

Exhibit A
Planning Commission Work Session Discussion Points
September 28, 2016

- A. *Does the Commission support the proposed site layout and building orientation including the proposed drive-through and associated queueing capacity?*
- B. *Does the Planning Commission support the proposed building architecture, exterior finishes, and color palette including staff's recommendation on the north elevation on Building A?*
- C. *Is the tree removal/replacement plan adequate and should the applicant contribute to the Urban Forestry Fund?*
- D. *Does the Planning Commission support the proposed uses?*
- E. *What other information would assist the Planning Commission in its decision on the proposal (e.g., additional photo simulations). Do you have any other comments on the project?*

| Pleasanton Municipal Code | | | | | | | |
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| Title 18 ZONING Chapter 18.44 C COMMERCIAL DISTRICTS | | | | | | | |

18.44.090 Permitted and conditional uses.

- A. Permitted and conditional uses in a Cdistrict are provided in Table 18.44.090 at the end of this section.
- B. Multi-family dwellings shall be permitted in the C-C district provided that there shall be not less than 1,000 square feet of site area per dwelling unit, and provided that dwelling units not located above a permitted nonresidential use shall be subjected to the requirements for usable open space per dwelling unit of the RM-1,500 district.

Yards and courts at and above the first level occupied by dwelling units shall be as required by Section 18.84.100 of this title, except that where no side or rear yard is required for a nonresidential use on the site, no side or rear yard need be provided except adjoining walls with openings.
- C. Any other use which is determined by the planning commission, as provided in Chapter 18.128 of this title, to be similar to the uses listed in this section shall be a permitted use or a conditional use in the districts in which the uses to which it is similar are permitted uses or conditional uses.

Table 18.44.090

PERMITTED AND CONDITIONAL USES

| | | | | | | | |
|---|---------------|----------------|-----------|-----------|-----------|-----------|-----------|
| The following uses shall be permitted uses or conditional uses in a C district where the symbol "P" for permitted use, "C" for conditional use, or "TC" for temporary conditional use appears in the column beneath the C district: | | | | | | | |
| Note: | | | | | | | |
| * Uses which are part of a completely enclosed mall complex, all activities take place entirely indoors. | | | | | | | |
| ** Uses on peripheral sites physically separated from a central enclosed mall. | | | | | | | |
| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
| Accessory uses and structures, not including warehouses, located on the same site as a permitted use and the following accessory structures and uses located on the same site with a permitted use or with a conditional use which has been granted a use permit in accord with the provisions of Chapter 18.124 of this title: | | | | | | | |
| 1. Emergency standby electricity generator, fuel cell, and/or battery facilities provided that the facilities shall be tested from 8:00 a.m. to 5:00 p.m. | P | P | P | P | P | P | P |

| | | | | | | | |
|--|--------|---------|----|----|----|----|----|
| Monday through Friday or from 10:00 a.m. to 12:00 noon on Saturday or Sunday only, the facilities shall not be tested for more than one hour during any day, and no testing shall be on "Spare the Air Days" in Alameda County | | | | | | | |
| 2. Photovoltaic facilities | P | P | P | P | P | P | P |
| 3. Small electricity generator facilities that meet the following criteria: | | | | | | | |
| a. The fuel source for the generators shall be natural gas, biodiesel, or the byproduct of an approved cogeneration or combined cycle facility | | | | | | | |
| b. The facilities shall use the best available control technology to reduce air pollution | | | | | | | |
| c. The facilities shall not create any objectionable odors at any point outside of the property plane where the facilities are located | | | | | | | |
| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
| d. The facilities shall not exceed a noise level of 45 dBA at any point on a residentially zoned property outside of the property plane where the facilities are located | | | | | | | |
| e. On a site with fuel cell facilities, small electricity generator facilities shall not be permitted unless the aggregate wattage of the two facilities is less than one megawatt. If the aggregate wattage of the two facilities is one megawatt or greater, the small electricity generator facilities shall be subject to all requirements and processes prescribed in this title for medium or large electricity generator facilities, whichever is the most applicable, in the subject zoning district | | | | | | | |
| f. The facilities shall be cogeneration or combined cycle facilities, if feasible | P | P | P | P | P | P | P |
| 4. Small fuel cell facilities that meet the following criteria: | | | | | | | |
| | | | | | | | |

| | | | | | | | |
|--|---|---|---|---|---|---|---|
| a. The facilities shall not create any objectionable odors at any point outside of the property plane where the facilities are located | | | | | | | |
| b. The fuel cell facilities shall not exceed a noise level of 45 dBA at any point on any residentially zoned property outside of the property plane where the facilities are located | | | | | | | |
| c. On a site with electricity generator facilities, small fuel cell facilities shall not be permitted unless the aggregate wattage of the two facilities is less than one megawatt. If the aggregate wattage of the two facilities is one megawatt or greater, the small fuel cell facilities shall be subject to all requirements and processes prescribed in this title for medium or large fuel cell facilities, whichever is the most applicable, in the applicable subject district | | | | | | | |
| Small fuel cell facilities are encouraged to be cogeneration or combined cycle facilities | P | P | P | P | P | P | P |
| Accessory uses and structures, not including warehouses, located on the same site as a permitted use and the following accessory structures and uses located on the same site with a permitted use or with a conditional use which has been granted a use permit in accordance with the provision of Chapter 18.124 of this title: | | | | | | | |
| 5. Special downtown accessory entertainment uses, as defined in Chapter 18.08 of this title: | | | | P | | | |

| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
|---|--------|---------|----|----|----|----|----|
| a. Indoor special downtown accessory entertainment uses with non-amplified or amplified sound in the downtown hospitality central core area and non-amplified sound in the downtown hospitality transition area (hours: 8:00 a.m.—11:00 p.m.) | | | | | | | |

| | | | | | | | |
|--|--|--|--|----|--|--|--|
| <p>b. Indoor special downtown accessory entertainment uses with amplified sound in the downtown hospitality transition area (hours: 8:00 a.m.—9:00 p.m.)</p> | | | | | | | |
| <p>c. Outdoor special downtown accessory entertainment uses (hours: 8:00 a.m.—9:00 p.m.)</p> | | | | | | | |
| <p>d. The above accessory uses (5)(a)—(5)(c) shall meet all four of the following parameters:</p> | | | | | | | |
| <p>i. The use is in compliance with all applicable requirements of Chapter 9.04 (Noise Regulations). The applicant may be required to install noise mitigating measures to ensure compliance with the noise regulations</p> | | | | | | | |
| <p>ii. For indoor music and entertainment, the exterior doors of the establishment shall remain closed when not being used for ingress/egress and self-closing mechanisms shall be installed on all exterior doors</p> | | | | | | | |
| <p>iii. For indoor music and entertainment, the establishment's windows shall remain closed when music/entertainment activities are taking place</p> | | | | | | | |
| <p>iv. The use is in compliance with all applicable requirements of the Pleasanton Municipal Code and all other applicable laws, particularly pertaining to noise, public disturbance, littering, and parking</p> | | | | | | | |
| <p>6. Special downtown accessory entertainment uses, as defined in Chapter 18.08 of this title, and the use does not comply with the hour restrictions for the use to be a permitted use. Temporary special downtown accessory entertainment uses shall be subject to the requirements of Section 18.116.060 of this title</p> | | | | TC | | | |
| <p>7. Special downtown accessory entertainment uses, as defined in Chapter 18.08 of this title, and the use does not comply with the hour restrictions and/or conditions required for the use to be a</p> | | | | C | | | |

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

| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
|---|--------|---------|----|----|----|----|----|
| 1. Medium electricity generator facilities that meet the applicable standards of Section 18.124.290 of this title | C | C | C | C | C | C | C |
| 2. Medium fuel cell facilities that meet the applicable standards of Section 18.124.290 of this title | C | C | C | C | C | C | C |
| Adult entertainment establishments (see Chapter 18.114 of this title) | P | P | | P | P | | |
| Ambulance services | | | | C | P | | |
| Amusement parks | | | | | C | | |
| Antique stores, no firearm sales | | | | P | | | |
| Antique stores with sales of antique firearms | | | | C | | | |
| Appliance sales and repair, provided repair services shall be incidental to retail sales | P | P | | P | P | | |
| Art galleries and artists' supply stores | P | P | P | P | | | |
| Auction rooms | | | | C | C | C | |
| Automobile racing stadiums and drag strips | | | | | C | | |
| Automobile rental, sales and/or leasing; no service | P | | | P | C | C | P |
| Automobile repairing, overhauling and painting | | C | | | C | | P |
| Automobile sales and service including new and used car sales | | P | | | C | C | P |
| Automobile supply stores, no service or shop work | P | P | C | P | P | | P |
| Automobile upholstery and top shops | | | | | | C | P |
| Barbershops and beauty shops | P | P | P | P | | | |
| Bars and brew pubs, as defined in Chapter 18.08 of this title | C | C | | C | | C | |
| Basement storage, as defined in Section 18.08.057, that meet all of the following criteria: | | | | P | | | |
| | | | | | | | |

| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
|--|--------|---------|----|----|----|----|----|
| 1. Basement storage shall be limited to the central commercial (C-C) zoning district within the downtown specific plan area and limited to commercial buildings only | | | | | | | |
| 2. Basement storage shall be limited to nontoxic, nonhazardous materials only. It is the responsibility of the storage space operator to prepare a list of prohibited storage items, to have the list approved by the Livermore-Pleasanton fire department, and to require all storage space users to agree in writing that no items on the list or other hazardous materials will be stored. The storage space shall be used for storage only and no other activities and/or uses are allowed | | | | | | | |
| 3. Prior to allowing basement storage, the building owner shall contact the building and safety division and fire department to ensure that the basement meets applicable building and fire codes. If required, the building owner and/or responsible party shall secure all applicable permits and/or make any required changes to the basement space to ensure the space meets current code standards for fire, safety, and accessibility | | | | | | | |
| 4. The hours of access for basement storage use shall be: Monday through Friday from 6:00 a.m. to 10:00 p.m. and Saturday and Sunday from 10:00 a.m. to 6:00 p.m. only | | | | | | | |
| 5. One parking space per on-site storage employee and one parking space for storage customers. This parking requirement is in addition to the parking required for other uses on-site | | | | | | | |
| 6. Prior to allowing and/or renting space for basement storage, the property owner and/or responsible party shall submit a zoning certificate application and secure a business license. The zoning certificate application shall be accompanied by a narrative that describes the type of storage proposed, where parking will be allowed, and the use(s) of the building and shall include a site plan and basement storage floor plan that clearly defines, but is not limited to, the following: | | | | | | | |
| a. The defined area(s) and square-footage in which storage will take place | | | | | | | |

| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
|---|--------|---------|----|----|----|----|----|
| b. How the individual storage areas will be delineated (e.g., cages, walls, etc.) | | | | | | | |
| c. Access and ADA accessibility | | | | | | | |
| Beauty shops including massage services of four or more massage technicians at any one time. Massage establishments within a beauty shop shall meet the requirements of Chapter 6.24 | C | C | C | C | | | |
| Beauty shops or beauty shops including massage services of three or fewer massage technicians at any one time. Massage establishments within a beauty shop shall meet the requirements of Chapter 6.24 | P | P | P | P | | | |
| Bed and breakfast inns | | | | C | | | |
| Beekeeping meeting the requirements of Chapter 18.103 of this title for detached, single-family homes located in the Downtown Specific Plan Area | | | | P | P | | |
| Bicycle shops | P | P | P | P | P | | |
| Birthing center | | | | C | | | |
| Blacksmiths' shops, not less than 300 feet from an R or O district | | | | C | C | | |
| Boat sales, service and repair | | | | | C | C | P |
| Boat sales, no service or repair | P | | | | P | | |
| Bookbinding | | | | | C | C | |
| Bookstores and rental libraries | P | P | P | P | | | |
| Bottling works | | | | | C | | |
| Bowling alleys | P | C | | C | C | | |

| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
|--|--------|---------|----|----|----|----|----|
| Building materials sales | | C | | | C | | |
| Bus depots, provided buses shall not be stored on-site and no repair work shall be conducted on-site | | P | | P | P | P | |
| Candy stores | P | P | P | P | | | |

| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
|---|--------|---------|----|----|----|----|----|
| Carpet, drapery and floor-covering stores | P | P | C | P | P | | |
| Carpet and rug cleaning and dyeing | | | | | C | | |
| Catalog stores, no firearm sales | P | P | | P | | | |

CC

| | | | | | | | |
|--|---|----|----|----|----|----|----|
| Catalog stores with firearm sales | C | C | | C | C | | |
| Catering establishments | P | P | P | P | P | | |
| Charitable institutions and operations, including, but not limited to, lodging houses or dormitories providing temporary quarters for transient persons, organizations devoted to collecting or salvaging new or used materials, or organizations devoted principally to distributing food, clothing and other similar charitable operations | | | | C | C | | |
| Childcare centers provided that state-mandated outdoor play areas face new or existing landscaping sufficient to buffer the play area from view, are separated from customer parking areas by a heavy wood fence or comparable barrier, are isolated from loading docks and associated delivery truck circulation areas, and contain landscaping for outdoor children's activities | C | C | C | | | | |
| Christmas tree sales lots | P | TC | TC | TC | TC | TC | TC |
| Churches, parsonages, parish houses, monasteries, convents and other religious institutions | | | | C | | | |
| Circuses, carnivals and other transient amusement enterprises | P | TC | TC | TC | TC | TC | TC |
| Clothing and costume rental establishment | P | P | P | P | | | |
| Clothing, shoe and accessory stores | P | P | P | P | | | |
| Columbariums and crematories, not less than 300 feet from an R district | | | | | C | | |
| Commercial radio and television aerials, antennas, and transmission towers with design review approval specified under Chapter 18.20 of this title, having a minimum distance of 300 feet from the property lines of all of the following: | P | | | P | P | | |
| 1. Existing or approved residences or agricultural zoning districts or in planned unit developments with a residential or agricultural zoning designation | | | | | | | |
| 2. Undeveloped residential or agricultural zoning districts or undeveloped planned unit developments with a residential or agricultural zoning designation and without an approved development plan, unless designated as a public and institutional land use in the general plan | | | | | | | |
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|--|--|--|--|--|--|--|--|
| 3. Existing or approved public schools, private schools, and childcare centers, not including schools which only provide tutorial services | | | | | | | |
| 4. Neighborhood parks, community parks, or regional parks, as designated in the general plan | | | | | | | |

| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
|--|--------|---------|----|----|----|----|----|
| 5. Existing or approved senior care/assisted living facilities, including nursing homes | | | | | | | |
| All commercial radio and television aerials, antennas, and transmission towers shall be located so as to minimize their visibility and, unless determined by the zoning administrator to be significantly hidden from view, designed to ensure that they will not appear as an aerial, antenna, and/or transmission tower. All such facilities determined by the zoning administrator to be visible from residential land uses, the I-580 and/or I-680 rights-of-way, or other sensitive land uses such as parks, schools, or major streets, shall incorporate appropriate stealth techniques to camouflage, disguise, and/or blend them into the surrounding environment, and shall be in scale and architecturally integrated with their surroundings in such a manner as to be visually unobtrusive. All applications for commercial radio and/or television aerials, antennas, and transmission towers shall include engineering analyses completed to the satisfaction of the zoning administrator. Said analyses shall be peer-reviewed by an outside consultant | | | | | | | |
| If mounted on structures or on architectural details of a building, these facilities shall be treated to match the existing architectural features and colors found on the building's architecture through design, color, texture, or other measures deemed to be necessary by the zoning administrator | | | | | | | |
| Roof-mounted aerials and antennas shall be located in an area of the roof where the visual impact is minimized. Roof-mounted and ground-mounted aerials, antennas, and transmission towers shall not be allowed in the direct sightline (s) or sensitive view corridors, or where they would adversely affect scenic vistas, unless the facilities incorporate the appropriate, creative | | | | | | | |

| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
|--|--------|---------|----|----|----|----|----|
| techniques to camouflage, disguise, and/or blend them into the surrounding environment, as determined to be necessary by the zoning administrator | | | | | | | |
| All commercial radio and television aerials, antennas, and transmission towers shall conform to the applicable requirements of Cal-OSHA and/or the FCC before commencement of, and during operation. Evidence of conformance shall be provided to the zoning administrator before final inspection of the facility by the chief building official | | | | | | | |
| If the zoning administrator finds that an approved aerial, antenna, or transmission tower is not in compliance with this title, that conditions have not been fulfilled, or that there is a compelling public safety and welfare necessity, the zoning administrator shall notify the owner/operator of the aerial/antenna/transmission tower in writing of the concern, and state the actions necessary to cure. After 30 days from the date of notification, if compliance with this title is not achieved, the conditions of approval have not been fulfilled, or there is still a compelling public safety and welfare necessity, the zoning administrator shall refer the use to the planning commission for review. Such reviews shall occur at a noticed public hearing where the owner/operator of the aerial/antenna/transmission tower may present relevant evidence. If, upon such review, the planning commission finds that any of the above have occurred, the planning commission may modify or revoke all approvals and/or permits | | | | | | | |
| Copying and related duplicating services and printing/publishing services using only computers, copy machines, etc., not including lithographing, engraving, or such similar reproduction services | P | P | P | P | P | | |
| Dairy products plants | | | | | C | | |
| Dairy products manufacturing for retail sale on-premises only | P | | | C | P | | |
| Dance halls (where no liquor is served) | P | C | | C | | | |
| Delicatessen stores | P | P | P | P | | | |

| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
|---|--------|---------|----|------|----|----|----|
| Department stores | P | P | | P | | | |
| Department stores tire, battery and accessory shops | P | P | | | | | |
| Diaper supply services | | | | | P | | |
| Drive-in theaters | | | | | C | | |
| Drugstores and prescription pharmacies | P | P | P | P | | | |
| Dry goods stores | P | P | P | P | | | |
| Electrical equipment repair and electricians' shops | | | | | C | | |
| Feed and fuel stores | | | | | C | | |
| Financial institutions, including banks, savings and loan offices, finance companies, credit unions and related services | P | P | P | P*** | P | | |
| *** Conditionally permitted use if the subject location: | | | | | | | |
| 1. Is zoned Central-Commercial (C-C) or is zoned planned unit development (PUD) that references uses of the C-C district; AND | | | | | | | |
| 2. Is located within the Downtown Revitalization District; AND | | | | | | | |
| 3. Has ground floor frontage on Main Street | | | | | | | |
| Financial institutions that propose to locate on properties that do not meet all three of the above parameters shall be permitted uses and shall not be subject to the following additional considerations: | | | | | | | |
| When reviewing an application for a conditional use permit for a financial institution that meets the above three parameters, the planning commission shall discourage more than one financial institution within any block of Main Street (including both sides of the street as defined by address, e.g., 100 block, 200 block, etc.) and encourage retail businesses on corners that add to the vitality and pedestrian interest in downtown | | | | | | | |
| Existing financial institutions may remain as nonconforming uses. Notwithstanding Chapter 18.120 of this code, if an existing financial institution has been abandoned, discontinued, or changed to a conforming use for a continuous period of 180 days or more, the nonconforming use shall not be reestablished without securing a conditional use permit. Abandonment or discontinuance shall include cessation of a use regardless of intent to resume the use | | | | | | | |
| Firearm sales | C | C | | C | | | |
| Firearm sales in which no more than 10 firearms are stored on-site at any one time and the majority of firearms are sold through catalogs, mail order, or at trade shows | C | C | | C | C | | |
| Florists | P | P | P | P | | | |
| Food lockers | P | | | C | P | | |
| Food market including supermarkets, convenience markets and specialty stores | P | P | C | C | | | |
| Freight forwarding terminals | | | | | C | | |
| | C | C | C | C | C | C | C |

| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
|--|--------|---------|----|----|----|----|----|
| Full-service, self-service and quick-service stations not less than 60 feet from residentially planned or zoned property, provided all operations except the sale of gasoline and oil shall be conducted within a building enclosed on at least three sides, and provided that the minimum site area shall be 20,000 square feet. Direct sales to the public shall be limited to petroleum products, automotive accessories, tobacco, soft drinks, candy and gum | | | | | | | |
| With truck and trailer rental | | | | | C | C | |
| With a convenience market, excluding the sale of alcoholic beverages | | | | | C | C | |
| With a drive-through car wash | | C | | | C | C | |
| Full service car wash | | C | | | C | C | |
| Furniture stores | P | P | | P | P | P | |
| Furniture upholstery shops | | | | | C | C | |
| Game arcades as defined by Section 18.08.207 of this title | C | C | C | C | | | |
| Garden centers, including plant nurseries | P | C | | | C | C | |
| Gift shops | P | P | P | P | | | |
| Glass replacement and repair shops | | | | | C | P | |
| Guards' living quarters | | | | | C | | |
| Gunsmiths | P | P | | P | P | | |
| Gymnasiums and health clubs | P | C | C | C | P | | |
| Gymnasiums and health clubs including massage services of four or more massage technicians at any one time. Massage establishments within gymnasiums and health clubs shall meet the requirements of Chapter 6.24 | C | C | C | C | C | | |
| Gymnasiums and health clubs including massage services of three or fewer massage technicians at any one time. Massage establishments within gymnasiums and health clubs shall meet the requirements of Chapter 6.24 | P | C | C | C | P | | |
| Hardware stores | P | P | P | P | P | | |
| Heating and air conditioning shops | | | | | C | | |
| Hobby shops | P | P | P | P | | | |
| Homeless shelters shall be conditionally permitted in CS except that within the SF service | | | | | C | | |

| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
|--|--------|---------|----|-------|-------|----|----|
| facilities overlay district homeless shelters that meet the requirements set forth in Chapter 18.82 shall be a permitted use | | | | | | | |
| Hospital equipment, sales and rental | P | P | | C | P | | |
| Hotels and motels | | C | | P | | P | |
| Household repair shops | | | | | C | | |
| Ice cream sales | P | P | P | P | | | |
| Ice vending stations | | C | C | C | C | C | |
| Interior decorating shops | P | P | P | P | | | |
| Janitorial services and supplies | P | | | C | P | | |
| Jewelry stores | P | P | P | P | | | |
| Kennels, and other boarding facilities for small animals not less than 300 feet from an R or O district | | | | | C | | |
| Laboratories | | P | | P | P | | |
| Laundries and dry cleaners where service is provided | P | P | P | P | P | | |
| Laundries, self-service | | P | P | P | | | |
| Laundry plants | | | | C | | | |
| Leather goods and luggage stores | P | P | P | P | | | |
| Linen supply services | | | | | P | | |
| Liquor stores | P | P | C | C | | | |
| Locksmiths | P | P | P | P | | | |
| Lumberyards, not including planing mills or sawmills not less than 300 feet from an R or O district | | | | | C | | |
| Machinery sales | | | | | P | | |
| Massage establishments where four or more massage technicians provide massage services at any one time. Massage establishments shall meet the requirements of Chapter 6.24 | C | C | | C | | | |
| Massage establishments where three or fewer massage technicians provide massage services at any one time. Massage establishments shall meet the requirements of Chapter 6.24 | P | P | | P | | | |
| Medical and orthopedic appliance stores | P | P | | P | | | |
| Meeting halls | P | C | | C | C | C | |
| Microbrewery | P**** | P**** | | P**** | P**** | | |
| **** Permitted use subject to the following conditions: | | | | | | | |
| 1. The zoning administrator finds that adequate parking is available for said use | | | | | | | |

| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
|---|--------|---------|----|----|----|----|----|
| 2. If the zoning administrator determines that the use will be or is creating odor problems, an odor abatement device determined to be appropriate by the zoning administrator shall be installed within the exhaust ventilation system to mitigate brewery odors | | | | | | | |
| 3. The applicant is in compliance with all applicable requirements of Chapter 9.04 of this code | | | | | | | |
| 4. If operation of the use results in conflicts pertaining to parking, noise, odors, traffic, or other factors, the zoning administrator may modify or add conditions to mitigate such impacts, or may revoke the zoning certificate for the use | | | | | | | |
| Miniature golf | P | C | | | | | |
| Mortuaries | | | | C | P | | |
| Motorcycle sales, no service or repair | P | | | P | | | P |
| Motorcycle sales and service | | | | | C | C | C |
| Music stores | P | P | P | P | | | |
| Music and dance facilities which cannot meet the criteria for music and dance facilities as written in the use category below | P | C | C | C | C | C | |
| Music and dance facilities with no more than 20 students in the facility at any one time are permitted uses subject to the following conditions: | P | P | P | P | P | P | |
| 1. The facility shall adhere to all occupancy, ADA, California Building Code, and exiting requirements | | | | | | | |
| 2. The zoning administrator finds that adequate parking is available for the said use | | | | | | | |
| The standard city noise ordinance applies | | | | | | | |
| Newsstands | P | P | P | P | P | | |
| Office buildings | | P | C | P | | | |
| Office supply and business machines stores | P | P | P | P | | | |
| Offices, including, but not limited to, business, professional and administrative offices | P | P | P | P | | | |
| Outdoor art and craft shows | | TC | TC | TC | | | |
| Paint, glass and wallpaper shops | P | P | | P | P | | |
| Parcel delivery services including garage facilities for trucks, and repair shops facilities | | | | | C | | |
| Parking facilities, including required off-street parking facilities located on a site separated from the uses which the facilities serve and fee parking in accordance with the standards and requirements of Chapter 18.88 of this title | | | | C | | | |
| Pest control shops | | | | C | P | | |
| Pet and bird stores | P | P | P | P | P | | |
| Photographic studios | P | P | P | P | | | |
| Photographic supply stores | P | P | P | P | P | | |
| Picture framing shops | P | P | P | P | | | |
| Plant shops | P | P | P | P | | | |
| Plumbing, heating and ventilating equipment showrooms with storage of floor samples only | P | P | | P | P | | |

| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
|---|--------|---------|----|----|----|----|----|
| Plumbing shops | | | | | P | | |
| Pool halls | P | C | | C | | | |
| Post offices | P | P | C | P | | | |
| Prefabricated structure sales | | | | | C | | |
| Printing, including also lithographing and engraving and other reproduction services | | | | C | P | | |
| Private clubs and lodges | | | | C | C | | |
| Private museums | | | | C | C | | |
| Public utility and public service facilities including pumping stations, power transmission stations, power distribution stations, equipment buildings, service yards, drainageways and structures, water reservoirs, percolation basins, well fields, and storage tanks. These facilities must be found by the planning commission to be necessary for the public health, safety, or welfare | | C | C | C | C | C | |
| "Radioactive materials uses" as defined in Section 18.08.445 of this title | | | | | C | | |
| Radio and television broadcasting studios | | P | P | C | P | P | |
| Record and recording and sound equipment stores | P | P | C | P | | | |
| Recreation and sport facilities, indoor, which cannot meet the recreation and sport facility criteria as written in the use category below | C | C | C | C | C | C | |
| Recreation and sport facilities, indoor, with more than 20 students in the facility at any one time, or recreation and sports facilities, indoor, including massage services of four or more massage technicians at any one time. Massage establishments within recreation and sports facilities shall meet the requirements of Chapter 6.24 | C | C | C | C | C | C | |
| Recreation and sport facilities, indoor, with no more than 20 students in the facility at any one time, and with no massage services or with massage services of three or fewer massage technicians at any one time. Massage establishments within recreation and sports facilities shall meet the requirements of Chapter 6.24 | P | P | P | P | P | P | |
| 1. The facility shall adhere to all occupancy, ADA, California Building Code, and exiting requirements | | | | | | | |
| 2. The zoning administrator finds that adequate parking is available for the said use | | | | | | | |
| The standard city noise ordinance applies | | | | | | | |
| Recreation and sports facilities, outdoor, including racetracks, golf driving ranges, skateboard parks, riding stables, etc. | | | | | C | | |
| Recycling collection facilities, small | C | C | C | C | C | C | |
| Refrigeration equipment sales | | | | | P | | |

| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
|--|--------|---------|----|----|----|----|----|
| Rental yards, including the rental of hand tools, garden tools, power tools, trucks and trailers and other similar equipment | | | | | C | | |
| Residential uses (see subsection B of this section) see also "guards' living quarters," and Chapter 18.108 of this title | | | | P | C | C | |
| Restaurants and soda fountains not including drive-ins or take-out food establishments | P | P | P | P | C | P | |
| Restaurants and soda fountains including drive-ins and take-out food establishments | P | C | C | C | C | C | |
| Saddleries | P | P | | P | P | | |
| Schools and colleges including trade, business, music and art schools, but not including general purpose or nursery schools which cannot meet the criteria for schools and colleges as written in the use category below | P | C | C | C | C | C | |
| Schools and colleges including trade, business, music and art schools, but not including general purpose or nursery schools, with no more than 20 students in the facility at any one time are permitted uses subject to the following conditions: | P | P | P | P | P | P | P |
| 1. The facility shall adhere to all occupancy, ADA, California Building Code, and exiting requirements | | | | | | | |
| 2. The zoning administrator finds that adequate parking is available for the said use | | | | | | | |
| The standard city noise ordinance applies | | | | | | | |
| Scientific instrument shops | P | P | | P | P | | |
| Secondhand stores and pawnshops | | | | C | | | |
| Self-service car wash | | | | C | | | |
| Sheet metal shops | | | | C | | | |
| Shoe repair shops | P | P | P | P | | | |
| Shoe stores | P | P | P | P | | | |
| Shooting galleries, indoor | P | | | C | P | | |
| Shooting galleries, indoor, with firearm sales | C | | | C | C | | |
| Sign painting shops | P | | | C | P | | |
| Skating rinks, indoor | P | P | | | P | C | |
| Specialty stores selling those items normally sold in department stores | P | P | | P | | | |
| Sporting goods stores, no firearm sales | P | P | P | P | | | |
| Sporting goods stores with firearm sales | C | C | | C | | | |
| Sports arenas or stadiums | | | | | C | C | |
| Stamp and coin stores | P | P | P | P | | | |
| Stationery stores | P | P | P | P | | | |

| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
|--|--------|---------|----|----|----|----|----|
| Stone and monument yards | | | | | P | | |
| Storage buildings for household goods | | | | | | P | |
| Storage yards for commercial goods, supplies and equipment including fuel storage, no less than 300 feet from any R or O district | | | | | C | | |
| Supportive housing that provides shelter for six or fewer persons in a dwelling unit, and that meets the standards of Chapter 18.107 | | | | P | | | |
| Swimming pool sales, supplies and/or service | P | | C | C | P | C | |
| Tailor or dressmaking shops | P | P | P | P | | | |
| Taxicab stands | | P | P | P | P | P | P |
| Taxidermists | P | P | | P | P | | |
| Television and radio sales and repair shops | P | P | P | P | P | | |
| Theaters and auditoriums | P | P | C | P | | C | |
| Tire sales and service, not including retreading and recapping or mounting of heavy truck tires | | C | | C | P | | P |
| Tires, batteries and accessories | P | P | | | | | |
| Tobacco stores | P | P | P | P | | | |
| Tool and cutlery sharpening or grinding | | | | C | P | | |
| Toy stores | P | P | P | P | | | |
| Trailers and mobilehome parks in accordance with the regulations prescribed in Chapter 18.108 of this title | | | | | C | C | |
| Transitional housing that provides shelter for six or fewer persons in a dwelling unit, and that meets the standards of Chapter 18.107 | | | | P | | | |
| Truck, trailer and/or RVs, sales and service | | | | | C | C | P |
| Truck scales | | | | | P | C | |
| Trucking terminals, not less than 150 feet from an R or O district | | | | | C | | |
| Tutoring which cannot meet the criteria for tutoring as written in the use category below | C | C | C | C | C | C | |
| Tutoring with no more than 20 students at the facility at any one time are permitted uses subject to the following conditions: | P | P | P | P | P | P | |
| 1. The facility shall adhere to all occupancy, ADA, California Building Code, and exiting requirements | | | | | | | |
| 2. The zoning administrator finds that adequate parking is available for the said use | | | | | | | |
| The standard city noise ordinance applies | | | | | | | |
| Variety stores | P | P | P | P | | | |
| Vending machine sales and service | | | | C | P | | |
| Veterinarians' offices and out-patient clinics, excluding any overnight boarding of animals, and | | | C | | | | |

| | CR*(m) | CR**(p) | CN | CC | CS | CF | CA |
|---|--------|---------|----|----|----|----|----|
| including incidental care such as bathing and trimming, provided that all operations are conducted entirely within a completely enclosed building which complies with specifications for soundproof construction prescribed by the chief building official | | | | | | | |
| Veterinarians' offices, out-patient clinics, and small animal hospitals, including short-term overnight boarding of animals and incidental care such as bathing and trimming, provided that all operations are conducted entirely within a completely enclosed building which complies with specifications for sound-proof construction prescribed by the chief building official | | | | C | P | | |
| Veterinarians' offices and small animal hospitals including operations not conducted within an entirely enclosed building, not less than 300 feet from an R or O district | | | | | C | | |
| Warehouses except for the storage of fuel or flammable liquids | | | | | C | | |
| Watch and clock repair shops | P | P | P | P | | | |
| Waterbed shops including the sale of small incidentals, such as linens, wall hangings, and other similar items | P | P | P | P | | | |
| Wholesale establishments | | | | | C | | |
| Wholesale establishments without stocks | | P | | P | | | |

(Ord. 2113 § 1, 2015; Ord. 2086 § 2, 2014; Ord. 2061 § 2, 2013; Ord. 2055 § 2, 2012; Ord. 2039 § 2, 2012; Ord. 2017 § 2, 2011; Ord. 2000 § 1, 2009; Ord. 1995 § 2, 2009; Ord. 1950 § 2 (Exh. A), 2007; Ord. 1880, 2003; Ord. 1850 § 1, 2002; Ord. 1821 § 1, 2001; Ord. 1810 § 1, 2000; Ord. 1743, 1998; Ord. 1738 § 1, 1998; Ord. 1726 § 1, 1997; Ord. 1725 § 1, 1997; Ord. 1668 § 2, 1995; Ord. 1665 § 2, 1995; Ord. 1604 § 1, 1993; Ord. 1603 § 3, 1993; Ord. 1394 § 1, 1989; Ord. 1390 § 1, 1988; Ord. 1379 § 1, 1988; Ord. 1354 § 4, 1988; Ord. 1346 § 2, 1987; Ord. 1340 § 1, 1987; Ord. 1216 § 1, 1985; Ord. 1071 § 2, 1983; prior code § 2-7.08)

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Preliminary Arborist Report

**6455 Owens Drive
Pleasanton, CA**

PREPARED FOR:
FCGA architecture
301 Hartz Avenue Suite 213
Danville, CA 94526

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

August 18, 2016



Preliminary Arborist Report

6455 Owens Drive
Pleasanton, CA.

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Exhibits

Tree Assessment Plan

Tree Assessment Form

Preliminary Arborist Report

6455 Owens Drive
Pleasanton, CA.

Introduction and Overview

FCGA is planning to redevelop the site at 6455 Owens Drive in Pleasanton, CA. Current site use consists of a portion of a strip mall with a building containing a bank, a parking lot with associated landscaping. HortScience, Inc. was asked to prepare a **Preliminary Arborist Report** for the site as part of the development application to the City of Pleasanton.

This report provides the following information:

1. An evaluation of the health and structural condition of the trees within the proposed project area based on a visual inspection from the ground.
2. An assessment of the development impacts to the trees based on the drawings provided by the client.
3. An appraisal of value of the trees according to the procedures described in the *Guide for Plant Appraisal* (Council of Tree and Landscape Appraisers).
4. Guidelines for tree preservation during the design, construction and maintenance phases of development.

Assessment Methods

Trees were assessed on and August 8, 2016. The assessment included all trees within and adjacent to the site measuring 6" and greater in diameter. The assessment procedure consisted of the following steps:

1. Identifying the tree as to species;
2. Tagging each tree with a numerically coded metal tag and recording its location on a map;
3. Measuring the trunk diameter at a point 54" above grade;
4. Evaluating the health and structural condition using a scale of 1 – 5:
5 - A healthy, vigorous tree, reasonably free of signs and symptoms of disease, with good structure and form typical of the species.
4 - Tree with slight decline in vigor, small amount of twig dieback, minor structural defects that could be corrected.
3 - Tree with moderate vigor, moderate twig and small branch dieback, thinning of crown, poor leaf color, moderate structural defects that might be mitigated with regular care.
2 - Tree in decline, epicormic growth, extensive dieback of medium to large branches, significant structural defects that cannot be abated.
1 - Tree in severe decline, dieback of scaffold branches and/or trunk; most of foliage from epicormics; extensive structural defects that cannot be abated.
0 - Dead
5. Rating the suitability for preservation as "high", "moderate" or "low". Suitability for preservation considers the health, age and structural condition of the tree species, and its potential to remain an asset to the site.

High: Trees with good health and structural stability that have the potential for longevity at the site.

Moderate: Trees with somewhat declining health and/or structural defects than can be abated with treatment. The tree will require more intense management and monitoring, and may have shorter life span than those in 'high' category.

Low: Trees in poor health or with significant structural defects that cannot be mitigated. Tree is expected to continue to decline, regardless of treatment. The species or individual tree may have characteristics that are undesirable for landscapes, and generally are unsuited for use areas.

Descriptions of each tree are found in the **Tree Assessment** and approximate locations are plotted on the **Tree Assessment Map** (see Exhibits).

City of Pleasanton Urban Tree Protection Requirements

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

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

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

Description of Trees

Twelve (12) trees, representing two species, were evaluated (Table 1). The monoculture represented is not ideal for a thriving landscape, however the tree species selection was typical of those found in Tri-Valley landscapes.

Across all species, 50% of trees were in good condition, 20% were in fair condition and 30% were in poor condition. All trees on the site were planted.

**Table 1. Condition ratings and frequency of occurrence of trees
 6455 Owens Drive, Pleasanton, CA.**

| Common Name | Scientific Name | Condition | | | Protected | Total |
|-----------------|-------------------------------|------------|----------|------------|-----------|-----------|
| | | Poor (1-2) | Fair (3) | Good (4-5) | | |
| Italian cypress | <i>Cupressus sempervirens</i> | - | - | 4 | - | 4 |
| Callery pear | <i>Pyrus calleryana</i> | 4 | 1 | 2 | 1 | 8 |
| Total | | 4 | 1 | 6 | 1 | 12 |

Eight Callery pear were present and ranged in size from 9" to 20". Pears #103 and 111 were in good condition with codominant trunks, multiple attachments, typical form and structure and good vigorous growth (Photo 1 and 2). Callery pear #111 was in fair condition with codominant leaders at 10'. The southern side of the canopy was growing into tree #110. Tree #112 also in fair condition with minor dieback in the canopy but typical form and structure. Tree #112 was located off-site and was 7".



Photo 1 (above). – Callery pear #103 was in good health and condition.



Photo 2 (right). – Callery pear #110 was in good health and condition.



Four pears (#106 – 109) were all but dead with very little live foliage (Photo 3). This group of trees ranged in size from 8" to – 10" in diameter. Tree #106 had wounds that had not healed properly. Tree #107 had a weak codominant branch attachment.

Photo 3. Trees #106 and 107 were all but dead (below).

Four Italian cypress trees (#101, 102, 104 and 105) were in good condition. The Italian cypresses were young trees ranging in diameter from six to eight inches. All four trees had good upright form and structure with good vigorous growth. However, trees #101 and 102 had a metal tree-tie embedded in the trunk (Photo 4, next page).

Photo 4 - Shows the embedded tree-tie in tree #101.

Callery pear #110 qualified as *Heritage* trees. Protected status of individual trees is provided in the **Tree Assessment**.

Suitability for Preservation

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



Our goal is to identify trees that have the potential for long-term health, structural stability and longevity. Evaluation of suitability for preservation considers several factors:

- **Tree health**
Healthy, vigorous trees are better able to tolerate impacts such as root injury, demolition of existing structures, changes in soil grade and moisture, and soil compaction than are non-vigorous trees. For instance, tree #106 was all but dead and should be removed regardless of construction plans.
- **Structural integrity**
Trees with significant amounts of wood decay and other structural defects that cannot be corrected are likely to fail. Such trees should not be preserved in areas where damage to people or property is likely.
- **Species response**
There is a wide variation in the response of individual species to construction impacts and changes in the environment. Neither species evaluated is tolerant of construction impacts and site changes or disturbances.
- **Tree age and longevity**
Old trees, while having significant emotional and aesthetic appeal, have limited physiological capacity to adjust to an altered environment. Young trees are better able to generate new tissue and respond to change. Italian cypress trees (#104 and 105) were good young trees that have good longevity.
- **Invasiveness**
Species that spread across a site and displace desired vegetation are not always appropriate for retention. This is particularly true when indigenous species are displaced. The California Invasive Plant Inventory Database (<http://www.cal-ipc.org/paf/>) lists species identified as being invasive. Pleasanton is part of the Central West Floristic Province. Neither of the species found at the site are listed as invasive.

Each tree was rated for suitability for preservation based upon its age, health, structural condition and ability to safely coexist within a development environment. Table 2 provides a summary of suitability ratings. Suitability ratings for individual trees are provided in the **Tree Assessment** (see Exhibits).

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

**Table 2: Tree suitability for preservation
6455 Owens Drive, Pleasanton, CA.**

| | |
|-----------------|--|
| High | These are trees with good health and structural stability that have the potential for longevity at the site. Callery pears #103 and 110 and Italian cypress #104 and 105 had high suitability for preservation. |
| Moderate | Trees in this category have fair health and/or structural defects that may be abated with treatment. These trees require more intense management and monitoring, and may have shorter life-spans than those in the "high" category. Callery pears #112 and 111 and Italian cypress #101 and 102 had moderate suitability for preservation. |
| Low | Trees in this category are in poor health or have significant defects in structure that cannot be abated with treatment. These trees can be expected to decline regardless of management. The species or individual tree may possess either characteristics that are undesirable in landscape settings or be unsuited for use areas. Callery pear #106 – 109 had low suitability for preservation. |

Preliminary Evaluation of Impacts and Recommendations

Appropriate tree retention develops a practical match between the location and intensity of construction activities and the quality and health of trees. The **Tree Assessment** was the reference point for tree health and condition. I referred to the Site Plan created by FCGA Architecture, provided on August 3, 2016 to evaluate the impacts to trees from the proposed development.

The plan proposes to construct a three new buildings one of which will be a restaurant with a drive through window and an associated parking lot. Due to the density of construction, tree preservation will not be possible.

Eleven trees, including Heritage tree #110, will be removed to accomplish the planned construction (Table 3). Callery pear #112, located off-site, should survive the impacts associated with site development.

**Table 3: Proposed action and estimate of value
 6455 Owens Drive, Pleasanton, CA.**

| Tree No. | Species | Trunk Diameter (in.) | Heritage Tree? | Condition 1=poor 5=excel. | Estimate of Value | Proposed Action | Notes |
|-----------------|-----------------|-----------------------------|-----------------------|--|--------------------------|------------------------|--|
| 101 | Italian cypress | 6 | No | 4 | \$600 | Remove | Within development area |
| 102 | Italian cypress | 6 | No | 4 | \$600 | Remove | Within development area |
| 103 | Callery pear | 11 | No | 4 | \$2,200 | Remove | Within development area |
| 104 | Italian cypress | 6 | No | 4 | \$350 | Remove | Within development area |
| 105 | Italian cypress | 6 | No | 4 | \$350 | Remove | Within development area |
| 106 | Callery pear | 9 | No | 1 | \$200 | Remove | Within development area; low suitability |
| 107 | Callery pear | 10 | No | 1 | \$200 | Remove | Within development area; low suitability |
| 108 | Callery pear | 8,7 | No | 1 | \$250 | Remove | Within development area; low suitability |
| 109 | Callery pear | 9 | No | 1 | \$200 | Remove | Within development area; low suitability |
| 110 | Callery pear | 20 | Yes | 4 | \$5,950 | Remove | Within development area |
| 111 | Callery pear | 11 | No | 3 | \$1,300 | Remove | Within development area |
| 112 | Callery pear | 7 | No | 3 | \$550 | Preserve | Off-site |

Trees that are recommended for preservation on site will require appropriate tree protection measures. The **Tree Preservation Guidelines** should be followed to ensure survival of retained trees. All of the trees recommended for preservation are located offsite.

Appraisal of Value

The City of Pleasanton requires the value be established of all trees to be removed. To accomplish this we used the standard methods found in *Guide for Plant Appraisal*, 9th edition (published in 2000 by the International Society of Arboriculture, Champaign IL). In addition, we referred to *Species Classification and Group Assignment* (2004), a publication of the Western Chapter of the International Society of Arboriculture. These two documents outline the methods employed in tree appraisal.

The value of landscape trees is based upon four factors: size, species, condition and location. Size is measured as trunk diameter, normally 54" above grade. A multi-branched tree which has major branches below 54" above the natural grade is measured just below the first major trunk fork.

The species factor considers the adaptability and appropriateness of the plant in the Bay area. The *Species Classification and Group Assignment* lists recommended species ratings and evaluations. Condition reflects the health and structural integrity of the individual, as noted in the *Tree Assessment Form*. Location considers the site, placement and contribution of the tree in its surrounding landscape.

The estimated value of the 11 trees recommended for removal is \$12,200. For Callery pear #112, the estimate of value is \$550.

Preliminary Tree Preservation Guidelines

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

Design recommendations

1. Project plans affecting the trees shall be reviewed by the Consulting Arborist with regard to tree impacts. These include, but are not limited to, demolition plans, site plans, improvement plans, utility and drainage plans, grading plans and landscape and irrigation plans.

Establish the Tree Protection Zone at the project perimeter. The project's security fence shall serve as protective fencing for off-site Callery pear #112.

2. Irrigation systems must be designed so that no trenching severs roots larger than 1" in diameter will occur within the **TREE PROTECTION ZONE**.
3. **Tree Preservation Guidelines** prepared by the Consulting Arborist, which include specifications for tree protection during demolition and construction, should be included on all plans.
4. Any herbicides placed under paving materials must be safe for use around trees and labeled for that use.
5. Do not lime the subsoil within 50' of any tree. Lime is toxic to tree roots.
6. As trees withdraw water from the soil, expansive soils may shrink within the root area. Therefore, foundations, footings and pavements on expansive soils near trees should be designed to withstand differential displacement.

7. Ensure adequate but not excessive water is supplied to trees; in most cases occasional irrigation will be required. Avoid directing runoff toward trees.

Pre-construction treatments and recommendations

1. All tree work shall comply with the Migratory Bird Treaty Act as well as California Fish and Wildlife code 3503 & 3503.5 to not disturb nesting birds. Tree pruning and removal should be scheduled outside of the breeding season to avoid scheduling delays. Breeding bird surveys should be conducted prior to tree work. Qualified biologists should be involved in establishing work buffers for active nests.

Recommendations for tree protection during construction

1. All contractors shall conduct operations in a manner that will prevent damage to the off-site tree to be preserved.
2. Any grading, construction, demolition or other work that is expected to encounter tree roots should be monitored by the Consulting Arborist.
3. Any root pruning required for construction purposes shall receive the prior approval of and be supervised by the Consulting Arborist.
4. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the Consulting Arborist so that appropriate treatments can be applied.
5. Any additional tree pruning needed for clearance during construction must be performed by a Certified Arborist and not by construction personnel.

If you have any questions about my observations or recommendations, please contact me.

HortScience, Inc.



Darya Barar
Certified Arborist WE-6757A



Exhibits

Tree Assessment Map

Tree Assessment



Tree Assessment Plan

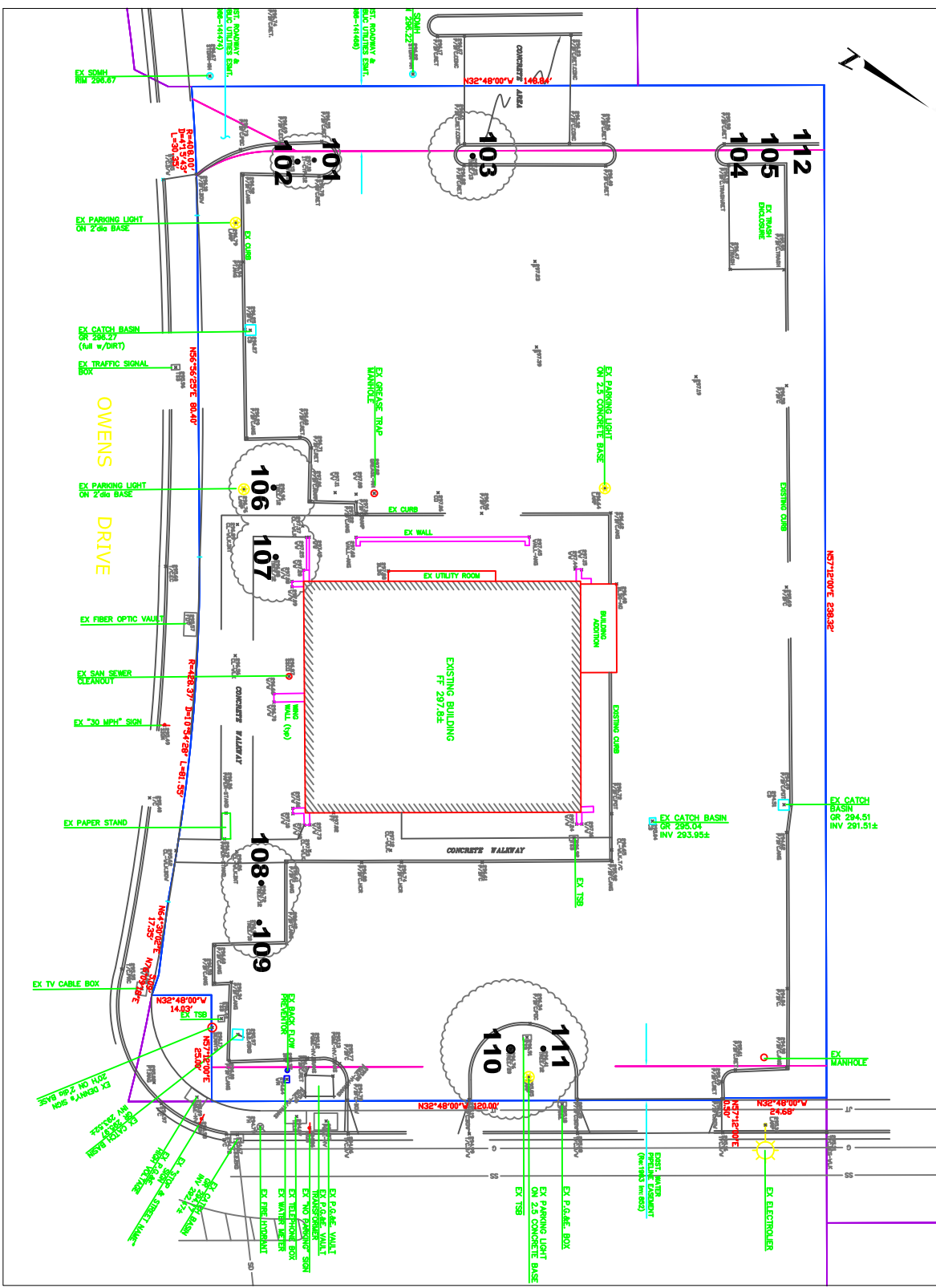
6455 Owens Drive
Pleasanton, CA

Prepared for:
Abbas Mash
Pleasanton, CA

August 2016

No Scale

Notes:
Base map provided by:
Debot Civil Engineering
Danville, CA
Numbered tree locations
are approximate.



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Phone 925.484.0211
Fax 925.484.0596
www.hortscience.com

Tree Assessment

6455 Owens Drive
Pleasanton, CA
August 19, 2016



| Tree No. | Species | Trunk Diameter (in.) | Protected Tree? | Condition 1=poor 5=excellent | Suitability for Preservation | Comments |
|----------|-----------------|----------------------|-----------------|------------------------------------|------------------------------|--|
| 101 | Italian cypress | 8 | No | 4 | Moderate | Trunk girdled at 6'; great upright form and structure; tag on nursery stake at base. |
| 102 | Italian cypress | 8 | No | 4 | Moderate | Trunk girdled at 6'; great upright form and structure; tag on nursery stake at base. |
| 103 | Callery pear | 11 | No | 4 | High | Multiple attachments arise from 6'; history of branch failure; good vigor; typical form and structure. |
| 104 | Italian cypress | 6 | No | 4 | High | Good upright form and structure. |
| 105 | Italian cypress | 6 | No | 4 | High | Good upright form and structure. |
| 106 | Callery pear | 9 | No | 1 | Low | All but dead very little live foliage. |
| 107 | Callery pear | 10 | No | 1 | Low | All but dead; little live foliage. |
| 108 | Callery pear | 8,7 | No | 1 | Low | All but dead; codominant leaders at 2'. |
| 109 | Callery pear | 9 | No | 1 | Low | All but dead; little live foliage. |
| 110 | Callery pear | 20 | Yes | 4 | High | Codominant leaders at 8' and at 10'; typical form and structure. |
| 111 | Callery pear | 11 | No | 3 | Moderate | Codominant leaders at 10'; been canopy growing into tree #110. |
| 112 | Callery pear | 7 | No | 3 | Moderate | Off-site no tag; tree has typical form and structure; twig dieback in the crown. |



October 7, 2015

Via Electronic Mail to amash2000@gmail.com

Abbas Mash
18 Deer Oaks
Pleasanton, CA 94598

Subject: New commercial building on former Denny's site (Case P15-0545, Preliminary Review)

Application for Preliminary Review to demolish an existing building and construct a new approximately 6,363-square-foot multi-tenant commercial building at 6455 Owens Drive.

Dear Mr. Mash:

Thank you for your application for the above referenced preliminary review application submitted on August 21, 2015. After reviewing the plans and other materials submitted with your application, the Planning Division is providing you with the comments below.

1. LAND USE DESIGNATION

The existing General Plan land use designation for the subject property is Retail/Highway/Service Commercial, Business and Professional. The current zoning designation of the subject property is C-F (Freeway Commercial) District.

2. DEVELOPMENT STANDARDS

The property is zoned C-F and is subject to the development standards listed within the Pleasanton Municipal Code (PMC). For your convenience please see the chart on the next page comparing required and proposed development standards.

COMMUNITY DEVELOPMENT

P. O. BOX 520, Pleasanton, CA 94566-0802

| Planning | Building & Safety | Engineering | Traffic | Inspection |
|--|--|--|--|--|
| 200 Old Bernal Ave. (925) 931-5600 Fax: 931-5483 | 200 Old Bernal Ave. (925) 931-5300 Fax: 931-5478 | 200 Old Bernal Ave. (925) 931-5650 Fax: 931-5479 | 200 Old Bernal Ave. (925) 931-5650 Fax: 931-5479 | 157 Main Street (925) 931-5680 Fax: 931-5484 |

| Site Development Standard | City Requirement C-F (Freeway Commercial) District | Proposed Project |
|---|--|---|
| Floor Area Ratio | 40% | 20% |
| Building Height | 40 feet maximum | 30 feet |
| Setbacks | | |
| Front (south) | 20 feet | Not shown, see <i>Planning Comments</i> |
| Side (east) | 20 feet | Not shown, see <i>Planning Comments</i> |
| Side (west) | 20 feet | Not shown, see <i>Planning Comments</i> |
| Rear (north) | 10 feet | Not shown, see <i>Planning Comments</i> |
| <i>Parking – These are typical parking uses. For a complete list of parking requirements please see PMC Chapter 18.88</i> | | |
| Retail | 1 space/300 sq. ft. of gross floor area | Unknown, see <i>Planning Comments</i> |
| Restaurants | 1 space/200 sq. ft. of gross floor area or every 3 seats, whichever is greater | Unknown, see <i>Planning Comments</i> |

3. USES.

The property is currently zoned C-F. The C-F District has a very limited list of permitted and conditionally permitted uses. Please review Pleasanton Municipal Code Section 18.44.090, Permitted and Conditional Uses Table, for all allowable uses. A rezoning to a Planned Unit Development (PUD) or other zoning district would be required to establish a new permitted and conditionally permitted uses list if the existing uses in the C-F District are not sufficient.

4. APPLICATION PROCESS.

There are two potential processes that could be pursued depending on the final proposal to be submitted. If the final submitted proposal meets all of the current C-F District requirements, only a Design Review and Conditional Use Permit application would be required. If the final application is unable to meet all of the C-F District requirements, then a PUD Development Plan and Rezoning would be required. Information about each process is discussed below.

Application that meets all C-F District requirements and uses:

- a. Design Review Application. If the proposed scope of work meets all C-F District requirements, an application for Design Review will be required, which entails review and approval by the Planning Commission. A "Work Session" with the Planning Commission will likely be scheduled prior to the public hearing at which approval will be considered. At this time, the fee to submit for Design Review is \$1,650. An informational pamphlet regarding the Design Review application process is attached to this correspondence.
- b. Conditional Use Permit Application (CUP). In the C-F Zone, restaurants that include a drive-thru require a CUP. At this time, the fee to submit an application for a CUP is \$750. An informational pamphlet regarding the CUP application process is attached to this correspondence.

All Design Review and CUP applications are reviewed, and approved or denied, by the Planning Commission. From the time an application is deemed complete, this process typically takes about six to eight weeks.

Application that does not meet all C-F District requirements and uses:

- a. Planned Unit Development (PUD) Development Plan and Rezoning. If the proposed scope of work does not meet all C-F District requirements, an application for PUD Development Plan and Rezoning will be required, which entails review and recommendation by the Planning Commission and approval by City Council. A "Work Session" with the Planning Commission will likely be scheduled prior to the public hearing at which the Commission will recommend approval or denial of the project. At this time, the fee to submit a PUD Development Plan is \$3,000 and Rezoning is \$2,000. An informational pamphlet regarding the PUD Development Plan application process is attached to this correspondence.

All PUD and Rezoning applications are reviewed by the Planning Commission, which makes a recommendation to the City Council. The City Council then reviews and either approves or denies the applications. From the time an application is deemed complete, this process typically takes about three to six months.

Sign Design Review. Plans submitted with this application show conceptual signage and do not include adequate detail for staff comment. You are encouraged to submit for Sign Design Review in conjunction with your Design Review or PUD submittal. At this time, the fee to submit for Sign Design Review is \$350. An informational brochure regarding the Sign Design Review process is also attached to this correspondence. Please clarify if signage will be a part of the formal proposal or will be deferred until a future date.

5. ITEMS AND REPORTS REQUIRED WITH THE FORMAL SUBMITTAL.

Please note that the proposed project will require several additional items and reports at the time of your formal submittal. These are listed below:

- a. Written Responses – With your formal application, please provide written, itemized responses to the comments in this correspondence.
- b. Stormwater Checklist – Please provide a Stormwater Checklist as it relates to the proposed development.
- c. Climate Action Plan Checklist – Please provide a completed Climate Action Plan (CAP) Checklist that identifies greenhouse gas reduction measures incorporated into the project. Please note that the project will be expected to incorporate these measures (or will include conditions of approval to require them). A blank CAP checklist is included for your use and submittal with a formal application (measures that are not applicable have been marked as “NA” – please incorporate the other measures into your project).
- d. Tree Report - A tree report prepared by a certified arborist acceptable to the City will be required if there are any existing tree with a diameter of six inches or greater or if any trees with a diameter of six inches or greater are proposed to be removed. The report must specify the precise locations, size, and species of the existing trees on the site, including any trees off the property with driplines that overhang into the proposed construction. The report must determine the health and value of the existing trees, the effects of the proposed development on the trees, and recommendations for any special precautions necessary for their preservation. Any trees that are proposed to be removed or pruned must be clearly indicated in the report and on the site plan.

3. CEQA AND ENVIRONMENTAL REVIEW PROCESS.

Preliminary analysis indicates this project would be categorically exempt from environmental review pursuant to the California Environmental Quality Act Guidelines, Section 15303, New Construction, Class 3. Therefore, no environmental document would be required.

4. PROPOSED ARCHITECTURE AND SITE PLAN.

The design of the proposed development is of utmost important because the site will be visible from the intersection of Owens Drive and Hopyard Road, which is a “gateway” location into Pleasanton. The building design will be especially important due to the site’s prominent location, and extra effort will need to be made to design buildings with high quality materials, architecture, and landscaping. One or more color perspective photo simulations and renderings of the site and building will be required with the formal application. Also, please note that all ducts, vents, HVAC units, and any other mechanical equipment, whether on the structure or on the ground, will need to be screened with materials architecturally compatible with the building.

While staff understands that positioning the proposed building along the periphery of the site would screen the drive-through, we believe that an orientation closer to the street would create a better design concept and would provide more visibility from the intersection. Staff

suggests looking an alternative building placement which may include relocating the building along the west property line with the drive through to the west or creating an “L” shaped building along the west and north or south property lines. In addition, the proposed architecture is not reflective of the design character typically seen in Pleasanton and is not likely to achieve the necessary level of community acceptance. We encourage you to meet with City staff to review our concerns about the design in detail.

The following are staff’s initial comments on the proposed building design included with this application.

- a. **Architectural Style, Colors, and Materials.** As mentioned previously, the architectural style reflected in the proposed application does not appear to reflect a sense of place. While it is acceptable to incorporate contemporary design elements, retail projects that have been most successful in Pleasanton are characterized by more traditional architecture that incorporates a color palette featuring subdued, earth tone colors. Instead of using primarily large expanses of stucco (or similar material), please propose multiple and varying exterior materials (such as stone, metal, and wood) and use techniques such as utilizing different materials at the bottom portions of buildings to add architectural interest and to “anchor” the buildings. The revised front elevation sketch provided to staff was an improvement from the original preliminary submittal, but additional refinement is still needed. With your formal application, please provide a materials board that accurately reflects the proposed colors and materials.
- b. **Parking Along Owens Drive.** Parking is not permitted to encroach within front yard setback. Setbacks are not shown on the submitted plan, however, it appears that the current proposal includes parking within this area. To meet C-F District requirements the proposed site plan will need to be modified show all setbacks and to eliminate all parking within the front yard setback.
- c. **Parking Along Johnson Court.** The current proposal includes parking that crosses the property line into Johnson Court. Please remove parking at this location and replace it with a landscape strip to buffer the subject site from the shared driveway. In addition, Johnson Court is currently still considered a public street and therefore does not permit parking to encroach into the 20-foot street side setback. To resolve this issue, future discussions regarding abandoning Johnson Court may be warranted.
- d. **Lighting Details.** With your formal application, please provide lighting details and specifications for both wall-mounted and ground-mounted lighting. Lighting details will be subject to review as part of the design process. Typical requirements entail providing adequate lighting for the project, but lighting will be required to be directed downward and designed or shielded so as to not shine onto neighboring properties or cause glare.
- e. **Details for Patio Area.** A portion of the plan shows an area for outdoor seating in a pedestrian-oriented environment. Staff has concerns with the area adjacent to

parking at the front southeast corner of the building. To address these concerns please provide details of the seating area, potted plants, and other components of this proposed space to illustrate that a safe buffer between the pedestrian-oriented area and parking lot can be achieved. Please make sure the outdoor space is sufficiently large to allow for a usable and enjoyable outdoor space.

- f. **Window Recess.** Please recess windows/glazing elements from the facades, and provide a section drawing with your formal application that shows the recess.
- g. **Roofline Treatment.** Please add details to the roofline, such as a cornice, exposed rafters, corbels, or other decorative features along the roofline.
- h. **Trees within Parking Areas.** Please verify that the landscape planters shown on the site plan are large enough to accommodate trees within the parking lot (a minimum of one tree should be provided for every 4-6 parking spaces). With your formal application, please show these trees on your project plans.
- i. **Landscaping Around Buildings / Between Buildings and Walkways.** Please incorporate landscaping in proximity to building entrances. Please also add areas of landscaping between buildings and walkways.
- j. **Trash Enclosures.** Please provide elevations and identify the materials of the trash enclosures, ensure that the trash enclosures are architecturally compatible with the buildings, and provide landscaping around trash enclosures. Also, please note:
 - i. That each trash enclosure will need to have a roof;
 - ii. That the area for each trash enclosure will need to be connected to the sanitary sewer line;
 - iii. That hot and cold water faucets within each trash enclosure may be required. Please contact the County Health Department regarding these requirements;
 - iv. That each trash enclosure must accommodate both garbage and recycling containers. Please speak with Ms. Debbie Jeffries of Pleasanton Garbage Service at (925) 846-2042 for information on pick-up and bin sizes.

5. FLOOR PLANS, PROPOSED USES, NARRATIVE, AND OPERATIONAL DETAILS.

- a. **Proposed Uses.** Please clarify the uses you expect with the proposal.
- b. **Business Operational Details.** Please provide a narrative with your formal application that outlines potential operational details for the business that may establish within the project. The narrative you provide with a formal application will help to determine whether a CUP will be required and become part of the exhibit for the project (but can be modified between initial submittal and the first public hearing).

Please include in your narrative:

1. hours of operation for the following:

- i. retail sales
 - ii. restaurants
 - iii. drive through uses
 - iv. other proposed uses
 - v. any "employee only" hours
 - vi. truck deliveries (please also include frequency and where goods are delivered)
 - vii. other operational functions
2. anticipated number of employees
 3. where customers drive in, park, and walk to the building
 4. where on the site employees will park

6. OTHER.

- a. **Civil Drawings.** Civil drawings have not been included with the subject Preliminary Review application, and therefore comments in this correspondence are limited. Please provide civil drawings with a formal application, inclusive of a grading plan that shows existing and proposed contour lines and proposed cubic yards of cut and fill, as well as utility plans and proposed hydrants and fire department connections. The Civil Plans should also show all existing easements on site including but not limited to Public Service, access, and parking easements.
- b. **Landscape Plan.** A landscape plan has not been included with the subject Preliminary Review application, and therefore comments in this correspondence regarding landscaping are limited. Please provide a landscape plan with the formal application.
- c. **Photographic Simulation.** Please provide photographic simulations of the project (where the proposed buildings are integrated into photographs taken at and around the site). The simulation should include surrounding buildings and streetscape along Owens Drive for context.
- d. **Details on Plans.** Please add details such as building heights, proposed setbacks to property lines, proposed distances to back of sidewalks, widths of drive aisles dimensions of parking stalls, dimensions of pedestrian paseos and outdoor dining areas, and similar items on architectural, civil, and landscaping plans.
- e. **Property Lines.** Please identify all property lines on all plan sheets including the property line along Owens Drive. Please also use varying line weights or other identifiers to identify sidewalks, landscaping areas, paved areas, etc. to make these features more clear.

7. COMMENTS FROM OTHER DEPARTMENTS.

Comments from other departments, with respective contacts, are summarized below:

- a. Stormwater – Contact: Daniel Sequeira, Senior Civil Engineer at (925) 931-5656

- i. Please fill out a stormwater requirement checklist.
 - ii. The project is a stormwater regulated project and the project applicant is required to provide drawing(s) showing stormwater treatment and trash capture devices for the entire site. Drawings and the calculations for sizing treatment and trash capture are required prior to the project approval.
- b. Building – Contact either Mr. Ray Yamada (925) 931-5308 or Mr. Frank Rainone (925) 931-5304.
 - i. Please show the accessible route from the public right of way to the building entrance.
 - ii. Please show an accessible route to connect with all other accessible buildings on site.
 - iii. Please be aware that more than one accessible parking space (per Table 11B-208.2) will be required. Please revise your plans to meet all accessible code requirements.
- c. Fire – Contact: Mr. Ryan Rucker, (925) 454-2331
 - i. A sprinkler system in accordance with NFPA 13 is required for all proposed buildings.
 - ii. Provide adequate circulation. Please provide a fire truck turning exhibit to verify on-site circulation.
 - iii. Provide a civil drawing with the location of all proposed hydrants, fire department connections and sprinkler risers for conceptual approval.
- d. Traffic – Contact: Mr. Matt Nelson, (925) 931-5671
 - i. A Traffic Analysis Memo is required to address operational issues, stacking and queuing and parking that are not addressed. The applicant will need to provide more detail, if possible, regarding types of use (i.e. coffee shop, restaurant, retail, etc) in order to determine the appropriate level of traffic analysis required for the project. Please submit a \$4,000 deposit and the Traffic Engineering Division will start the process to obtain quotes for the traffic memo. After you provide the deposit for the memo, the consultant will commence work on the traffic memo.
 - ii. There does not appear to be a designated pedestrian walkway or access to the proposed building from the public street. Please provide pedestrian access and circulation from Owens Drive and Johnson Court to the proposed building.
- e. Engineering Division – Contact: Mr. Daniel Sequeira, (925) 931-5656
 - i. Please submit a grading and utility plan prepared by a licensed civil engineer.

- ii. Abandonment of Johnson Court is currently being considered by the City. Please contact the Engineering Division to discuss potential right-of-way abandonment options.

- f. Operations Service Center – Contact: Mr. Leo Lopez, (925) 931-5507
 - i. All restaurants will require a grease interceptor when connecting to the sanitary sewer system.

- g. Permit Center – For estimated building permit and impact fees, please contact Dennis Corbett, the Permit Center Manager at (925) 931-5631.

Since the plans are incomplete, staff may have additional comments when you provide revised plans or a formal application.

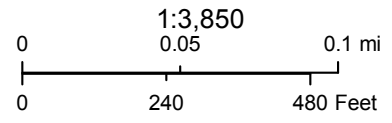
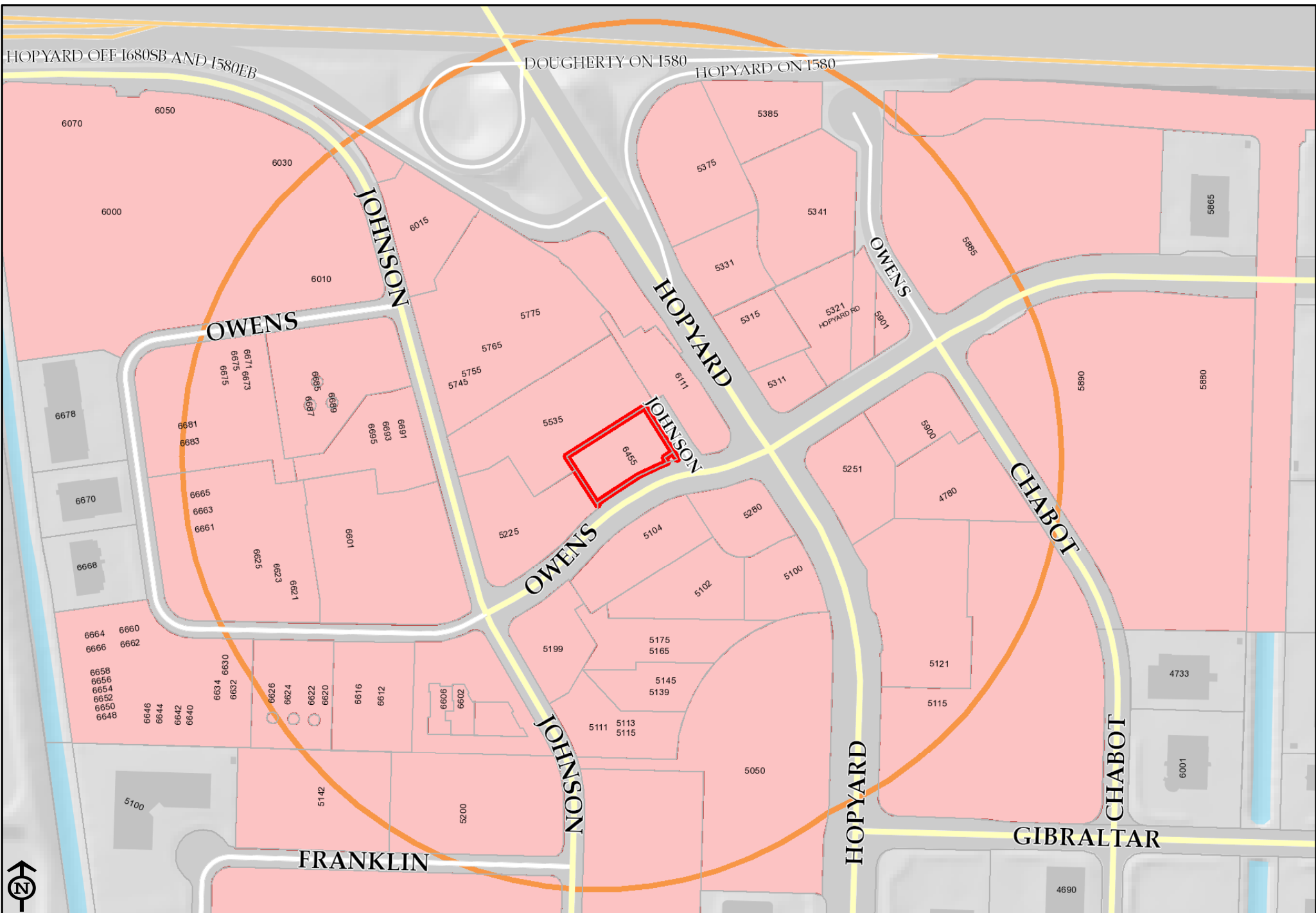
City staff looks forward to working with you on this project. If you have any questions about the aforementioned, I can be reached at (925) 931-5607 or via email at jhagen@cityofpleasantonca.gov.

Sincerely,



Jennifer Hagen
Associate Planner

Enclosures: PMC Table 18.44.090 – Permitted and Conditional Uses
Application for Development Review
Informational Pamphlets - Design Review, Conditional Use Permit, PUD and
Sign Design Review
City Stormwater Checklist
Climate Action Plan Checklist



PUD-121, P16-1347, P16-1439, 6455 Owens Drive, Abbas Mash