

## Exhibit A

### PUD-94 Draft Conditions of Approval

#### Project-Specific Conditions:

1. The PUD development plan shall lapse two years from the effective date of this ordinance unless a tentative or parcel map, as applicable, is approved. If a tentative or parcel map is approved, the PUD development plan approval shall lapse when the tentative map or parcel map approval expires. If a final map is recorded before the tentative map or parcel map expires, then the PUD development plan approval shall not lapse.
2. Prior to submittal of the tentative map, the applicant shall amend the Covenants, Conditions & Restrictions (CC&Rs) for Roselyn Estates to include the seven-lot Roselyn Estates II development. The applicant shall provide the City Attorney with a draft of the amended CC&Rs and shall include language satisfactory to the City Attorney which addresses the ownership and maintenance responsibilities of the: Arroyo Del Valle; the trail located on the south side of the Arroyo Del Valle; landscaping; bio-swales and bio-retention areas; and the use of the existing stormwater outfall system constructed for Roselyn Estates. This language must be reviewed and approved by the City Attorney's Office prior to submittal of the tentative map and the amended CC&Rs shall be recorded concurrently with the Final Tract Map.

In the event that Roselyn Estates II is unable to join the existing Roselyn Estates HOA, a separate HOA shall be created for Roselyn Estates II. Roselyn Estates II HOA shall be the responsible party for the ownership and maintenance of the Arroyo Del Valle, the trail, landscaping, bio-swales, and the bio-retention areas. The CC&Rs of Roselyn Estates II shall be submitted to the City and is subject to the review and approval by the City Attorney's Office prior to the submittal of the tentative map. The CC&Rs for Roselyn Estates II shall be recorded concurrently with the Final Tract Map.

3. If Roselyn Estates II is unable to join the existing Roselyn Estates HOA, the applicant shall design a stormwater outfall system specifically for the proposed development. Said stormwater outfall system is subject to the review and approval of all applicable regulatory agencies as well as the City Engineer prior to the submittal of the tentative tract map.
4. Prior to the approval of Final Map, the lot line adjustments approved by Case Nos. P12-1745 and P12-1809 shall be recorded.
5. The lots covered by this PUD development plan shall be subject to the permitted and conditional uses of the One-Family Residential District as defined in the Pleasanton Municipal Code.

6. No building permits shall be issued prior to City approval of the tentative map and recordation of a Final Map.
7. The residences shall be constructed to allow for future installation of a Photovoltaic (PV) system and solar water heating systems. The project developer/applicant shall comply with the following requirements for making the dwellings photovoltaic-ready and solar-water-heating-ready:
  - a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the building's 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;
  - 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.
  - d. Plumbing shall be installed for solar-water heating; and
  - e. Space shall be provided for solar-heating tank.

These measures shall be shown on the building permit plan set submitted to the Director of Community Development for review and approval before issuance of the first building permit.

14. Except as shown in the PUD development plan, the lots and structures covered by this PUD approval shall be subject to the following site development standards:

	<i>Roselyn Estates II (PUD-94) (in feet)</i>
Front Setback	
Living Area/House	20
Covered Porch	15
Garage (Front Facing)	20
Garage (Side Entry)	15
Rear Yard Setback	
Living Area	20
Covered Porches	15
Side Yard Setback	10 min. on each side 15 street-side
Height <sup>1</sup>	32
FAR <sup>2</sup>	40%

- 1) Height is taken from the lowest finished grade adjacent to the house to the highest point of the home.
- 2) Maximum building area includes primary and Class I accessory structures but excludes up to 600 square feet of garage area. Portions of garage floor area over 600 square feet shall be included in the building area calculation.
- 3) The southeast corner of the garage on Lot 1 is measured 15 feet to the cul-de-sac of Street "A".

Unless otherwise specified above, the site development standards of the R-1-10,000 District shall apply.

15. Appliances meeting Energy Star standards shall be installed as part of the project. The proposed appliances shall be indicated on the plans submitted for the issuance of a building permit.
16. Water conservation devices such as low-flow faucets, toilets, shower fixtures, etc. shall be installed as part of the project. The devices shall be indicated on the plans submitted for the issuance of a building permit.
17. The electrical plan for the homes shall provide telecommunications infrastructure consistent with state-of-the-art methods (e.g. cabling for DSL, broadband, or wireless service, wiring for total room access, etc) in effect at the time that building permit(s) are issued. The plan shall be part of the building permit plan set.
18. The project developer/applicant shall specify the details of windows and doors (manufacturer, style/model, etc.) on the construction drawings submitted for plan check. The details shall include a one-inch window recess as measured from the siding not the window sill/trim. The details shall be subject to review and approval by the Director of Community Development prior to issuance of building permits for the project.
19. The project shall comply with the current City and Pleasanton Garbage Service's recycling and composting programs.
20. No fence shall be located beyond the top of the southern slope bank of Arroyo Del Valle.
21. The State of California's Green Building Standard Code, "CALGreen", shall apply, if applicable.
22. The Building and Safety Division may require special plan check or inspections for the green building measures proposed. If required, the applicant shall provide verification to the Planning Division clearly stating that the Building and Safety Division approved all applicable requirements relating to green building measures. Said verification shall be provided prior to occupancy.
23. A flagman is required to direct traffic if a construction vehicle needs to park/stop Calico Lane, Cindy Way, or Rose Avenue.
24. A demolition permit shall be obtained and the site cleared of all structures prior to Final Map recordation.
25. The project developer/applicant shall increase the GreenBuilding points for the proposed homes subject to the satisfaction of the Director of the Community

Development. The final GreenBuilding checklist shall be submitted with the construction plans and is subject to the review and approval by the Director of Community Development prior to issuance of a building permit.

26. The proposed street lights shall match the street lights on Cindy Way/Lynn Drive.

## **Fire**

27. The homes covered by this approval shall be equipped with an automatic fire sprinkler system. Plans and specifications for the automatic fire sprinkler system shall be submitted to the Pleasanton Building and Safety Division 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.

28. The location(s) of the fire hydrant(s) shall be reviewed and approved by the Livermore-Pleasanton Fire Department prior to issuance of a building permit.

## **Landscaping**

29. The project shall comply with the State of California's Model Water Efficient Landscape Ordinance and Bay Friendly Landscaping Basic requirements. A licensed landscape architect shall verify the project's compliance with the ordinance and Bay Friendly requirements: 1) prior to the issuance of a building permit; and 2) prior to final inspection. The verification shall be provided to the Planning Division.

30. The project developer/applicant shall comply with the recommendations of the tree report prepared for Roselyn Estates II, Inc. by HortScience, dated "Received September 21, 2012". No tree trimming or pruning other than that specified in the tree report shall occur. The project developer/applicant shall arrange for the horticultural consultant to conduct a field inspection prior to issuance of City permits to ensure that all recommendations have been properly implemented. The consultant shall certify in writing that such recommendations have been followed.

31. Prior to building final, all front yard landscaping shall be installed and inspected by the Planning Division.

32. The final landscape and irrigation plan shall include the planting details in the bioswale and bio-retention areas and are subject to review and approval by the Director of Community Development prior to the approval of the final map.

33. The project developer/applicant shall mitigate the heritage tree removal by making a payment to the Urban Forestry Fund based on the appraised value of the heritage-sized trees (\$38,900), or paying a proportionately reduced amount by increasing the size of some or all of the 34 trees that are presently shown on the landscape plan.

The planting size increase and reduced payment to the Urban Forestry Fund is subject to review and approval by the City Landscape Architect and Director of Community Development. The required payment shall be paid in full prior to issuance of a building permit.

34. A final landscape plan and irrigation plan shall be submitted to and approved by the Director of Community Development as part of the building plan set prior to the issuance of a building permit. Said landscape plan shall be detailed in terms of species, location, and size. Plant species shall be of a drought tolerant nature with an irrigation system that maximizes water conservation throughout the development (e.g., drip system).

## **Engineering**

35. The project developer/applicant shall pay pro-rata share of the future sewer and water main extensions along the Alameda County Fairgrounds property to Valley Avenue as determined by the City Engineer. A cost estimate and pro-rata share payment shall be approved by the City Engineer prior to approval of the Final Map.
36. A public trail easement on Parcel A shall be dedicated on the face of the final map and shall be maintained by the homeowners association including landscaping, irrigation, and fencing.
37. Parcel B (Arroyo del Valle) shall be conveyed by separate instrument to the homeowners association and shall be maintained by the homeowners association.
38. Prior to the approval of the final map, the project developer/applicant shall submit a detailed geo-grid design to the City Engineer for review and approval. The location of the geo-grid shall not interfere with public utilities.
39. Prior to the approval of the final map, the project developer/applicant shall provide a photometric of the proposed street lights to the City Engineer for review and approval.
40. The project developer/applicant shall comply with the recommendations of the project's geotechnical consultant (Engeo) and geotechnical peer review consultant (Kropp & Associates). The project developer/applicant/applicant'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 including those from Kropp & Associates 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.

41. The project developer/applicant shall protect Arroyo Del Valle during all grading and construction activities. A \$10,000.00 bond shall be posted with the City Engineer to ensure compliance with this requirement. Protection measures shall be described in detail on the on-site/grading plan, site plan, and any other construction or building plans to the satisfaction of the Director of Community Development and/or the City Engineer or Chief Building Official before grading/construction begins.

## **Building**

42. Prior to receiving a foundation inspection for the structure, the project developer/applicant shall submit a pad elevation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building Official and Director of Community Development, certifying that the pad elevation and building location (setbacks) are pursuant to the approved plans.

43. Prior to issuance of a building permit, the project developer/applicant shall pay the applicable Zone 7 and City connection fees and water meter cost for any water meters, including irrigation meters. Additionally, the project developer/applicant shall pay any applicable DSRSD sewer permit fee.

## **STANDARD CONDITIONS OF APPROVAL**

### **Community Development Department**

44. The project developer/applicant 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, including individual lots, unless otherwise approved by the department.

45. The project developer/applicant 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.

46. If any prehistoric or historic artifacts, or other indication of cultural resources are found once the project construction is underway, all work must stop within 20 meters (66 feet) of the find. A qualified archaeologist shall be consulted for an immediate evaluation of the find prior to resuming groundbreaking construction activities within 20 meters of the find. If the find is determined to be an important archaeological resource, the resource shall be either avoided, if feasible, or recovered consistent with the requirements of Appendix K of the State CEQA Guidelines. In the event of discovery or recognition of any human remains in any on-site location, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the County coroner has determined, in accordance with any law concerning investigation of the circumstances, the manner

and cause of death and has made recommendations concerning treatment and dispositions of the human remains to the person responsible for the excavation, or to his/her authorized representative. A similar note shall appear on the improvement plans.

47. All existing wells on the site shall be removed or sealed, filled and abandoned pursuant to Alameda County Ordinance 73-68, prior to the start of grading operations. Wells shall be destroyed in accordance with the procedures outlined on the permit obtained from Zone 7. Zone 7 may request the developer/subdivider to retain specific wells for monitoring the ground water. The developer/subdivider shall notify the City of Zone 7 desire to retain any well and make provisions to save the well. Additionally, the developer/subdivider may request special approval for temporary use of an existing well for construction water or a more permanent use such as non potable outdoor landscaping. The developer/subdivider shall make such request in writing to the City Engineer.
48. 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 is significantly changed. In no case will a permit be issued prior to the effective date of the ordinance.
49. The project developer/applicant shall submit a written dust control plan or procedure as part of the building permit plans.

## **Planning**

50. The seven-lot development plan covered by this approval shall be in substantial conformance to the development plan, Exhibit B, on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance to the approved exhibits.
51. To the extent permitted by law, the project developer/applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the project developer/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.

52. The project developer/applicant shall work with the Pleasanton Unified School District (PUSD) to develop a program to offset this project's long term effect on school facility needs in Pleasanton in addition to the school impact fees required by State law. This program shall be designed to fund school facilities necessary to offset this project's reasonably related effect on the long-term need for expanded school facilities. The method and manner for the provision of these funds and/or facilities shall be approved by the PUSD and in place prior to building permit issuance. Written proof of compliance with this condition shall be provided by Project developer/applicant to the City, on a form generated by the PUSD, prior to building permit issuance.

53. Prior to building permit submittal, a list of the green building measures used in the design of the units covered by this approval shall be provided to the Planning Division for the review and approval by the Director of Community Development.

The green building measures shall be shown on one of the first two pages of the plans submitted for issuance of a building permit. **Each point identified shall have a notation indicating the sheet 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 appropriate, as determined by the Director of Community Development.

A special inspection by the Planning Division shall be coordinated with regards to landscaping, irrigation, and exterior materials. All of the green building measures indicated on the approved checklist shall be inspected and approved by either the City of Pleasanton, a third party rater, or the project project developer/applicant shall provide written verification by the project engineer, architect, landscape architect, or designer.

54. Only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed inside or outside the homes.

55. 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.

56. Planning Division approval is required before any changes are implemented in site design, grading, house design, house colors or materials, green building measures, landscape material, etc.

57. Prior to occupancy, the landscape architect or landscape designer shall certify in writing to the Director of Community Development that the landscaping has been installed in accordance with the approved landscape and irrigation plans with respect to size, number, and species of plants and overall design concept.



58. The developer and future homeowners are encouraged to use reclaimed gray water, rain water, etc., for landscape irrigation. If used, the details shall be shown on the permit plan set to the satisfaction of the Director of Community Development before issuance of a building permit.
59. The developer and future homeowners are encouraged to use best management practices for the use of pesticides and herbicides.
60. The project developer/applicant 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.
61. Campers, trailers, motor homes, or any other similar vehicle are not allowed on the construction site except when needed as sleeping quarters for a security guard.
62. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
63. 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.
64. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. No construction shall be allowed on State or Federal Holidays. The Director of Community Development may allow earlier "start times" or later "stop times" for specific construction activities, e.g., concrete pouring. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the hours of construction shall be posted on site.

## **Engineering**

65. A "Conditions of Approval" checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.
66. The project developer/subdivider shall post with the City, prior to approval of the final map/parcel map, a separate labor and material bond, performance bond and maintenance bond for the full value of all subdivision 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. The City Engineer may waive this requirement if the required improvements have been satisfactorily installed prior to approval of the map.

67. The project developer/subdivider shall grant an easement to the City over those parcels needed for public service easements (P.S.E.) and which are approved by the City Engineer, or other easements, which may be designated by the City Engineer.
68. 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.
69. A water meter shall be provided to each lot of record within the development unless otherwise approved by the City Engineer.
70. A sanitary sewer lateral with two-way cleanout (located at the back of the sidewalk or curb, whichever is applicable) shall be provided to each lot of record within the development unless otherwise approved by the City Engineer.
71. The project developer/subdivider shall construct vertical P.C.C. curbs and gutters within this development unless otherwise approved by the City Engineer. When the sidewalk is adjacent to the curb and gutter, they shall be poured monolithically.
72. For new streets, the minimum grade for the gutter flow line shall be set at one percent where practical, but not less than .75% unless otherwise approved by the City Engineer. The existing streets shall have grade to match existing site conditions subject to review by the City Engineer.
73. All existing septic tanks or holding tanks, if any 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.
74. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve the project.
75. The project developer/subdivider shall submit detailed landscape and irrigation plans as part of the improvement plans. The irrigation plan shall provide for automatic controls.
76. The project developer/subdivider shall be responsible for the installation of the street lighting system serving the development. The street lights shall be (LED units) of type and poles subject to review and approval by Community Development Director with poured in place bases, on the LS-2A schedule per City requirements and PG&E standard details, unless otherwise specifically approved. The lighting system design shall conform to the Illuminating Engineering Society (IES). Approval for the number, location, and type of electroliers shall be subject to the review and approval of the City Traffic Engineer.

77. The improvement plans for this development shall contain signage and striping plans that are subject to the approval of the City Traffic Engineer.
78. The project developer/subdivider shall be responsible for the undergrounding of the overhead utility lines across the project frontage. All utility lines shall be installed in conduit. Only PG&E switch enclosures or capacity banks can be installed above ground provided the units are screened with landscaping to the satisfaction of the Director of Community Development.
79. 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 in a joint utility trench unless otherwise specifically approved by the City Engineer.
80. The project developer/subdivider 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 occupancy.
81. The encroachment permit for haul route for all materials and equipment to and from this development shall be approved by the City Engineer prior to the issuance of any permit by City Building Division or Engineering Division.
82. Any damage to existing street improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the project developer/subdivider. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
83. The in-lieu park dedication fees shall be paid to the City prior to approval of the map, at the rate then in effect, for the total number of buildable lots on the map, unless this requirement has been otherwise satisfied.

#### **URBAN STORMWATER CONDITIONS OF APPROVAL**

84. The project shall comply with the City of Pleasanton's Stormwater NPDES Permit #CAS612008, dated October 14, 2009 and amendments (hereafter referred to as NPDES Permit). This NPDES Permit is issued by the California Regional Water Quality Control Board, San Francisco Bay Region (hereafter referred to as Regional Water Quality Control Board). Information related to the NPDES Permit is available at the City of Pleasanton Community Development Department, Engineering Division, and on line at:

- <http://www.ci.pleasanton.ca.us/business/planning/StormWater.html>

- [http://www.waterboards.ca.gov/sanfranciscobay/water\\_issues/programs/storm\\_water/Municipal/index.shtml](http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/storm_water/Municipal/index.shtml)

## **A. Design Requirements**

1. NPDES Permit design requirements include, but are not limited to, the following:
  - a. Source control, site design, implementation, and maintenance standards when a regulated project (such as a commercial, industrial, residential subdivision, mixed use, or public project) creates and/or replaces 10,000 square feet or more of impervious surface (5,000 square feet for auto service facilities, retail gasoline outlets, restaurants, and uncovered parking lots), including roof area, street, and sidewalk.
  - b. Hydromodification standards when a regulated project creates and/or replaces a 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/applicant shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and onsite drainage control measures including bio-retention swales. Irrigated bio-retention swales shall be designed to maximize stormwater entry at their most upstream point. The grading and drainage plans shall be subject to the review and approval of the City Engineer prior to the issuance of a grading or building permit, whichever is sooner.
  - b. In addition to natural controls, the project developer/applicant may be required to install a structural control(s), such as an oil/water separator(s), sand filter(s), or approved equal(s) in the parking lot and/or on the site to intercept and pre-treat stormwater prior to reaching the storm drain. The design, location(s), and a schedule for maintaining the separator shall be submitted to the City Engineer/Chief Building Official for review and approval prior to the issuance of a grading or building permit, whichever is sooner. The structural control shall be cleaned at least twice a year (once immediately prior to October 15 and once in January).

- c. The project developer/applicant shall submit to the City Engineer the sizing design criteria and calculations for a hydromodification facility, if required, and for the treatment of stormwater runoff. The design criteria and calculations shall be subject to the review and approval of the City Engineer and shall be submitted prior to the issuance of a grading or building permit, whichever is sooner.
- d. 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.
- e. 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.
- f. 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/applicant 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.
- g. 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.

- h. All metal roofs, gutters, and downspouts shall be finished with rust-inhibitive finish/paint as determined by the Chief Building Official.
  - i. All projects using architectural copper roofing, gutters, downspouts, etc., shall utilize the following Best Management Practices for use and maintenance:
    - a. 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.
    - b. 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).
    - c. During re-patination, collect the rinse water in a tank and dispose off-site or discharge to sewer (with prior authorization from DSRSD) .
  - j. Roof drains shall drain away from the building foundation. Ten percent of the stormwater flow shall drain to a landscaped area or to an unpaved area wherever practicable as determined by the City Engineer/Chief Building Official.
3. The project developer/applicant shall install trash capture devices within the project's storm drain inlets or storm drain piping to capture trash within the development. These devices shall trap particles of 5mm or greater and have treatment capacity not less than the peak storm from a "one year, one hour" event within the drainage area. The project developer/applicant's engineer shall submit calculations and product submittals to the City Engineer for review and approval prior to the issuance of a grading or building permit, whichever is sooner.

## **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/construction.shtml)
- [http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/docs/finalconstrpermit.pdf](http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/finalconstrpermit.pdf)

1. The Construction General Permit's requirements include, but are not limited to, the following:
  - a. The project developer/applicant 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/applicant 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/applicant 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/applicant 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/applicant 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: 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: use a designated area away from the storm drainage facility; always use secondary containment and keep stockpile of cleanup materials nearby; regularly inspect vehicles and equipment for leaks and repair quickly or remove from the project site; and train employees on spill cleanup procedures. Use of an off-site repair shop is strongly encouraged.
2. Within 30 days of the installation and testing of the stormwater treatment and hydromodification 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, industrial, residential subdivision, mixed use, or public projects) that create and/or replace 10,000 square feet or more of impervious areas (5,000 square feet for auto service facilities, retail gasoline outlets, restaurants, and uncovered parking lots) 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 Operation and Maintenance Agreement shall be submitted to the Engineering Division prior to the issuance of a grading or building permit, whichever comes first. The Agreement is subject to review and approval of the City Engineer/City Attorney, prior to recordation.

3. 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.
  - c. Ensuring wastewater from industrial, commercial, and covered vehicle wash areas and equipment washing operations is not discharged to the storm drain system.
  - 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.

## **Building**

85. All retaining walls higher than four feet from the top of the wall to the bottom of the footway shall be constructed of reinforced concrete, masonry, or other material as approved by the Director of Community Development, or shall be an approved crib wall type. Calculations signed by a registered civil engineer shall accompany the wall plans.
86. At the time of building permit plan submittal, the project developer/applicant shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures to prevent stormwater runoff onto adjoining properties.
87. Prior to issuance of building or demolition permits, the project developer/applicant shall submit a waste management plan to the Building and Safety Division. The plan shall include the estimated composition and quantities of waste to be generated and how the project developer/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/project developer/applicant shall mark all trash disposal bins “trash materials only” and all recycling bins “recycling materials only.” The project developer/project developer/applicant shall contact Pleasanton Garbage Service for the disposal of all waste from the site.

## **Landscaping**

88. No trees shall be removed other than those specifically designated for removal on the approved plans or tree report. The project developer/project developer/applicant shall post cash, letter of credit, or other security satisfactory to the Director of Community Development in the amount of \$5,000 for each tree required to be preserved, up to a maximum of \$25,000. This cash bond or security shall be retained for one year following acceptance of public improvements or completion of construction, whichever is later, and shall be forfeited if the trees are destroyed or substantially damaged. No trees shall be removed other than those specifically designated for removal on the approved plans or tree report.
89. No tree trimming or pruning other than that specified in the tree report shall occur. The project developer/project developer/applicant shall arrange for the horticultural consultant to conduct a field inspection prior to issuance of grading permits to ensure that all recommendations have been properly implemented. The consultant shall certify in writing that such recommendations have been followed.
90. Six-inch vertical concrete curbs shall be installed between all paved and landscaped areas.
91. The project developer/project developer shall provide root control barriers and 4-inch perforated pipes for trees near driveways and in other paved areas less than 10-feet in width, or as determined by the Director of Community Development.
92. Except as otherwise conditioned, all trees used in landscaping shall be a minimum of 15 gallons in size and all shrubs a minimum of 5 gallons.
93. The project developer/applicant shall install an automatic irrigation system for all landscaping, including the landscaping installed in the City right-of-way. The site irrigation design shall utilize low-volume drip, bubbler, or other water conserving irrigation systems to maximize water conservation to the greatest extent possible. The irrigation systems shall include a soil moisture, rain sensor, or other irrigation efficiency device. The proposed type of irrigation efficiency device shall be shown on the plans submitted for the issuance of building permits.

94. Prior to issuance of a grading or building permit, the project developer/applicant 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."
95. For purposes of erosion control, the applicant/developer shall plant a hydroseed mixture that has been designed by the project Landscape Architect. The hydroseed mixture shall be specified on the subdivision improvement plans and building permit plans for review and approval by the Director of Community Development and shall be maintained by the project developer/applicant until the project has been stabilized with landscaping and stormwater NPDES permit has been accepted by State Water Board.
96. 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.

## **Fire**

97. The project developer/applicant shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
98. Prior to any construction framing, the project developer/applicant 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 able to suppress a major fire.
99. 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.

100. The Fire Chief shall approve the number, type, and location of all private fire hydrants.
101. All curbs located within a seven-foot, six-inch radius of a public/private fire hydrant shall be painted red, unless, modified by the Fire Chief. Blue street "hydrant markers" shall be installed for all fire hydrants per City of Pleasanton Standard Specifications.
102. All private streets and driveway aisles designated as fire lanes by the Fire Chief shall be maintained in accordance with Articles 9 and 10 of the Uniform Fire Code which permits towing vehicles illegally parked on the fire lanes. Fire lane curbs shall be painted red with "No Parking, Fire Lane, Tow Away Zone" or "No Parking, Fire Lane, Tow Away Zone" signs shall be installed as required by the Vehicle Code.
103. The project developer/applicant shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
104. Prior to any construction framing, the project developer/project developer/applicant 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 able to suppress a major fire.
105. The following items will be provided prior to any construction above the foundation or slab. NOTE: Periodic inspections will be made for compliance.
  - a. Emergency vehicle access will be required to be provided to the site (tract), including the area where construction is occurring.
  - b.. Emergency vehicle access shall be a minimum of 20 feet in clear width. A clear height free of obstructions (power, cable, telephone lines, tree limbs, etc.) is required. This clearance shall be a minimum of 13 feet-6 inches. Inside turning radius of 45 feet and outside turning radius of 55 feet shall be provided.
  - c. The carrying capacity of the access route(s) shall be 69,000 pounds under all weather conditions.
  - d. Designated construction material storage and construction worker parking shall not obstruct the emergency vehicle access route(s).
  - e. On-site fire hydrants shall be in service. Fire hydrants shall be flushed and all valves open.

## **CODE REQUIREMENTS**

*(Project developer/applicants 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.)*

## **Planning**

106. All exterior lighting including landscape lighting shall be directed downward and designed or shielded so as to not shine onto neighboring properties. The project/building developer shall submit a final lighting plan, and include drawings and/or manufacturer's specification sheets showing the size and types of light fixtures proposed for the exterior of the buildings.

## **Building**

107. The project developer/applicant 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.
108. The project developer/applicant shall post address numerals on the building so as to be plainly visible from all adjoining streets or driveways during both daylight and night time hours.
109. The buildings covered by this approval shall be designed and constructed to meet Title 24 state energy requirements.
110. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.

## **Fire**

111. 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.
112. 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 NFPA 13D for residential occupancies and NFPA 13R for multifamily residential occupancies.
113. Fire alarm system 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.

114. 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.
115. The buildings 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).

{end}

## DEPARTMENT OF FISH AND GAME

## North Coast Enforcement District

<http://www.dfg.ca.gov>

20 Lower Ragsdale Drive, Suite 100

Monterey, CA 93940

(831)649-2870

**EXHIBIT C**

February 5, 2011

To whom it may concern,

During the week of November 19, 2012 I investigated and determined a Fish and Game Violation of Fish and Game Code 5652, dumping debris (concrete) within 150 feet of waters of the State of California. The waters affected were that of the Arroyo Del Valle Creek. The violation was located at 1623 Cindy Way, Pleasanton, CA. I determined the property owner to be Lynn Jansen of Lynden Homes.

The violation was relatively minor and I had Mr. Jansen's full cooperation during my entire investigation. Under my direction Mr. Jansen removed the debris that was placed along the creek bed and also made a satisfactory attempt to re-vegetate (hydro-seeding) the surrounding area.

I explained to Mr. Jansen it was a violation to do any type of alteration to a stream bed or its bank without first obtaining a 1600 permit from CA Department of Fish and Game. I also explained to Mr. Jansen if he had future plans for the creek bank he would also have to contact the US Fish and Wildlife Service for a BO and possible permits, as this location is possible habitat for federally protected species. Mr. Jansen explained to me after this incident he no longer has any desire to conduct any type of work near the creek.

I have issued Mr. Jansen a warning for this incident. I have no intention of filing any kind of criminal or civil case against Mr. Jansen or Lynden Homes for this incident. As of December 12<sup>th</sup>, 2013 there no longer exists a Fish and Game violation at the property of 1623 Cindy Way, Pleasanton, CA.

If there are any questions or concerns please contact me.

Sincerely,

Warden Anthony Russo # 773

California Department of Fish & Game

Cell: (925)-570-3319

[Anthony.russo@wildlife.ca.gov](mailto:Anthony.russo@wildlife.ca.gov)



ROSELYN HOMEOWNERS ASSOCIATION

% Scott Ekman, RHOA President  
1616 Cindy Way  
Pleasanton, California 94566  
Phone: (925) 425-0064  
Email: [scottekman@mindspring.com](mailto:scottekman@mindspring.com)

August 20, 2012

City of Pleasanton - Planning Department  
200 Old Bernal Avenue  
Pleasanton, CA 94566

To Whom It May Concern,

Please let this letter confirm that the elected Board of Directors of the Roselyn Homeowners Association (RHOA) AND the attending full membership of the RHOA gave formal **UNANIMOUS SUPPORT AND APPROVAL** of Lynden Homes' **ROSELYN ESTATES PHASE II - (7) NEW HOME SUBDIVISION DEVELOPMENT PLAN**, whose plans and information were presented to the Board and Membership at our recent August 8th, 2012 RHOA meeting. (said plans & information is herein attached for reference)

Additionally, the elected Directors of the Roselyn Homeowners Association's (RHOA) AND the attending full membership of the RHOA also gave formal **UNANIMOUS APPROVAL** for the **ROSELYN ESTATES - PHASE II (7) NEW HOMES and 'CREEKSIDE' PARCELS A & B**, to be duly **ANNEXED INTO THE ROSELYN ESTATES HOMEOWNERS ASSOCIATION**, at the appropriate time, and in due accordance with SECTION 14 of the "ROSELYN DECLARATION of RESTRICTIONS (CC&R's)", as recorded 10/5/07. (said RHOA CC&R's 'Section 14' is herein attached for reference)

**The above stated approvals are specifically contingent upon the following:**

1. The Roselyn Estates Phase II development shall be developed and constructed in general accordance with the plans and information presented to the RHOA at the 8/8/12 RHOA meeting.
2. The Roselyn Estates Phase II development shall be developed and constructed in accordance with the requirements and approvals duly required for developments of this nature by the City of Pleasanton.
3. The new seven (7) homes and properties, and the 'Creekside' Parcels 'A' & 'B' shall be duly annexed into the existing Roselyn Homeowners Association - as specific accordance with the procedures and terms of 'SECTION 14' of the 10/5/07 recorded "Roselyn Declaration of Restrictions (CC&R's)".
4. That, as specifically agreed to and accepted by the RHOA and the Roselyn Estates Phase II Owner/ Developer: EACH NEW ROSELYN ESTATES PHASE II HOMEOWNER SHALL BE ASSESSED AND PAY TO THE RHOA an initial one-time fee of **\$3000 PER HOME**, within the home sale close of escrow to the first new homeowner, pursuant to Section 14 of the RHOA CC&R's. (Note - said total \$21,000 amount shall be added to the ongoing RHOA 'Creek Maintenance Reserve Fund').

Please also note that, whereas the RHOA Board and Membership consider the ROSELYN ESTATES PHASE II development to be a needed and desired and appropriate enhancement to our neighborhood and City - **We respectfully request the City of Pleasanton Planning Department, Planning Commission, and City Council to EXPEDITIOUSLY and FULLY approve this project for development and construction at the earliest possible date.**

Please feel free to contact me directly with any further RHOA related needs or questions in these regards.

Respectfully,



Scott Ekman (Owner: Roselyn Estates Lot 2)  
President, Roselyn HOA



Micheal Derbish (Owner: Roselyn Estates Lot 3)  
Vice President, Roselyn HOA

7/20/12  
1/1/12

*Nolan Farms  
Maintenance Association*

April 16, 2013

Ms. Jenny Soo  
Associate Planner  
City of Pleasanton  
200 Old Bernal Avenue  
PO Box 520  
Pleasanton, CA 94566-0802  
Email: [jsoo@cityofpleasantonca.gov](mailto:jsoo@cityofpleasantonca.gov)  
925-931-5615

Re: April 24, 2013 Meeting  
PUD-94, Lynn Jansen, Roselyn Estates II

Dear Ms. Decker:

Nolan Farms Maintenance Association supports the PUD, Roselyn Estates II development by Lynn Jansen. We feel that the development of this property matches well with the integrity and design of Nolan Farms Maintenance Association and we look forward to having them as neighbors.

Sincerely,

*Rodney Roloff*

Rodney Roloff  
Board President  
Nolan Farms Maintenance Association  
(925) 399-5578

Cc: Lynn Jansen

Jenny Soo

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**From:** Chris Koopmans  
**Sent:** Wednesday, April 17, 2013 8:58 PM  
**To:** Jenny Soo  
**Cc:** Lynn Jansen; Heather Koopmans  
**Subject:** Support of 7 new home 'Roselyn Estates II' project - PUD-94  
**Attachments:** Koopmans\_RoselynII.pdf

To Jenny Soo, Planning Staff

Please find attached my letter of support for the Roselyn Estates II project. I will be unable to attend the public hearing, but want to ensure that my perspective is taken into account for this important extension to our neighborhood.

Thanks,

Chris Koopmans

April 17, 2013

To: City of Pleasanton, Planning Commission

My name is Chris Koopmans. My wife Heather, three young girls – and I reside in Pleasanton. I am writing in support of the 7 new home 'Roselyn Estates II' project PUD-94. Our home is located directly adjacent to the proposed building site. Our house is on the corner with Lynn Dr. where the street will be extended, and our back yard will share a fence with a proposed new home. My family and I believe that these new homes and the new families that will come with them will be a welcome addition to our neighborhood. Further, I feel that in its current undeveloped state it is in fact a detriment to our community. I request that you vote to approve this project, and allow it to move forward as quickly as possible. We sincerely hope to see new families moving in next-door in the near future, and hope your commission moves with haste and enables it to do so.

Thank you.



Christopher R. Koopmans  
1643 Cindy Way  
Pleasanton, CA 94566

**PUD-94**  
**EXHIBIT E**

CITY OF PLEASANTON  
INITIAL STUDY AND PROPOSED NEGATIVE DECLARATION FOR THE 1623  
Cindy Way (PRZ-59)

June 1, 2011

An Initial Study has been prepared under the direction of the City of Pleasanton Department of Planning and Community Development regarding an application submitted by Lynn Jansen to rezone an approximately 3-acre portion of the existing approximately 4-acre at 1623 Cindy Way from A-1 (Agriculture) District to PUD-MDR (Planned Unit Development – Medium Density Residential) District. With the proposed rezoning, the applicant intends to relocate the existing home.

Based upon the following Initial Study that evaluated the environmental effects of the proposed project, the City of Pleasanton has found that the proposed project (including any mitigation measures that would be incorporated into the project) would not have a significant effect on the environment. The City of Pleasanton has concluded, therefore, that it is not necessary to prepare an Environmental Impact Report for this project.

PRZ-59  
EXHIBIT F

**Environmental Checklist Form**

**I. BACKGROUND**

1.	<i>Project title:</i> PRZ-59		
2.	<i>Lead agency name and address:</i> City of Pleasanton 200 Old Bernal Avenue P.O. Box 520 Pleasanton, CA 94566		
3.	<i>Contact person and phone number:</i> Jenny Soo, Associate Planner  (925) 931-5615		
4.	<i>Project location:</i> 1623 Cindy Way		
5.	<i>Project sponsor's name and address:</i> Lynn Jansen Lynden Homes PO Box 417 Diablo, CA 94528		
6.	<i>General plan designation:</i> Medium Density Residential	7.	<i>Zoning:</i> A and PUD-MDR
8.	<i>Description of project:</i> See Section III.2. Project Characteristics and Approvals, below.		
9.	<i>Surrounding land uses and setting: (Briefly describe the project's surroundings.)</i> See Section II.2 Project Location and Context, below.		
10.	<i>Other public agencies whose approval is required:</i> No approvals are needed from other public agencies.		

**II. PROJECT DESCRIPTION**

**1. Introduction**

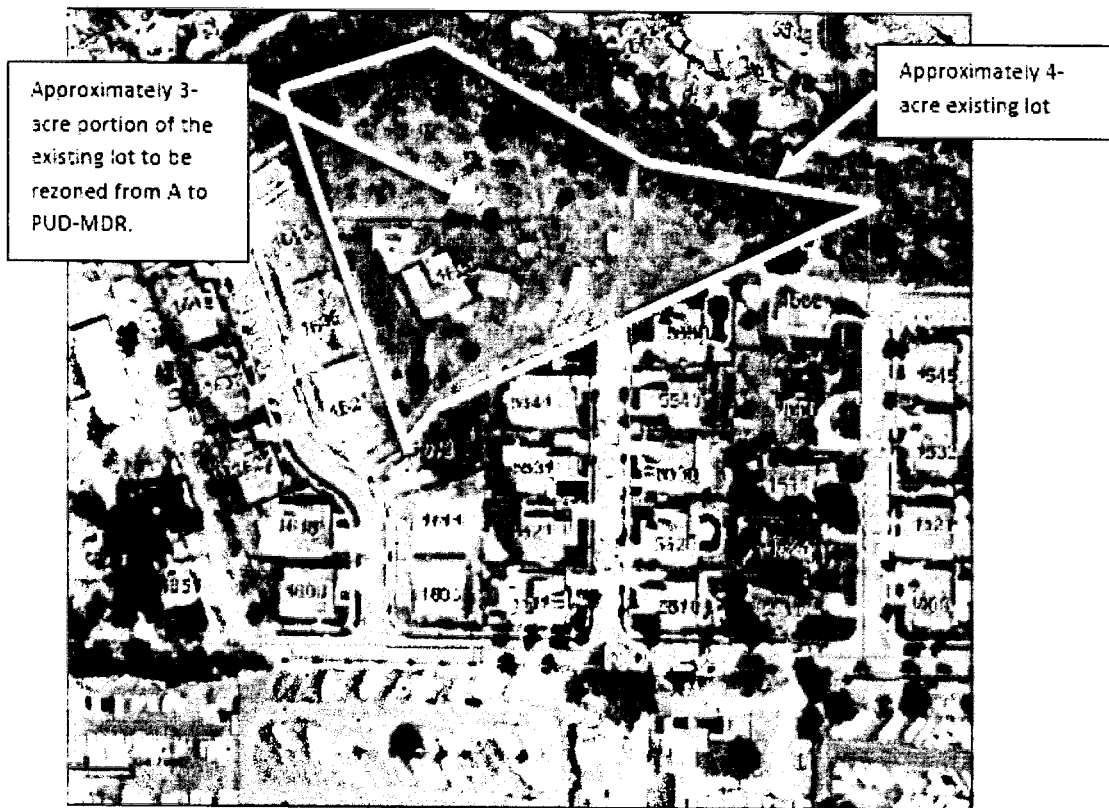
This Initial Study and Negative Declaration (IS/MND) provides the California Environmental Quality Act (CEQA) environmental analysis for the proposed rezoning of an approximately three-acre portion of the existing four-acre site.

This Initial Study / Negative Declaration consists of an environmental checklist, a brief explanation of topics addressed in the checklist, and a determination that an EIR is not required.

This Initial Study analyzes project-specific environmental impacts due to changing the current A district zoning designation on the existing lot to PUD-MDR. For each potential impact topic, this Initial Study evaluates specific impacts associated with the currently proposed rezoning. Additional mitigation measures, if warranted, to reduce some impacts or to be carried forward for evaluation in a subsequent project specific CEQA analysis will also be included herein. No actual development of the subject site is proposed at this time other than relocating an existing home, and any proposal involving residential development would be subject to a separate public review process and potentially to a further, more refined environmental review under CEQA.

## 2. Project Location and Context

The project site is located north of Rose Avenue and northeast of Cindy Way. The project site is an approximately a three-acre portion of the entire four-acre lot, currently occupied by a single-family residence, several outbuildings, and a swimming pool.



Project Location

The site is bounded on the east, west, and south by single-family homes, on the north by the Arroyo Del Valle, a controlled release storm water channel. The Alameda County Fairgrounds is on the south side of Rose Avenue.

### 3. Project Characteristics

The subject site currently has two zoning designations: A (Agriculture) and PUD-MDR (Planned Unit Development – Medium Density Residential) District. The A zoning portion of the site covers approximately three-acres of the four-acre lot. The applicant requests a rezoning so that the site would have one single zoning designation of PUD-MDR, which would bring the zoning designation in conformance with the General Plan Land Use Designation of Medium Density Residential.

With the approval of the rezoning, the applicant intends to relocate the existing home. The applicant intends to later file a PUD development plan application for seven new single-family home lots.

For purposes of this environmental analysis the “project” is to rezone the portion of the lot currently zoned A to PUD-MDR.

III. DETERMINATION: (To be completed by the Lead Agency)  
On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Jenny Soo

Printed name

### IV. ENVIRONMENTAL CHECKLIST

The following checklist contains the environmental checklist form presented in Appendix G of the California Environmental Quality Act (CEQA) Guidelines. The checklist form is used to describe the impacts of the proposed project. A discussion follows each environmental issue identified in the checklist.

For this project, the following designations are used:

Less Than Significant: Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact: Any impact that does not apply to the project.

**1. AESTHETICS**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

**Environmental Setting**

No scenic vistas or scenic resources are located within project area. Due to the surrounding homes, the site is not visible from the Alameda County Fairground. The project site abuts the Arroyo Del Valle. Future homes as a result of this rezoning may be visible from residential properties across the arroyo. However, visual impacts should be minimal due to existing dense vegetation along the arroyo that provides screening.

The future homes will be visible from the immediate homes on Cindy Way and Calico Lane. However, the visual impact should not be significant as the future PUD development plan would include height restrictions and design criteria.

**Significance Criteria**

The impact questions above constitute the significance criteria for this environmental topic.

**Discussion of Checklist Questions**

a.-d.) The proposed project would not change the physical setting of the property site. The existing home may still be visible from the Arroyo. The applicant is proposing to relocate the existing home after the rezoning is approved. The relocated home would meet the underlying zoning district's development standards and will be required to receive applicable approval. With the relocation of the home, the home would be oriented differently as it currently is. However, being set back from the street, the light and glare from the existing house home would not adversely impact motorists or surrounding homes.

As a result of the rezoning, future homes may be constructed. If it occurs, development standards related to the lots and the design of the residences would be a part of the project. These standards will ensure that the visual character and the quality of the neighborhood and its surroundings will be maintained. Additionally, residential structures do not typically create substantial amounts of glare because of the types of materials used and the height of the structures. Residential projects are generally required to not provide up lighting and to ensure that the lowest wattage and luminosity be used in exterior lighting applications so as not to add to 'night sky pollution'. This project will provide standards in the design guidelines addressing this issue.



Therefore, this would be a *Less-than-Significant Impacts*.

**2. AGRICULTURE RESOURCES**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g)), timberland (as defined by Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			X	

**Environmental Setting**

Though the subject site is occupied by a single-family residence, a portion the site has an Agriculture zoning designation. The site is not listed on the Alameda County Williamson Act Lands 2009 map. It is listed as Urban and Build-Up Land on the Alameda County Important Farmland 2010 map.

**Background**

The existing home was constructed in the early 1970s. It has been used for a single-family residence.

**Significance Criteria**

The impact questions above constitute the significance criteria for this environmental topic.

**Discussion of Checklist Questions**

a.-d.) Agriculture Resource impacts are not applicable to this project related to the California Department of Conservation land use designations. The site is listed as an urban and built-up land on the Alameda County Important Farmland 2010; it is not a Williamson Act land, and rezoning of the

site from A to PUD-MDR would maintain residential use of the site. Therefore, this would be a **No Impact**.

e.) The conversion of the ±3 acres from agriculture zoning designation to a medium density residential zoning designation may result in the relocation of the existing home. Additionally, the applicant intends later file a PUD development for seven single-family residential lots. This change of relocating the existing homes and a possible future development of additional home would maintain the existing residential use designation. Thus, the impact would be less than significant in that the existing site is not currently used for agriculture purpose. Therefore, this would be a **Less-than-Significant Impact**.

### 3. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

#### Significance Criteria

The significance criteria established by the Bay Area Air quality Management District (BAAQMD) is used to determine the significance of air quality impacts. A project would have a significant impact on air quality if the proposed project and uses would cause total criteria air pollutant emissions (i.e., from both stationary and mobile sources) to equal or exceed the following BAAQMD-defined thresholds:

Reactive organics	54 lbs/day
Nitrogen oxides	54 lbs/day
Particulate matter (PM <sub>10</sub> )	82 lbs/day

According to the *BAAQMD Guidelines*, a project that would individually have a significant air quality impact would also be considered to have a significant cumulative air quality impact. No regulatory agency has adopted standards of significance with regard to toxic air emissions from mobile sources.

Future residential development projects located within 1,000 feet of a heavily travelled street or freeway would need to analyze the long-term health risks of locating homes in this location.

**Discussion of Checklist Items**

a.-e.) The proposed project is a rezoning project which will result in the relocation of the existing home and may result in a future seven-lot single-family development. With the relocation of the existing home, it is expected to generate short term impacts related to construction activities. During the house relocation, all construction equipment will be required to meet all current exhaust standards for emission reductions to maintain compliance to the NO<sub>x</sub>. To mitigate short term construction impacts the project will be required to provide dust control measures to reduce dust emissions and PM<sub>10</sub> :

- Enclose, cover or water all soil piles twice daily.
- Water all haul roads twice daily.

Long term operational emissions would be generated by both stationary and mobile sources as a result of normal day to day activities on site. Stationary area source emission would be generated by the consumption of natural gas for space (HVAC) and water heating devices and operation of landscape maintenance equipment. Mobile source emissions would be generated by motor vehicles traveling to and from the project site. This will result in small, incremental insignificant increases.

The project site located approximately two miles from I-680. The Bay Area Air Quality Management District CEQA Guidelines (May 2011) provided screening criteria for criteria pollutants and precursors using the default assumptions used by the Urban Land Use Emissions Model (URBEMIS). It shows the following criteria for single-family development:

	Operation Criteria Pollutant Screening Size	Operational GHG Screening Size	Construction Criteria Pollutant Screening Size
Single family	325 du <sup>1</sup> (NOX <sup>2</sup> )	56 du	114 du (ROG <sup>3</sup> )

<sup>1</sup>Dwelling Unit    <sup>2</sup> Oxides of Nitrogen    <sup>3</sup> Reactive Organic Gases

The development the applicant intends to file later is a single-family development of seven homes. The project level is well under the screening size of the BAAQMD CEQA guidelines. However, at the time when the development is proposed, threshold of significance will be reviewed again to determine the level the impact at that time.

Therefore, this would be a ***Less-than-Significant Impact***.

**4. BIOLOGICAL RESOURCES**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

**Environmental Setting**

The subject site is fairly level, and dominated by weedy and grassy vegetation with a scattered grouping of trees and shrubs at the top of the bank of the Arroyo Del Valle to the north. There are no known endangered, threatened, or rare species of flora or fauna known to inhabit the project site.

**Significance Criteria**

The impact questions above constitute the significance criteria for this environmental topic.

**Discussion of Checklist Items**

a.- e.) As a result of the rezoning, the existing home would be relocated further away from the Arroyo. It is not anticipated that the project will require disturbance of the Arroyo del Valle embankments and no excess material will be placed in the channel.

The City of Pleasanton designates trees over 55 inches in circumference or more or than 35 feet in height as heritage trees subject to regulations governing their removal in the *Pleasanton Municipal Code*, Chapter 17.16: Tree Preservation. HortScience, Inc. surveyed the trees. Two heritage size trees, both are in good health, will be retained. The trees along the Arroyo Del Valle will be retained. Other trees and their condition would be analyzed with the future development application.

Therefore, this would be a ***Less-than-Significant Impact***.

f.) There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan and this is not applicable to this project. Therefore, this would be a ***No Impact***.

**5. CULTURAL RESOURCES**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

**Environmental Setting**

The subject site abuts the Arroyo Del Valle on the north.

**Significance Criteria**

The impact questions above constitute the significance criteria for this environmental topic. The text below further explains and defines the significance criteria for impact question b).

*CEQA Guidelines* Section 15064.5(c) applies to effects on archaeological sites. Effects on non-unique archaeological resources are not considered significant. Regarding unique archaeological resources, lead agencies may require that reasonable efforts be made to allow such resources to be preserved in place or left in an undisturbed state. To the extent that unique archaeological resources are not preserved in place or left undisturbed, *Public Resources Code* Section 21083.2 requires mitigation measures to protect such resources. Additionally, mitigation measures may be imposed to provide for archaeological sites discovered during construction. Generally, imposing mitigation measures would reduce archeological resource effects to a less-than-significant level.

**Discussion of Checklist Items**

a.- d.): There are no known archaeological or historical sites identified on the subject site. There could be previously undiscovered subsurface resources present. Should subsurface resources be found upon

excavation, all work will be required to be halted whereby the City shall be immediately notified prior to construction resuming.

If human remains are discovered during grading trenching or other on-site excavation, the City requires the applicant to:

- Hire a qualified archaeologist to be present on site during the grading and trenching for the foundation(s) and utility services in order to determine if any bone, shell, or artifacts are uncovered. Work on the site will cease immediately. The archaeologist and the Native American Heritage Commission and or their representative shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues. The applicant shall have the archaeologist produce a letter stating that they were on site during the initial construction activities and the result of their observations at the site.
- Prior to the issuance of any building permit, the applicant shall present a contract or letter indicating the archaeologist who will be on site during the initial construction activities.

Therefore, this would be a *Less-than-Significant Impact*.

**6. GEOLOGY AND SOILS**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

**Environmental Setting**

The project site is located on relatively flat land. The site is not in any landslide zone or in an Alquist Priolo Special Study Zone (Figures 5-1, 5-2, and 5-5 of the Public Safety Element).

**Significance Criteria**

The impact questions above constitute the significance criteria for this environmental topic.

**Discussion of Checklist Items**

a.i – a.iii, b-d) The subject site is not located in the Alquist-Priolo Earthquake Fault Zone as delineated by the California Division of Mines and Geology<sup>1</sup>.

The proposed rezoning will result in the relocation of the existing home and potential future development of new single-family homes. The City of Pleasanton requires all development projects to conform to the most current *California Building Code* as amended by *Pleasanton Municipal Code Chapter 20.08: Building Code*. Future development of the site would require an NPDES permit. Implementation of the required NPDES permit would reduce this impact to a less-than-significant level for soil erosion issues.

Therefore, this would be a ***Less-than-Significant Impact***.

a iv and e.). The site is generally level with no hills located nearby. Therefore, land sliding in the project vicinity would be unlikely.

Sanitary sewers serve the project vicinity and development resulting from the proposed zoning change would not involve continued or proposed use of septic systems.

Therefore, this would be a ***No Impact***.

**7. GREENHOUSE GAS EMISSIONS**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant effect on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

**Environmental Setting**

Greenhouse gases include, but are not limited to, Carbon dioxide (CO<sub>2</sub>), Methane (CH<sub>4</sub>), Nitrous oxide (N<sub>2</sub>O), Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs), and Sulfur hexafluoride.

The primary contributors to GHG emissions in the San Francisco Bay Area and in Alameda County are transportation, industry, and electric power generation. BAAQMD's recently adopt air quality CEQA Thresholds of Significance requires the project (operational –related) to conform to Qualified

Greenhouse Gas Reduction Strategy or 1,100MT (metric tons) of CO<sub>2</sub>e(carbon dioxide equivalent)/yr or 4.6 or 4.6 MT of CO<sub>2</sub>e/SP (service population) /yr. (residents+employees).

Source: BAAQMD, Adopted Air quality CEQA Thresholds of Significance – June 2010.

a.-b.) The rezoning itself won't trigger greenhouse gas emission. The zoning will result in the relocation of the house which will generate greenhouse gas during relocation/construction. As such, the applicant will be required incorporate best management practices (BMPs) to reduce construction emissions. GHG emissions due to construction of the proposed project are considered less-than-significant. The proposed rezoning may result in the development of seven new homes in the future. The Bay Area Air Quality Management District CEQA Guidelines (May 2011) provided screening criteria for criteria pollutants and precursors using the default assumptions used by the Urban Land Use Emissions Model (URBEMIS). It shows the following criteria for single-family development:

	Operation Criteria Pollutant Screening Size	Operational GHG Screening Size	Construction Criteria Pollutant Screening Size
Single family	325 du (NOX)	56 du	114 du (ROG)

The development the applicant intends to file later is a single-family development of seven homes. The project level is well under the screening size of the BAAQMD CEQA guidelines. However, at the time when the development is proposed, threshold of significance will be reviewed again to determine the level the impact at that time.

Therefore, this would be a *Less than Significant Impact*.

## **8. HAZARDS AND HAZARDOUS MATERIALS**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to <i>Government Code</i> Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public			X	



airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			X	
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

**Environmental Setting**

The existing site is not used to store hazardous materials.

**Significance Criteria**

The impact questions above constitute the significance criteria for this environmental topic.

**Discussion of Checklist Items**

a.-b, e.-f.) The rezoning will result in the relocation of the existing home and potential future development of seven new homes. During the house relocation and site preparation and construction of the future homes, potentially hazardous liquid materials such as oil, diesel fuel, gasoline, and hydraulic fluid would be used at the site. If spilled, these substances could pose a risk to the environment and to human health. In the event of a spill, the Livermore-Pleasanton Fire Department is responsible for responding to non-emergency hazardous materials reports.

The site is located approximately 7 miles from the Livermore Airport and is not likely to result in a safety hazard for future residents of this development.

Therefore, this would be a ***Less-than-Significant Impact***.

c.-d.,g.-h.) Uses allowed in residential development are not associated with substantial use, storage, or transportation of hazardous substances. These substances resulting from this project would not pose a risk to any existing or proposed schools proximate to this project.

The site is not included on the list of hazardous materials sites compiled pursuant to Government Code 65962.5 (Cortese List).

The proposed project will not result in interference with an emergency plan or evacuation plan.

Wildlands do not exist within or adjacent to the subject site.

Therefore, this would be a ***No Impact***.

**9. HYDROLOGY AND WATER QUALITY**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

**Environmental Setting**

The subject site currently located outside a 500-year flood zone.

**Significance Criteria**

The impact questions above constitute the significance standard for this environmental topic.

**Discussion of Checklist Items**

a., d.-f.) The rezoning project will result in the relocation of the existing home and future development of seven new homes. Best management practices for discharges resulting from house relocation will

be required. The City has adopted the most recent Regional Water Quality Control Board stormwater discharge requirements related to design, construction and implementation of the subject site. A design feature incorporating the BMP's is the provision of bio-swales used as on-site treatment prior to discharge into the storm water system.

Therefore, this would be a *Less-than-Significant Impact*.

b.-c., g.-j.) The existing home is currently connected to the City's water system. The rezoning of the property and relocation of the existing home would not anticipate a loss of groundwater recharge potential.

Site development associated with the home relocation will alter the existing drainage pattern from its existing condition. The construction of the future homes will not use groundwater. Any existing wells will be required to be abandoned pursuant to the Alameda County Department of Environmental Health. Additionally, the development of this project does not anticipate a loss of groundwater recharge potential. It will not alter the alignment or stability of the Arroyo Del Valle. The channel will not be subject to substantial erosion or siltation.

The Arroyo Del Valle is considered by Zone 7 as a downstream controlled release stormwater facility. The development will not expose people or structures to a significant risk of loss, injury or death involving flooding.

The City of Pleasanton is not at risk from seiche, tsunami, or mudflow.

Therefore, this would be a *No Impact*.

## **10. LAND USE AND PLANNING**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

### **Environmental Setting**

The project site is located in the urbanized area of the City.

### **Significance Criteria**

The impact questions above constitute the significance criteria for this environmental topic.

**Discussion of Checklist Items**

a.-c.) This subject site is designated Medium Density Residential (MDR) within the City of Pleasanton’s current General Plan. An MDR designation allows for 2 to 8 density units per acre (DUA). The proposed rezoning will not impact the current use of the property. If future development occurs on the property as a result of the rezoning, it will need to conform to the General Plan and Pleasanton Municipal Code.

Therefore, this would be a *No Impact*.

**11. MINERAL RESOURCES**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

**Environmental Setting**

No mineral resources that would be of value to the region and the residents of the state are known to occur in the project vicinity.

**Significance Criteria**

The impact questions above constitute the significance criteria for this environmental topic.

**Discussion of Checklist Items**

a.-b.) The project site not within the mapped mineral resources zone. Several gravel quarries that are designated Aggregate Resource Areas in the City’s General Plan are located on El Charro Road more than three miles east of the project site. The project would not result in the loss of those mineral resource areas.

Therefore, this would be a *No Impact*.

**12. NOISE**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

**Environmental Setting**

The subject site is located approximately two miles from I-680 and more than 7 miles from the Livermore Airport. However an active Union Pacific railroad is located approximately 0.7 mile away.

**Significance Criteria**

The impact questions above constitute the significance criteria for this environmental topic.

**Discussion of Checklist Items**

a.-d.) New single-family homes are required to be located and/or designed to maintain a maximum exterior noise standard of 60 dBA<sub>dn</sub> for private yard areas excluding front yards. The *Pleasanton Municipal Code* limits construction-related noise from any one piece of equipment to 83 dBA with up to 86 dBA total. The relocation of the existing home and future development of new homes would not include any activities that would result in excessive groundborne vibration or noise. The future residential and uses would not increase ambient noise levels in the project vicinity above existing ambient noise levels in the area.

Construction and operational noise will be addressed when the development of the new homes is proposed. In addition, vibration impacts from the nearby railroad on future residential land uses will also be analyzed at that time. Mitigation measures, if warranted, would be included as part of that process.

Therefore, this would be a ***Less-than-Significant Impact***.

e.-f.) The site is not in the vicinity of a private airstrip or within 7 miles of a public airport.

Therefore, this would be a ***No Impact***.

**13. POPULATION AND HOUSING**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

**Significance Criteria**

The impact questions above constitute the significance criteria for this environmental topic.

**Discussion of Checklist Items**

a.-c.) The area has been considered for some time as a location for single-family residential development. Build out of the area does not constitute direct or indirect growth inducing impacts for the City of Pleasanton. The proposed project will not displace substantial numbers of people or require replacement housing.

Therefore, this would be a *No Impact*.

**14. PUBLIC SERVICES**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities?				X

**Significance Criteria**

The impact questions above constitute the significance criteria for this environmental topic.

**Discussion of Checklist Items**

No Impacts. The zoning change itself will not impact public services. The project will contribute to the construction of schools/school facilities through the payment of school impact fees. Police, Fire, Park and related service capacities exist to adequately serve the project and will be mitigated through the design phase of the project to meet the current City development standards.

**15. RECREATION**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

**Environmental Setting**

In addition to the trail along Arroyo Del Valle, the City has developed parks in the project vicinity. The Veterans Park is located within one mile and it has a tot and youth play area, and bench for all.

Within the Pleasanton Planning area are 16 community parks run by the City and two regional parks – Pleasanton Ridge Park and Shadow Cliffs Recreational Area – that are run by the East Bay Regional Park District.

**Significance Criteria**

The Pleasanton General Plan includes Program 10.18 which states that a standard of at least 5 acres of neighborhood or community park per 1,000 people should be maintained. As of the publication of the City’s General Plan in 2009, there was approximately 5.1 acres of parkland for every 1,000 population. This standard and the impact questions above constitute the significance criteria for this environmental topic.

**Discussion of Checklist Items**

a.-b.) The proposed development will not accelerate the substantial deterioration of existing facilities near the subject site. The project is designed to provide a pedestrian path adjacent to the Arroyo Del Valle. The pedestrian path will allow passive recreational use of the open space. Therefore, this would be a **No Impact**.

**16. TRANSPORTATION/TRAFFIC**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?			X	
f) Result in inadequate parking capacity?			X	
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X	

**Environmental Setting**

The subject site is access via Rose Avenue.

**Significance Criteria**

The impact questions above constitute the significance criteria for this environmental topic. In addition, the project would result in a significant effect if it would:

- Result in a substantial increase in traffic that would cause the corridor or intersection level of service to drop during the peak hour below acceptable level of service (LOS) D, or contribute traffic to intersections where the levels of service are already below D.

**Discussion of Checklist Items**

a.-g.) The rezoning project itself would not have any impact on the existing transportation pattern; nor would the relocation of the existing home. An analysis concerning the existing and anticipated traffic patterns was prepared during the General Plan update. Under the “Existing plus Baseline Approved” scenario and “Existing plus Baseline Approved plus Rose Avenue Properties” scenario it was found that all of the studied intersections continued to operate at acceptable levels of service with the exception of Main Street/St. John-Ray Street (the General Plan allows intersections within the downtown area to exceed LOS D). The rezoning may result in the development of seven additional single-family homes, which may generate 70 trips daily. The increased number of trips due to future development would not have a significant impact on the existing transportation pattern. However, detailed analysis will be conducted when the PUD development plan is submitted and mitigations such as payment of the traffic fees and/or improvement may be required.



**17. UTILITIES AND SERVICE SYSTEMS**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

**Significance Criteria**

The impact questions above constitute the significance criteria for this environmental topic.

**Discussion of Checklist Items**

c.-e.) The rezoning may result in the development of seven new homes. The City of Pleasanton and Zone 7 Water Agency are the water suppliers. Per Zone 7 annual report, there will be enough water supply until 2015. The Dublin San Ramon Services District currently treats wastewater from Pleasanton at its treatment plant near I-680 and Stoneridge Drive. New storm water drainage facilities will be constructed as a part of the new development. For the future new home development, storm water pre-treatment will be required by constructing bio-swales to filter stormwater before it entering the storm system. Site drainage will not cause significant environmental effects. Wastewater collection facilities within the City limits are maintained and operated by the City of Pleasanton. The Pleasanton Garbage Service provides refuse disposal to the project vicinity through a franchise agreement with the City and transports solid waste to a landfill site on Vasco Road. PG&E provides gas and electrical service to area.

Therefore, this would be a ***Less-than-Significant Impact.***

a.-b., f.-g.) The rezoning and relocation of the existing home will not have an impact on the existing utility and service system. Therefore, this would be a **No Impact**.

**18. MANDATORY FINDINGS OF SIGNIFICANCE**

	Yes	No	
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X	

**Discussion**

Based on these findings, the City of Pleasanton has determined that this project would not have a significant effect on the environment and this project requires preparation of a Negative Declaration.

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<sup>i</sup> California Division of Mines and Geology, Alquist-Priolo Hazard Mapping  
[www.conserv.ca.gov](http://www.conserv.ca.gov)



PUD-94

City of Pleasanton

GIS

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Location Map

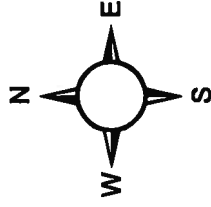
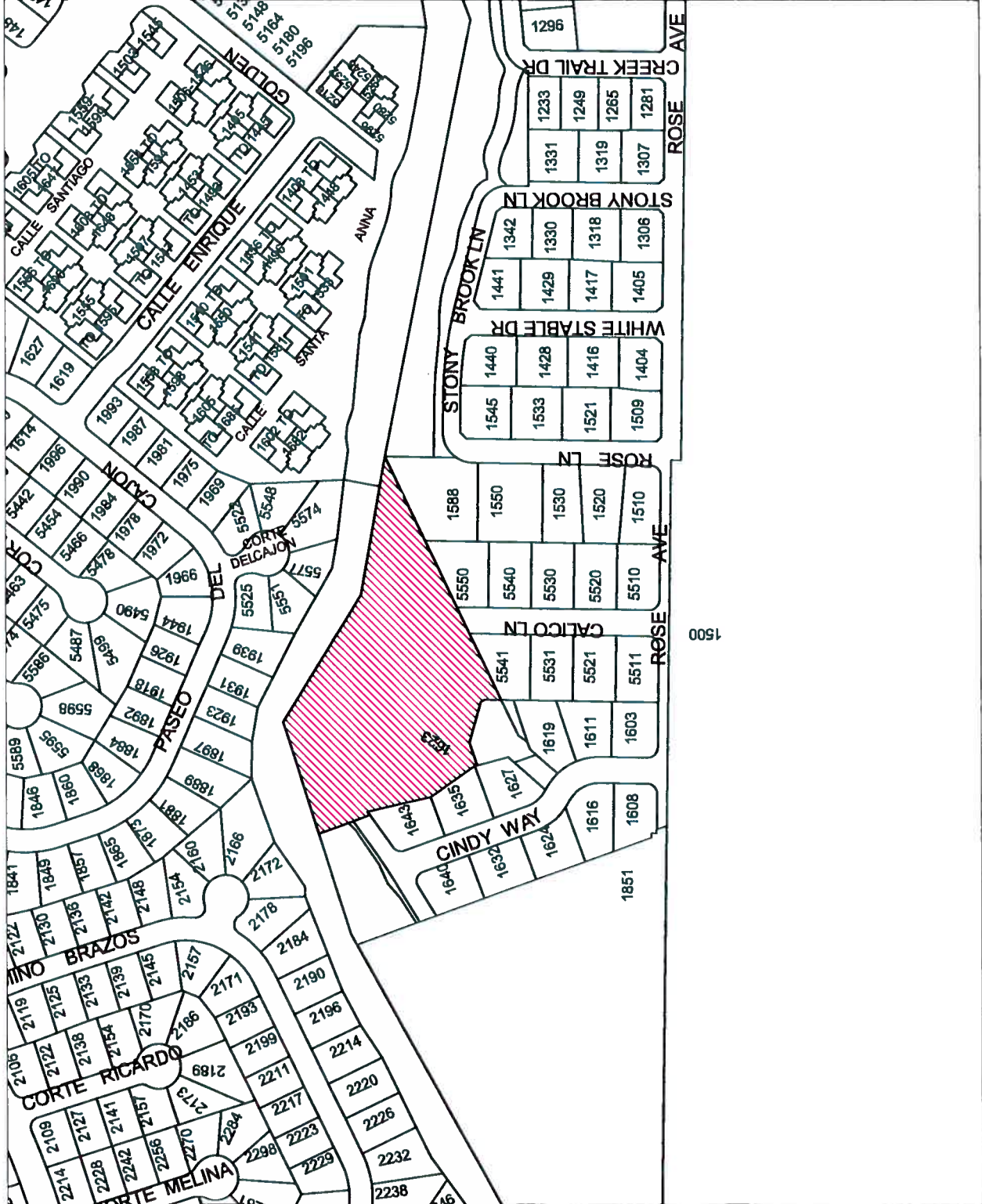
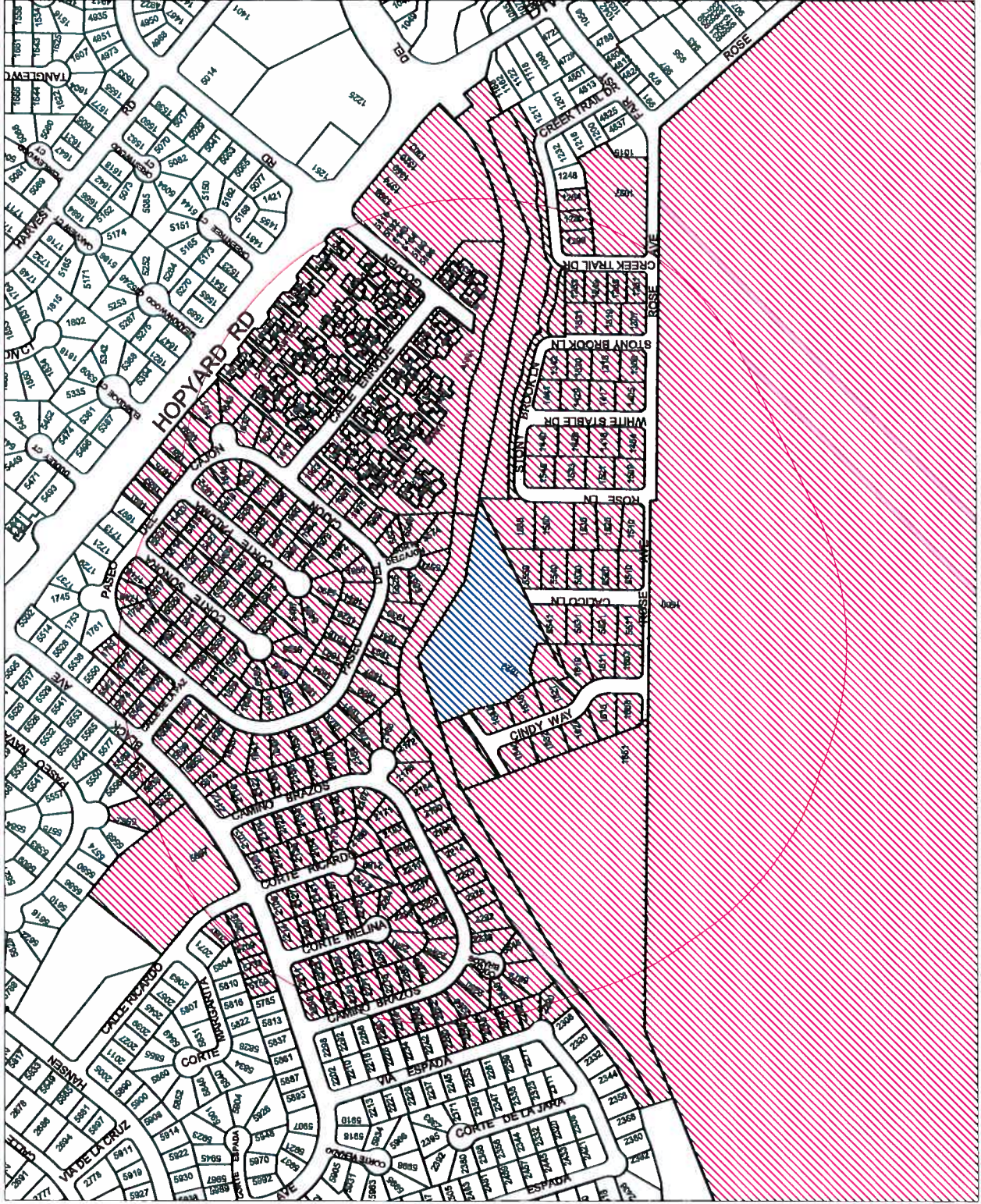


EXHIBIT G

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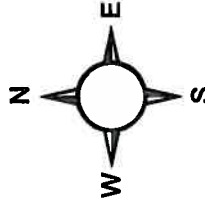
**PUD-94**

**City of Pleasanton**

**GIS**

**Department**

**Notification Map**



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