

CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

ORDINANCE NO. 1477

AN ORDINANCE APPROVING THE APPLICATION OF PACTEL PROPERTIES FOR A MAJOR MODIFICATION TO AN APPROVED PUD AS FILED UNDER CASE PUD-80-16-3M

WHEREAS, PacTel Properties has applied for a major modification to an approved Planned Unit Development for approximately 1,250,170 sq ft to relocate approved commercial, office and industrial uses located on an approximately 82.0 acre site located generally in the northwest quadrant of Hopyard Road and Stoneridge Drive; and

WHEREAS, zoning for the property is PUD (Planned Unit Development) - Service Commercial District; and

WHEREAS, at their duly noticed public hearing of July 17, 1990 the City Council after considering all public testimony, relevant exhibits, and recommendations of the City staff approved a negative declaration for this project; and

WHEREAS, Council received the Planning Commission's recommendations for approval of the proposed modifications; and

WHEREAS, the City Council finds that this proposal is in conformance with the approved PUD zoning and General Plan designation of the subject site.

THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Approves the application of PacTel Properties for a major modification to an approved Planned Unit Development for approximately 1,250,170 sq. ft. to relocate approved commercial, office and industrial uses located on an approximately 82.0 acre site located generally in the northwest quadrant of Hopyard Road and Stoneridge Drive subject to the conditions shown on Exhibit "A" attached hereto and made part of this case by reference.

Section 2. The City staff is directed to cause a Notice of Determination to be filed pursuant to Section 5.4(g) of Resolution No. 77-66.

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Section 3. This ordinance shall be published once within fifteen (15) days after its adoption in "The Valley Times," a newspaper of general circulation published in the City of Pleasanton.

Section 4. This ordinance shall be effective thirty (30) days after the date of its final passage and adoption.

INTRODUCED at a regular meeting of the City Council of the City of Pleasanton on 17th day of July 1990.


ADOPTED at a regular meeting of the City Council of the City of Pleasanton on the 21st day of August 1990 by the following vote:

AYES: Councilmembers - Butler, Mohr, and Tarver
NOES: Councilmember Brandes
ABSENT: None
ABSTAIN: Mayor Mercer



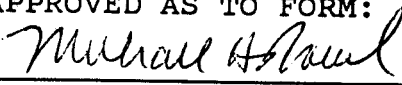
KENNETH R. MERCER, MAYOR

ATTEST:



Peggy L. Ezidro, City Clerk

APPROVED AS TO FORM:



Michael H. Roush, City Attorney

EXHIBIT "A"

**Conditions of Approval
PUD-80-16-3M
August 7, 1990**

1. The development shall be substantially as shown on the development plan titled "Schematic Master Plan/Signature Center" dated July 12, 1990 on file with the Planning Department, except as modified by the following conditions of approval.
2. Parcel specific building and individual site, landscape, and parking designs shall be approved by the Design Review Board, Planning Commission, and City Council.
3. The applicant shall submit site specific soils studies to the Building Official prior to issuance of building permits.
4. The applicant shall retain an archaeologist during excavation of the subject property. Said archaeologist shall be called to examine any artifacts unearthed during excavation.
5. Building floor area(s) shall be in accordance with the "Schematic Master Plan/Signature Center Summary of Land Use" table, as amended with the following conditions:
 - a. All floor area ratios shall be based on the building floor areas shown on the table.
 - b. Maximum floor area for any use shall be based either on the building floor area or floor area ratio, whichever is least.
 - c. The applicant is restricted to the specific floor area groupings as specified under the respective land use or land use alternative.
 - d. Primary and alternative uses and building floor areas for Parcel C shall be revised and shown as follows:
 - o Primary Land Use
Office - 65,700 sq. ft.; or
 - o Alternative Land Use
Office - 45,000 sq. ft.
Restaurant - 10,000 sq. ft.
Financial - 5,000 sq. ft.

Office - 52,000 sq. ft.
Financial - 10,000 sq. ft.

Office - 45,000 sq. ft.
Restaurant - 15,000 sq. ft.

6. Approval for the "Center Park" properties (APN 941-1301-67 through 72) for uses, 365,000 sq. ft. of floor area, a maximum 50% floor area ratio, restrictions, and requirements described under Ordinance Nos. 1046 and 1106, shall continue with full force and effect.
7. All permitted and conditionally permitted uses shall be as follows:
 - a. Research, Development, and Light Industrial Uses
 - 1) All industrial uses, activities and processes allowed by right in the I-P District, Section 18.48.140 of the Pleasanton Municipal Code. (No minimum required office floor area.)
 - 2) Industrial support and service facilities limited to the activities serving the primary uses allowed under this section, including, but not limited to, repair and maintenance of appliances or component parts, tooling, testing, etc.
 - 3) Warehousing and distribution type uses not including the storage of radioactive materials, fuel, or flammable liquids.
 - 4) Sales at wholesale, or sales to the ultimate consumer of products made to the customers orders.
 - 5) Engineering, drafting, and design facilities.
 - 6) Manufacture of prototypes.
 - 7) Research and development is allowed in conjunction with the primary industrial uses operated on the site.
 - b. Office Uses
 - 1) Administrative headquarters and executive offices,
 - 2) Business offices, including wholesaling establishments without stock, and not including the retail sale of any commodity on the premises,
 - 3) Business service offices, including employment agencies, accountants, notaries, stenographic, addressing, computing, and related services,

- 4) Business and professional consulting service offices,
- 5) Design professions offices not including retail sales on the premises,
- 6) Insurance offices,
- 7) Investment service offices,
- 8) Legal service offices,
- 9) Medical, dental, and related health service offices, including laboratories rendering services only and involving the manufacture, fabrication or sale of any article or commodity other than those incidental to the services provided.
- 10) Public utility consumer service offices,
- 11) Real estate, title company, and related offices,
- 12) Research and development offices not involving the manufacture, fabrication, or sale of products on the premises.
- 13) Travel agencies.
- 14) Day care centers, gymnasiums, and health clubs serving the primary office tenant with approval of a Conditional Use Permit. The day care center, gymnasium, and health club floor area shall be counted as part of the allowed office floor area.

c. Retail Uses

All permitted uses allowed by right in the CN District, Section 18.44.020, Table 18.44.090 of the Pleasanton Municipal Code.

d. Financial Institutions

Financial institutions allowed in the CN District, Section 18.44.020, Table 18.44.090 of the Pleasanton Municipal Code, only with a Conditional Use Permit.

e. Restaurants

Sit-down restaurants, delicatessens, espresso/coffee bars, ice cream parlors, etc. No drive-through restaurants are permitted.

f. Hotel

As specified under Section 18.08.240 of the Pleasanton Municipal Code, except that no guest room and/or suite may have a kitchen or cooking facility.

g. Miscellaneous

Day care centers, gymnasiums, and health clubs for the general public may be allowed on any parcel covered by this development plan with approval of a Conditional Use Permit. The day care center, gymnasium, and health club floor area shall be counted as retail floor area for square footage computation.

8. The following standards shall apply to all new development to occur on the properties covered by this development plan.

- a. Minimum building and parking setbacks shall match the perimeter Public Service Easements (PSE).**
- b. Attention shall be paid to the aesthetic relationship of new building siting and design to adjacent development.**
- c. HVAC equipment shall be screened from view by integral building walls, including parapet walls and/or extension of any roof slope elements as part of the overall design.**
- d. Exterior building design and finishes shall complement the design of adjacent buildings.**
- e. Building design shall reflect a variety of forms and not just the addition of finishes to uncreative building boxes.**
- f. Final driveway entrance locations and design will be reviewed and approved at the project application phase.**
- g. Building design shall minimize the appearance of mass in the horizontal and vertical planes.**
- h. Buildings shall be surrounded by heavy landscaping, except for those sides of the structure directly adjacent to the parking areas of the project site.**
- i. Buildings shall be designed as four-sided structures with respect to building form, materials, design, and detailing and shall be architecturally compatible with the design of the surrounding area. No theme or franchise building design will be allowed.**
- j. No materials, supplies, or equipment, excluding company**

owned or operated motor vehicles, shall be stored in any area on a site except inside or behind a solid visual barrier which screens such areas from public streets.

- k. Building elements and landscaping shall be used to screen truck loading areas from public streets.
 - l. All parking lot trees shall be installed with root boxes and deep watering pipes.
 - m. Minimum parking requirements for the uses covered by this development plan shall be as specified under Section 18.88.030, "Schedule of Off-Street Parking Space Requirements" of the Pleasanton Municipal Code. Final parking requirements shall be determined on a case by case basis at the time of design review.
 - n. Off-street loading facilities shall be reviewed and required on a case by case basis at the time of design review.
 - o. Development is subject to the following Standard Conditions of Approval including Nos. 1 through 11, 13 through 21, 24 through 27, 31, 38, 40 through 44, 52, 53, 55, and 56.
9. In addition to the above mentioned design standards, parcel-specific developments shall conform to the following design and development standards:
- a. 4900 and 5000 Hopyard Road
Maximum building height, floor area, and floor area ratio shall be as approved under PUD-80-16-1M and 2M, respectively.
 - b. Parcel A
 - 1) Maximum building height for the hotel shall be two stories or 40 feet measured from grade to the building parapet or ridge.
 - 2) Maximum height for the restaurant/financial building shall be 25' measured from grade to the building parapet or ridge.
 - 3) Maximum height for the retail building shall be 40' measured from grade to the building parapet or ridge.
 - 4) Maximum hotel floor area shall be specified at 40,000 sq. ft.

- 5) Parcel A shall be designed to provide driveway access to the restaurant site located on the Parcel's north side if determined to be appropriate by the City Engineer and Director of Planning.

c. Parcel B

- 1) Maximum building height shall be 22'.
- 2) Buildings located near Stoneridge Drive and Hopyard Road shall be one-story and shall generally be limited to a maximum height of 18 feet, measured from the parking lot grade to the top-of-roof or parapet wall. Additional height, for building design which minimizes the appearance of mass, may be allowed to provide architectural flexibility subject to the approval of the Design Review Board, Planning Commission, and City Council.

d. Parcel C

- 1) Restaurant/financial building size and location shall not preclude a large, single tenant use on the remainder of the site.
- 2) Maximum height for the restaurant/financial buildings shall be 22' measured from grade to the building parapet or ridge.
- 3) The height for office buildings shall be two-stories or 40' measured from grade to the building parapet or ridge. Office buildings taller than 18' shall be located towards the north side of Parcel C
- 4) Any building located near Stoneridge Drive shall be one-story and shall generally be limited to a maximum height of 18 feet, measured from the parking lot grade to the building parapet or roof ridge. Additional height, for building design which minimizes the appearance of mass, may be allowed to provide architectural flexibility subject to the review and approval of the Design Review Board, Planning Commission, and City Council.

e. Parcel D

- 1) Maximum building height shall be three stories or 55 feet measured from grade to the building parapet or ridge.

- 2) Joint access easements shall be recorded on Parcels D and E. These easements shall grant to the present and/or future property owners and their agents a non-exclusive right of ingress, egress, and circulation over the respective properties. A copy of the easement shall be furnished to the City Attorney for review of form and content and shall be recorded prior to issuance of a building permit.

f. Parcel E

- 1) Building height shall be two stories or 40 feet measured from the parking lot grade to the building parapet or roof ridge.
- 2) Joint access easements shall be recorded on Parcels D and E. These easements shall grant to the present and/or future property owners and their agents a non-exclusive right of ingress, egress, and circulation over the respective properties. A copy of the easement shall be furnished to the City Attorney for review of form and content and shall be recorded prior to issuance of a building permit.

g. Parcel F

- 1) Building height shall be 25 feet measured from the parking lot grade to the building parapet or roof ridge.
- 2) Joint access easements shall be recorded on Parcels G and F. These easements shall grant to the present and/or future property owners and their agents a non-exclusive right of ingress, egress, and circulation over the respective properties. A copy of the easement shall be furnished to the City Attorney for review of form and content and shall be recorded prior to issuance of a building permit.
- 3) A public sidewalk shall be installed in the Public Service Easement (PSE) at the time of development. Location and design shall be to the satisfaction of the Director of Planning and City Engineer.

h. Parcel G

- 1) Offices shall be limited to a maximum floor area of 60,000 sq. ft.; industrial uses shall be limited to a maximum floor area of 40,000 sq. ft. Industrial buildings shall be located facing the northwest

corner of Parcel G. Offices shall be designed with their buildings directly facing the westerly and southerly sides of Parcel G. A landscaped visitor parking/plaza area shall be located facing the southeast corner of Parcel G. Parking and truck loading areas shall be located in the central area of the project site. Truck docks/loading areas shall be screened from view. Final location, design, and screening of truck loading areas shall be determined at the project application phase.

- 2) The height of the office and industrial buildings shall be two stories or 40 feet measured from the parking lot grade to the building parapet or roof ridge.
 - 3) Joint access easements shall be recorded on Parcels G and F. These easements shall grant to the present and/or future property owners and their agents a non-exclusive right of ingress, egress, and circulation over the respective properties. A copy of the easement shall be furnished to the City Attorney for review of form and content and shall be recorded prior to issuance of a building permit.
 - 4) A public sidewalk shall be installed in the Public Service Easement (PSE) at the time of development. Location and design shall be to the satisfaction of the Director of Planning and City Engineer.
10. When Level of Service reaches actual LOS D (equal to or greater than 81% of capacity), at any affected intersection or intersections, the Developer shall begin to implement feasible mitigation measures. Affected intersections shall be the following:
- a. Stoneridge Drive/Hopyard Road,
 - b. Stoneridge Drive/Denker Drive,
 - c. Stoneridge Drive/Johnson Drive,
 - d. Stoneridge Drive/I-680 northbound and southbound off-ramps,
 - e. Hopyard Road/Morse Drive
 - f. Hopyard Road/Owens Drive, and
 - g. Hopyard Road/I-580 eastbound and westbound off-ramps.

Mitigation measures may include, but are not limited to, the following:

- a. Addition of a right turn lane southbound on Hopyard Road at Owens Drive.
- b. Widen eastbound Owens Drive approach to Hopyard Road to

accommodate another left-turn lane (this is the obligation of Reynolds and Brown).

- c. Addition of a fourth northbound through lane on Hopyard Road from the Sheraton Inn to Owens Drive.

Feasible traffic mitigation measures shall begin to be implemented on a priority basis, to be determined by the City Engineer and the Director of Planning (appealable to the City Council) beginning with the least stringent and the least costly. Increasingly more stringent mitigation measures will be required and implemented by the Developer in order to maintain traffic levels at better than LOS E (91% of capacity).

11. Each site specific project submitted to the City for approval shall be accompanied by a traffic study, prepared to the satisfaction of the Director of Planning and City Engineer, projecting future short-term levels of service at the following intersections:

If the traffic study analysis shows that any affected intersection, or intersections, would exceed LOS D (equal to or greater than 91% of capacity) but can be mitigated so as to be no greater than mid-LOS D (86% of capacity) after mitigations, the City shall condition approval upon implementation of this mitigation measures. No building permit may be issued until the mitigation measures are either under construction or the implementation programs are established.

If the traffic study analysis shows any affected intersection, or intersections, would exceed LOS D (equal to or greater than 91% of capacity), and indicates that there are no mitigation measures the Developer can implement to improve the intersections to mid LOS D (86% of capacity), then the City shall not approve the project application. No building permit may be issued until the mitigation measures are either under construction or the implementation programs are established.

12. All trucks serving the properties covered by this development plan approval shall use Hopyard Road, to and from I-580, to the maximum extent possible.
13. All items described in Conditions No. 2 through 12 shall be shown on the face of the Development Plan titled, "Schematic Master Plan/Signature Center" to the satisfaction of the Director of Planning prior to issuance of building permits.
14. The Signature Center owners shall notify future tenants and/or buyers of the location, use, and impacts of the Dublin San Ramon Services District (DSRSD) "Facultative Sludge

Lagoons". Staff and the applicant shall work with DSRSD to secure a mutually satisfactory notification statement prior to issuance of building permits for any project covered by this development plan.

15. The ordinance approving Case PUD-80-16-3M shall be recorded by the applicant in the office of the Alameda County Recorder so that it shall be clear to all existing and future property owners that all conditions of approval of this case shall run with the land.

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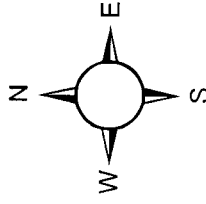
PUD-80-16-13M

City of Pleasanton

GIS

Department

LBA Realty (Paul Thome)



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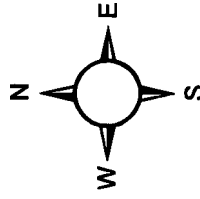
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Noticing Area



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