

Exhibit A

PUD-108 Draft Conditions of Approval

Pacific Pearl Staples Ranch Retail Site February 11, 2015

SPECIAL CONDITIONS OF APPROVAL Planning

1. The PUD Development plan shall expire two years from the effective date of this ordinance unless a building permit is issued and construction has commenced and is diligently pursued or as otherwise vested by an approved Development Agreement.

Uses

2. The permitted and conditionally permitted uses shall be as follows:

Permitted Uses

- 1) Administrative and executive offices, including the following, not to exceed 5,000 square feet for the entire shopping center:
 - a. Administrative offices.
 - b. Business consulting service offices.
 - c. Business service offices including employment agencies, accountants, notaries, stenographic, addressing, computing, and related services.
 - d. Design, engineering, and similar professional offices.
 - e. Insurance offices.
 - f. Investment service offices.
 - g. Legal service offices.
 - h. Real estate offices including sales, leasing services, and property management services.
 - i. Travel agencies.
- 2) Antique stores.
- 3) Appliance sales and showrooms with kitchen mock-ups, incidental parts sales, and incidental cooking classes, but no repair services.
- 4) Art galleries such as ceramic, drawing, fabric, glass, metal, oil and watercolor painting, sculpture, photography, and stained glass.
- 5) Artist studios such as drawing, fabric, glass, metal working, oil and watercolor painting, pottery, sculpture, and stained glass with sales in the studio.

- 6) Bakeries including the catering and preparation and consumption of products produced on premises.
- 7) Barbershops and beauty shops.
- 8) Barbershops and beauty shops including massage services of 3 or fewer massage technicians according to Section 18.44.090 of the Pleasanton Municipal Code
- 9) Bicycle shops, with service and shop work on premises but excluding painting.
- 10) Bookstores
- 11) Building material showrooms, shops, and stores with ancillary design services and indoor display and storage only.
- 12) Candy stores including the ancillary on-premises manufacturing of products for catering and retail sale.
- 13) Carpet, drapery and floor covering stores, with design services.
- 14) Catalog stores, no firearm sales.
- 15) Clothing, shoe, and accessory stores including new, pre-owned, and rental, with on-site tailoring and alterations.
- 16) Costume sales and rental with on-site tailoring and alterations.
- 17) Copying and related duplicating, printing, and publishing using only computers, copy machines, etc., not including engraving, lithographing, or similar reproduction services.
- 18) Decorator and design services and shops including showrooms.
- 19) Delicatessen stores, deli shops, delis, and specialty food stores, excluding convenience markets.
- 20) Department stores and specialty stores selling items normally sold individually in department stores.
- 21) Drugstores and prescription pharmacies, no drive-throughs.
- 22) Electronic retail sales such as telephones, personal computers and software, televisions, radios, and stereos. No electronic repair services.
- 23) Financial institutions, including banks, saving and loan offices, financial companies, credit unions, and related services with or without walk-up ATM's.
- 24) Florists and floral supply stores, not including garden centers and nurseries.
- 25) Furniture and home décor stores, selling new products for indoor/outdoor use including linens, wall hangings, and similar items, and ancillary design services.
- 26) Gift shops.
- 27) Grocery store or supermarket which complies with specifications and requirements listed within Condition of Approval #24.
- 28) Hardware stores with indoor display and storage only.
- 29) Hobby shops.

- 30) Hospital equipment, sales and rentals provided that all materials and products are stored indoors.
- 31) Ice cream and frozen yogurt sales, with/without seating, including the manufacturing of products for retail sale and consumption on premises only.
- 32) Interior decorating shops with design services, displays and showrooms.
- 33) Jewelry stores including cleaning and servicing.
- 34) Kitchen supply stores and accessories with ancillary demonstration, classes, and cutlery sharpening.
- 35) Laundries and dry cleaners where service is provided on premises.
- 36) Locksmiths.
- 37) Medical and dental offices and clinics including outpatient services, with massage services according to Section 18.44.090 of the Pleasanton Municipal Code, not to exceed 5,000 square feet for the entire shopping center.
- 38) Music stores.
- 39) Newsstands.
- 40) Office supply stores including furniture shops and ancillary design services.
- 41) Paint, glass and wallpaper shops and ancillary design services.
- 42) Pet and bird stores including food, accessories, equipment, outpatient veterinary services, bathing and grooming services, provided that all operations are conducted entirely within a completely enclosed building which complies with specifications for sound-mitigated construction prescribed by the Chief Building Official.
- 43) Photographic studios.
- 44) Photographic supply stores.
- 45) Picture framing shops.
- 46) Post offices and mail and packaging stores.
- 47) Restaurants, brew pubs, cafes, soda fountains, with seating, and incidental catering services and incidental take-out as part of these uses. Uses with alcoholic beverage service with a complete food service menu are permitted until 11:00 p.m.
- 48) Saddleries, tack shops, and leather shops including on-site manufacture and tailoring of products.
- 49) Scientific equipment shops.
- 50) Shoe repair shops.
- 51) Sporting goods stores, no firearm sales.
- 52) Stamp and coin stores.
- 53) Stationary stores.
- 54) Tailor or dressmaking shops.
- 55) Toy stores.

- 56) Variety stores.
- 57) Watch and clock repair shops.
- 58) Wine shops, tasting rooms for wineries, excluding liquor stores and bars.
- 59) The following uses, not to exceed a total of 5,000 square feet* for the entire shopping center:
 - a. Art schools.
 - b. Martial arts schools.
 - c. Music and dance studios.
 - d. Tutoring centers, excluding daycare/childcare centers.

Each tenant space shall be occupied by no more than 20 students at any one time and are subject to the conditions as listed Section 18.44.090 of the Pleasanton Municipal Code.

*5,000 square-feet for the entire shopping center is inclusive of uses listed in Conditional Uses Category #5.

Conditional Uses/Retail

- 1) Beauty shops including massage services which cannot meet the criteria of a permitted use stated in Section 18.44.090 of the Pleasanton Municipal Code.
- 2) Brew pubs, as defined in Chapter 18.08 of the Pleasanton Municipal Code, with alcoholic beverage service after 11:00 p.m., excluding bars.
- 3) Restaurants and cafes with alcoholic beverage service after 11:00 p.m.
- 4) Veterinarians' offices, outpatient 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-mitigated construction prescribed by the Chief Building Official.
- 5) The following uses with 21 students or more at any one time, not to exceed a total of 5,000 square feet* for the entire shopping center:
 - a. Art schools.
 - b. Gymnasiums and Health Clubs.
 - c. Martial arts schools.
 - d. Music and dance studios.
 - e. Tutoring centers, excluding daycare/childcare centers.

All uses are subject to the conditions listed in Section 18.44.090 of the Pleasanton Municipal Code.

*5,000 square-feet for the entire shopping center is inclusive of uses listed in Permitted Uses Category #59.

3. The project applicant or developer shall effectively screen from view all ducts, meters, emergency power generators, and any other mechanical equipment, whether on the structure or on the ground, with materials architecturally compatible with the main structure. Screening details shall be shown on the plans submitted for issuance of building permits, the adequacy of which shall be determined by the Planning Division. All required screening shall be provided prior to occupancy.
4. Water conservation devices shall be installed in all buildings and landscape areas to the satisfaction of the Community Development Director. The water conservation devices shall be stated on the building plans and the landscape plans submitted with each building permit.
5. Prior approval from the Planning Division is required before any changes are made in site design, building design, grading, etc. In lieu of a PUD Development Plan modification, the Community Development Director may authorize the design review process for minor building additions, site and landscape plan modifications, and/or grading/engineering modifications.
6. All trash and recycling refuse shall be contained completely within the approved trash and recycling enclosures. The materials and colors of the enclosures shall be consistent with plans shown in Exhibit B. The design of the enclosure on all four sides shall be shown on the plans submitted for issuance of building permits. The design and location of the trash and recycling enclosures shall be subject to the approval of the Director of Community Development, the Chief Building Official, and the Fire Chief. Trash and recycling containers shall be stored within the enclosures at all times, except when being unloaded. A recycling container(s) shall be provided within the enclosure. The recycling containers and enclosures shall be designed in a manner consistent with Pleasanton Garbage Service's recycling program in effect at the time of building permit issuance. The recycling containers shall be shown on the plans submitted for the issuance of a building permit.
7. Plans submitted for plan check shall include the design of the proposed shopping cart storage corrals on-site. The storage corrals/screening shall be designed to include brick materials and colors consistent with the design of the center.
8. The project applicant or developer shall attempt to locate the transformers away from the Stoneridge Drive and El Charro Road project frontages and away from the main driveway aisles. Such transformers shall be screened by landscaping. All transformers shall be shown on the plans submitted for issuance of building permits and shall be subject to approval by the Planning Division prior to issuance of building permits.
9. All backflow prevention devices, above ground irrigation controls, and above ground irrigation meters shall be located and screened to minimize their visual impacts. These devices with their proposed screening shall be shown on the landscaping and utility plans submitted with the building permit plans, clearly marked "above ground" or "below ground" on the plans, and shall be subject to the review and approval of the Planning Division prior to their installation. If above-ground, they shall be painted forest green or an equivalent dark-green color. Screens shall consist of berms, walls, or landscaping satisfactorily integrated into the landscape plan. Landscape screens shall include shrubbery designed by species and planting density to establish a complete screen within one year from the date of planting. Weather protection devices such as measures

to protect pipes from freezing shall require approval by the Planning Division prior to use; at no time shall fabric or other material not designed and/or intended for this purpose be wrapped around or otherwise placed on these devices.

10. The location of the emergency vehicle access off El Charro Road is subject to review and approval by Vulcan Materials and is subject to the terms and conditions of a mutually agreeable written license agreement between Vulcan Materials and the property owner. Prior to issuance of building permits, the applicant shall provide evidence of such agreement in conformance with the Pre-Development and Cooperation Agreement. The proposed EVA shall be gated and locked at all times with an approved key box from the Knox Company as specified by the Fire Department for emergency personnel use only. The design of the future EVA shall blend in with the frontage landscaping on El Charro Road and include a reinforced substrate, such as turf-block that is able to support the weight of emergency vehicles. Planting within the reinforced area shall be limited to sod or low groundcover, subject to review and approval by the City.
11. The project developer shall be responsible for its proportionate share of the maintenance of the Staples Ranch Neighborhood Park Detention Basin as specified in the Funding and Improvement Agreement (Staples Ranch Neighborhood Park/ Detention Basin).
12. Conveyance documents for all parcels on the Staples Ranch Site shall include the required disclosures listed below. Each property owner on the Staples Ranch Site shall provide all of its future tenants and any purchaser of any property on the Staples Ranch Site with copies of the required disclosures listed below. The property owner will disclose to all potential tenants and property owners conditions that may not be readily apparent which may occur on or near the Staples Ranch Site:
 - a. The presence of and typical activities and physical characteristics associated with the auto mall planned on the Staples Ranch Site including vehicle servicing, washing, and vacuuming, bright lighting, illuminated freestanding freeway sign, noise, early and late hours of operation, and large truck deliveries.
 - b. The presence of and typical activities and characteristics associated with park uses on the Staples Ranch Site including bright lights, noise, large buildings, large delivery trucks, early and late use hours of park use.
 - c. The presence of typical activities and characteristics associated with retail and/or office uses on the Staples Ranch site including bright lighting, noise, early and later hours of operation, and large delivery trucks.
 - d. The future extension El Charro Road to Stanley Boulevard, as shown in the General Plan.
 - e. The anticipated I-580 freeway widening by Caltrans.
13. Pre-Development & Cooperation Agreement:
 - a. Applicant acknowledges that the City has provided to applicant a copy, and the applicant is aware of the existence of that certain Pre- Development and Cooperation Agreement by and among the City of Livermore, the County of Alameda, the Surplus Property Authority of the County of Alameda, the City of Pleasanton, and CalMat Co., d/b/a Vulcan Materials Company, Western Division ("Vulcan"), dated September 18, 2007 (the "Cooperation Agreement"), and further acknowledges that applicant has reviewed and understands the

provisions of the Cooperation Agreement, including but not limited to the provisions thereof that prohibit the City's issuance of certain permits for applicant's project unless and until the City complies with its obligations under the Cooperation Agreement, and allow Vulcan to join applicant as a real party in interest in any action to enforce the City's obligations under the Cooperation Agreement. Applicant consents to the recordation of the Memorandum of Agreement on title to Applicant's property and shall execute and deliver to City all documents required to evidence the consent to recordation.

- b. Applicant shall provide each potential tenant or purchaser of the project site with the following written disclosure:

This property is located in the vicinity of operating quarries on land designated by the County of Alameda for sand and gravel quarry and related operations, including asphalt and concrete plants, landfill, recycling of construction materials, reclamation and other similar uses (the "Quarry Lands"). The Quarry Lands have been designated by the State of California as containing aggregate and mineral resources of regional significance. Operations and reclamation activities at the Quarry Lands are projected to continue until at least 2030. Quarry operations may result in airborne particulate matter, bright lights, noise and vibration, unattractive visual appearance, and heavy truck traffic. El Charro Road serves as the main access route to the Quarry Lands and is subject to a high volume of heavy truck traffic related to the Quarry Lands.

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

Grantee hereunder acknowledges and agrees that the subject property is located in the vicinity of active and operating quarries and processing facilities. Grantee also acknowledges that quarry operations may result in airborne particulate matter, bright lights, noise and vibration, unattractive visual appearance, and heavy truck traffic on El Charro Road and adjacent streets and roadways within or outside the quarries. Grantee accepts possible inconvenience or discomfort from any of the foregoing and Grantee hereby acknowledges and agrees that no claim of nuisance shall lie based on any of the foregoing. Grantee hereby covenants to include this same paragraph, in its entirety, in any subsequent deed by Grantee of all or any portion of the subject property. Grantee further covenants to include this same paragraph within any lease for all or any portion of the subject property.

Signage

- 14. Site and building signage shall be reviewed under a comprehensive signing program submitted to the Planning Division under a separate application. Plans for the comprehensive sign program for the site/building signs shall include the following:
 - a) The site shall be limited to only one low level project identification sign, to be located adjacent to the Stoneridge Drive driveway entrance with a maximum of four tenant identification panels. If El Charro Road is improved in the future and additional access is granted, one additional monument sign may be permitted along El Charro Road. A project identification sign at the corner of Stoneridge Drive and El Charro Road may be permitted if integrated with the planned gateway entry sign to be approved by the City;

- b) All traffic-directional, way finding and tenant directory signs;
- c) Design details including location, height, length, illumination, colors and materials, and mounting for all signage;
- d) Except for the Major/Market Tenant that may be internally illuminated, all tenant wall signs including tenant logos shall be composed of “halo-lit” letters or “flood-lit” letters illuminated by gooseneck lamps. A logo may be composed of “edge-lit” letters with an opaque face and pushed-through an opaque background;
- e) There shall be no limitation on sign colors or lettering styles;
- f) Except for logos, primary tenant signage shall be Latin/Roman letters and Arabic numerals (to enable public safety response). Other secondary tenant signage should be no more than one-quarter the size of the primary tenant signage (for secondary tenant signage on buildings) or smaller (for additional secondary tenant signage on doors and windows, etc.), and all signage collectively calculated to determine maximum sign square footage allowed for each building / tenant space;
- g) There shall be no exposed electrical raceways or transformers for signs. The project applicant or developer shall design and construct the buildings so that all building signs are flushed-mounted to the building wall surface with hidden electrical raceways and transformers;
- i) A 30-day Grand Opening banner is allowed per tenant;
- j) Temporary signs for a shopping center event or a sidewalk sales event per tenant are allowed on a limited basis per approval through the Temporary Use Permit application process; and,
- k) There shall be no paper window signs, balloons, or other inflatable devices of any type allowed. A window sign program featuring tastefully painted-on lettering in a decorative pattern will be considered with the comprehensive sign program.

The comprehensive signing program shall be subject to the review and approval by the Director of Community Development.

Building Design

- 15. All heating, ventilation, and air conditioning (HVAC) equipment, satellite receiving stations, etc., shall be located within the buildings’ roof-equipment wells, and shall project no higher than a horizontal plane defined by the top-edge of the equipment screens/parapet walls unless otherwise approved by the Director of Community Development. All HVAC equipment shall be constructed and operated in such a manner that noise emanating from it will not be perceptible beyond the property plane of the overall project site.
- 16. Any restaurant or café with a fryer or grill that locates in the shopping center shall be required to keep the exterior doors to kitchens closed at all times, and shall be equipped at all times with filtering devices to minimize odors and fumes. Details of said devices shall be shown on the tenant improvement plans submitted for issuance of building

permits and shall be subject to review and approval by the Director of Community Development and Chief Building Official prior to issuance of building permits for the tenant improvements.

17. The buildings with flat roofs shall have white cool roofs which are designed to reflect the heat of the sun away from the building, thus reducing its cooling load.
18. The project shall comply with the current City/Pleasanton Garbage Service recycling and composting programs.
19. Appliances meeting Energy Star standards shall be installed as part of the project. The proposed appliances shall be indicated on the plans submitted to the Building and Safety Division for the issuance of a building permit.
20. Energy efficient lighting shall be installed for the buildings. The energy efficient lighting shall be shown on the plans submitted for the issuance of a building permit.
21. The buildings shall be constructed to allow for future installation of a Photovoltaic (PV) system. The project/building developer shall comply with the following requirements for making the buildings photovoltaic-ready:
 - a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the buildings' main electrical panels;
 - b. An area shall be provided near the electrical panel for the installation of an "inverter" required to convert the direct current output from the photovoltaic panels to alternating current; and
 - c. Engineer the roof trusses to handle an additional load as determined by a structural engineer, to accommodate the additional weight of a prototypical photovoltaic system beyond that anticipated for roofing.

These measures shall be shown on plans submitted for issuance of a building permit.

22. Water conservation devices shall be installed as part of the project. The water conservation devices shall be stated on the plans submitted for the issuance of a building permit.
23. The outdoor fireplace shall be a gas fireplace. The fireplace location and type shall be indicated on the site plan submitted for issuance of building permits.

Operations

24. All uses shall be subject to the following operating requirements:
 - a) Operating Hours:
The Building E Market is the only use permitted to be open for customers 24 hours per day.
 - b) Outdoor Storage:
There shall be no outdoor storage except for the loading area behind Building E. All storage for the remaining buildings and tenants shall occur entirely within the building.

- c) **Shopping Carts:**
Building E Major/ Market employees shall continuously monitor the development's parking areas to ensure that its shopping carts are stored in the enclosures shown on the plan set.
- d) **Outdoor Sales and Shopping Center Events:**
No more than four shopping center outdoor events and an additional four outdoor events per tenant are permitted per year. All outdoor sales and events shall conform to Code requirements and are required to obtain a Temporary Use Permit from the City prior to commencing. Tenants may not transfer events between each other. No sales or events are permitted in the parking areas or in the area between the buildings and Stoneridge Drive and El Charro Road except for the approved plaza at the corner intersection.
- e) **Outdoor Dining:**
Outdoor dining, with or without alcoholic beverage service with food, may take place for the Major Market and for restaurant, café, bakery, and ice cream and yogurt establishments in the center. At no time shall the sidewalks be obstructed for pedestrians, and a minimum unobstructed clearance of four-feet shall be maintained at all times within the sidewalk area. Outdoor dining shall be reviewed by the Planning Division for conformance with the standards set forth in the Municipal Code through approval of an Outdoor Dining Permit. No outdoor dining is permitted between the buildings and the street areas facing Stoneridge Drive and El Charro Road except for the approved plaza at the corner intersection.
- f) **Truck Deliveries:**
Truck deliveries including loading/off-loading activities shall be as follows:
- Building E Major/Market: No limitation on delivery/loading/unloading hours.
 - Retail/Restaurant Buildings: From 6:00 a.m. to 10:00 p.m.
- All tenants shall notify their vendors and delivery personnel of the approved times.
- g) **Parking lot sweeping and garbage pick-up:** From 6:00 a.m. to 10:00 p.m.
- h) **Pallets and Cardboard:**
Pallets shall be collected and stored in an enclosure designated for the temporary storage of empty pallets located in the service area subject to approval by the Planning Division. Cardboard boxes shall be baled and hauled offsite to a recycling facility.
25. All businesses shall maintain the area surrounding their tenant space in a clean and orderly manner at all times.

Construction Phasing and Management

26. Construction of the overall project may be phased. Parking, driveways, public street access, and other infrastructure requirements to match the building intensity proposed in any phase shall be reviewed and approved by the Planning Division prior to building permit(s) for each project phase or building(s) within each phase.
27. The project applicant or developer shall prepare a Construction Best Management Plan for each construction phase for review and approval by the Planning Division. The Construction Best Management Plan shall be approved before issuance of the building permit and shall include, but is not limited to, the following:
 - a) A construction staging plan shall be designated for all materials, equipment, and vehicles including parking for construction works and personnel.
 - b) A construction truck route shall be designated to keep all construction traffic away from nearby residential streets. Prior to construction, the construction traffic route, construction hours, and contact names and telephone numbers shall be posted on the driveway entrances, throughout the construction site, and in any construction trailer(s).
 - c) Comprehensive traffic control measures shall be implemented, including scheduling of major truck trips and deliveries, to avoid peak travel hours. If necessary, as determined by the Traffic Engineer, proper lane closure procedures such as flagger stations, signage, cones, and other warning devices shall be implemented during construction.
 - d) The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of a permit, and shall include the provision to monitor the street surfaces used for the haul route so that any damage and debris attributable to the haul trucks is identified and corrected at the expense of the project applicant or developer.
 - e) All internal combustion engines on grading or construction equipment used shall be equipped with a muffler equal to or better than that supplied by the vehicle manufacturer. All equipment shall be maintained in good mechanical condition so as to minimize noise and air pollution from faulty engine, drive train, and other components. No muffler or exhaust system shall be equipped with cutout, bypass, or similar device intended to thwart quieting.
 - f) Dust control best management practices, as approved by the City Engineer, shall be followed at all times during grading and construction operations. Such measures may include watering of exposed surfaces twice a day, and more frequent watering when wind speeds exceed 15 mph; covering of stockpiled earth; and covering of trucks hauling dirt if windy conditions prevail. Failure to keep dust under control may result in the stoppage of all work until a modified plan acceptable to the City Engineer is approved and implemented.
 - g) Except for security trailers staffed by licensed security personnel, at no time shall campers, trailers, motor homes, or any other vehicle be used as living or sleeping quarters on the construction site. All such vehicles shall be removed from the site at the end of each workday. Construction trailers shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.

- h) All Urban Storm Water Construction Requirements listed further in these conditions of approval shall be implemented.

Landscape Design

28. The project developer is required to contribute to the cost of designing and constructing of a roadway entry feature near the northeastern corner of the subject site, and thus the corner treatment may change from what is currently shown on the PUD plans once plans are developed and finalized. The feature is intended to be similar (but not necessarily identical) in scope and mass to the feature seen on the City of Livermore side of the Stoneridge Drive/Jack London Boulevard and El Charro Road intersection and is intended to demarcate the northeast entry into Pleasanton. Final design shall be subject to review and approval by the Director of Community Development.
29. The project shall comply with the State of California's Model Water Efficient Landscape Ordinance and shall implement Bay Friendly Basics. A licensed landscape architect shall verify the project's compliance with the ordinance prior to the issuance of a building permit, and prior to final inspection. The verification shall be provided to the Planning Division.
30. Before the buildings and project final, all landscaping shall be installed, reviewed, and approved by the Planning Division.
31. Landscape plans submitted for plan check shall include the following changes:
- a) Remove all Mexican Feather Grass and substitute with a non-invasive species.
 - b) Replace all Live Oak trees along the southern property line with California Pepper tree (*Schinus molle*).
 - c) Replace all roses with plants which are not salt sensitive.
 - d) Along Stoneridge Drive street frontage, replace the Crape Myrtle trees with a second row of London Plane trees, offset from the existing street trees per the Specific Plan Guidelines.

Revised landscape plans shall be subject to review and approval by the Director of Community Development.

32. The project applicant or developer shall protect the existing London Plane trees along the Stoneridge Drive project frontage from construction damage. Prior to issuance of a grading or building permit, the project developer shall install a temporary six foot tall chain-link fence (or other fence type acceptable to the Director of Community Development) outside of the existing tree drip lines, as shown on the plans. The fencing shall remain in place until final landscape inspection by the Community Development Department. Removal of such fencing prior to that time may result in a "stop work order."

Climate Action Plan

33. In accordance with Climate Action Plan Measures NM1-4, NM1-5, and NM1-8, the applicant or responsible party shall provide safe and convenient bicycle parking and bicycle-related improvements. Said improvements may include bicycle storage (wall mounted racks in covered areas for employees, bike lockers/boxes, etc.), work-place provision for showers, or other alternative approved by the Director of Community Development.

34. In accordance with Climate Action Plan Measure TDM1-6, the applicant shall provide at least one electric charging station for plug-in vehicles. Said charging station shall be identified on plans submitted to the Building and Safety Division for permits.
35. In accordance with Climate Action Plan Measure TDM2-10, the project shall provide dedicated parking spaces for carpool, vanpool, alternative-fuel and car-share vehicles.
36. In accordance with Climate Action Plan Measure EC1-1, the project shall meet the LEED "Certified" rating level and incorporate shade trees, light-colored roofing, or energy efficient landscaping lighting. Alternative measures may be proposed and are subject to the review and approval of the Director of Community Development.
37. In accordance with Climate Action Plan Measure EC1-3, the project shall provide parking lot shade trees.
38. In accordance with Climate Action Plan Measure EC4-4, the project shall incorporate solar tubes, skylights, and other daylighting systems within the building design. Said systems shall be identified on plans submitted to the Building and Safety Division for permits.
39. In accordance with Climate Action Plan Measure ER2-3, the project shall incorporate distributed generation (e.g. one of the following: photovoltaic, solar thermal, solar hot water, or solar cooling), and/or provide bloom box or other fuel cell technologies. Said measure(s) shall be identified on plans submitted to the Building and Safety Division for permits.
40. In accordance with Climate Action Plan Measure ER2-5, the project shall include a solar grid to power one or more EV charging stations.
41. In accordance with Climate Action Plan Measure SW2-12, the project shall incorporate adequate space and logistics for handling of recyclable and compostable materials.
42. In accordance with Climate Action Plan Measure WA1-7, the project shall incorporate a water-saving landscape plan that includes xeriscaping and drought-tolerant planting instead of lawns. Plans submitted to the Building and Safety Division for permits shall include a final planting plan that incorporates this measure.
43. In accordance with Climate Action Plan Measure WA3-2, the project shall utilize reclaimed wastewater.
44. In accordance with Climate Action Plan Measure WA-3-4, the project shall incorporate rain harvesting. Acceptable methods to achieve this measure include directing roof leaders into landscaping areas, and using recycled water for irrigation purposes in lieu of potable water.

Stoneridge Drive Specific Plan Amendment/Staples Ranch Project
Mitigation Monitoring and Reporting Plan

45. The subject project shall be implemented as required by the EIR and Mitigation Monitoring and Reporting Plan (MMRP). All mitigation measures of the Stoneridge Drive

Specific Plan Amendment/Staples Ranch EIR are hereby incorporated by reference and shall be implemented as required by the EIR and MMRP. All traffic fees to which the property may be subject to, as set forth in the MMRP, shall be paid prior to issuance of a building permit. If any of the conditions of approval conflict with any applicable EIR mitigation measures, the requirements of EIR mitigation measures apply.

46. Provide adequate light levels for security and retail needs, while minimizing light spillover onto adjacent properties. Parking area light standards shall be limited to 25 feet in height. In accordance with measure VQ-3.1 and VQ-3.3 of the MMRP, all exterior lighting shall be directed downward and all perimeter lighting shall be shielded or utilize equivalent technology to avoid shining on neighboring properties. In addition, all interior lighting shall be turned off during non-operational evening hours, with the exception of lighting needed for security reasons. Energy efficient lamp technologies shall be incorporated wherever feasible (mercury vapor shall be avoided, and incandescent lights shall be avoided unless they are integrated with a control mechanism that limits their operation time). The use of such lighting shall help minimize impacts on reduced visibility of the night sky. Plans submitted to the Building and Safety Division for permits shall demonstrate compliance with this measure to the satisfaction of the Director of Community Development.
47. In accordance with measure AQ-2.1, the applicant shall implement the following mitigation measures during all construction phases to reduce impacts associated with construction dust to the extent feasible, as determined by the City Engineer. These measures shall be incorporated into the construction documents describing procedures and specifications for contractors to follow.
 - a) Water all active construction areas at least twice daily.
 - b) Cover all trucks hauling soil, sand, and other loose materials to or from the Project Area or require all trucks to maintain at least two feet of freeboard.
 - c) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
 - d) Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
 - e) Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
 - f) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
 - g) Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
 - h) Limit traffic speeds on unpaved roads to 15 mph.
 - i) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
 - j) Replant vegetation in distributed areas as quickly as possible.
 - k) Suspend excavation and grading activities to the extent feasible when instantaneous wind gusts exceed 25 mph.
 - l) Limit, to the extent feasible, the number of areas adjacent to residences subject to excavation, grading and other construction activity at any one time.
48. In accordance with measure AQ-3.1, the applicant shall employ measures as described within Operational Air Emissions Plan included as Exhibit B.

49. In accordance with measure BIO-5.1, prior to the beginning of mass grading, between February 15 and August 15, including grading for major infrastructure improvements, an avian nesting survey shall be conducted of all habitat within 350 feet of any grading or earthmoving activity. The survey shall be conducted by a qualified biologist, as determined by the City, and occur no more than 21 days prior to disturbance. If no active nests are found, no further action is required.

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

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

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

50. In accordance with measure HZ-2.1, prior to initiation of any on-site construction activities, the project developer shall contact the Underground Service Alert (USA) whose purpose is to receive planned excavation reports from public and private excavators and to transmit those planned excavation reports to all participating excavation. The USA will contact local utilities and inform them that construction is about to begin in their service area. This notice allows local utilities to mark the areas where their underground facilities are located near the construction site so that they may be avoided during project construction.
51. In accordance with measure HZ-2.1, the project developer shall develop an emergency response plan prior to construction that will include response measures in the event that there is disturbance of any underground utilities. The plan will be subject to review and approval by the Building and Safety Division and/or City Engineer.
52. In accordance with measure HY-1.1, and in accordance with the applicable provisions of the Municipal Regional Permit (MRP)-NPDES Permit, implementation of and compliance with the stormwater quality BMP's are required. However, to ensure that implemented BMPs are effective for reducing potential pollutant loads to a sufficient level of protection, each project developer shall prepare and implement a site-specific Water Quality Management Plan (WQMP) with BMPs targeted to reduce post-construction pollutants listed in Table 3.5-5 of the EIR.

This WQMP shall identify specific stormwater BMPs for reducing potential pollutants in stormwater runoff. BMPs shall be selected to target pollutants listed in Table 3.5-5 of the EIR; selection criteria and documentation shall be incorporated into the WQMP.

A qualified engineer shall prepare and submit, concurrently with the submittal of off-site or on-site improvement plans, (whichever comes first), the WQMP for review and approval by the City Engineer. The WQMP must be approved by a qualified engineer of the City's Engineering Division prior to the beginning of construction activities.

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

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

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

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

53. In accordance with the requirements of measure HY-1.2, an Integrated Pest Management Plan shall be prepared and implemented to minimize the risk of pollutants associated with landscape establishment and maintenance practices in surface water runoff and infiltration to groundwater. All Integrated Pest Management Plan guidelines shall comply with California Department of Pesticide Regulation and Alameda County Agricultural Commissioner rules and regulations in regards to pesticide storage, use, transportation, reporting, and safety. The plan shall encourage minimization and efficiency of chemical and fertilizer use. Because the receiving water has been listed as impaired by diazinon, diazinon use shall be prohibited. Each property owner shall be responsible for implementation of the Integrated Pest Management Plan. The plan must be approved by the City Engineer prior to the beginning of occupancy.
54. In accordance with measure LU-5.2, conveyance documents for all parcels on the Staples Ranch Site shall include the required disclosures, deed riders, and easements listed below. Each property owner shall provide all of its future tenants and any purchaser of any property on the Staples Ranch Site with copies of the required disclosures, deed riders, and easements listed below.

All Staples Ranch Site property owners, other than the property owner of the senior continuing care community site(s), shall either record the deed rider below or Livermore's standard Avigation Easement, a copy of which is attached as Exhibit G of the Cost-Sharing Agreement:

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

55. In accordance with measure LU-5.2, the applicant shall include deed riders/disclosures about the Livermore Municipal Airport consistent with Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353.
56. In accordance with measure NO-1.1, prior to the City's issuing of building permits for the project, the project developer shall submit to the City noise analyses prepared by a qualified acoustical consultant that demonstrate that all structures will meet City interior noise level standards. Commercial and office uses will need to meet the City standard of 45 dBA peak hour Leq that would allow the conduct of normal business activities inside these facilities. Noise reduction features may include, but are not limited to, building siting, upgraded insulation, sound rated windows and doors, sound rated exterior wall assemblies, and acoustical caulking.
57. In accordance with measure NO-3.1, the project developer shall implement construction best management practices, including the following, to reduce construction noise:
 - a) Locate stationary construction equipment as far from adjacent occupied buildings as possible.
 - b) Select routes for movement of construction related vehicles and equipment so that noise sensitive areas, including residences, and outdoor recreation areas, are avoided as much as possible. Include these routes in materials submitted to the City of Pleasanton for approval prior to the issuance of building permits.
 - c) All site improvements and construction activities shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday. In addition, no construction shall be allowed on State and Federal holidays and Sundays. If complaints are received regarding the Saturday construction hours, the Director of Community Development may modify or revoke the Saturday construction hours. The Director of Community Development may allow earlier "start times" for specific construction activities (e.g., concrete foundation/floor pouring), if it can be demonstrated to the satisfaction of the Director of Community Development that the construction and construction traffic noise will not affect nearby residents.
 - d) All construction equipment must meet Department of Motor Vehicle (DMV) noise standards and shall be equipped with muffling devices.
 - e) Prior to construction, the applicant shall post on the site the allowable hours of construction activity.
 - f) The property owner shall designate a noise disturbance coordinator who will be responsible for responding to complaints about noise during construction. The telephone number of the noise disturbance coordinator shall be

- conspicuously posted at the construction site and shall be provided to the Director of Community Development.
- g) Additional best management practices may be required by the Building and Safety Division and/or City Engineer. All additional best management practices shall be reviewed and approved by the Building and Safety Division and/or City Engineer, prior to implementation.
58. In accordance with measure TR-7.1, the project site shall include a minimum of two points of emergency vehicle access consistent with the City of Pleasanton's Circulation Element (Policy 5, Program 5.2). The location and the design of the emergency vehicle access and gate and lock shall be subject to the review and approval of the Fire Marshal, Director of Community Development, and City Engineer.
59. In accordance with measure TR-9.1, the project shall include acceptable on-site bicycle and pedestrian facilities, including access to Stoneridge Drive. The bicycle and pedestrian connections shall be shown on the building permit plan set submitted to the Director of Community Development for review and approval before issuance of the first building permit.
60. In accordance with measure TR-12.1, prior to the issuance of final improvement plans or grading permits, the project developer shall develop and provide a construction access plan to be reviewed and approved by the City Engineer. This plan will include, at a minimum, the following construction traffic management strategies for each phase of development:
- a) Using El Charro Road for construction related access for all phases of development, to the maximum extent feasible, rather than Stoneridge Drive.
 - b) A set of comprehensive traffic control measures, including the scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs and flag persons if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. In addition, the information will include a construction staging plan for any public right of way used of each phase of the proposed project.
 - c) Provisions of parking management and spaces for all construction workers for each phase of construction.
 - d) Notification procedures for adjacent property owners regarding when major deliveries, detours, and lane closures will occur.
 - e) The location of construction staging areas for materials, equipment and vehicles.
 - f) The identification of haul routes for the movement of construction vehicles that would minimize impacts on vehicular traffic, circulation, and safety; and a provision for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul tracks can be identified and corrected by the project developers.
 - g) A process for responding to, and tracking complaints pertaining to construction activity, including identification of an on-site complaint manager.
61. In accordance with measure CR-1, prior to the issuance of a grading permit or building permit for the project, the project developer shall retain the services of a qualified archaeological consultant having expertise in California prehistoric archaeology. The archaeological consultant shall determine if planned development could potentially impact important archaeological resources and shall then design an appropriate archaeological monitoring program. Upon completing the archaeological monitoring program, the archaeological consultant shall submit a written report of findings first and

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

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

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

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

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

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

62. In accordance with measure UT-1, plans submitted to the Building and Safety Division for plan check shall incorporate low-flow irrigation head and/or drip irrigation with electric controllers set to water after 7:00 p.m. and before 10:00 a.m., and property soil preparation for landscaped areas that includes a minimum of two inches of mulch and two inches of organic soil amendment, as recommended by a qualified landscape architect.
63. If it is determined through field inspections and/or monitoring that a site is not in compliance with an EIR mitigation/improvement measure, the responsible party for implementation of the mitigation/improvement measure is the responsible party to bring the mitigation/improvement measure into compliance. The responsible party is listed in the EIR Mitigation Monitoring and Reporting Plan. The City of Pleasanton may require the responsible party to prepare a peer review report by a consultant chosen by the City of Pleasanton to determine compliance and to recommend measures to correct noncompliance. All peer review costs shall be borne by the party responsible for the implementation of the mitigation/improvement measure.

As parcels are sold, new property owner(s) will be responsible for all of their parcel's "Project Developer" mitigation responsibilities as listed in the EIR Mitigation Monitoring and Reporting Plan, including but not limited to: implementing mitigations, monitoring, reporting, bringing mitigation/improvement measures in nonconformance into conformance, and reimbursing the City of Pleasanton for costs borne by the City of Pleasanton to review monitoring reports and conduct other monitoring activities related to their parcel(s).

Prior to the issuance of a building permit, a Mitigation Monitoring fund (or other funding mechanism acceptable to the City of Pleasanton) shall be established by the City of Pleasanton. The applicable Project Developer shall deposit funding into the Mitigation Monitoring fund (or other funding mechanism acceptable to the City of Pleasanton) to cover estimated City of Pleasanton costs to review future monitoring reports, contract with peer review consultants, conduct field inspections, attend meetings, and conduct other monitoring activities related to the Project Developer's mitigation related responsibilities. The initial deposit amount shall be determined by the City Engineer. In the event that the Mitigation Monitoring fund (or other acceptable funding mechanism) does not adequately cover future costs borne by the City of Pleasanton, the property owner of the project development site will be responsible for the City of Pleasanton's costs to review monitoring reports, contract with peer review consultants, conduct field inspections, attend meetings, and conduct other monitoring activities related to the Project Developer's PUD site.

SPECIAL CONDITIONS OF APPROVAL
Fire

64. On-site access ways and internal drives shall be designated as fire lanes and identified as approved by the Fire Department. Signs shall be according to state standards and read "No Parking - Fire Lane" and must be shown on the plans. Where Fire Department vehicle access through or around a site involves changes in direction or curves, minimum-turning radius shall be as shown on Exhibit B. Any modifications to this plan shall incorporate an inside radius of 45 feet and outside radius of 55 feet to facilitate fire truck turning radius for entry and exit from the site.

SPECIAL CONDITIONS OF APPROVAL
Traffic

65. The applicant and/or developer shall be required to make all modifications necessary to the traffic signal at Stoneridge Drive/Project Entrance to provide full signal operation at the beginning of construction. These improvements and related plan notes shall be incorporated into the plans submitted to the Building and Safety Division for plan check and shall be subject to the review and approval of the City Traffic Engineer prior to building permit issuance.

SPECIAL CONDITIONS OF APPROVAL
Operation Services Department

66. A CDS or equivalent storm water pollution control unit shall be installed at the transition point between the private and public storm line. The storm water pollution control unit is subject to review and approval of the Director of Operation Services prior to the issuance of any building permits.
67. Each individual building shall have a minimum of one grease interceptor on the building sewer lateral sized for all current and future potential sewer demand. This detail shall be shown on all building permits and/or tenant improvement permits to the satisfaction of the City Engineer.
68. The project applicant/developer shall submit a plan in conformance to the following water metering requirements:
- a) Any single use projected to exceed 5,000 gallons per day requires a dedicated water meter.
 - b) Each physically separate building requires a dedicated water meter.
 - c) Any combination of attached or conjoined buildings or suites in excess of 10,000 square feet requires a dedicated water meter.
69. The project applicant/developer shall submit a plan in conformance to the following backflow protection requirements:
- a) All connections to existing 12" water main shall have appropriately sized and type of Backflow Prevention Device installed to separate the public and privately owned main.
 - b) All backflow devices to be located at meters above grade shall be designed per city standard drawing # 706. No backflow devices are allowed in boxes below grade.

- c) All fireline Double Check Detector Assemblies shall be located above grade behind the City sidewalk.

SPECIAL CONDITIONS OF APPROVAL
Engineering

- 70. On-site fire hydrants shall be painted Kelly Moore Kel Guard Rust Inhibitive Series per City of Pleasanton Standard Specification Section 14-02E Fire Hydrants.
- 71. The domestic water main shall have water meters and reduced pressure backflow device at the back of curb on Stoneridge Drive as shown on the PUD plans. The water services between the water meter and buildings shall be private and maintained by the property owner.
- 72. Multiple water meters may be installed from the water main on Stoneridge Drive per City of Pleasanton Standard Detail No. 304, Manifold Water Service.
- 73. The water main may be extended along El Charro Road if the project developer installs a manifold water service along El Charro Road.
- 74. The sanitary sewer main within the project shall be private and maintained by the property owner.
- 75. The project developer's design engineer shall submit a Storm Water Management Plan, including but not limited to, a completed storm water checklist, storm water hydro modification calculations, Storm Water Pollution Prevention Plan and signed Storm Water operations and maintenance agreement with the first submittal to the Building Division.
- 76. The emergency vehicle gate along El Charro road shall have locking mechanism acceptable to the Livermore-Pleasanton Fire Department.
- 77. The project developer's design engineer shall submit as-built plans of the improvement plans in AutoCAD and PDF format to the City prior to the issuance of the Certificate of Occupancy.
- 78. All building structures, including retaining walls, shall be constructed outside the Public Service Easement (PSE).
- 79. The project developer, in accordance with the City of Pleasanton Municipal Code Section 19.36.050, Streets and thoroughfares - Developer's obligation for improvement, shall install street lighting and construct curb, gutter, and 6-foot wide sidewalk along the easterly frontage and construct 6-foot wide sidewalk along the northerly frontage.
- 80. All unused utility laterals, including but not limited to water, sewer and storm, shall be abandoned or removed as per city standard specifications and details to the satisfaction of the City Engineer and Chief Building and Safety Official.
- 81. The property developer shall deposit performance and labor and materials bonds with the City to ensure completion of any required public improvements. This bond shall be

in a standard form approved by the City Attorney and shall be in an amount satisfactory to the City Engineer.

**SPECIAL CONDITIONS OF APPROVAL
Urban Stormwater**

82. Restaurants shall include a contained area for cleaning mats, containers, and equipment. The wash area shall be covered or shall be designed to prevent runoff onto or from the area. The area shall be connected to the sanitary sewer, subject to approval by Dublin-San Ramon Services District (DSRSD), or shall be collected in a containment area and removed regularly by a disposal and recycling service. If connected to the sanitary sewer, a structural control, such as a sand filter or oil/ water separator, shall be used and a sign shall be posted prohibiting the dumping of hazardous materials. Other methods may be used subject to the approval of the Chief Building Official. The applicant and/or food service owner shall instruct employees to conduct all washing activities in this area.

**STANDARD CONDITIONS OF APPROVAL
Community Development Department**

83. The project developer shall pay any and all fees to which the property may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
84. The project applicant/developer shall submit a refundable cash bond for hazard and erosion control. The amount of this bond will be determined by the Director of Community Development. The cash bond will be retained by the City until all the permanent landscaping is installed for the development and all of the project work is accepted by the City, unless otherwise approved by the City Engineer or Director of Community Development.
85. The project developer shall submit a written dust control plan or procedure as part of the building permit plans.

**STANDARD CONDITIONS OF APPROVAL
Planning**

86. The proposed development shall conform substantially to the project plans, LEED checklist, Project Narrative, Climate Action Plan, Transportation Management Plan, Colors/materials board, Exhibit B, dated "Received, March 4, 2014," on file with the Planning Division, except as modified by these conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance to the approved exhibits.
87. The project applicant//developer shall implement the measures identified in the U.S. Green Building Council's (USGBC), "Leadership in Energy and Environmental Design (LEED)" rating system to achieve a "certified rating" in the design, construction, and operation of the project. The green building measures shall be shown on plans submitted to the Building and Safety Division for issuance of a building permit. Each point identified shall have a notation indicating the sheet where the point can be found, and each sheet shall note where the point is located. All proposed green building

measures shall be shown throughout the plan set as determined by the Planning Division.

88. The permit plan check package will be accepted for submittal only after the ordinance approving the PUD development plan becomes effective, unless the project developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the ordinance is overturned or that the design has significantly changed. In no case will a permit be issued prior to the effective date of the ordinance.
89. Prior to issuance of a building permit, the developer shall pay the required commercial development school impact fee as prescribed by state law and as adopted by the Pleasanton Unified School District.
90. To the extent permitted by law, the project applicant shall defend (with counsel reasonable 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.
91. All conditions of approval shall be attached to all permit plan sets submitted for review and approval, whether stapled to the plans or located on a separate plan sheet.
92. Planning Division approval is required before any changes are implemented in site design, grading, building design, exterior colors or materials, landscape material, etc.
93. The project developer must provide to the Director of Community Development a building height certification performed by a licensed land surveyor or civil engineer. Said certification must allow for the installation of finished roof materials and must meet the approved building height.
94. The approved building materials and colors shall be stated on the plans submitted for issuance of building permits.
95. Portable toilets used during construction shall be kept as far as possible from existing residences and shall be emptied on a regular basis as necessary to prevent odor.

STANDARD CONDITIONS OF APPROVAL
Landscaping

96. The project developer shall enter into an agreement with the City, approved by the City Attorney, which guarantees that all landscaping and open space areas included in this project will be maintained at all times in a manner consistent with the approved landscape plan for this development. Said agreement shall run with the land for the duration of the existence of the structures located on the subject property.

97. Six-inch vertical concrete curbs shall be installed between all paved and landscaped areas, except on the outside edges of landscape islands along the car carrier and trash truck routes, where rollover curbs are acceptable if they are not adjacent to a pedestrian walkway.
98. The project developer shall provide root control barriers and four inch perforated pipes for parking lot trees, street trees, and trees in planting areas less than ten feet in width, as determined necessary by the Director of Community Development at the time of review of the final landscape plans.
99. For purposes of erosion control, the applicant/developer shall plant a hydroseed mixture on recently-disturbed areas designated for landscaping, that has been designed by the project Landscape Architect. The hydroseed mixture shall be specified on the building permit plans for review and approval by the Director of Community Development and shall be maintained by the applicant/developer until permanent landscaping is in place.
100. The following statements shall be printed on to the site, grading, and landscape plans where applicable to the satisfaction of the Director of Community Development prior to issuance of a building permit:
 - a. No existing tree may be trimmed or pruned without prior approval by the Community Development Director.
 - b. No equipment may be stored within or beneath the driplines of the existing trees.
 - c. No oil, gasoline, chemicals, or other harmful materials shall be deposited or disposed within the dripline of the trees or in drainage channels, swales, or areas that may lead to the dripline.
 - d. No stockpiling/storage of fill, etc., shall take place underneath or within five feet of the dripline of the existing trees.

STANDARD CONDITIONS OF APPROVAL
Building

101. At the time of building permit plan submittal, the project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades (with accurate elevations above sea level indicated) and on-site drainage control measures to prevent stormwater runoff onto adjoining properties.
102. After the issuance of a building or demolition permits, the applicant shall submit a waste management plan to the Building and Safety Division through (www.GreenHaloSystems.com). The plan shall include the estimated composition and quantities of waste to be generated and identify how the project developer intends to recycle at least 75 percent of the total job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance of a final building permit. During demolition and construction, the project developer shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only." The project developer shall contact Pleasanton Garbage Service for the disposal of all waste from the site.

103. Building and site plans are to be submitted to the Building and Safety Division on a computer disk in a format approved by the Chief Building Official. Digitized information shall be submitted before requesting a final inspection and should reflect as built site and architectural information as approved by the Chief Building Official.
104. The applicants shall submit a pad elevation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building Official, certifying that the pad elevations and building location (setbacks) are pursuant to the approved plans, prior to receiving a foundation inspection for the structure.

STANDARD CONDITIONS OF APPROVAL
Engineering

105. A "Conditions of Approval" checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.
106. The project developer shall construct transit shelters with trash receptacles at locations determined by the Community Development Director and the City Engineer. The shelter and trash receptacle design shall be approved by the Planning Director prior to issuance of project building permits. An encroachment permit shall be obtained prior to installation. Transit shelter lighting shall be provided if determined necessary by the City Engineer.
107. The project developer shall comply with the recommendations of the project's geotechnical consultant. The project developer's geotechnical consultant shall review and approve all foundation, retaining wall, and drainage geotechnical aspects of the final development plans to ensure that the recommendations have been properly incorporated into the development. The consultant shall certify by writing on the plans or as otherwise acceptable to the City Engineer that the final development plan is in conformance with the geotechnical report approved with the project.
108. The project developer shall arrange and pay for the geotechnical consultant to inspect and approve all foundation, retaining, and wall and drainage geotechnical aspects of project construction. The consultant shall be present on site during grading and excavation operations. The results of the inspections and the as-built conditions of the project shall be certified in writing by the geotechnical consultant for conformance to the approved plans and geotechnical report and submitted to the City Engineer for review and approval prior to issuance of the Certificate of Occupancy.
109. All existing septic tanks or holding tanks shall be properly abandoned, pursuant to the requirements of the Alameda County Department of Health Services prior to the start of grading operations, unless specifically approved by the City Engineer.
110. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of a permit, and shall address the need to schedule major truck trips and deliveries during off peak travel times, to avoid peak travel congestion. It shall also include the provision to monitor the street surfaces used for the haul route so that any damage and debris attributable to the haul trucks is identified and corrected at the expense of the project applicant or developer.

111. All dry utilities (electric power distribution, gas distribution, communication service, cable television, street lights and any required alarm systems) required to serve existing or new development shall be installed in conduit, underground, and in a joint utility trench unless otherwise specifically approved by the City Engineer.
112. Any damage to existing public infrastructure, including street improvements, caused by construction activities related to the project shall be repaired to the satisfaction of the City Engineer at full expense to the project developer. These repairs may include slurry seal, overlay, or street reconstruction, if deemed warranted by the City Engineer.
113. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve new developments on the project.
114. There shall be no direct roof leaders connected to the street gutter or storm drain system, unless otherwise approved by the City Engineer.
115. The project developer and/or the project developer's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.
116. The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and drainage control measures, including concrete-lined V-ditches, to protect all cut and fill slopes from surface water overflow. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of a subdivision grading permit.
117. The project developer shall submit detailed landscape and irrigation plans as part of the improvement plans. The irrigation plan shall provide for automatic controls.
118. A detailed grading and drainage plan prepared by a licensed Civil Engineer including all supporting information and design criteria (including but not limited to any peer review comments), storm drain treatment calculations, hydromodification worksheets, etc., shall be submitted as part of the improvement plans.
119. The improvement plans for this development shall contain signage and striping plans that are subject to the approval of the City Traffic Engineer.
120. A detailed Utility Plan prepared by a licensed civil engineer depicting all existing and proposed water infrastructure to include, but not limited to the following: potable water, sanitary sewer and stormwater piping, valves, manholes, fire hydrant locations, backflow prevention devices, etc. shall be submitted as part of the plan check plans submitted to the Building and Safety Division. The plan shall identify and label all publicly and privately owned infrastructure. This plan is subject to review and approval of the Director of Operation Services prior to the issuance of any building permits.

STANDARD CONDITIONS OF APPROVAL

Fire

121. The project developer shall keep the site free of fire hazards from the start of construction until the final inspection.

122. Fire flow shall not be less than 2,500 gallons per minute on-site with private hydrants spacing 400 feet in accordance with 2010 California Fire Code, Appendix B.
123. Prior to any construction framing, the project developer shall provide adequate fire protection facilities, including, but not limited to a water supply and water flow in conformance to the City's Fire Department Standards that is able to suppress a major fire.
124. All fire sprinkler system water flow and control valves shall be complete and serviceable prior to final inspection. Prior to the occupancy of a building having a fire alarm system, the Fire Department shall test and witness the operation of the fire alarm system.
125. Commercial occupancies shall have valve tamper and water flow connected to an Underwriters Laboratory (UL) listed Central Station Service. Fire Department plan check includes specifications, monitoring certificate(s), installation certificate and alarm company U.L. certificate. Fire alarm control panel and remote annunciation shall be at location(s) approved by the Fire Prevention Bureau.
126. Should any operation or business activity involve the use, storage or handling of hazardous materials, the firm shall be responsible for contacting the LPFD prior to commencing operations. Please contact the Hazardous Materials Coordinator at 925/454-2361.
127. The proposed building(s) may have additional Fire Department requirements that can only be addressed by knowing the details of occupancy. These occupancy details shall be submitted to the Fire Department prior to submittal of construction plans to the Building Department. Details shall include but not be limited to the following:
 - a) Type of storage
 - b) Height of storage
 - c) Aisle spacing
 - d) Rack of bulk storage
 - e) Palletized storage
 - f) Type of occupancies within areas of the building(s)
 - g) Service Operations
 - h) Fire Hazard Commodity Classification of materials use and storage

Based on the information received, there may be additional requirements such as: smoke and heat venting, in-rack sprinklers, increases in sprinkler design criteria, draft curtains, etc.

128. The Fire Prevention Bureau reviews building/civil drawings for conceptual on-site fire mains and fire hydrant locations only. Plan check comments and approvals DO NOT INCLUDE:
 - Installation of the on-site fire mains and fire hydrants. Specific installation drawings submitted by the licensed underground fire protection contractor shall be submitted to the Fire Prevention Bureau for approval.
 - Backflow prevention or connections to the public water mains.
129. Electrical conduit shall be provided to each fire protection system control valve including all valve(s) at the water connections. The Livermore-Pleasanton Fire Department

requires electronic supervision of all valves for automatic sprinkler systems and fire protection systems.

130. Dead-end access ways and internal drives shall not exceed 300 feet in length and shall terminate in turnaround no less than 100 feet in diameter or hammer-head (tee). Standards and options are available through the Fire Prevention Bureau.
131. Address numbers shall be installed on the front or primary entrance for all buildings that have an address. Minimum building address character sizes shall be 10" high by 3/4" stroke. Where multiple access is provided, address or tenant space number shall be provided on each access and/or warehouse door and character size shall be no less than 4" high by 1/2" stroke. In all cases address numerals shall be of contrasting background and clearly visible in accordance with the Livermore-Pleasanton Fire Department Premises Identification Standards. This may warrant field verification and adjustments based upon topography, landscaping or other obstructions.

CODE REQUIREMENTS Building

(Project applicant or 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.)

132. The project developer shall submit a building survey and/or record of survey and a site development plan in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton. These plans shall be approved by the Chief Building and Safety Official prior to the issuance of a building permit. The site development plan shall include all required information to design and construct site, grading, paving, drainage, and utilities.
133. The building(s) covered by this approval shall be designed and constructed to the Title 24 Building Standards, including Building, Electrical, Mechanical, Plumbing, Energy, Fire, Green Building and both State and Federal accessibility requirements in effect and as amended by the City of Pleasanton at the time of Building Permit submittal.
134. All building and/or structural plans must comply with all codes and ordinances in effect before the Building and Safety Division will issue permits.
135. Prior to issuance of a tenant's business license, the tenant shall contact the Building and Safety Division and the Fire Marshal to ensure that the proposed use of the tenant space meets Building and Fire Code requirements. If required, the tenant shall obtain all appropriate City permits.

CODE REQUIREMENTS Planning

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

CODE REQUIREMENTS
Bicycle Parking

137. The project shall provide a minimum amount of bicycle parking equivalent to 5% of the total number of automobile parking spaces. The maximum required bicycle parking spaces is 20.

Bicycle racks shall:

- a. Be visible and accessible
- b. Support the frame of the bicycle and not just one wheel
- c. Allow the frame and one wheel to be locked to the rack
- d. Allow the use of either a cable or U-shaped lock
- e. Be securely anchored
- f. Be usable by bikes with no kickstand
- g. Be usable by a wide variety of sizes and types of bicycles.

Prior to the installation, the applicant/developer shall submit the design and location of the bicycle racks to the Director of Community Development for review and approval.

CODE REQUIREMENTS
Fire

(Project applicant or 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.)

138. All construction shall conform to the requirements of the California Fire Code currently in effect, City of Pleasanton Building and Safety Division and City of Pleasanton Ordinance 2015. All required permits shall be obtained.
139. Automatic fire sprinklers shall be installed in all occupancies in accordance with City of Pleasanton Ordinance 2015. Installations shall conform to NFPA Pamphlet 13 for commercial occupancies.
140. Fire alarm systems shall be provided and installed in accordance with the CFC currently in effect, the City of Pleasanton Ordinance 2015 and 2002 NFPA 72 - National Fire Alarm Code. Notification appliances and manual fire alarm boxes shall be provided in all areas consistent with the definition of a notification zone (notification zones coincide with the smoke and fire zones of a building). Shop drawings shall be submitted for permit issuance in compliance with the CFC currently in effect.
141. City of Pleasanton Ordinance 2015 requires that all new occupancies be provided with an approved key box from the Knox Company as specified by the Fire Department. The applicant is responsible for obtaining approval for location and the number of boxes from the Fire Prevention Bureau. Information and application for Knox is available through their website or the Fire Prevention Bureau. Occupant shall be responsible for providing

tenant space building access keys for insertion into the Knox Box prior to final inspection by the Fire Department. Keys shall have permanent marked tags identifying address and/or specific doors/areas accessible with said key.

142. Underground fire mains, fire hydrants and control valves shall be installed in conformance with the most recently adopted edition of NFPA Pamphlet 24, "Outside Protection".
 - The underground pipeline contractor shall submit a minimum of three (3) sets of installation drawings to the Fire Department, Fire Prevention Bureau. The plans shall have the contractor's wet stamp indicating the California contractor license type, license number and must be signed. No underground pipeline inspections will be conducted prior to issuance of approved plans.
 - All underground fire protection work shall require a California contractor's license type as follows: C-16, C-34, C-36 or A.
 - All field-testing and inspection of piping joints shall be conducted prior to covering of any pipeline.
143. Dead-end fire service water mains shall not exceed 500 feet in length and/or have more than five Fire Department appliances and shall be looped around the site or building and have a minimum of two points of water supply or street connection. Zone valves shall be installed as recommended under NFPA, Pamphlet 24 and the Fire Marshal.
*Note: Fire Department appliances are classified as fire sprinkler system risers, fire hydrants and/or standpipes.
144. Portable fire extinguisher(s) shall be provided and installed in accordance with the California Fire Code currently in effect and Fire Code Standard #10-1. Minimum approved size for all portable fire extinguishers shall be 2A 10B:C.
145. All buildings undergoing construction, alteration or demolition shall comply with Chapter 14 (California Fire Code currently in effect) pertaining to the use of any hazardous materials, flame-producing devices, asphalt/tar kettles, etc.
146. The building (s) covered by this approval shall conform to the requirements of the California Building Code currently in effect, the California Fire Code currently in effect and the City of Pleasanton Ordinance 2015. If required, plans and specifications for the automatic fire sprinkler system shall be submitted to the Livermore-Pleasanton Fire Department for review and approval prior to installation. The fire alarm system, including water flow and valve tamper, shall have plans and specifications submitted to Fire Prevention for review and approval prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building(s).

URBAN STORMWATER

The project shall comply with the NPDES Permit No. CAS612008, dated October 14, 2009, and amendments, issued by the California Regional Water Quality Control Board, San Francisco Bay Region, a copy of which is available at the Community Development Department, Public Works/Engineering section at City offices, Alameda County Clean Water Program and at State Water Board:

- (http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/Municipal/index.shtml.;

and

- http://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2007/march/alameda%20final%20order%20r2-2007-0025.pdf)

The project shall comply with the “Construction General Permit” as required by the San Francisco Bay Regional Water Quality Control Board:

(http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml)

A. Design Requirements

1. The NPDES Permit design requirements include, but are not limited to, the following:
 - a) Source control, site design measures, and design and implementation of stormwater treatment measures are required when commercial, industrial or residential development creates and/or replaces 10,000 square feet or more of impervious surface, including roof area, streets and sidewalk.
 - b) Hydro-modification standards are required when a new development or redevelopment project creates and replaces total impervious area of one acre or more.
 - c) Compliance with a Diazinon pollutant reduction plan (Pesticide Plan) to reduce or substitute pesticide use with less toxic alternatives.
 - d) Compliance with a Copper Pollutant Reduction Plan and a Mercury Pollutant Reduction Plan.
2. The following requirements shall be incorporated into the project:
 - a) The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures including bio-swales. Irrigated bio-swales shall be redesigned as needed to the satisfaction of the City Engineer to optimize the amount of the stormwater running off from the paved surface that enters the bio-swale at its most upstream end. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of any building permits.
 - b) In addition to natural controls, the project developer may be required to install a structural control, such as an oil/water separator, sand filter, or approved equal on-site to intercept and pre-treat stormwater prior to reaching the storm drain. The design, locations, and a schedule for maintaining the control device shall be submitted to the City Engineer/Chief Building Official for review and approval prior to issuance of building permits. The structural control shall be cleaned at least twice a year: once immediately prior to October 15 and once in January.

- c) Building/Structures shall be designed to minimize the occurrence and entry of pests into buildings, thus minimizing the need for pesticides, as determined by the Chief Building Official prior to the issuance of a building permit.
- d) The project's landscape and irrigation plans shall be designed to: 1) minimize the use of fertilizers and pesticides that can contribute to stormwater pollution; and 2) promote surface infiltration. Prior to the installation of project landscaping and irrigation, the project landscape architect shall submit a landscaping and irrigation plan to the City Engineer for review and approval and submit written verification stating the project incorporates the following:
 - i. Plants tolerant of saturated soil conditions and prolonged exposure to water in areas that provide detention of water.
 - ii. Plants and soil amendments appropriate to site specific characteristics such as topography and climate.
 - iii. Landscaping and irrigation consistent with Bay-Friendly Landscaping.
 - iv. Water conservation techniques to promote surface infiltration.
- e) Trash dumpsters and recycling containers shall be in an enclosed and roofed area to minimize water flowing in and from the area and to contain litter and trash to minimize disbursement by the wind or runoff. These areas shall not drain to the storm drain system, but to the sanitary sewer system. An area drain shall be installed in the enclosure area with a structural control such as an oil/water separator or sand filter. No other area shall drain into the trash enclosure; a ridge or a berm shall be constructed to prevent such drainage if found necessary by the City Engineer/Chief Building Official. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer. The project developer shall notify the Dublin San Ramon Services District of the sanitary sewer connection and provide written verification of such notification to the City Engineer/Chief Building Official prior to the installation of the connection.
- f) All paved outdoor storage areas shall be designed to minimize pollutant runoff. Bulk materials stored outdoors that may contribute to the pollution of stormwater runoff must be covered as deemed appropriate by the City Engineer/Chief Building Official.
- g) All metal roofs, gutters, and downspouts shall be finished with rust-inhibitive finish/paint as determined by the Chief Building Official.
- h) All projects using architectural copper roofing, gutters, downspouts, etc., shall utilize the following Best Management Practices for use and maintenance:
 - I. During installation, copper material shall be pre-patinated at the factory. If patination is done on-site; collect the rinse water in a tank and haul off-site for disposal. With prior authorization from Dublin San Ramon Services District (DSRSD), you may collect the rinse water in a tank and discharge to the sanitary sewer. Optionally, consider coating the copper materials with a clear coating that prevents further corrosion and stormwater pollution. The clear

coating, if utilized, shall be reapplied (as recommended by the coating manufacturer) to maintain its efficacy.

- II. During maintenance, the following applies during washing and patination:
 - i. Minimize washing of architectural copper as it damages the patina and any protective coating.
 - ii. Block all storm drain inlets downstream of the wash.
 - iii. collect in a tank and dispose off-site, or discharge the wash water to the sanitary sewer (with prior authorization from DSRSD).
 - III. During re-patination, collect the rinse water in a tank and dispose off-site or discharge to sewer (with prior authorization from DSRSD) .
- i) Roof drains shall drain away from the building foundation. Stormwater flow shall drain to a landscaped area or to an unpaved area wherever practicable as determined by the City Engineer/Chief Building Official.
 - j) There shall be no direct roof leaders connected to the street gutter/parking lot or storm drain system, unless otherwise approved by the City engineer.

B. Construction Requirements

The project shall comply with the “Construction General Permit” requirements of the NPDES Permit for construction activities (including other land disturbing activities) that disturb one acre or more (including smaller sites that are part of a larger common plan of development).

Information related to the Construction General Permit is on line at:

- http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml
- http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/finalconstpermit.pdf

1. The Construction General Permit’s requirements include, but are not limited to, the following:
 - a. The project developer shall obtain a construction general permit (NOI) from the Regional Water Quality Control Board to discharge stormwater, and to develop and implement stormwater pollution prevention plans.
 - b. The project developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) to the City Engineer/Chief Building Official for review and approval prior to the issuance of a grading or building permit, whichever is sooner. A copy of the approved SWPPP, including all approved amendments, shall be available at the project site for City review until all engineering and building work is complete and City permits have been finalized. A site specific SWPPP must be combined with proper and timely installation of the BMPs, thorough and frequent inspections, maintenance, and documentations. SWPPP for projects shall be kept up to date with the projects’ progress. Failure to comply with the most updated construction SWPPP may result in the issuance of correction notices, citations, and/ or stop work orders.

- c. The project developer is responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measures, shall be included in the SWPPP and implemented as approved by the City.
- i. The project developer shall include erosion control/stormwater quality measures on the project grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the public storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and shall be subject to the review and approval of the City Engineer/Chief Building Official. If no grading plan is required, necessary erosion control/stormwater quality measures shall be shown on the site plan submitted for a building permit, and shall be subject to the review and approval of the Building and Safety Division. The project developer is responsible for ensuring that the contractor is aware of and implements such measures.
 - ii. All cut and fill slopes shall be revegetated and stabilized after completion of grading, but in no case later than October 15. Hydroseeding shall be accomplished before September 15 and irrigated with a temporary irrigation system to ensure that the vegetated areas are established before October 15. No grading shall occur between October 15 and April 15 unless approved erosion control/stormwater quality measures are in place, subject to the approval of City Engineer/Chief Building Official. Such measures shall be maintained until such time as permanent landscaping is in place.
 - iii. Gather all sorted construction debris on a regular basis and place in the appropriate container for recycling; to be emptied at least on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater runoff pollution.
 - iv. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement adjoining the project site on a daily basis. Scrape caked on mud and dirt from these areas before sweeping.
 - v. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing in the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.
 - vi. Create a contained and covered area on the site for the storage of cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system by being windblown or by being spilled.
 - vii. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
 - viii. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into a street, gutter, or storm drain.

- ix. Equipment fueling area (if used at the construction site): use a designated area away from the storm drainage facility; use secondary containment and spill rags when fueling; discourage “topping off” of fuel tanks; place a stockpile of absorbent material where it will be readily accessible; check vehicles and equipment regularly for leaking oils and fuels; and dispose of rags and absorbent materials promptly and properly. Use of an off-site fueling station is strongly encouraged.
 - x. Concrete wash area: 1) locate wash out area away from storm drains and open ditches; 2) construct a temporary pit large enough to store the liquid and solid waste; 3) clean the pit by allowing concrete to set; 4) break up the concrete; and then 5) recycle or dispose of properly.
 - xi. Equipment and vehicle maintenance area is not permitted; use of an off-site repair shop is strongly encouraged.
2. Within 30 days of the installation and testing of the stormwater treatment and TCD facilities, the designer of the site shall submit a letter to City Project Inspector/Construction Services Manager certifying the devices have been constructed in accordance with the approved plans for stormwater and C3 design for the project. The letter shall request an inspection by City staff.

C. Operation and Maintenance Requirements

The project shall comply with the operation and maintenance requirements of the NPDES Permit. All regulated projects (such as commercial and industrial projects) that create and/or replace 10,000 square feet or more of impervious areas shall enter into a recorded Stormwater Operation and Maintenance (O&M) Agreement for treating stormwater runoff from the site in perpetuity. The agreement is required to be recorded at the Alameda County Recorder’s Office in a format approved by the City.

1. The Operation and Maintenance Agreement shall clarify that the property owner(s) of the site shall be responsible for the following in perpetuity:
 - a. Maintaining all private stormwater treatment measures on the project site.
 - b. Annually submitting a maintenance report to the City Operations Services Department, Utilities Division, addressing the implementation of the Operation and Maintenance Agreement requirements.

The final signed and notarized Operation and Maintenance Agreement shall be submitted to the Engineering Division prior to project receiving final discretionary approval by the City Council. The Agreement is subject to review and approval of the City Engineer/City Attorney, prior to recordation.

2. The Operation and Maintenance Agreement responsibilities shall include, but not be limited to the following:
 - a. Repainting text near the drain inlets to state “No Dumping – Drains to Bay.”

- b. Ensuring maintenance of landscaping with minimal pesticide and fertilizer use.
- d. Ensuring no one is disposing of vehicle fluids, hazardous materials or rinse water from cleaning tools, equipment or parts into storm drains.
- e. Cleaning all on-site storm drains at least twice a year with one cleaning immediately prior to the rainy season. The City may require additional cleanings.
- f. Sweeping regularly but not less than once a month, driveways, sidewalks and paved areas to minimize the accumulation of litter and debris. Corners and hard to reach areas shall be swept manually. Debris from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Wastewater containing any soap, cleaning agent or degreaser shall not be discharged into the storm drain.
- g. Mowing and removing clippings from vegetated swales with grasses on a regular basis.

< End >

**P14-1155, Pacific Pearl, Brad Blake on behalf of BHV CenterStreet Properties, LLC
Work Session to review and receive comments on a Preliminary Review application to construct an approximately 120,000-square-foot shopping center with emergency vehicle access from El Charro Road and related site improvements on the Retail/Commercial Site at Staples Ranch. Zoning for the property is PUD-C (Planned Unit Development – Commercial) District.**

Jennifer Wallis presented the staff report and described the scope, layout, and key elements of the application.

Chair O'Connor stated that the Commission received a letter from Vulcan Materials Company (VMC) regarding using the emergency vehicle access (EVA) road for garbage hauling access purposes, but the staff report indicated that it is only an EVA road and will have a gate across it. He noted that there is a Pre-Development and Cooperation Agreement which provides that the City has to work with VMC and others entities to ensure that everything is done according to the Memorandum of Understanding (MOU). He inquired if there was any reason to be concerned about a garbage pickup lane through the EVA or if that is a misconception by somebody.

Ms. Wallis replied that there was one plan that showed the garbage route and indicated that the applicant can provide details. She added that the intention is for it to be just an EVA and not a garbage route, but the specific details about the use and who is permitted to use the road would actually be specifically between VMC and the property owner.

Commissioner Allen referred to the Medical and Dental Offices and Clinics use on page 14 of the staff report, which states that it includes massage services according to Section 18.44.090 of the Pleasanton Municipal Code (PMC). She inquired if that meant a stand-alone massage service business or a medical and dental office that has something like a physical therapy massage.

Mr. Weinstein explained that Section 18.44.090 of the PMC is referenced here because it establishes specific categorizations for different types of massage uses.

THE PUBLIC HEARING WAS OPENED.

Brad Blake, Applicant, BHV CenterStreet Properties, LLC, stated that they have worked well with staff over the last few months and appreciate their input and comments. He then introduced his company, indicating that they have a long track record in developing shopping centers all over the Bay Area in Walnut Creek, Danville, San Ramon, Fremont, Hayward, San Jose, San Mateo, and Marina by the Bay. He indicated that their consultancy team is present tonight; their primary consultant is FCGA Architects, represented by Galen Grant; David Gates of Gates & Associates; and McKay and Soms, their civil engineer.

Mr. Blake stated that the proposed shopping center is focused on the Asian consumer but will have services and uses that will benefit the entire community. He indicated that they think the Pleasanton community and the whole Tri-Valley will find this a very interesting, dynamic shopping center that does not exist in this area now. He noted that about 23 percent of the population in Pleasanton is Asian and between 25 percent and 27 percent in Dublin, San Ramon, Livermore. He added that this population is growing substantially, primarily because people want to move to good communities that are safe and have good schools, parks, and nice environments. He stated that they would like to capture that consumer who is not currently really being served adequately in this area, noting that there are a few Asian grocery stores but no shopping centers that have really been designed from a master planning standpoint specifically for that consumer. He added that they can also capture a lot of sales that are now leaving the Pleasanton market and going to Fremont, Milpitas, and San Jose, and Pleasanton will have some of that tax revenue back. He indicated that there will be significant economic benefit for Pleasanton.

Mr. Blake stated that this will be a landmark project for Pleasanton and will bring a kind of new mix of tenants and uses and an environment to Pleasanton that does not exist at this time. He added that this will be a very high quality project that will add a gateway to Pleasanton that the City can be proud of. He then introduced Galen Grant, who will present some highlights of how they came up with this design and some of the design philosophy and thinking behind it.

Galen Grant, Partner at FCGA Architects, stated that their company does a lot of retail projects and that they have the good fortune of doing literally all of the retail projects surrounding this site, such as the Paragon Outlet Mall, the Shoppes at Livermore right across Jack London, and the Fallon Gateway Shopping Center for Charter Properties. He stated that one of the difficulties sometimes in developing retail projects is how to bring the architecture out to the street, how to conceal parking in the middle without creating this huge parking field, and how to create good architecture on both sides. He indicated that he is really pleased with this project and this development plan.

Mr. Grant then presented a PowerPoint show, displaying the project's site plan, the view corridor, the network of pedestrian walkways around the site, and the parking in-between the two buildings which make the ground level retail served by this parking area really something that realistically would work. He then pointed to the large bio-filter treatment area and to the location of the EVA as recommended by Vulcan Materials Company and clarified that there will be no trash going in and out of this location. He indicated that they have two ingress and two egress lanes with a possible addition of another exit lane. He noted that parking is well distributed and laid out in the most efficient way off of the driveway.

Mr. Grant then presented the architecture of the buildings, designed to be very animated and very street-friendly, with a wealth of glass on all the elevations and doors off of the parking lot side. He pointed to the pedestrian-friendly landscape area with a meandering pathway that will carry all the way around and swing back to the center. He

showed Office Buildings A and B with ground-level retail and second-level office, animated elevations with vertical and horizontal articulation on all four sides, open exterior corridors and stairs, a lot of brick work and stone from the window line down and turning the corner, awning covers and sign elements that will call out the ground-floor areas as retail. He then displayed Building C, a one-story retail building that fronts on the courtyards; Building D, facing the parking lot and El Charro Road, is all glass with a trellis feature and an entire brick wall; and the last building on the south, the drum feature with brick on the lower element, a tall volume, large glass face, split-faced masonry that creates the basic box and wraps around the building and integrates with panels of brick and cement plaster.

Mr. Grant concluded that this will be a great project from the standpoint of materials, colors, and landscaping, all integrated together to the point where the City and the developer will be very proud of it.

Commissioner Piper inquired what the purpose of the exterior staircases is and if they are a matter of cost, functionality, or architecture.

Mr. Grant replied that an open exterior balcony serves all the office spaces on the second level, and there is as much glass as possible in order to get a wealth of natural light into all those tenant spaces. He pointed out that the exterior balcony cannot be enclosed, and that openness is carried into the stairwells. He noted that the renderings had some of the stairs extending out away 90 degrees from the face of the building, and those have been dropped in in most cases so that they tuck in tighter. He added that they are also beautifully designed architectural features and are supported by a slab of stone or brick.

Commissioner Piper inquired if the exterior staircase is the only way for the people occupying the second level to get to their office space. She further inquired what the primary way to get to the office space is.

Mr. Grant replied that both of the office buildings have elevators. He added that the primary way will be the way the people choose because they will have the opportunity in close proximity to parking to take the stairs or to take the elevator, whichever they prefer.

Commissioner Piper stated that she liked the look but wondered about safety when it is raining and the stairs are slippery because they do not appear to be covered much at all.

Mr. Grant replied that there is one covered staircase in both buildings.

Mr. Blake explained that the two-story buildings is not really office space like professional office space where a worker goes there and sits all day and works and no one comes and sees them. He indicated that this is really a public consumer,

accessible office space, and they are trying to make it inviting so people see the stairs and not have to go inside a dark stairwell.

David Preiss, Holland & Knight, representing Vulcan Materials Company, stated that their concern is limited to the EVA proposed along El Charro Road. He noted that on the last page of his letter, they did a little markup of the site plan to show that their preferred location would be farther south, essentially coming in along the back of Building E instead of being farther up on El Charro Road. He indicated that this would basically take the EVA away from where the largest mix of quarry truck and other traffic might occur both now and in the future, particularly with East Pleasanton coming on line in the future. He added that the applicants have indicated they will work with Vulcan, and they will work with the City to try and work this out so when it comes back to the Commission for actual approval, Vulcan need not be present. He noted that Vulcan has striven for many years to open this area up so they are not here to object to the project.

Finally, Mr. Preiss stated that there was a reference on the plan to two bike trails right alongside El Charro Road near where the EVA was, and he indicated that they would like to have subsequent discussions on that as they have some safety concerns about the bike route along the road and would like that to be addressed.

THE PUBLIC HEARING WAS CLOSED.

Chair O'Connor stated that he is assuming that staff will be working with the Fire Department on the EVA to ensure that it is located where needed for fire access.

Ms. Wallis said yes.

Commissioner Ritter inquired what the demographics of the senior housing is. He noted that it is the closest walking distance to this shopping center and it would be good exercise if they can walk to it.

Chair O'Connor inquired what percent occupancy CLC has at this point.

Steve Bocian replied that he was not sure but that he knows they were very successful when they started the project, so he is certain they are getting close to being full.

Commissioner Piper noted that staff has recommended a lot of enrichment to the architectural enhancements and inquired if the plan presented by the applicant tonight already incorporates some of those recommendations or if staff's recommendations are above and beyond what the applicants talked about.

Ms. Wallis replied that staff still recommended quite a bit and that staff has been working with the applicant to get to this point. She noted that staff does not feel that they are there yet but felt comfortable enough to bring the plan before the Commission tonight.

Commissioner Balch noted that the landscape plan shows that there will be a vineyard buffer on the El Charro Road side, but the architectural plan shows that it would actually be a sidewalk. He inquired which it would be.

Ms. Wallis replied that there will be both a sidewalk and a vineyard, and the vineyard will be between the sidewalk and the building.

Mr. Weinstein indicated that the sidewalk would be along the periphery on El Charro Road, and the vineyard strip is along the east side of the site; so someone walking north along the sidewalk would see the vineyard to the left.

Chair O'Connor noted that the applicant talked about a meandering sidewalk.

Mr. Dolan stated that it has not been completely resolved and that staff would like to hear any thoughts or comments on that that the Commission has. He indicated that the main thing is if the Commission likes the idea of the vineyard.

Commissioner Balch inquired if the site is going to use recycled water for landscape and if all the plants on the landscape plan recycled water-compatible. He noted that willow trees have high water usage.

Ms. Wallis replied that recycled water will be used for landscaping. She indicated that the landscape plan will be reviewed by the City Landscape Architect so that the plant species will be in accordance and compatible with the City's drought efficient landscape ordinance and with recycled water.

Chair O'Connor stated that it is his understanding that recycled water is good for non-edible vegetation and inquired if the grapes will not be edible if the vineyards will be using recycled water.

Commissioner Balch replied that the fruit is edible if the recycled water, when applied, does not touch the fruit. He indicated that if the watering is at the roots, the fruit will be edible, but if an overhead spray is used, the fruit will not be edible. He noted that this information is actually on the Dublin San Ramon Services District recycled water website.

The Commission then proceeded to the Discussion Points:

- A. *Are the on-site circulation, parking layout, and positioning of the buildings acceptable, and specifically, does the Planning Commission find the proposed 28-foot setback as measured from face of curb along Stoneridge Drive adequate?*

Commissioner Balch stated that it is difficult for him to judge, based on what he sees on the plans and given that he does not believe it will be a high-use area at that location,

so he does not really consider setbacks as a significant issue. He indicated that he does not think this is where a lot of people will gather and that he is indifferent about it.

Mr. Dolan stated, to assist the Commission a bit, that this is roughly the same distance as how the buildings are set back at Pleasanton Gateway on Bernal Avenue. He noted that if the Commissioners have walked on the Pleasanton Gateway sidewalk or at least have driven by and seen the relationship of the curb to the buildings, and if they feel comfortable with those, then what is being proposed here will be fine, with the understanding that two of the buildings will be a little bit taller.

Commissioner Allen stated that she feels Pleasanton Gateway is a little tight but that she would support staff's recommendation for this proposal "to incorporate more variation in architectural setback along both Stoneridge Drive and El Charro Road such that individual tenant spaces are better articulated." She indicated that it would just create a more pleasant view versus the feeling that it is stacked and in a row.

Chair O'Connor agreed. He stated that he knows the size of this parcel and the square footage the applicant is trying to put in, but he is not a big fan of the two-story buildings in this development along with all the single stories, especially on the outside periphery. He indicated that the biggest thing is the massing that is visible that close to the sidewalk, and he would rather have a little more room to be able to articulate tenant space and have other options for the landscaping. He noted that Pleasanton Gateway is fine with him, although he wished it had a little more setback; however, it is all single-story. He reiterated that he would rather have a little more room so there would be more options with both landscaping and articulation for tenant space.

Addressing on-site circulation, Commissioner Ritter stated that he is in Pleasanton Gateway all the time and that he does not like the parking lot layout. He noted that for the proposed project, there is a right turn where Shop A is located, and he would like to see the roundabout at that location more in the center so there is more parking next to the buildings and more flow-through traffic through the center of the parking lot. He pointed out that at the Wells Fargo Bank in Pleasanton Gateway, one has to back up while making a turn to get out, but he likes that they all flow down on one side. He added that with respect to the traffic flow, he would like to make sure that the shop that gets the most traffic is possibly near the entrance versus at the back of the parking lot to keep the flow from clogging up the rest of the parking lot and not have people cut through the parking lot to get out if they're in a busy area. He indicated that he would support whatever the traffic engineers figure out for the parking lot as they are the experts. He added that he does not have a problem with the 20-foot setbacks.

Commissioner Piper stated that everything is acceptable to her and that she also like staff's recommendations.

Regarding Commissioner Ritter's comment about the Pleasanton Gateway circulation being a mess, Commissioner Balch stated that it is absolutely horrific. He indicated that the on-site circulation at the proposed site needs to be well thought out.

Commissioner Piper agreed.

Chair O'Connor commented that Pleasanton Gateway seems to have a main drive-through that goes right down the middle of all of the aisles where vehicles coming from both directions have to get into. He recommended that staff look at this one closely.

Commissioner Balch stated that a vehicle at that drive aisle by Building A that is trying to make a right turn to exit will not be able to get out for a while if there is a line of vehicles coming from the main Building E down that path. He added that Building A is two stories with people trying to get to it at a higher density than to the one story Building C. He commented that Building A's parking, no doubt, will really be horrific.

Chair O'Connor inquired if the roundabout will have yield signs so the first vehicle coming to the intersection gets to go first.

Ms. Wallis replied that it is not actually a roundabout or a raised curb but an intersection, and staff is having the decorative paving in a circle form removed so as not to confuse motorists.

Commissioner Balch noted that it is not signaled and so another issue that may occur is that there will be back up onto Stoneridge Drive by vehicles trying to make a left turn into that first neighbor driveway. He inquired if that concern will be sufficiently addressed.

Mr. Weinstein replied that the Traffic Engineer's recommendation is to add another left-turn lane onto Stoneridge Drive to prevent backups at that location.

Chair O'Connor inquired if that is for exiting the project site and not entering.

Mr. Weinstein replied that it is for exiting the project only.

Commissioner Balch commented that the exiting would block a vehicle from being able to enter to get in that first lane, Entrance A.

Chair O'Connor inquired if the third exit lane would be a right turn, in addition to the one straight and one left-turn, or if there would be two left-turn lanes.

Mr. Tassano replied that there would be one left, one straight, and one right.

Chair O'Connor stated that it is not a lighted intersection and expressed safety concerns if there were a double left-turn lane and vehicles are going to try and get out there at the same time.

Mr. Tassano replied that there will be a signal there at Stoneridge Drive; it will not be a full stop because if there were a stop, traffic will back up on Stoneridge Drive as vehicles come in, and this is a main concern. He indicated that in Pleasanton Gateway, the left turn is at Wells Fargo, and there is not much of a backup occurring there. He added that this is actually another four lengths longer, but it is a concern that that first left is the main turn.

As far as the exit design, Mr. Tassano stated that staff will come up with something that works. He indicated that there is not a lot of traffic that go straight across; it is more of an operational thing, and whether it is two left's or two right's, some of it comes down to where traffic wants to go. He indicated that three lanes will likely be necessary because there could be a whole bunch of right-turn traffic going out on Stoneridge Drive, and he does not want to have that one through-vehicle blocking it. He added that it could be a double right turn with one being a shared through/right; or maybe most of the traffic is going to Pleasanton and it will need to be a double left. He indicated that staff has not yet made a final determination on this.

Commissioner Balch presented a scenario: Coming in, there are two lanes and presumably both are intended to go straight, and the left lane is now backing up because the vehicles are trying to make this first left into the main area by Building A. He inquired if that should be a dedicated turn-lane in.

Mr. Tassano replied that a short pocket would be helpful there.

Commissioner Balch commented that that would force the people who miss it to get in.

Mr. Tassano said that was right, and added that then they would battle with whether you like trees more than a little bit of congestion on that left turn, so it is something staff is still working on. He indicated that he would be fully in favor of having a left-turn pocket there, but there is just a little tiny island; so the Commissioners would have to balance whether or not they like to create hurdles or trees.

Chair O'Connor commented that he would take trees out of Pleasanton Gateway to fix the parking lot there.

Commissioner Balch stated that he personally likes Mr. Tassano's comments and would personally support that left-turn lane in the entry to the entire complex because this is the only entry for 475 parking spaces.

Commissioner Allen inquired if staff considered another entrance into this shopping center and if that would be feasible.

Mr. Tassano replied that he recommended El Charro Road in the future because there are some conditions that prevent that. He continued that as a vehicle gets closer to the traffic signal at Stoneridge Drive, and if it is just a right turn in and out, most of the traffic will not take that second right, except maybe those going to Building C or D. He

indicated that his concern is that if the majority of the traffic is going back to the freeway, and a driveway is added closer and closer to the signal, people can just drive sideways across six lanes where there will be a right-turn pocket, a bike lane, two through-lanes and then three left-turn lanes, and that can be problematic especially if they then want to do a U-Turn and then they actually go across all six lanes. He noted that staff tries to prevent driveways in general from being on arterial roadways, especially in close proximity to intersections.

B. Are the design, colors, materials, and heights of the proposed buildings acceptable?

Commissioner Allen stated that she is generally supportive of everything staff put here. She indicated that she strongly agrees that a traditional style architecture would better reflect the architectural style commonly found in Pleasanton. She added that this did not feel like Pleasanton to her but more a little bit like the Hacienda Crossings in Dublin. She noted that she thinks Pleasanton can do better.

Regarding materials, Commissioner Allen stated that the exterior materials still felt heavily stucco-oriented even though there are bricks as the bricks felt like they were the same color as the stucco so it was difficult to differentiate. She indicated that she would prefer the applicant to continue to work on more materials to be integrated into the exterior of the shopping buildings, as was stated in the staff report.

With respect to colors, Commissioner Allen stated that she thinks more earth tones are needed. She indicated that she does not like the bright red architectural feature and that the corner reminds her of the movie theater in Dublin. She added that even if it is desired by the community because of the demographics, she felt that the applicant should look at some other color because red does not age well. She stated that she agrees with the building orientation, the street side pedestrian entrances, and staff's points on the awnings. She commented that the buildings feel monotonous, especially the two-story buildings and the longer buildings, and need some other architectural styles and work on that part of the design so it really feels strong. She pointed out that this is the last piece of vacant property for a retail shopping center and it is somewhat of a gateway to Pleasanton coming in from the Livermore side, so her ideal hope is that it be something that does not look like Dublin but really looks like Pleasanton, really top quality all the way. She added that she liked the idea of potted plants and outdoor dining furniture and things like that would create a plaza which would look really top-notch with any furniture that is put out there.

Chair O'Connor agreed with Commissioner Allen and to quote former Commissioner Phil Blank, "The project does not have that Pleasanton look." He indicated that it looks a little like the transit-oriented development (TOD) housing at the BART station that did not have the Pleasanton look. He stated that he thinks the quality is good and that there is a lot of variation on the plan; however, there are some elements that are quite repetitive such as the many awnings which are of the same kind and color.

Commissioner Ritter stated that the developer has done a very good job and that his one concern is that it caters to the 21-percent Asian community while there is the 79 percent of the rest of the population. He noted that this is 11 acres of a premier shopping center, so he wants to make sure it supports all the residents of Pleasanton. He indicated that he totally agrees with getting some niche of businesses in there. He stated that he likes the idea of offices above the shops and the integration of work and eating, and the activities that prevent less traffic so people can stop there on their way home from work. He pointed out that red is the Asian color, which he did not mind, except that it is 11 acres right next to the City's premier, newest park, Staples Park and the Neighborhood Park, where a lot of residents will be coming to with their children, and he would like them to be able to go to the shopping center and not feel that it is just for a certain group.

Commissioner Piper stated that she really liked the red accent wall and thinks it pops and is different. She noted that everyone keeps commenting on the "Pleasanton look" but that she likes the idea that it is different and transitional. She indicated that there needs to be more variation as the other Commissioners mentioned, but that she thinks the developers are onto something good.

Commissioner Balch stated that he does not really care about the color because it can always be repainted, although he is fine with the red because it can draw attention to the eye. In terms of the awnings, he noted that one of the things happening with modern day retail is that awnings are put in and but forget to put them in places where people can walk from store to store when it is raining. He added that he has awnings on some of the buildings he owns, and they obviously degrade quite rapidly with the sun and start to fade and become issues. He suggested that while he is not against the awning material, they should be hard awning, maybe metal with a corrugated look or something so it does look monotonous. With respect to the rest of the materials, he stated that he thinks the applicant has done fairly well picking out a pretty good scheme. He did take issue with the "Pleasanton look" like his fellow Commissioner said because it looks different than other parts of town and he does not think it has to have the "Pleasanton look."

C. Does the Planning Commission find the two-story buildings acceptable, including the presence and design of the proposed exterior stairways? Would the Planning Commission prefer the enclosing of the staircase even if it required a minor deviation to the maximum permitted square footage?

Chair O'Connor stated that he made a comment on the "Pleasanton look" and that it would really matter to him what the structure would look like if they were to change the look. He indicated that in a more modern look like what was proposed here, he does not have a problem with an exterior stairway, but he assumed it would have to be an interior stairway if it was to have the "Pleasanton look." He added, though, that this is not a game stopper for him.

Commissioner Ritter stated that he likes the two-story as well as the open look of the staircase.

Commissioner Piper agreed. She indicated that she is very much in favor of two stories and finds the exterior staircase to be a pretty neat look as well, but expressed concern about when it rains. She stated that the majority of people will probably use this staircase since it is only a two-story building and cannot imagine that many people using the elevator.

Commissioner Balch stated that he generally does not have a problem with two stories, noting that the earlier conversation about setbacks factors into it. He indicated that he has a slight issue with Building A being a two-story and the parking directly adjacent to Building A and would prefer more of a building, such as Building D, that has better ample parking, and some particular section that has the same floor plan as Building A, and then make Building A a single-story. He stated that he understands that Buildings A and B may be together probably for symmetry.

Commissioner Balch stated that the applicant's statement that they are doing this quasi-office changed his view of the staircases. He indicated that he was initially fine with the staircases, thinking it was pure office, because the number of trips up and down the staircase would probably be used by the same people and minimized to twice a day; however, as a quasi-office retail, it will have a traffic load, and people will probably be taking the staircase. He noted that the architect mentioned the tightness of the site and the parking ratio, but with 11.5 acres and a parking ratio of 4.8 per thousand, the applicant should be able to tuck in the staircases.

Commissioner Allen stated that she was fine with a two-story building and liked the look of the outdoor staircase, given this design. She agreed that if it is a traditional design, the staircase should probably be indoor and people may prefer indoor given that they are going to be using it during the winter season.

D. Does the Planning Commission have any comments on the proposed landscaping plans, including the vineyard buffer along El Charro Road?

Commissioner Ritter stated that he likes the vineyard idea as long as it has a bike path and a walkway so people can get there by walking or biking. He added that although it was not discussed, he assumes that there will be a connection to the park on both sides of the layout. He indicated that he wants to make sure the buildings are looking nice and that there are trees there so it integrates with the park nicely on the west and south sides, and maybe have the vineyards go all the way around.

Commissioner Piper stated that she thinks the vineyard is a little bit strange and she finds it hard to visualize it even if it is drawn on the plans. She added that other than that, she does not have any comments on the landscaping and thinks it all looks pretty good.

Commissioner Balch stated that his comment on the landscaping is similar to his comment on the Jeep dealership project. He noted that Building E from the south elevation is a pretty significant-sized building because it is obviously a very lengthy building along the entire southern front, and this is where the park will be looking. He indicated that he really does not like the trash enclosure being tucked up against the park on the southwest corner and suggested that it be a small one if it has to be there. He stated that the building looks massive from the park, and he would like to see a softening-up, and the Willow tree line chosen by Mr. Gates can definitely do that. He added, however, that he would prefer a lower water user, but if the Willow can tolerate recycled water, then he is indifferent because that would be a good solution.

In terms of the meandering path or the vineyard area, Commissioner Balch stated that he would personally like to see the sidewalk move off of El Charro Road primarily because of Vulcan Material Company's use of El Charro Road with the heavy trucks. He indicated that he would like the sidewalk to be as far away from El Charro Road as possible and to remove a little bit of the vineyard as well as there would be an 18-wheeler going down the road about four feet from the curb. He stated that he prefers not to walk along a sidewalk that would have this much traffic, and obviously not straight up against the building either. He agreed with Commissioner Piper regarding visualizing the vineyard at that location but conceded that it might work well.

Commissioner Allen stated that she is neutral on the vineyard and that it fits the design. He agreed with Commissioner Balch about moving the sidewalk in because of the gravel and the dust and using more landscaping to soften Building E. She commented that she assumes there would probably be potted plants or plants in the ground in the patio area with the tables and that it would be a really nice area to have a lot of shade.

Chair O'Connor stated that he thinks there is no room for the vineyards and that he wants to get the sidewalk off of El Charro Road. He noted that the applicant mentioned a meandering sidewalk, and he does not know if there is room to get the sidewalk off of El Charro Road and have it meandering, although there will be more room for other landscaping and smaller trees such as Crepe Myrtle on both sides between where the sidewalk meanders. He added that he wanted the selection of trees on Stoneridge Drive to be consistent with the General Plan.

E. Does the Planning Commission have any comments on the proposed permitted and conditionally permitted uses?

Commissioner Piper stated that she has no comments and that they all seem pretty good to her.

Commissioner Balch stated that, going back to the topic on trees, he has family members that have allergies so he would like to minimize trees or plants that produce pollen or to choose varieties with a lower pollen. In terms of the uses, he pointed out the list of Permitted Uses/Retail on page 3 of Exhibit B, Item 49 states that food will be served until 11:00 p.m., and Item 5 under Conditional Uses/Retail on the same page

stated that food will be served until midnight. He added that there is also the question about food and alcohol or alcoholic beverages served with food service. He indicated that he is obviously not in opposition of that with the proper permits but wants to make sure that the “how” and “when” of times are discussed, if the times are being set here or if the focus here is the use and the times will be figured out later.

Ms. Wallis stated that the intent here is that restaurants are automatically permitted to be open to 11:00 p.m. if they do not sell alcohol, but if they sell alcohol past 11:00 p.m., they would require a Conditional Use Permit. She noted that in this case, a Conditional Use Permit would be required if restaurants sell alcohol after 11:00 p.m.

Commissioner Balch questioned just for follow-up purposes if he can apply for a permit for 11:00 p.m. to 1:00 a.m. He then referred to Item 2 under Conditional Uses/Retail, restaurants with brew pubs, and assumed that the element here is the brew pub versus just standard alcohol service with restaurant.

Ms. Wallis replied that is correct, adding that there is a specific brew pub definition in the PMC.

Chair O'Connor inquired what the distinction is between a restaurant and brew pub that serves beer versus a restaurant that serves beer and wine but is not a brew pub.

Mr. Dolan replied that it is in the PMC and asked Chair O'Connor why he made that distinction.

Chair O'Connor stated that he understands a restaurant can serve beer and wine and be open until 11:00 p.m. at night without having a Conditional Use Permit, but a restaurant with a brew pub will need a Conditional Use Permit.

Mr. Dolan stated that there is an opportunity within this PUD to make all things equal, and if that is what the Commission would like to do, that is what staff will pursue.

Commissioner Balch stated that “brew pub” is defined as having a true bar that can have more than a few people, more than just something that is a standard restaurant that maybe has a small bar area. He added that he is indifferent either way and is generally fine with the uses.

Commissioner Allen stated that she is generally fine with the uses, but is concerned that, for example, in the Downtown, there is a situation where there are a lot of hair salons and service businesses and less and less traditional retail stores, and everything is single-level for the most part. She noted that in a worst-case scenario in a shopping center like this, there would be a whole bunch of music and dance studios and gymnasiums that end up taking the ground floor because those are businesses where people come in and out and they are not necessarily shopping, and it would detract from restaurants and traditional retail, and the shopping center might not be as healthy as it could be. She suggested that the first level be for these vibrant businesses that

have a lot of retail and energy, and for the buildings that have two floors, orient those service-oriented businesses to the second floor.

Mr. Dolan stated that this is something that they can definitely take a look at. He noted that there are some things to balance, and people have taken their shots at Pleasanton Gateway tonight. He pointed out that one of the reasons for Pleasanton Gateway's parking problem has to do with the design and all the vibrant establishments there at the smaller parking lot. He explained that the real problems happen when the restaurants are full, and when this vibrancy creates a parking problem, then it becomes necessary to have some spaces that are not quite as demanding mixed in and consider some limitations on the percentage that could be allotted to certain uses there.

Commissioner Allen commented that it would be good to know that certain types of businesses would be no more than, say, 10 percent; to the degree that it could potentially be 30 percent creates a feel that it is out of balance and relates to the health of the center.

Mr. Dolan agreed.

Chair O'Connor stated that he understands the reasoning behind a discussion in the staff report regarding limiting the percentage of restaurants because of the problem at Pleasanton Gateway, but he is not certain he would want to tell the project owners how to run their business. He pointed out that no one wants to run out of parking or get it so congested that people will stop coming, because then the tenants will leave. He noted that he thinks it is best to let the owners decide how they are going to do their mix; beyond that, staff would have to determine what is allowed and what is not: for example, pre-owned clothing or a second-hand store are either allowed or conditionally allowed in some parts of Pleasanton, but he would not want to see a Goodwill store on the first floor.

Chair O'Connor stated that he does not like the look of having signage on the upper floor at the top of the gutter line. He noted that the way some of these signs are all over the place looks so busy, particularly where there is signage in the middle and then signage at the top. He suggested that a better way might be to tuck the signage underneath the overhang for the walkway. He added that he would not want to put a gas station in here; other than that, the other mixes are fine.

Commissioner Ritter agreed with Chair O'Connor that the Commission is responsible for zoning but not for picking the type of businesses, and with Mr. Dolan that the Commission can determine the percentages and/or types of permits allowed to manage parking issues. He pointed out that this location is right next to a park and he could envision people parking here, go get a sandwich, and eat at the park. He suggested that putting a parking lot near this side of the park so people could park there instead of at this parking lot. He agreed that self-service gas stations would make traffic even worse.

Commissioner Balch inquired if Item 19 under Permitted Use/Office, Emergency standby electricity generator, fuel cell, and battery facilities, is a common allowed use or if it should be a conditionally allowed use.

Mr. Dolan replied that it is a common allowed use in the zones off of which this list is based.

Mr. Wallis clarified that this is actually just an ancillary electric generator and not a use in a tenant space. She added that it would typically be electric generators for medical uses or wireless cell towers.

Commissioner Balch commented that he can tell it will go on the southwest corner in that little cinderblock area right next to the park and recommended that it be allowed as a conditional rather than a permitted use.

Chair O'Connor asked staff if they got what they needed from the Commission.

Mr. Dolan said yes.

No action was taken.

