pieces of maintenance equipment anticipated to be used in the Arroyo Mocho. The applicant shall use AutoTurn or similar software approved by the City Engineer to determine how wide the easement should be. The final location, width, and design of the easement shall be subject to the review and approval of Zone 7 and the City Engineer.
  - g. All street landscaping and public sidewalks required as part of the PUD.
8. **Trash and Recycling Enclosures.** All trash and recycling refuse shall be contained completely within the approved trash and recycling enclosure. The materials and color of the enclosure shall match the building and the gates shall be corrugated metal or solid wood. The design of the enclosure (all four sides) shall be shown on the plans submitted for issuance of building permits. The design and location of the trash and recycling enclosure shall be subject to the approval of the Director of Community Development, the Chief Building Official, and Fire Chief. Trash and recycling containers shall be stored within the enclosure at all times, except when being unloaded. A recycling container(s) shall be provided within the enclosure. The recycling container(s) and enclosure shall be designed in a manner consistent with Pleasanton Garbage Service's recycling program in effect at the time of building permit issuance. The recycling container(s) shall be shown on the plans submitted for the issuance of a building permit.
9. **Mechanical Equipment, and Transformers.**
- a. The location of any pad mounted transformers shall be subject to approval of the Planning and Engineering Divisions, prior to issuance of permits by the Building and Safety Division. Such transformers shall be screened by

landscaping. All transformers shall be shown on the plans submitted for issuance of building permits. The project developer shall attempt to locate transformers at the rear of the site. Pad mounted transformers shall not be installed in a PSE.

- b. The project developer shall effectively screen from all first floor level views all ducts, meters, air conditioning equipment, and any other mechanical equipment, whether on the structure, on the ground, or on the roof, with materials architecturally compatible with the building. Screening details shall be shown on the plans submitted for issuance of building permits, the adequacy of which shall be determined by the Director of Community Development. All required screening shall be provided prior to occupancy.
- c. All mechanical equipment shall be constructed in such a manner that noise emanating from it will not be perceptible beyond the property plane of the subject property in a normal environment for that zoning district.
- d. All backflow prevention devices, above ground irrigation controls, and above ground irrigation meters shall be located and screened so as to minimize visual impacts. The location of all backflow prevention devices, above ground irrigation controls, and above ground irrigation meters and the quantity and type of proposed landscape screening shall be subject to the review and approval of the Planning Division prior to the issuance of a building permit.

#### 10. **Parking and Transportation.**

- a. The paving sections for the on site parking and drive areas shall be designed on the basis of an R-Value test and a traffic index to carry the anticipated traffic loads. This design shall be subject to the approval of the City Engineer. The minimum paving section shall be two inches (2") of asphalt concrete (A.C.) on a six-inch (6") asphalt base (A.B.). The minimum A.C. pavement slope shall be one percent (1%). For pavement slopes of one percent, the surface runoff shall be carried in a concrete gutter to an acceptable point of discharge. The minimum slope for a concrete gutter shall be 0.5 percent.
- b. All parking spaces shall be striped.

#### 11. **Flooding.**

- a. Prior to the recordation of a Final Map, a Conditional Letter of Map Revision (CLOMR) that indicates how the Staples Ranch Site will be removed from the floodplain shall be filed and approved by the Federal Emergency Management Agency (FEMA), and a copy of the approved CLOMR shall be provided to the City Engineer. No building permits shall be issued for development within the Staples Ranch Site until a Final Letter of Map Revision (FLOMR) has been filed and approved by FEMA, unless it can be demonstrated to the satisfaction of the City Engineer that construction of the

Livermore Flood Protection improvements described in the EIR will be completed prior to occupancy of any buildings on the Staples Ranch Site.

- b. Prior to beginning any construction activities, hydraulic modeling for the actual Stoneridge Drive bridge designs shall be complete and demonstrate that channel flow rates, capacity, and velocities in the Arroyo Mocho are not negatively impacted and scour protection is adequately addressed. The hydraulic modeling shall be subject to the review and approval of the City Engineer. The ACSPA shall be responsible for the hydraulic modeling.

**12. Water and Sewer Utilities.**

- a. The public water line main loop shall be a minimum of 12 inches in diameter.
- b. The public sanitary line main loop shall be a minimum of 8 inches in diameter.
- c. The applicant shall 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.
- d. The applicant shall attempt to achieve a gutter slope of 0.75%.
- e. Each parcel shall have a separate water meter, unless waived by the City Engineer.
- f. With the exception of the public water line loop and sewer line loop, all water and sewer lines on site shall be private laterals. The laterals shall tie into the public water and sewer lines.
- g. All private sewer and water laterals shall be marked "private". The location of the markings shall be subject to the review and approval of the City Engineer prior to the issuance of a building permit.
- h. All water service laterals shall be equipped with backflow prevention devices, unless waived by the City Engineer. The type of back flow prevention device used shall be shown on the plans, prior to the issuance of a building permit, and shall be subject to the review and approval of the City Engineer.
- i. Utilities to be owned and maintained by the City shall be located in a public right of way or PSE with sufficient access for maintenance. The location and width of a PSE shall be subject to the review and approval of the City Engineer prior to the recordation of a Final Map for the PUD project site or issuance of a building permit, whichever occurs first.
- j. Prior to the issuance of a building permit, the plans shall be revised to show separate private water mains to each building for fire sprinkler service.

- k. A sanitary sewer sampling manhole shall be provided on any new sanitary sewer lateral from a building with a commercial use, unless otherwise determined by the City Engineer.
- l. Prior to the issuance of a building permit, a typical street section shall be shown on the plans for each street (including private streets) showing how the utilities (public water, public sewer, storm drain, private water and sanitary sewer, fire mains, irrigation mains and joint trench (PG&E, AT&T, & Comcast) will be placed under the street with the required clearance between the pipes. The plans shall be subject to the review and approval of the City Engineer.
- m. Prior to the issuance of a building permit, the applicant shall provide a joint trench plan (PG&E, AT&T, & Comcast) including splice box, switch box and transformer locations for the City's review and comment with the improvement plan submittal. All utility boxes for PG&E, AT&T, Comcast and similar utility companies shall be installed underground, unless the entire development proposal on the property has been constructed in which case aboveground boxes may be allowed subject to the approval of a PUD modification.
- n. If the site is subdivided, easement for utilities, cross drainage, shared vehicle access, and shared parking may be required by the City Engineer and the Planning Manager.
- o. Stormwater treatment shall be required for all roof drainage.

**13. Urban Stormwater Runoff Requirements.**

- a. All on site stormwater shall be treated on site (as required by the conditions of approval for this case) before entering the stormwater flow control basin in the Neighborhood Park.
- b. All storm drainage systems shall be designed such that treated stormwater flows into the stormwater flow control basin in the Neighborhood Park.
- c. All on site storm drain pipes and appurtenances shall be privately maintained. These pipes shall be marked "private". The location of the markings shall be subject to the review and approval of the City Engineer, prior to the issuance of a building permit.
- d. A storm drain sampling manhole shall be provided on each property, unless otherwise determined by the City Engineer.
- e. Surface level stormwater shall not be permitted to flow onto a property in a different PUD. If surface level stormwater flows over property lines within the same PUD, cross drainage easements shall be required prior to the

recordation of the Final Map for the new property. The location of the easements shall be subject to the review and approval of the City Engineer.

- f. Approval of the storm drainage system shall be subject to the review and approval of the City Engineer and Zone 7, as applicable, that the system is adequate, connects to an approved point of discharge, meets any and all applicable requirements of the Alameda County Flood Control District - Zone 7, meets any and all applicable requirements of the Federal Emergency Management Flood Hazard Program, the California Department of Fish and Game, and meets the immediate and long range requirements of this development and all upstream areas intended to be drained through this development.
- g. Designated unloading areas where food products and/or cleaning products are delivered shall be covered and designed to drain inward. The drain shall have a waste separator and shall be connected to the sanitary sewer. The design of the loading area shall be subject to the review and approval of the City Engineer and Chief Building Official prior to the issuance of a building permit. The design, colors, materials, and location of the cover shall be subject to the review and approval of the Planning Manager, and the City Engineer and Chief Building Official prior to the issuance of a building permit.

14. **Emergency Services.**

- a. Industrial and Commercial Development. The following items will be provided prior to any construction above the foundation or slab. NOTE: Periodic inspections will be made for compliance.
  - (i.) Where multiple buildings are under construction, access shall be provided around all buildings as specified on the Site Plan Approval or Exhibit B.
  - (ii.) Where on site fire hydrant(s) are required, they shall be installed, flushed and all valves open prior to any construction above the foundation or slab. This includes concrete-tilt-up and masonry buildings. Temporary aboveground water storage tanks are not permitted as alternative water supply sources for commercial and industrial development.
  - (iii.) Prior to request for final inspection, all access roads, on site access and fire hydrants shall be provided. All fire hydrants shall be acceptance inspected and tested to applicable City Public Works Standards.
  - (iv.) Where a project is phased as part of the development approved by the City, specific access, water supply and fire hydrant installations will be required as part of each phase. As needed a phasing plan with these improvements will be required.
  - (v.) Where on site grading/utility plans are submitted for review and approval prior to building construction drawings, emergency vehicle access routes, fire hydrant locations, material staging areas, etc. shall be provided.

- b. The area of the development shall be tested for strength and clarity of signal to and from the area for City emergency services communications including, but not limited to, City eight hundred megahertz (800 mgh) trunked radio, Livermore-Pleasanton Fire Services radio, Alameda County eight hundred megahertz (800 mgh) trunked radio, CLEMAR/ Police Dispatch, and the current police mobile data system, unless waived by the Police Department, City of Pleasanton. Expert opinions may be required in anticipation of communications difficulties inside or around large structures. Mitigation plans of less than acceptable communications shall be submitted to the satisfaction of the Police Department prior to approval and shall be financed by the applicant immediately upon approval.

{end}

**EXHIBIT A**  
**CONDITIONS OF APPROVAL – APPENDIX 1**  
**PUD-68, CONTINUING LIFE COMMUNITIES**  
**STAPLES RANCH**  
\_\_\_\_\_, 2010

**I. PROJECT SPECIFIC REQUIREMENTS**

**I.A. Stoneridge Drive Specific Plan Amendment/Staples Ranch**

1. In addition to the conditions of approval for this case, building additions and new buildings shall also be subject to the design standards of the Stoneridge Drive Specific Plan Amendment/Staples Ranch including the following:
  - a. Encourage site planning and design that minimizes impacts on the adjacent California Somerset neighborhood, and minimizes the exposure of Continuing Care Community residents to I-580 noise.
  - b. Encourage visually coordinated, appealing, and distinctive building architecture.
  - c. Permit a maximum of 800 residential units, associated facilities, and an assisted living/skilled nursing facility ("Health Center"), with a total square footage not to exceed 1,200,000 square feet of building development on the Continuing Care Community site.
  - d. Limit building height to a maximum of 50 feet and four stories. Limit structures directly adjacent to existing California Somerset residences to one story, although portions of the Health Center may include a second story.
  - e. Site buildings adjacent to the I-580 frontage so that they do not conflict with existing underground utilities or future freeway widening projects.
  - f. Locate buildings so that they do not conflict with the existing underground AT&T fiber optic cable that traverses the site.
  - g. Site buildings so that they create useable and pleasant outdoor open space areas.
2. Revise the plans such that the wall on top of the berm, the berm retaining walls, and golf cart storage walls visible from the freeway are completely screened with landscaping to deter graffiti tagging.



3. The applicant shall fund and construct the public roadway adjacent to the Neighborhood Park, including approximately eight public parking spaces and, on the eastern and western sides of the road, sidewalks as described in the Neighborhood Park/Detention Basin Funding and Improvement Agreement. Per the City of Pleasanton's discretion, the parking spaces may be placed in the Neighborhood Park or added to the on street parking on the eastern side of the public roadway adjacent to the Neighborhood Park.
4. **Landscaping.** Prior to the issuance of a building permit, the project developer shall:
  - a. Revise the plans and propose landscaping and irrigation in Caltrans' right of way adjacent to the site. The revised plans shall show proposed grading. The landscaping shall be groundcover and decorative shrubs and shall be drought tolerant and maintenance free California native and/or adapted native species. The species shall be long-lasting perennials. Verification of Caltrans' approval shall be submitted to the Planning Manager prior to the issuance of a building permit. The selection of plant materials shall be coordinated with the adjacent Staples Ranch PUD with freeway frontage. Verification that the species are long-lasting maintenance free California or adapted native drought tolerant perennials shall be provided by a licensed landscape architect, prior to the issuance of a building permit. The species shall be subject to the review and approval of the City's landscape architect. The species shall not include palm trees.
  - b. Revise the plans and propose landscaping and irrigation in Zone 7's easement by the I-580 freeway. The landscaping shall be groundcover, decorative shrubs, and trees (if trees are allowed by Zone 7) and shall be drought tolerant and maintenance free California native and/or adapted native species. The species shall be long-lasting perennials. Verification of submission of the plans to Zone 7 shall be submitted to the Planning Manager prior to occupancy. Verification that the species are long-lasting maintenance free California or adapted native drought tolerant perennials shall be provided by a licensed landscape architect, prior to the issuance of a building permit. The species shall be subject to the review and approval of the City's landscape architect. The species shall not include palm trees.
  - c. Revise the plans and propose landscaping (including trees) and irrigation in PG&E's easement by the I-580 freeway. The groundcover, decorative shrubs, and trees shall be drought tolerant and maintenance free California native and/or adapted native species. The species shall be long-lasting perennials. Verification of submission of the plans to PG&E shall be submitted to the Planning

Manager prior to occupancy. Verification that the species are long-lasting maintenance free California or adapted native drought tolerant perennials shall be provided by a licensed landscape architect, prior to the issuance of a building permit. The species shall be subject to the review and approval of the City's landscape architect. The species shall not include palm trees.

- d. Revise the plans and provide additional trees along the western boundary line such that there will be no gaps in tree landscaping along the western boundary line once the trees are mature as verified by a licensed landscape architect. Verification by a licensed landscape architect shall be provided by the applicant, prior to the issuance of a building permit.
  - e. Revise the plans such that the tree species along the western boundary line are non-deciduous species which will grow large enough to provide some privacy as verified by a licensed landscape architect. Verification by a licensed landscape architect shall be provided by the applicant, prior to the issuance of a building permit.
  - f. Revise the plans to show an offset double row of triangularly spaced London Plane street trees spaced 50 feet on center (32 feet triangular spacing) along Stoneridge Drive.
  - g. Revise the plans such that to the extent practical all on-site plant species shall be of a drought tolerant nature.
5. **Bus Shelter.** The property owner shall be responsible for the construction of a bus shelter on Stoneridge Drive, adjacent to the project site. The pad for the bus shelter shall be 20 feet in length and 6 feet in depth. The pad shall be located behind the sidewalk. The bus shelter shall be designed to allow for visibility of oncoming buses, to offer safety and protection from the elements, to accommodate a wheelchair, to have adequate lighting and seating, to have (or have nearby) a trash receptacle, and to allow for the display of maps and transit information. The location, installation timing, and design of the bus shelter shall be determined by the City Engineer. If the shelter is to be installed after occupancy, prior to occupancy the property owner of the senior continuing care site shall bond for the construction of the shelter in an amount and manner determined by the City Engineer. The bond amount shall increase by annually to cover the general cost of inflation related to construction. The annual inflationary increase shall be set to a standard index for the San Francisco Bay Area, as determined by the City Engineer.
6. **Transferring Land by Vermont Place.** Prior to the construction of any structures on site, the applicant shall apply for Lot Line Adjustments and

transfer land, approximately 19 feet in width and approximately 50 feet to 106 feet in length, to each homeowner on Vermont Place, generally as shown in Exhibit B.

7. **Access to the Arroyo Mocho.** Prior to the issuance of a building permit for any building in Phase I, the property owner shall deliver to the City two easement agreements, the form of which must be approved by the City Attorney. One easement shall be to Zone 7 and the City for access purposes to the Arroyo Mocho and the other easement shall be to the City for access by pedestrians and bicyclists to the northern Arroyo Mocho maintenance road. The design, including all improvements to the easement areas, and the location and widths of the easements shall be subject to approval by the Planning Manager, the City Engineer and the Director of Parks and Community Services. The improvements to the pedestrian and bicycle easement shall include a paved trail, landscaping, and a sign directing the public to the Arroyo Mocho maintenance road. The agreements will provide that the property owner will be responsible to maintain the improvements and defend/indemnify the City and, where applicable, Zone 7.

#### **I.B. EIR/SEIR Mitigation Measures**

##### **1. Noise.**

###### **a. Interior Noise.**

- (i.) Prior to the City's issuing building permits, the developer of the senior continuing care community shall submit to the City a noise analysis prepared by a qualified acoustical consultant that demonstrates that all structures where people will sleep and the health care facility can meet the City standard for single event noise levels, i.e., the maximum sound levels ( $L_{max}$ ) would be below 50 dBA in all rooms where people will sleep and 55 dBA in all other habitable rooms. Noise reduction features may include, but are not limited to, building siting, upgraded insulation, sound rated windows and doors, sound rated exterior wall assemblies, and acoustical caulking. If exterior to interior noise reduction features for a structure requires inoperable or closed windows to meet the noise standard, an energy efficient HVAC system meeting California Building Code requirements must be provided.
- (ii.) All proposed structures where people will reside will need to meet or be below the City's interior noise level standard of 45 dBA Ldn. Noise reduction features may include, but are not limited to, building siting, upgraded insulation, sound rated windows and doors, sound rated exterior wall assemblies, and acoustical caulking. At the senior continuing care community if exterior to interior noise reduction features for a unit where people will sleep require inoperable or closed windows to meet the noise standard,

an energy efficient HVAC system meeting California Building Code requirements must be provided.

- b. **Exterior Noise—Enclosed Patios.** Prior to the issuance of a building permits for phase 3, the project developer will revise the Villa plans and enclose the outdoor patios on the 2 Villas closest to the I-580 freeway. The design of the enclosures shall be subject to the review and approval of the Planning Manager and Chief Building Official.

It is anticipated that the property owner may request additional enclosed patios in the future. The approved enclosure design may be constructed on additional Villa units without any additional Planning review.

2. **Floor Area Ratio Amenity.** The project exceeds a 35% FAR. As an amenity, the project developer shall contribute to the construction of the Neighborhood Park as described in the Neighborhood Park/Detention Basin Funding and Improvement Agreement.
3. **Transit System Management (TSM) Plan.** The property owner shall be responsible for ensuring the implementation of the TSM plan in Exhibit B. The property owner shall join the City of Pleasanton's TSM program. A full time manager at the senior continuing care community shall be assigned to be the TSM manager. The proposed transportation service for residents shall be free and shall be provided for daily trips to routine destinations, such as the grocery store, senior center, pharmacy, and trips for medical appointments. The service shall be designed so as to minimize any impact on the current level of service of the City's Dial-A-Ride program and paratransit service. If the City's senior transport service is negatively impacted by the needs of this development, the City may call upon the management of this facility to modify its van service to better serve the needs of its residents. The property owner shall attempt to achieve a trip reduction goal of 15 percent within five years and 25 percent within 10 years, compared to "business as usual". Near the Health Center and near the Central Plant, a minimum of one priority parking space for alternatively fueled vehicles shall be provided.
4. **Air Quality Health Risk Assessment (HRA).** For each unit within 247 feet of the southern edge of the closest existing travel lane of the I-580 freeway, the project developer shall either: 1) install a high efficiency particulate air (HEPA) filter in the unit or 2) relocate the unit such that it is at least 248 feet from the southern edge of the existing travel lane of the I-580 freeway.

The "southern edge of the closest existing travel lane" shall be the closest southern edge of the existing travel lane located immediately north of the project site at the time the project PUD is approved by the City Council.

The applicant shall revise sheet C-6 of Exhibit B and show the southern edge of the existing closest travel lane on the plans and the 247 foot setback. The revised sheet shall be provided to the Planning Division prior to any subdivision approval on the Staples Ranch property. The revised sheet C-6 shall be shown on all building plans submitted for development and shall clearly show which units shall have HEPA filters. The location of the relocated units shall be subject to the review and approval of the Director of Community Development, prior to the issuance of a building permit.

The HEPA filter units shall be maintained in a good condition at all times. Replacement HEPA filters shall be installed regularly, as recommended by the HEPA filter manufacturer.

5. **Arroyo Mocho Setback.** All buildings shall be set back a minimum of 20 feet from the top of bank of the Arroyo Mocho, in case there is a seismically induced bank failure.

#### **I.C. Code, General Plan, and Permits**

1. Temporary Subdivision Signs. Temporary subdivision signs shall be allowed, subject to the requirements of section 18.96.090 of the Pleasanton Municipal Code.

## **II. GENERAL REQUIREMENTS**

### **II.A. Stoneridge Drive Specific Plan Amendment/Staples Ranch**

1. **Utilities.**
  - a. All utilities required to serve the proposed development shall be installed underground, unless otherwise determined by the City Engineer.
  - b. The project developer shall construct all on-site utilities, including any public utility extensions and easements within a development site necessary for Staples Ranch development that also serves the site.
2. **Stormwater Flow Control Basin.** The project developer shall be responsible for a proportionate share of the stormwater flow control basin in the Neighborhood Park, based on the percentage of total Staples Ranch development impervious surface, including land acquisition, construction, and basin landscaping and improvements in accordance to the Neighborhood Park/Detention Basin Funding and Improvement Agreement (s).
3. **Fencing by Caltrans' Right of Way.** If permitted by Caltrans, the applicant shall remove the existing chain link fence by the I-580 and replace it with a black, decorative open fence. The fence design shall be similar to the fence design for the Caltrans' right of way proposed by Hendrick Automotive Group (PUD-57). The height of the fence shall not exceed 6 feet and barbwire shall not be allowed. Verification of Caltrans' approval/denial shall be submitted to the Planning Manager prior to occupancy. The final fence plan shall be subject to the review of the Planning Manager. If a new fence is allowed, it shall be installed prior to the occupancy of any building on site.
4. **Street Landscaping Planter.** The landscaping planter between the sidewalk and Stoneridge Drive shall be a minimum of 6 feet in width, including the curb.

### **II.B. EIR Mitigation Measures**

1. **Fees.** Unless otherwise provided in the Development Agreement, prior to the issuance of a building permit, the project developer shall pay all traffic fees to which the property may be subject, as set forth in the Mitigation Monitoring and Reporting Plan. Some intersection/roadway improvements for which the project developer is responsible are not currently included in the schedule of projects covered by the City of Pleasanton Traffic Development Fee. The City of Pleasanton Traffic Development Fee is being updated and it is anticipated that the projects for which the project developer has responsibility will be included in the revised Traffic

Development fee. It is anticipated that the Traffic Development Fee update will be completed prior to the payment of fees by the project developer and if so the project developer's payment of its Traffic Development Fee will mitigate its impact on those intersections/roadway improvements. If the Traffic Development Fee update is not so completed, the City will be responsible for the intersection/roadway improvements not currently covered by the Traffic Development Fee.

2. **Setbacks.** In anticipation that Caltrans may widen the I-580 freeway in the future, no buildings shall be located within 32 feet of the northern property line.
3. **Plan to Reduce Air Pollution from Stationary Sources.** The property owner shall be responsible for ensuring the implementation of the plan to reduce air pollution from stationary sources in Exhibit B.
4. **Noise.** Prior to the City's issuing of building permits for the project, the project developer shall submit to the City noise analyses prepared by a qualified acoustical consultant that demonstrate that all structures will meet City interior noise level standards. Commercial and office uses will need to meet the City standard of 45 dBA peak hour Leq that would allow the conduct of normal business activities inside these facilities. Noise reduction features may include, but are not limited to, building siting, upgraded insulation, sound rated windows and doors, sound rated exterior wall assemblies, and acoustical caulking.
5. **Construction Noise—Best Management Practices.** The project developer shall implement construction best management practices, including the following, to reduce construction noise:
  - a. Locate stationary construction equipment as far from adjacent occupied buildings as possible.
  - b. Select routes for movement of construction related vehicles and equipment so that noise sensitive areas, including residences, and outdoor recreation areas, are avoided as much as possible. Include these routes in materials submitted to the City of Pleasanton for approval prior to the issuance of building permits.
  - c. All site improvements and construction activities shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday. In addition, no construction shall be allowed on State and federal holidays. If complaints are received regarding the Saturday construction hours, the Director of Community Development may modify or revoke the Saturday construction hours. The Director of Community Development may allow earlier "start times" for specific construction activities (e.g., concrete foundation/floor pouring), if it

can be demonstrated to the satisfaction of the Director of Community Development that the construction and construction traffic noise will not affect nearby residents.

- d. All construction equipment must meet Department of Motor Vehicle (DMV) noise standards and shall be equipped with muffling devices.
  - e. Prior to construction, the applicant shall post on the site the allowable hours of construction activity.
  - f. The property owner shall designate a noise disturbance coordinator who will be responsible for responding to complaints about noise during construction. The telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site and shall be provided to the Director of Community Development.
  - g. Additional best management practices may be required by the Building and Safety Division and/or City Engineer. All additional best management practices shall be reviewed and approved by the Building and Safety Division and/or City Engineer, prior to implementation.
6. **Nesting Bird Survey.** Prior to the beginning of tree removal or mass grading, between February 15 and August 15, including grading for major infrastructure improvements, an avian nesting survey shall be conducted of all habitat within 350 feet of any grading or earthmoving activity. The survey shall be conducted by a qualified biologist, as determined by the City, and occur no more than 21 days prior to disturbance. If no active nests are found, no further action is required.

If active nests for special status avian species or raptor nests are found within the construction footprint, construction activities shall be delayed within a minimum 500 foot buffer zone surrounding active raptor nests and a minimum 250 foot buffer zone surrounding nests of other special status avian species until the young have fledged. This buffer zone shall not extend beyond the Staples Ranch site. The appropriate buffer can be modified by the City in consultation with qualified biologists and the California Department of Fish and Game (CDFG). No action other than avoidance shall be taken without CDFG consultation. Completion of the nesting cycle shall be determined by a qualified ornithologist or biologist, as determined by the City.

The buffer zone shall be delineated by highly visible temporary construction fencing, and no intensive disturbance (e.g., heavy equipment operation associated with construction, use of cranes or draglines, new rock crushing activities) or other project related activities that could cause nest



abandonment or forced fledging, shall be initiated within the established buffer zone of an active nest.

If the project is built in phases, this condition of approval shall be implemented for each phase of development.

7. **Construction Access Plan.** Prior to the issuance of final improvement plans or grading permits, the project developer shall develop and provide a construction access plan to be reviewed and approved by the City Engineer. This plan will include, at a minimum, the following construction traffic management strategies for each phase of development:
  - a. Using El Charro Road for construction related access for all phases of development, to the maximum extent feasible, rather than Stoneridge Drive.
  - b. A set of comprehensive traffic control measures, including the scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs and flag persons if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. In addition, the information will include a construction staging plan for any public right of way used of each phase of the proposed project.
  - c. Provisions of parking management and spaces for all construction workers for each phase of construction.
  - d. Notification procedures for adjacent property owners regarding when major deliveries, detours, and lane closures will occur.
  - e. The location of construction staging areas for materials, equipment and vehicles.
  - f. The identification of haul routes for the movement of construction vehicles that would minimize impacts on vehicular traffic, circulation, and safety; and a provision for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul tracks can be identified and corrected by the project developers.
  - g. A process for responding to, and tracking complaints pertaining to construction activity, including identification of an on-site complaint manager.
8. **Construction Dust.** The project developer shall implement the following measures during all construction phases to reduce impacts associated with construction dust to the extent feasible, as determined by the City Engineer.

These measures shall be incorporated into the construction documents describing procedures and specifications for contractors to follow:

- Water all active construction areas at least twice daily.
- Cover all trucks hauling soil, sand, and other loose materials to or from the Project Area or require all trucks to maintain at least two feet of freeboard.
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
- Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- Limit traffic speeds on unpaved roads to 15 mph.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replant vegetation in disturbed areas as quickly as possible.
- Suspend excavation and grading activities to the extent feasible when instantaneous wind gusts exceed 25 mph.
- Limit, to the extent feasible, the number of areas adjacent to residences subject to excavation, grading and other construction activity at any one time.

9. **Underground Service Alert.** Prior to initiation of any on-site construction activities, the project developer shall contact the Underground Service Alert (USA) whose purpose is to receive planned excavation reports from public and private excavators and to transmit those planned excavation reports to all participating members of USA who may have underground facilities at the location of excavation. The USA will contact local utilities and inform them that construction is about to begin in their service area. This notice allows local utilities to mark the areas where their underground facilities are located near the construction site so that they may be avoided during project construction.

10. **PG&E Gas Line.** Prior to construction activities within 50 feet of the PG&E gas line, the project contractor shall identify and demarcate the location of the natural gas pipeline using highly visible markers that will remain in place throughout project construction in the vicinity of the pipeline and ensure that all construction workers are aware of the location of the line. The location of the pipeline shall be noted on the site and construction plans. Further, the

project contractor shall take all appropriate measures necessary to ensure that the line is not disturbed.

11. **Emergency Response Plan.** The project developer shall develop an emergency response plan prior to construction that will include response measures in the event that there is disturbance of any underground utilities. The plan will be subject to review and approval by the Building and Safety Division and/or City Engineer.
12. **Emergency Access.** The project site shall include a minimum of two points of emergency vehicle access consistent with the City of Pleasanton's Circulation Element (Policy 5, Program 5.2). The location and the design of the emergency vehicle access and gate and lock shall be subject to the review and approval of the Fire Marshal, Planning Division, and City Engineer.
13. **Interior Lighting.** In all buildings without residents, all interior lighting shall be turned off during non-operational evening hours, with the exception of lighting needed for security reasons.
14. **Exterior Lighting.**
  - a. The project developer shall submit an exterior lighting plan for the building and site, including drawings and/or manufacturer's specification sheets showing the size and type of light fixtures proposed. All exterior lighting shall be directed downward and designed or shielded so as to not shine on neighboring properties. The lighting plan shall be subject to the review and approval by the Planning Division prior to issuance of building permits for the project.
  - b. Energy efficient lamp technologies shall be incorporated wherever possible. Mercury vapor shall be avoided. Incandescent lights shall be avoided unless they are integrated with a control mechanism that limits their operation time. The use of such lighting shall help minimize impacts on reduced visibility of the night sky.
  - c. All outdoor lighting shall be equipped with devices that will direct lighting away from the Arroyo Mocho and outdoor lighting within 200 feet of the centerline of the arroyo shall be of the minimum wattage required for the particular use and shall be shielded and directed away from the corridor to the specific location intended for illumination (e.g., roads, walkways, or recreation fields) to prevent stray light spillover onto sensitive habitat.
15. **Irrigation.** The Irrigation plans for the project shall incorporate low flow irrigation head and/or drip irrigation with electric controllers set to water after 7:00 p.m. and before 10:00 a.m., and proper soil preparation for landscaped

areas that includes a minimum of two inches of mulch and two inches of organic soil amendment, as recommended by a qualified landscape architect.

16. **Pest Management Plan.** An Integrated Pest Management Plan shall be prepared by each project developer, and implemented to minimize the risk of pollutants associated with landscape establishment and maintenance practices in surface water runoff and infiltration to groundwater. All Integrated Pest Management Plan guidelines shall comply with California Department of Pesticide Regulation and Alameda County Agricultural Commissioner rules and regulations in regards to pesticide storage, use, transportation, reporting, and safety. The plan shall encourage minimization and efficiency of chemical and fertilizer use. Because the receiving water has been listed as impaired by diazinon, diazinon use shall be prohibited.

Each property owner shall be responsible for implementation of the Integrated Pest Management Plan. The plan must be approved by the City Engineer prior to the beginning of occupancy.

17. **Cooperative Agreement—Traffic Mitigation.** Prior to the recordation of a final map for the Staples Ranch Site, the City of Pleasanton will confer with the City of Livermore, the City of Dublin and Alameda County on a strategy to fund and complete mitigation measures within each other's jurisdictions. More specifically, the City of Pleasanton shall seek to enter into one or more binding agreements with each of these other local agencies in order to facilitate a fair and equitable sub-regional approach to traffic mitigation, to the mutual benefit of all of the affected jurisdictions. Depending on the willingness of these other local agencies to enter into such agreements, the ultimate result may be a single multijurisdictional agreement or one or more agreements between Pleasanton and one or more of the other agencies. The strategy will address fair share mitigation for projects approved by one jurisdiction that contribute cumulatively considerable traffic to intersections and roadway segments in neighboring jurisdiction(s) with cumulatively substandard LOS.

The applicable standard for LOS will be that established by each local agency for its current jurisdictional area and its sphere of influence. If spheres of influence overlap or jurisdiction over an intersection is split between two local agencies, the standard to be achieved by mitigation, where feasible, will be determined by mutual agreement of the jurisdictions involved.

The City of Pleasanton is willing to ensure that projects it approves contribute fair share mitigation cost for improvements in other jurisdictions but only if the other jurisdictions are also willing to reciprocate for projects

within their jurisdictions that contribute considerably to traffic occurring within the City of Pleasanton. The strategy also may allocate mitigation responsibility to each jurisdiction for improvements within its jurisdiction on the understanding that each jurisdiction will be addressing the cumulative contributions from projects in neighboring jurisdictions.

If a mutually agreeable strategy cannot be reached with the City of Livermore, City of Dublin and Alameda County, or any one of them, then the City of Pleasanton will not require the contribution of mitigations for contributions to impacts in any other jurisdiction unwilling to agree to reciprocity within the City of Pleasanton. This is because, under such circumstances, the City could not be assured that projects it approves are being assessed for mitigation only in proportion to their impact and because the City may need to require reallocation of the mitigation contribution to intersections and roadway segments within Pleasanton itself, lacking assurance of mitigation funding from projects that may be approved by other jurisdictions. In the event that a mutually agreed upon strategy is not reached, then mitigation of the Project's contribution to the impacted intersection or roadway segment would be infeasible, and the impact would be considered significant and unavoidable.

Based on this cooperative agreement, the project developer will pay its share of costs of improvements in question in proportion to the benefits received. The fair share costs will be contributed to the local agency that has entered into an agreement with the City of Pleasanton when the local agency is ready to implement the improvements at issue, provided the aforementioned strategy has been mutually agreed upon by the City of Pleasanton and such other local agency.

If a mutually agreeable strategy is reached, the project developer will provide for its share of the improvements in question prior to the issuance of a building permit for its project. Since the improvements may not be constructed for several years, the provision shall include an inflationary provision, as determined by the City Engineer. The total amount of the provision, the share of improvements plus the inflationary provision, shall be determined by the City Engineer.

18. **Archaeological Resources.** Prior to the issuance of a grading permit or building permit for the project, the project developer shall retain the services of a qualified archaeological consultant having expertise in California prehistoric archaeology. The archaeological consultant shall determine if planned development could potentially impact important archaeological resources and shall then design an appropriate archaeological monitoring program. Upon completing the archaeological monitoring program, the archaeological consultant shall submit a written report of findings first and

directly to the Director of Community Development. At a minimum, the archaeological monitoring program shall include the following:

- a. An archaeological monitor shall be on site during native soils disturbing activities.
- b. The archaeological consultant shall advise all project contractors to be on the alert for evidence of expected resources, of how to identify the evidence of the expected resources, and of the appropriate protocol in the event of discovering an archaeological resource.
- c. The archaeological monitor shall be present on the Staples Ranch site until the Director of Community Development, in consultation with the archaeological consultant, determines that project construction activities could have no effects on significant archaeological resources.
- d. The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis.
- e. If an intact archaeological deposit were to be encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The City shall empower the archaeological monitor to temporarily redirect demolition/excavation/construction crews and heavy equipment until the resource is evaluated. The archaeological consultant shall immediately notify the Director of the Community Development of the encountered resources.
- f. Should archaeological resources be encountered during construction, the project developer shall consult with City and tribal representatives to determine the appropriate disposition of findings. Mitigation measures shall include one of the three alternatives below:
  - (i.) In-Situ Preservation: The project developer shall preserve artifacts and resources as found and shall apply suitable open space, capping, or monumentation to the site. The project developer shall alter development plans to accommodate this alternative, as necessary.
  - (ii.) Excavation/Recovery: The archaeological consultant shall excavate the site, evaluate the site for historical references, recover artifacts as appropriate, and cover the site to preserve remaining artifacts. The project developer shall maintain sufficient buffering between development subsurface construction and the location of resources.
  - (iii.) Excavation/Removal: The archaeological consultant shall excavate and recover the cultural resources as described above and remove artifacts as necessary. However, due

to the depth of development excavation, the site would be permanently disturbed.

If the City requires data recovery, the archaeological consultant shall first prepare an Archaeological Data Recovery Plan that s/he shall submit to the Director of Community Development for review and approval.

If development plans call for trenching within 200 feet of the Arroyo Mocho, a program of subsurface mechanical trenching along the impacted route shall precede project trenching in an attempt to locate additional archaeological sites and/or the original meander of the Mocho, where such sites would most likely be. If additional sites were to be found, the project developer shall adhere to the above mitigation measures.

If human remains are discovered, the project developer shall contact the County Coroner immediately. If the coroner determines that the human remains are Native American remains, the project developer shall notify the California State Native American Heritage Commission.

The archaeological consultant shall prepare a Final Archaeological Resources Report, meeting City and state standards, evaluating the historical importance of the archaeological resource and describing the archaeological and historical research methods employed in the testing, monitoring, and data recovery programs. The Director of Community Development shall review and approve this document. The project developer shall file the report with appropriate state offices.

19. **Geotechnical Report.** Prior to tentative map approval for the Staples Ranch Site, a master geotechnical report for the entire Staples Ranch site shall be subject to the review and approval of the City Engineer. The content of the report shall be subject to the review and approval of the City Engineer and shall address general items for the site such as removing expansive soil, general secondary earthquake impacts, stockpiling native soils as fill. The project developer shall submit detailed geotechnical engineering studies specific to its development project for the review and approval of the City Engineer for review prior to the issuance of a building permit for its development project.
20. **Stormwater Treatment.** In accordance with the applicable provisions of the Municipal Regional Permit (MRP)-NPDES Permit, implementation of and compliance with the stormwater quality BMPs are required. However, to ensure that implemented BMPs are effective for reducing potential pollutant loads to a sufficient level of protection, each project developer shall prepare and implement a site-specific Water Quality Management Plan (WQMP)

with BMPs targeted to reduce post-construction pollutants listed in Table 3.5-5 of the EIR.

This WQMP shall identify specific stormwater BMPs for reducing potential pollutants in stormwater runoff. BMPs shall be selected to target pollutants listed in Table 3.5-5 of the EIR; selection criteria and documentation shall be incorporated into the WQMP. A qualified engineer shall prepare and submit, concurrently with the submittal of off-site or on-site improvement plans, (whichever comes first), the WQMP for review and approval by the City Engineer. The WQMP must be approved by a qualified engineer of the City's Engineering Division prior to the beginning of construction activities.

The WQMP shall include the following BMPs along with selected BMPs to target pollutant removal:

- Waste and materials storage and management BMPs (design and construction of outdoor materials storage areas and trash and waste storage areas, if any, to reduce pollutant introduction).
- Spill prevention and control BMPs.
- Slope protection BMPs.
- Water efficient irrigation practices.
- Permanent erosion and sediment controls (e.g., hydroseeding, mulching, surface covers).

Projects within the Project Area will be required to comply with the applicable provisions C3.c of MRP, including Low Impact Development (LID) source control, site design, and stormwater treatment if applicable.

The WQMP shall not include infiltration BMPs unless they comply with design guidelines and requirements specified in TC-1: Infiltration Basins in the CASQA Stormwater Quality BMPs Handbook for New Development and Significant Redevelopment (2003) and/or are specifically approved by the City Engineer and shall meet MRP - NPDES Permit minimum requirements including adequate maintenance and that the vertical distance from the base of any infiltration device to the seasonal high groundwater mark shall be at least 10 feet.

21. **Water Supply.** Prior to tentative map approval for the Staples Ranch Site, sufficient water supply for the Staples Ranch Site must be verified by the City of Pleasanton as described in EIR mitigation measure WS-1.1. The water supply verification must include documentation of historical water deliveries for the previous 20 years, as well as a description of reasonably foreseeable impacts of the proposed subdivision on the availability of water resources of the region.



## 22. EIR Mitigation Monitoring.

- a. If it is determined through field inspections and/or monitoring that a site is not in compliance with an EIR mitigation/improvement measure, the responsible party for implementation of the mitigation/improvement measure is the responsible party to bring the mitigation/improvement measure into compliance. The responsible party is listed in the EIR Mitigation Monitoring and Reporting Plan. The City of Pleasanton may require the responsible party to conduct a peer review report by a consultant chosen by the City of Pleasanton to determine compliance and to recommend measures to correct noncompliance. All peer review costs shall be borne by the party responsible for the implementation of the mitigation/improvement measure.
- b. As parcels are sold (following the recordation of a final map), new property owner(s) will be responsible for all of the their parcel's "Project Developer" mitigation responsibilities as listed in the EIR Mitigation Monitoring and Reporting Plan, including but not limited to: implementing mitigations, monitoring, reporting, bringing mitigation/improvement measures in nonconformance into conformance, and reimbursing the City of Pleasanton for costs borne by the City of Pleasanton to review monitoring reports and conduct other monitoring activities related to their parcel(s).
- c. Prior to the issuance of a building permit for a Project Developer's PUD site, a Mitigation Monitoring fund (or other funding mechanism acceptable to the City of Pleasanton) shall be established by the City of Pleasanton. The applicable Project Developer shall deposit funding into the Mitigation Monitoring fund (or other funding mechanism acceptable to the City of Pleasanton) to cover estimated City of Pleasanton costs to review future monitoring reports, contract with peer review consultants, conduct field inspections, attend meetings, and conduct other monitoring activities related to the Project Developer's mitigation related responsibilities. The initial deposit amount shall be determined by the City Engineer. In the event that the Mitigation Monitoring fund (or other acceptable funding mechanism) does not adequately cover future costs borne by the City of Pleasanton, the property owner of the project development site will be responsible for the City of Pleasanton's costs to review monitoring reports, contract with peer review consultants, conduct field inspections, attend meetings, and conduct other monitoring activities related to the Project Developer's PUD site.

## II.C. Agreements

1. **Development Agreement.** All projects shall be developed in accordance with the Development Agreement.
  - a. The project developer shall pay all City of Pleasanton fees in accordance with the Development Agreement.
  - b. Unless waived by or provided otherwise in the Development Agreement, the developer shall pay any and all fees to which the property may be subject 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.
  - c. All phasing shall be consistent with the applicable Development Agreement for the PUD site.
2. **Neighborhood Park/Detention Basin Funding and Improvement Agreement.** All projects shall be developed in accordance with the Neighborhood Park/Detention Basin Funding and Improvement Agreement.
3. **Cost-Sharing and Pre-Development and Cooperation Agreements.** All projects shall be developed in accordance with the Cost-Sharing and Pre-Development and Cooperation Agreements.
  - a. **El Charro Road Improvements.** As required by and subject to the Pre-Development and Cooperation Agreement if the improvements to El Charro Road are not already completed 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 Cooperation Agreement, including but not limited to Section 3.2 thereof.
  - b. **I-580 Off Ramp Improvements.** The City of Pleasanton shall make improvements to the I-580 El Charro Road eastbound off ramp as stipulated in the Cost-Sharing Agreement if these improvements have not been constructed by the City of Livermore.

## II.D. Code, General Plan, and Permits

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

2. **Grand Openings.** Temporary signs, banners, pennants, and decorations shall be allowed subject to the requirements of Section 18.96.060.K of the Pleasanton Municipal Code.
3. **Noise.** Except as otherwise modified by the conditions of approval for this case, compliance with the City's noise standards shall be achieved.
4. **Airport Protection Area Boundary.** Dwelling units shall not be located east of the Airport Protection Area (APA) line for the Livermore Municipal Airport adopted by the Alameda County Airport Land Use Commission in 1993. Prior to the issuance of a building permit, the project developer shall revise the plans and draw the APA line on the site plan.
5. **Del Valle Dam Evacuation System.** Prior to occupancy, the property owner shall meet with the Fire Marshal, or his or her designee, about the Del Valle Dam evacuation system, in the event of flooding. The property owner shall provide information from the Fire Marshal to all future tenants, on-site managers, and future property owners.
6. **Greenhouse Gas Emissions.**
  - a. A minimum of two energy star appliances and/or systems that meet Energy Star standards shall be installed in each dwelling unit. The proposed appliances and/or systems and how they adhere to the Energy Star standards shall be stated on the plans submitted for the issuance of a building permit.
  - b. All units shall be constructed to allow for the future installation of Photovoltaic (PV). The project/building developer shall comply with the following requirements for making all units photovoltaic-ready. Making units photovoltaic-ready shall require the following measures to be implemented with the construction of the structures covered:
    - Electrical conduit and cable pull strings shall be installed from the roof/attic area to the buildings' main electrical panels;
    - Roof trusses shall be engineered to handle an additional load of five (5) pounds per square foot beyond that of the anticipated load for the roofing material;
    - An area shall be provided near the electrical panel for the installation of an "inverter" required to convert the direct current output from the photovoltaic panels to alternating current; and
    - 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.

- c. Each villa unit shall be designed to be solar-water-heating ready or the hot water system for each villa unit shall be designed to have the same level, or fewer, greenhouse gas emissions than a typical solar-water-heating system as determined by an air quality consultant acceptable to the Director of Community Development. If the later option is chosen, the air quality consultant's report shall be submitted to the Planning Manager prior to the issuance of a building permit.

Making the villa units solar-water-heating ready shall require the following measures to be implemented with the construction of the structures covered:

- Plumbing installed for solar water heating;
  - Space for a solar water heating tank; and
  - 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.
- d. An estimate of the energy savings from the installation of solar roofs or other alternative energy measures shall be prepared by the Project Developer, with a goal of a 12.5% minimum reduction of annual energy use. The calculation(s) shall be submitted with the building permit plan set.
- e. The project shall include bicycle and pedestrian connections. The bicycle and pedestrian connections 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.
- f. The project shall include: 1) light colored pavement and/or pavers, if pavement and/or pavers are proposed; and/or 2) strategically placed shade trees, to reduce the sun's heating of the site. 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.
- g. Water conservation devices shall be installed as part of the project. The water conservation devices shall be stated on the plans submitted for the issuance of a building permit.
7. **Water Efficient Landscape Ordinance.** The project 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: 1) prior to the issuance of a building permit; and 2) prior to final inspection. The verification shall be provided to the Planning Division.

8. **Building and Safety Division and Engineering Division**
- a. All construction activities shall comply with any City of Pleasanton Construction and Demolition Ordinance effective at the time of building permit issuance.
  - b. The building(s) shall meet the applicable Title 24 state energy requirements.
  - c. The project shall be subject to the City's Green Building Ordinance, Chapter 17.50 of the Pleasanton Municipal Code.
  - d. The green building project checklist shall be subject to the review and approval of the Green Building Compliance Official and the Building and Safety Division prior to the issuance of a building permit.
  - e. During construction prior approval from the Green Building Compliance Official must be received before any changes are constituted to the green building project checklist.
  - f. The applicant's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site or City right of way.
  - g. All building and/or structural plans must comply with all codes and ordinances in effect before the Building and Safety Division will issue permits.
  - h. The applicants shall obtain all building and other applicable City permits for the project prior to the commencement of construction.
  - i. The applicants 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 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. Specific items to be indicated on the site development plan necessary to construct the improvements are to be in accordance with the City of Pleasanton Private Development Design Guidelines adopted April 15, 1986.
  - j. All access design issues submitted shall meet the more restrictive requirements found between Americans with Disabilities Act 28 CFR Part 36 and California Title 24 Chapter 11B in addition to any requirements found elsewhere in this document.

- k. Site directional signage meeting the requirements of Title 24 California Building Code Chapter 11B and the Americans with Disabilities Act 28 CFR Part 36 shall be provided from the public way to the entrance of the building or facility along an accessible route of travel.
  - l. The site shall provide an accessible path to all business activity areas and common areas as determined by the Building and Safety Division.
  - m. All accessible parking stalls shall be located on the shortest accessible route of travel from the adjacent parking to the accessible entrance. At least one in every eight accessible spaces must be van accessible, with proper signage and striping, and the access aisle shall be located on the passenger side of the stall. See Title 24 California Building Code Chapter 11B.
  - n. 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 unless Zone 7 retains specific wells for observation wells, or special approval is obtained from Zone 7 and the City Engineer for use of an existing well for landscape irrigation. If an existing well is retained for this purpose:
    - (i.) The building developer shall install backflow devices to prevent the cross contamination of the domestic, City water supply by the landscape well.
    - (ii.) A certified Backflow Inspector shall inspect the well and backflow devices annually and shall submit a report the City Engineer for review and acceptance.
  - o. Prior to the start of grading, all existing septic tanks or holding tanks shall be removed or sealed, filled, and abandoned, pursuant to the requirements of the Alameda County Department of Health Services.
9. **Stormwater Design Requirements.** The project shall comply with the NPDES permit applicable at the time of building permit issuance. The following requirements shall be incorporated into the project:
- a. The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures including bioswales. Irrigated bioswales 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 bioswale at its most upstream end. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of any building permits.

- b. In addition to natural controls the project developer may be required to install a structural control, such as an oil/water separator, sand filter, or approved equal (in the parking lot) (on the site) to intercept and pretreat stormwater prior to reaching the storm drain. The design, locations, and a schedule for maintaining the separator shall be submitted to the City Engineer/Chief Building Official for review and approval prior to issuance of building permits. The structural control shall be cleaned at least twice a year: once immediately prior to October 15 and once in January. The project developer shall enter into a maintenance agreement for the oil/water separator.
- c. The project developer shall submit sizing designs criteria to treat stormwater runoff at the time of plan submittal.
- d. Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution.
- e. Structures shall be designed to discourage the occurrence and entry of pests into buildings, thus minimizing the need for pesticides.
- f. 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.
- g. Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment. Landscaping shall also comply with City of Pleasanton ordinances and policies regarding water conservation.
- h. Trash areas, dumpsters and recycling containers shall be enclosed and roofed to prevent water run-on to the area and runoff from the area and to contain litter and trash, so that it is not dispersed by the wind or runoff during waste removal. These areas shall not drain to the storm drain system, but to the sanitary sewer system and an area drain shall be installed in the enclosure area, providing a structural control such as an oil/water separator or sand filter. No other area shall drain into the trash enclosure; a berm shall be installed to prevent such drainage if found necessary by the City Engineer/Chief Building Official. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer. The project developer shall notify the Dublin San Ramon Services District (DSRSD) upon installation of the sanitary

connection; a copy of this notification shall be provided to the Engineering Division.

- i. 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.
- j. Prior to grading permit issuance the project developer shall submit a copy of the State Water Resources Control Board Notice of Intent (NOI) for coverage under the State Construction Stormwater General Permit for projects with clearing, grading and excavation exceeding the current standards.
- k. All metal roofs shall be finished to inhibit rust.
- l. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever practicable.

10. **Stormwater Construction Requirements.** The project development shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review and approval by the City Engineer prior to issuance of building or grading permits. Failure to comply with the approved construction SWPPP may result in the issuance of correction notices, citations or stop work order. The following construction Best Management Practices (BMPs), as well as any other applicable measure, shall be included in the SWPPP and implemented as approved by the City.

The project developer is responsible for implementing the following measures during all construction phases of the project:

- a. The project developer shall include erosion control/stormwater quality measures on the final grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and are subject to the review and approval of the City Engineer/Chief Building Official. If no grading plan is required, necessary erosion control/stormwater quality measures shall be shown on the site plan submitted for an on-site permit, subject to the review and approval of the Building and Safety Division. The project developer is responsible for ensuring that the contractor is aware of and implements such measures.
- b. All cut and fill slopes shall be revegetated and stabilized after completion of grading, but in no case later than October 15. Hydroseeding shall be accomplished before September 15 and



irrigated with a temporary irrigation system to ensure that the grasses are established before October 15. No grading shall occur between October 15 and April 15 unless approved erosion control/stormwater quality measures are in place, subject to the approval of City Engineer/Chief Building Official. Such measures shall be maintained until such time as permanent landscaping is in place.

- c. Gather all construction debris on a regular basis and place it in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater runoff pollution.
  - d. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement adjoining the project site on a daily basis. Scrape caked on mud and dirt from these areas before sweeping.
  - e. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing in the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.
  - f. Create a contained and covered area on the site for the storage of bags, cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system through being windblown or in the event of a material spill.
  - g. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
  - h. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, or storm drains.
11. **Stormwater Operation Requirements.** All projects, unless otherwise determined by the City Engineer or Chief Building Official, shall enter into a recorded Stormwater Treatment Measures Inspection and Maintenance Agreement for ongoing maintenance and reporting of required stormwater measures. These measures may include, but are not limited to:
- a. A mechanism shall be created, such as a property owners' association, to be responsible for maintaining all private streets, private utilities and

other privately owned common areas and facilities on the site including stormwater treatment measures. These maintenance responsibilities shall include implementing the maintenance plan, which is attached to the Stormwater Treatment Measures Inspection and Maintenance Agreement. This document shall be reviewed by the City Attorney's Office and recorded with the final map.

- b. The storm drain inlets clearly marked and maintained with the words "No Dumping – Drains to Bay."
- c. Proper maintenance of landscaping, with minimal pesticide and fertilizer use.
- d. Ensure wastewater from vehicle and equipment washing operations is not discharged to the storm drain system.
- e. Ensure that no person shall dispose of, nor permit the disposal, directly or indirectly, of vehicle fluids, hazardous materials or rinse water from cleaning tools, equipment or parts into storm drains.
- f. Clean all on-site storm drains at least twice a year with one cleaning immediately prior to the rainy season. The City may require additional cleanings.
- g. Regularly but not less than once a month, sweep driveways, sidewalks and paved areas to minimize the accumulation of litter and debris. Corners and hard to reach areas shall be swept manually. Debris from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Wastewater containing any soap, cleaning agent or degreaser shall not be discharged into the storm drain.
- h. Vegetated swales with grasses shall be mowed and clippings removed on a regular basis.

**12. Emergency Services.**

- a. All buildings covered by this approval shall be equipped with an automatic fire sprinkler system. Plans and specifications for the automatic fire sprinkler system shall be submitted to the Fire Prevention Bureau through the Pleasanton Building and Safety Division for review and approval prior to installation. The fire alarm system, including waterflow 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). The fire alarm system shall be monitored in accordance with the Pleasanton Municipal Ordinance #1965.

- b. The applicants shall post address numerals on the building so as to be plainly visible from all adjoining streets or driveways during both daylight and night time hours.
- c. Fire hydrants shall be required along the perimeter of the drive aisles and shall be spaced in a manner typical for commercial and residential development. The number and location of the hydrants shall be subject to the review and approval of the Fire Marshal.
- d. Industrial and Commercial Development. The following items will be provided prior to any construction above the foundation or slab. NOTE: Periodic inspections will be made for compliance.
  - (i.) Site access shall be provided prior to any construction above the foundation or slab. Based on the Site Plan Approval the access shall be installed.
  - (ii.) Emergency vehicle access shall be a minimum of 20 feet in width. A clear height free of obstructions (power, cable, telephone lines, tree limbs, etc.) shall be provided. This clearance shall be a minimum of 13 feet 6 inches.
  - (iii.) Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height 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, or at least one of the access routes shall be as otherwise approved by the Fire Marshal.
  - (iv.) Buildings or facilities exceeding 62,000 square feet of gross building area shall be provided with two separate and approved fire apparatus access roads. The roads shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.
  - (v.) If permanent access or site paving is not provided, the carrying capacity of the emergency vehicle access shall be 69,000 pounds under all weather conditions.
  - (vi.) Site staging area(s) shall be provided for materials and equipment. All staging areas shall be outside of the emergency vehicle access route shown on the approved plans.

- (vii.) On-site fire hydrant(s) shall not be obstructed and shall be sufficiently above grade to have all hydrant valves and outlets accessible for emergency use.
- e. All construction shall conform to the requirements of the codes in force at the time of each building permit application, currently the 2007 California Code of Regulations, Title 24 and the City of Pleasanton Municipal Code.
- f. Automatic fire sprinklers shall be installed in all occupancies in accordance with National Fire Protection Association (NFPA) Pamphlet 13 for commercial occupancies or NFPA 13D or 13R for residential occupancies. Fire flow requirements shall be in accordance with 2007 California Fire Code Appendix B and subject to review of the Fire Marshal.
- g. Provide a Hazardous Materials Declaration for this tenant and/or use. Form shall be signed by owner/manager of company occupying the suite/space/building. No building permit will be issued until the Hazardous Materials Declaration is provided. A separate Hazardous Materials deferred plan review permit process is required for the service areas and buildings.
- h. Should any operation or business activity involve the use, storage or handling of hazardous materials, the firm shall be responsible for contacting the Fire Department prior to commencing operations. Please contact the Hazardous Materials Coordinator at 925-454-2361.
- i. 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".
  - (i.) 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.
  - (ii.) All underground fire protection work shall require a California contractor's license type as follows: C-16, C-34, C-36 or A.
  - (iii.) All field testing and inspection of piping joints shall be conducted prior to covering of any pipeline.

Questions shall be directed to the Fire Prevention Bureau Fire Marshal or Assistant Fire Marshal at 925-454-2361.

- j. Any industrial/commercial development where recycled water is provided for fire protection shall meet City Water Resources Division installation standards and shall be in service prior to any construction above the slab or foundation.

*{end}*

**EXHIBIT C  
RECOMMENDED PUD FINDINGS FOR  
CASE PUD-68**

**PUD CONSIDERATIONS**

The Pleasanton Municipal Code sets forth the purposes of the Planned Unit Development District and “considerations” the Planning Commission and City Council should consider when reviewing a PUD development plan. These considerations form the basis as to whether a PUD development plan should be approved.

**1. Is the plan in the best interests of the public health, safety, and general welfare?**

The project, as conditioned, will adhere to all applicable City standards concerning public health, safety, and welfare. The subject development will include the installation of all required on-site utilities with connections to municipal systems in order to serve the project. The structures will be designed to meet the requirements of the Uniform Building Code and Fire Code. Two emergency vehicle access points will be provided. As described in consideration number 3 (below), the proposed development, as conditioned, is compatible with adjacent uses.

Accordingly, the project, as conditioned, is in the best interest of the public health, safety, and general welfare.

**2. Is the plan consistent with the City’s General Plan and any applicable specific plan?**

The site’s General Plan Land Use designation Medium Density Residential (2 to 8 dwelling units per gross acre) and High Density Residential (greater than 8 dwelling units per gross acre); Parks and Recreation; and Retail/Highway/Service Commercial, Business and Professional Offices allows for a mix of uses on the Staples Ranch site including a senior continuing care community. Per the General Plan, commercial development with a floor area ratio of 35% or less can be provided on the site without an amenity. The proposed FAR is approximately 55%. The applicant is proposing to assist with the construction of the Staples Ranch Neighborhood Park as an amenity.

Development of the proposed project will further the implementation of the Stoneridge Drive Specific Plan Amendment. The Stoneridge Drive Specific Plan Amendment anticipates an approximately 46 acre senior continuing care community on the project site. As conditioned, the project will adhere to the design constraints of the Specific Plan Amendment, includes a visually coordinated, appealing architecture, a site layout which creates useable and

pleasant outdoor spaces, does not conflict with the existing underground fiber optic cable that traverses the site, and provides a gated emergency vehicle access at the terminus of Staples Ranch Drive, separated sidewalks along Stoneridge Drive, a landscape berm along the I-580 frontage to reduce noise impacts, and landscaping in the adjacent Caltrans right of way as required/encouraged by the Specific Plan Amendment.

Accordingly, the project, as conditioned, is consistent with the City's General Plan and with the Stoneridge Drive Specific Plan Amendment.

### **3. Is the plan compatible with previously developed properties in the vicinity and the natural, topographic features of the site?**

The site is predominately flat. The site is generally 346'-350' in elevation. There is a mound on the property which is material imported by KB Homes in 1995 in anticipation of using it for fill material as part of a residential project that was never constructed. Along the western boundary there is an existing drainage swale which will be regraded as part of the project. The swale will not be needed once the flood improvements required by the EIR are constructed in Livermore.

The project site and land to the east is currently vacant. The City Council approved the Stoneridge Drive Specific Plan Amendment which allows for an auto mall and a neighborhood park (with a stormwater flow control basin) east of the site and the Arroyo Mocho and a community park south of the site. Existing residences are west of the site. The I-580 freeway is north of the site. As conditioned, the project will be designed to minimize impacts on the existing residents and the Arroyo Mocho.

For example, to minimize impacts to the existing residents and Arroyo Mocho, the project features, as conditioned, will include:

- An 8' tall wall by the existing residents adjacent to the Health Center and a 7' tall wood fence by the other existing residents (not including those with an existing soundwall)
- Dedication of a strip of land 19' wide to the adjacent residents along Vermont Place
- Additional trees to be installed by the western property line, such that there are no visible gaps between the trees once mature
- Lower light standards (10' tall) by the existing residents on Vermont Place and by the terminus of Staples Ranch Drive
- Single story Villa units with rear yards setbacks of at least 24' by the existing residents on Staples Ranch Drive, West Las Positas Boulevard, and Annis Circle
- Sonic rodent control by the existing residents (during construction)
- Buildings to be setback at least 20' from the Arroyo Mocho
- Access through the site to the Arroyo Mocho will be provided to the City and Zone 7 for maintenance

Accordingly, the project, as conditioned, is compatible with previously developed properties in the vicinity and adjacent proposed projects, and the natural, topographic features of the site.

**4. Does grading take into account environmental characteristics and is it designed in keeping with the best engineering practices to avoid erosion, slides, or flooding to have as minimal an effect upon the environment as possible?**

The natural topography of the site is relatively flat. Minimal changes in grades are proposed, with the exception of the filling of an existing drainage swale by the western boundary and the construction of a berm by the I-580. The site is not located within an Alquist-Priolo Earthquake Fault Zone. Slides are not anticipated.

The proposed project will require the construction of stormwater detention facilities to contain the 100 year flood. An EIR mitigation measure for the project requires the site to be removed from the flood hazard area prior to occupancy. Engineering modeling indicates that implementation of the Livermore flood protection improvements, as part of Livermore's approved El Charro Specific Plan, will provide sufficient detention to prevent inundation of the Staples Ranch site for the 100 year storm event. It is anticipated that Livermore will begin the construction of these improvements this year.

To help prevent the erosion and pollution of the Arroyo Mocho, on-site stormwater will be treated on site for contaminants and directed into the stormwater flow control basin on the Staples Ranch Neighborhood Park, before being released into the Arroyo Mocho.

On-site erosion control and dust suppression measures will be documented in the improvement plans and inspected by the Building and Safety Division during construction.

Accordingly, the grading, as conditioned, takes into account environmental characteristics and is designed in keeping with the best engineering practices to avoid erosion, slides, or flooding to have as minimal an effect upon the environment as possible.



**5. Have the streets and buildings been designed and located to complement the natural terrain and landscape?**

As stated above, minimal changes to the natural grade elevations are proposed.

There are 68 existing trees on site, 31 of which are proposed to be removed. Over 1,300 new trees are proposed to be planted as part of the project. Shrubs and ground cover, including native California species, will also be planted.

Accordingly, the project, as conditioned, has been designed and located to complement the natural terrain and landscape.

**6. Have adequate public safety measures been incorporated into the design of the plan?**

The project, as conditioned, will be consistent with City safety standards. As conditioned, the buildings will be equipped with automatic fire suppression systems (fire sprinklers). The project includes 2 points of access for emergency vehicles. The project will be required to comply with all building and fire code requirements.

Accordingly, the project, as conditioned, will include adequate public safety measures.

**7. Does the plan conform to the purposes of the PUD District?**

The purposes of the PUD District are shown in Table 1.

A primary purpose of the district is to allow flexibility in the design of development projects that the City determines are in its best interest. The proposed project implements a key component of the Stoneridge Drive Specific Plan Amendment. The project is also consistent with General Plan. The PUD process has allowed for ample input from the public and for an informed decision by the City Council regarding the appropriateness of the development plan.

Accordingly, the project, as conditioned, conforms to the purposes of the PUD District.

**TABLE 1**  
**Purposes of the PUD District**

- To encourage imagination and housing variety in the development of property of varying sizes and topography in order to avoid the monotony and often destructive characteristics of standard residential, commercial and industrial developments
- To provide a development procedure which will insure that the desires of the developer and the community are understood and approved prior to commencement of construction
- To insure that the goals and objectives of the city's general plan are promoted without the discouragement of innovation by application of restrictive developmental standards
- To encourage efficient usage of small, odd-sized or topographically affected parcels difficult for development by themselves
- To accommodate changing market conditions and community desires
- To provide a mechanism whereby the city can designate parcels and areas requiring special consideration regarding the manner in which development occurs
- To encourage the establishment of open areas in residential, commercial and industrial developments and provide a mechanism for insuring that said areas will be beautified and/or maintained
- To complement the objectives of the hillside planned development district (HPD) in areas not subject to the provisions of that zoning district