

**EXHIBIT A
DRAFT CONDITIONS OF APPROVAL**

**P16-0975
4487 Stoneridge Drive, Dr. James Delano
July 13, 2016**

PROJECT SPECIFIC CONDITIONS OF APPROVAL

Planning Division

1. The proposed business activities and operation approved by this Conditional Use Permit shall conform substantially to the narrative and project plans, Exhibit B, marked "Received June 9, 2016", on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Zoning Administrator if found to be in substantial conformance to the approved exhibits.
2. If additional hours of operation or activities beyond that proposed in the applicant's written narrative, Exhibit B, marked "Received May 18, 2016" and "Received June 9, 2016", on file with the Planning Division, are desired, prior City review and approval is required. The Director of Community Development may approve the modification or refer the matter to the Planning Commission if judged to be substantial.
3. No overnight boarding is allowed.
4. The operation of the veterinary clinic shall comply with Chapter 9.04 of the Pleasanton Municipal Code (Noise Regulations).
5. All veterinary clinic activities shall be conducted within the subject building.
6. The exterior doors of the establishment shall remain closed when not being used for ingress/egress purposes.
7. The establishment's windows shall remain closed during business hours.
8. Veterinary and animal waste shall be disposed of in compliance with the applicable California state and Alameda County health regulations. Non-veterinary/animal waste shall be disposed of in the garbage bins located in the trash enclosure along Santa Rita Road.
9. The applicant (or designated representative of the business) shall daily monitor the area outside the building including the designated relief area, pet waste station locations, and any nearby parking area to minimize odor-related impacts, and take the appropriate action to pick up waste/litter and ensure peace and quiet.

Building and Safety Division

10. The applicant shall purchase the additional sewer capacity required for the project prior to issuance of a building permit.

STANDARD CONDITIONS

Community Development Department

11. The applicant shall pay all fees to which the use may be subject to prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
12. To the extent permitted by law, the project applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

Planning

13. This Conditional Use Permit approval will lapse one (1) year from the effective date of approval unless the proposed veterinary clinic receives a business license.
14. If operation of the veterinary clinic results in conflicts pertaining to parking, interior or exterior noise, traffic circulation, odors, smoke, or other factors verified by City enforcement staff, then notification of Conditional Use Permit and/or noise standard violations verified by the City enforcement staff shall be provided to the Planning Commission by City staff; the Planning Commission may schedule a public hearing to re-review the Conditional Use Permit and at the public hearing the Planning Commission may revoke or may modify the Conditional Use Permit to require additional measures as necessary to address any issues.
15. This approval does not include approval of any signage. If signs are desired, the applicant shall submit a sign proposal to the City for review and approval prior to sign installation.
16. No changes to the exterior of the building or site shall be made without prior approval from the Planning Division.
17. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday. No construction shall be allowed on State or Federal Holidays or Sundays. The Direction of Community Development may allow

earlier “start times” or later “stop times” for specific construction activities, e.g., concrete pouring. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the house of construction shall be posted on site.

Building and Safety Division

18. Tenant improvement plans shall be submitted to the Building and Safety Division for review and approval prior to operation. The applicant shall obtain a building permit prior to commencement of any work. The applicant shall pay any and all fees to which the proposed application may be subject to prior to issuance of building permits. The type and amount of the fees shall be those in effect at the time the building permit is issued.
19. The building permit plan check materials for the proposed tenant improvements will be accepted for submittal only after completion of the 15-day appeal period, measured from the date of approval, unless the applicant submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the approval is overturned on appeal, or that the design and/or operation is significantly changed as a result of the appeal. In no case will a building permit be issued prior to the expiration of the 15-day time-period.

CODE REQUIREMENTS

Applicants/Developers are responsible for complying with all applicable Federal, State, and City codes and regulations regardless of whether or not the requirements are part of this list. The following items are provided for the purpose of highlighting key requirements.

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

END

Jay Lee

From: Bob Keller [REDACTED]
Sent: Tuesday, June 21, 2016 8:22 AM
To: Jay Lee
Subject: Re: PUD-82-18-08M, Linton

You did not make that clear before. As long as no dogs will be spending the night at this location I'm ok with it then. Thank you for clearing that up.

Bob Keller
[REDACTED]
[REDACTED]
[REDACTED]

On Tuesday, June 21, 2016 8:14 AM, Jay Lee <jlee@cityofpleasantonca.gov> wrote:

Hello Mr. Keller,

As I mentioned previously, the veterinary clinic will **not be open at night**. I apologize for not being more clear, but **any dogs that need to stay overnight will be transferred to their location in San Ramon**. I assure you, this veterinary clinic will **not be allowed to house any dogs overnight with this permit**. The applicant is required to comply with the conditions of approval, which will make it clear that no overnight stay is allowed with this permit.

Given this information, please let me know if you are still opposed to allowing a vet clinic at this location. Thank you.

Jay Lee, AICP
Associate Planner
City of Pleasanton
Community Development Department, Planning Division
200 Old Bernal Ave.
Pleasanton, CA 94566
(925) 931-5610

From: Bob Keller [REDACTED]
Sent: Tuesday, June 21, 2016 8:05 AM
To: Jay Lee <jlee@cityofpleasantonca.gov>
Subject: Re: PUD-82-18-08M, Linton

Mr. Lee,
My concerns regarding barking dogs is from past experience. I was raised with my dad having a kennel. Dogs bark at night and they will bark all night when they are in a strange atmosphere such as a vet. clinic. The rear of my house faces toward the location of the clinic and my bedroom is in the rear of the house. I sleep at night with the bedroom windows open and during the night there is not much noise from Santa Rita road traffic. If the wind is from the right direction the noise from the barking dogs will carry toward my house and will be the prevailing noise.
I want to go on record as being against having a vet. clinic in this location.

Thank you,

Bob Keller
[REDACTED]
[REDACTED]
[REDACTED]

On Monday, June 20, 2016 8:18 AM, Jay Lee <jlee@cityofpleasantonca.gov> wrote:

Hello Mr. Keller,

The veterinary clinic will not be open at night. The clinic will close at 6pm Monday through Friday and 1pm on Saturday. The clinic will be closed on Sundays. Also, during the day, the barking of dogs will likely only be audible from the outside for a brief moment when entering and exiting the building. Most of the time, the dogs will be inside the building, and we can impose conditions of approval to make sure that barking will not be audible from the outside. For example, we could require the windows to be closed at all times and require automatically closing doors.

Also, your neighborhood is at least 500 feet away from the building with a busy street (Santa Rita Rd.) and a large property providing a buffer, so the barking will likely not be audible from your neighborhood.

Given this information, please let me know if you still have concerns and if there are any conditions of approval that would help address your concerns. Once again, thank you for your input and participation.

Jay Lee, AICP
Associate Planner
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Community Development Department, Planning Division
200 Old Bernal Ave.
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(925) 931-5610

From: Bob Keller [REDACTED]
Sent: Friday, June 17, 2016 12:47 PM
To: Jay Lee <jlee@cityofpleasantonca.gov>
Subject: Re: PUD-82-18-08M, Linton

Mr. Lee,
Thank you for your information. My concerns would be the noise from barking dogs, especially at night.

Bob Keller
[REDACTED]
[REDACTED]
[REDACTED]

On Friday, June 17, 2016 9:34 AM, Jay Lee <jlee@cityofpleasantonca.gov> wrote:

Hello Mr. Keller,

Thank you for expressing your concerns about having a veterinary clinic at 4487 Stoneridge Drive. What are your specific concerns with having a veterinary clinic close to residential homes? Are your concerns noise-related or is it something else?

Please be aware that the proposed Planned Unit Development Modification is to allow veterinary clinics as a conditionally permitted use, meaning that a Conditional Use Permit (CUP) will be required for veterinary clinics. A CUP requires review and approval from the Planning Commission, so a Planning Commission public hearing will be required, where members of the public can express their concerns. Furthermore, the CUP process will analyze the various impacts a project could have on the surrounding area and requires conditions of approval to mitigate these impacts. Therefore, we could include conditions of approval to help address some of your specific concerns if necessary.

Please let me know what your specific concerns are so that we can look into them for you. Thank you.

Jay Lee, AICP
Associate Planner
City of Pleasanton
Community Development Department, Planning Division
200 Old Bernal Ave.
Pleasanton, CA 94566
(925) 931-5610

From: Bob Keller [REDACTED]
Sent: Wednesday, June 15, 2016 8:22 PM
To: Jay Lee <jlee@cityofpleasantonca.gov>
Subject: PUD-82-18-08M, Linton

Mr. Lee,
My name is Robert Keller, I reside at [REDACTED] Pleasanton.
This is to let you know I'm against having a veterinary clinic at 447 Stoneridge Dr. This location is too close to residential homes in the area.
Thank you

Bob Keller
[REDACTED]
[REDACTED]
[REDACTED]

Click [here](#) to report this email as spam.

Jay Lee

From: [REDACTED]
Sent: Friday, June 24, 2016 10:49 AM
To: Jay Lee
Subject: RE: PUD-82-18-08M , Linton

Thanks Mrs. Lee:

I think if as you stated below, I should have no concern.

Since you are the city planner who we should trust, I'll keep my eyes on the project.

So far, I have no more questions. Thanks for your reply.

Best,
Birow

From: jlee@cityofpleasantonca.gov
To: [REDACTED]
Date: Thu, 23 Jun 2016 09:32:06 -0700
Subject: RE: PUD-82-18-08M , Linton

Hello Mr. Huang,

Just checking in, do you still have concerns given the information I provided in my last email? Thank you.

Jay Lee, AICP
Associate Planner
City of Pleasanton
Community Development Department, Planning Division
200 Old Bernal Ave.
Pleasanton, CA 94566
(925) 931-5610

From: Jay Lee
Sent: Monday, June 20, 2016 11:45 AM
To: [REDACTED]
Subject: RE: PUD-82-18-08M , Linton

Hello Mr. Huang,

The applicant has stated in the application/narrative that any pets needing to stay overnight for examination and recovery will be transferred to their San Ramon location. If this project is approved, there will be a condition of approval limiting the applicant to the operations stated in the application/narrative. There will also be another condition of approval limiting the hours of operation. If the applicant ever wants to provide overnight stay, he will need to get another PUD Modification and a CUP, which will both need to be noticed again. It will be treated as a new/separate project. Therefore, the operations would not be able to expand without going through a totally new planning process (noticing, public hearing, etc.) again. Furthermore, it isn't very likely the Planning Division would even support such a

request as it a veterinary clinic with overnight lodging is not an office use and not very compatible with the existing land uses.

Please let me know if you have any additional questions and if you still have concerns. Thank you.

Jay Lee, AICP

Associate Planner

City of Pleasanton

Community Development Department, Planning Division

200 Old Bernal Ave.

Pleasanton, CA 94566

(925) 931-5610

From: Birow Huang [REDACTED]

Sent: Monday, June 20, 2016 11:35 AM

To: Jay Lee <jlee@cityofpleasantonca.gov>

Subject: RE: PUD-82-18-08M , Linton

Thanks Mr. Lee:

Thank you for the reply.

I have pet and known from my past experience that ALL vet clinic will have overnight boarding since some pets may need to stay overnight for examination and recovery before/after surgery.

On top of that, a good amount of Veterinaries also run pet lodging business, such as "Town and Country Veterinary" down on Santa Rita Rd, Pleasanton. If you walk by the railroad, you will hear dog barking from that place (which is almost same distance from my house to the planning veterinary). Fortunately, Town and Country locates has no residential neighborhood nearby.

On the contrary, this new development will be very near to a residential area, on the Rheem Drive, there are many residential houses. Also, will the city only give license to the vet to have clinical business? Who can guarantee they will not run lodging business in the future? Please clarify.

Overall, the located business area is too close to residential area, any business with loud noise is a concern.

Thank you for your further consideration.

Regards,

Birow

From: jlee@cityofpleasantonca.gov

To: [REDACTED]

Date: Mon, 20 Jun 2016 08:47:47 -0700

Subject: RE: PUD-82-18-08M , Linton

Hello Mr. Huang,

Thank you for your feedback.

I'd like to clarify that the veterinary clinic will not be open at night. The clinic will close at 6pm Monday through Friday and 1pm on Saturday. The clinic will be closed on Sundays. There is no overnight boarding. Also, during the day when the clinic is open, all activity will take place inside the building and barking will likely only be audible from the outside for a brief moment when dogs are entering and exiting the building. Otherwise, the dogs will always be inside the building and we can impose conditions of approval to make sure that barking will not be audible from the outside. For example, we could require the windows to be closed at all times and require automatically closing doors. Also, your property is over 800 feet away from the building with Rheem Drive and several properties providing a buffer, so the barking will likely not be audible from your neighborhood.

I'd also like to clarify that the proposed Planned Unit Development Modification is to allow veterinary clinics as a conditionally permitted use, meaning that a Conditional Use Permit (CUP) will be required for veterinary clinics. A CUP requires review and approval from the Planning Commission, so a Planning Commission public hearing will be required, where members of the public can express their concerns. Furthermore, the CUP process will analyze the various impacts a project could have on the surrounding area and requires conditions of approval to mitigate these impacts. Therefore, we could include conditions of approval to help address some of your specific concerns if necessary.

Given this information, please let me know if you still have concerns and if there are any conditions of approval that would help address your concerns. Once again, thank you for your input and participation.

Jay Lee, AICP

Associate Planner
City of Pleasanton
Community Development Department, Planning Division
200 Old Bernal Ave.
Pleasanton, CA 94566
(925) 931-5610

From: Birow Huang [REDACTED]
Sent: Sunday, June 19, 2016 10:14 PM
To: Jay Lee <jlee@cityofpleasantonca.gov>
Subject: PUD-82-18-08M , Linton
Importance: High

Dear Sir or Madam:

I received the "Notice to Surrounding Property Owners/Residents" of allowing veterinary clinics use within the Santa Rita Office Center located at 4487 Stoneridge Drive.

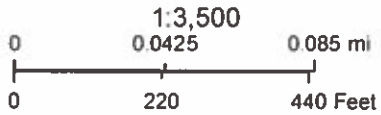
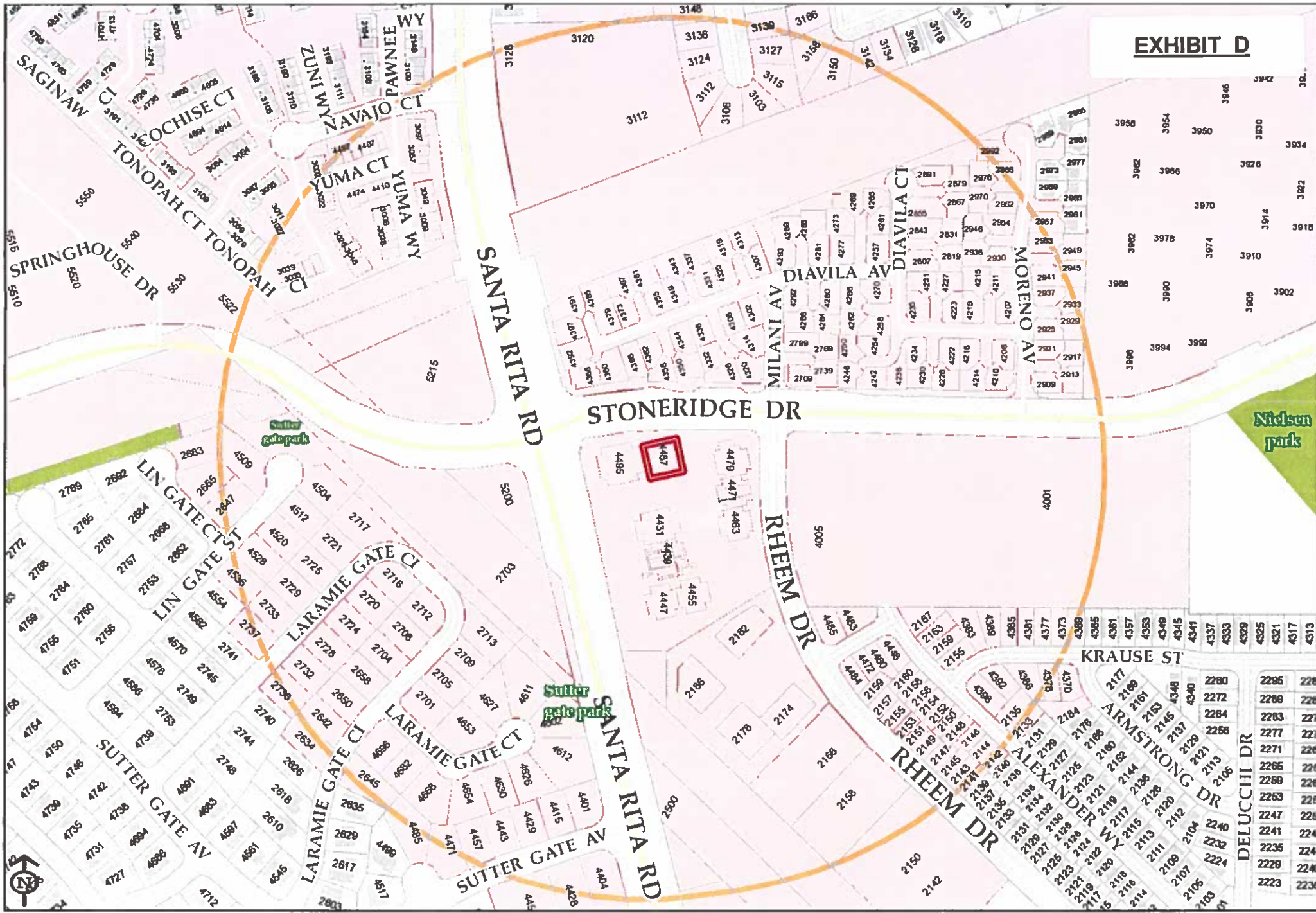
I opposed the modification since the residential area is too close to the proposed veterinary clinics located. The clinics will very much to have "pet hotel" business which will arouse a lot of noise during night time. Please reconsider the proposal.

I live and own the house of [REDACTED]. Please let me know what further action should I take to explain my stand.

I can be reached at [REDACTED]

Thank you very much,
Birow Huang

EXHIBIT D



P16-0975, 4487 Stoneridge Drive, Dr. James Delano

Planning Division
June 27, 2016

