

**Exhibit A
Draft Conditions of Approval**

**P12-0801, Eric and Michelle Wall
2505 Yolanda Court (Lot 5, Tract 7499)
August 8, 2012**

**STANDARD CONDITIONS OF APPROVAL
Planning**

1. The proposed development shall be in substantial conformance to Exhibit B, dated "Received, August 2, 2012," 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.
2. To the extent permitted by law, the project applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.
3. The 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 Applicant to the City, on a form generated by the PUSD, prior to building permit issuance.
4. Prior to the building permit submittal, the applicant/building developer shall submit a final list of the green building measures used in the design of the house covered by this approval to the Planning Division for the review and approval by the Director of Community Development. The home shall be designed to achieve a "certified rating" of a minimum of 50 total points, achieving at least the minimum points in each category, using BuildItGreen's current GreenPoints rating system. Notwithstanding the foregoing, the State of California's Green Building Standards Code, "CALGreen", as amended, shall apply, as applicable.

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 identified measure 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 applicant shall provide written verification by the project engineer, architect, landscape architect, or designer.

5. The applicant or building developer shall comply with the following requirements to make the residence covered by this approval photovoltaic- and solar-water-heating ready:
 - a. The roof trusses shall be engineered to handle the additional load of a typical photovoltaic system;
 - b. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the buildings' main electrical panels;
 - c. 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;
 - d. Plumbing shall be installed for solar-water heating; and,
 - e. Space shall be provided for a solar-water-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.

6. All HVAC condensing units shall be located on the plans.
7. Only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed.
8. 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.
9. 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.

10. 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.
11. All landscaping shall be installed within nine months of occupancy. The project applicant shall arrange a landscape/irrigation site inspection with the Planning Division within 30 days of completion of the landscaping/irrigation system installation.
12. 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.
13. The developer and future homeowners are encouraged to use best management practices for the use of pesticides and herbicides.
14. The project developer must provide to the Director of Community Development a building height certification performed by a licensed land surveyor or civil engineer. Said certification must allow for the installation of finished roof materials and must meet the approved building height.
15. The building permit plan check package will be accepted for submittal only after completion of the 15-day appeal period, measured from the date of the approval letter, unless the project developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the approval is overturned on appeal, or that the design is significantly changed as a result of the appeal. In no case will a building permit be issued prior to the expiration of the 15-day time-period.
16. The approved building materials and colors shall be stated on the plans submitted for issuance of building permits.
17. 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.
18. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
19. 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.

SPECIAL CONDITIONS OF APPROVAL
Planning

20. 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, Saturdays, or Sundays. 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.
21. All retaining walls shown on the building permit plans shall be faced with stone or manufactured stone, stucco or exterior plaster over blocks or concrete, or shall be constructed of wood. Colors shall be earth tone matching the dwelling. This detail shall be shown on the building permit plan set to the satisfaction of the Director of Community Development before the issuance of a building permit.
22. The applicant shall remove the landscape up-lighting and flood lighting from the yard areas bordering the Shadow Cliffs Regional Park property to the north and the City property to the east. This change shall be shown on the building permit plans for review and approval by the Director of Community Development before issuance of a building permit.
23. The applicant shall submit a fencing plan with the design details of the six-foot tall wrought-iron style fence and six-foot tall wood good neighbor fence with the building permit plans for review and approval by the Director of Community Development before issuance of a building permit.
24. All windows facing the direction of the RMC/Lonestar plant shall achieve noise attenuation equivalent to a triple-paned window. This detail shall be provided at the building permit stage to the satisfaction of the Community Development Director.
25. A minimum of one appliance or system that meets Energy Star standards shall be installed as part of the project. The proposed appliance or system and how it adheres to Energy Star standards shall be stated on the plans submitted for the issuance of a building permit.
26. A minimum of one water conservation device such as low-flow faucets, toilets, shower fixtures, etc., shall be installed as part of the project. The water conservation device(s) shall be stated on the plans submitted for the issuance of a building permit.
27. The dwelling unit covered by this approval shall be constructed to encourage telecommuting by providing telecommunications infrastructure such as cabling

for DSL service, wiring for total room access, etc. The applicant/building developer shall show the infrastructure on the building permit plan set prior to issuance of a building permit.

28. The applicant/building developer shall submit a building pad elevation certification and foundation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building Official, certifying that the pad elevations and building locations (setbacks) conform to the approved plans, prior to receiving a foundation inspection for the structure.
29. The project applicant shall submit a final landscape and irrigation plan for the entire site with the building permit plan set to the Planning Division for review and approval before installation. Said landscape plan shall be detailed in terms of species, location, size, quantities, and spacing. Plant species shall be of drought tolerant nature with an irrigation system that maximizes water conservation (e.g. drip system).
30. The project shall comply with the State of California's Model Water Efficient Landscape Ordinance and shall implement Bay Friendly Basics. A licensed landscape architect shall verify the project's compliance with the ordinance prior to the issuance of a building permit, and prior to final inspection. The verification shall be provided to the Planning Division.
31. Any excess soil from the site shall be off-hauled from the site and disposed of in a lawful manner. No temporary stockpiling of dirt on this site shall occur without specific review and approval by the Planning Division.

SPECIAL CONDITIONS OF APPROVAL **Engineering**

32. If any debris material is discovered during the excavation for the building foundation or basement, the excavation shall stop and the owner shall have the debris examined by a qualified environmental professional to determine if the debris material contains hazardous materials. If lead, asbestos or other hazardous materials are found in the debris, the debris shall be removed and off-hauled to an appropriate land fill that will accept the material. Any alternate method of dealing with the debris other than off-hauling the material to a land fill shall be submitted to the City Engineer for review and approval. The City Engineer shall make the final determination of how the material shall be dealt with before grading may restart.
33. Any clean fill material that is placed between the building setback line shown on the Final Map Tract 7499 and the north property line shall be reviewed and recommended by a licensed geotechnical engineer. The geotechnical engineer shall submit the recommendations to the City Engineer for approval before the issuance of a grading permit.

STANDARD CONDITIONS OF APPROVAL
Engineering

34. The project developer shall arrange and pay for the geotechnical consultant to inspect and approve all foundation, retaining, and wall and drainage geotechnical aspects of project construction. The consultant shall be present on site during grading and excavation operations. The results of the inspections and the as-built conditions of the project shall be certified in writing by the geotechnical consultant for conformance to the approved plans and geotechnical report and submitted to the City Engineer for review and approval prior to occupancy.
35. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of a permit.
36. 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. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
37. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve the project.
38. The project developer and/or the project developer's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.
39. The project developer shall include erosion control measures on the final grading plan, subject to the approval of the City Engineer. The project developer is responsible for ensuring that the contractor is aware of such measures. All cut and fill slopes shall be revegetated and stabilized as soon as possible after completion of grading, in no case later than October 15. No grading shall occur between October 15 and April 15 unless approved erosion control measures are in place, subject to the approval of the City Engineer. Such measures shall be maintained until such time as a permanent landscaping is in place.

STANDARD URBAN STORMWATER CONDITIONS OF APPROVAL

The project shall comply with the applicable California Regional Water Quality Control Board, San Francisco Bay Region, and Municipal Regional Stormwater NPDES Permit.

The current Municipal Regional Stormwater NPDES Permit No. is #CAS612008 which was adopted on October 14, 2009. This permit was amended on November 28, 2011 by California Regional Water Quality Control Board, San Francisco Bay Region and is anticipated to be in effect until November 30, 2014.

The project shall also comply with the applicable NPDES General Permit by the State Water Resources Control Board for Storm Water Discharges Associated with Construction and Land Disturbance Activities.

The current NPDES General Permit number is CAS000002, Order Number 2009-0009-DWQ,d and this permit is anticipated to be in effect until September 2, 2014.

Copies of the above-mentioned NPDES permits are available at the City of Pleasanton's Engineering Division and Building Division, Alameda County Clean Water Program office in Hayward, and the State Water Board websites.

Design Requirements

40. The following requirements shall be incorporated into the project:
 - a. The applicant/building developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures including bio-swales. Irrigated bio-swales shall be redesigned as needed to the satisfaction of the City Engineer to optimize the amount of the stormwater running off the paved surface that enters the bio-swale at its most upstream end. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of any building permits.
 - b. All metal roofs, if used, shall be finished with rust-inhibitive paint.
 - c. Bulk construction materials stored outdoors that may contribute to the pollution of stormwater runoff must be covered as deemed appropriate by the Chief Building Official.
 - d. Roof drains shall discharge and drain away from the building foundation to the landscape area or to an unpaved area.

Construction Requirements

41. The Construction General Permit's construction requirements include, but are not limited to, the following:
 - a. 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 grasses are established before October 15. No grading shall occur between October 15 and April 15 or when rain is in the forecast unless approved erosion control/stormwater quality measures are in place. Such measures shall be maintained until such time as permanent

- landscaping and post construction storm water treatment measures are in place.
- b. Gather all sorted construction debris on a regular basis and place it 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.
 - c. 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.
 - d. 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.
 - e. 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 wind or a material spill.
 - f. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, soil/dirt or storm drain.
 - g. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, unprotected soil or storm drains.
 - h. Equipment fueling area: Use off-site fueling stations as much as possible. Where on-site fueling occurs, use designated areas 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, and check vehicles and equipment regularly for leaking oils and fuels. Dispose rags and absorbent materials promptly and properly.
 - i. Concrete wash area: Locate wash out areas away from the storm drains and open ditches, construct a temporary pit with impermeable liner large enough to store the liquid and solid waste, clean pit by allowing concrete to set, breaking up the concrete, then recycling or disposing of properly. Remove dried concrete on a regular basis (so liner below the wash area will not split and allow wash water to mix with soil). Use self cleaning concrete trucks where available.

- j. Equipment and vehicle maintenance area: Use off-site repair shop as much as possible. For on-site maintenance, use designated areas 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. Train employees on spill cleanup procedures. In case of spill, contact project QSD or QSP and follow the procedure required in State NPDES General Permit.

SPECIAL CONDITIONS OF APPROVAL

Fire

42. The building 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.

STANDARD CONDITIONS OF APPROVAL

Fire

43. The project developer shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
44. Prior to any construction framing, the project developer shall provide adequate fire protection facilities, including, but not limited to a water supply and water flow in conformance to the City's Fire Department Standards able to suppress a major fire.
45. All fire sprinkler system water flow and control valves shall be complete and serviceable prior to final inspection. Prior to the occupancy of a building having a fire alarm system, the Fire Department shall test and witness the operation of the fire alarm system. The project developer shall construct transit shelters with trash receptacles at locations determined by the Community Development Director and the City Engineer. The shelter and trash receptacle design shall be approved by the Planning Director prior to issuance of project building permits. An encroachment permit shall be obtained prior to installation. Lighting shall be provided if determined necessary by the City Engineer.
46. 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.

STANDARD CONDITIONS OF APPROVAL
Building

47. 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.
48. At the time of building permit plan submittal, the project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures to prevent stormwater runoff onto adjoining properties.
49. Prior to issuance of building or demolition permits, the 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 intends to recycle at least 75 percent of the total job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance of a final building permit. During demolition and construction, the project developer shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only." The project developer shall contact Pleasanton Garbage Service for the disposal of all waste from the site.

STANDARD LANDSCAPING CONDITIONS OF APPROVAL
Landscaping Requirements:

50. The project developer shall provide root control barriers and four inch perforated pipes for parking lot trees, street trees, and trees in planting areas less than ten feet in width, as determined necessary by the Director of Community Development at the time of review of the final landscape plans.
51. 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 building permit plans for review and approval by the Director of Community Development and shall be maintained by the applicant/developer until the site areas are landscaped.

STANDARD CONDITIONS OF APPROVAL
Community Development Department

52. The project applicant/developer shall submit a refundable cash bond for hazard and erosion control. The amount of this bond will be determined by the Director of Community Development. The cash bond will be retained by the City until all the permanent landscaping is installed for the development, including individual lots, unless otherwise approved by the department.

53. The project developer shall submit a written dust control plan or procedure as part of the improvement plans.
54. The project developer shall pay any and all fees to which the property may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.

CODE REQUIREMENTS
Planning

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

55. The design review approval shall lapse one year from the effective date of this approval unless a building permit is obtained and construction diligently pursued, or the City has approved a time extension.
56. 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.

CODE REQUIREMENTS
Fire

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

57. 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.
58. 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.
59. The building (s) covered by this approval shall conform to the requirements of the California Building Code currently in effect, the California Fire Code currently in effect and the City of Pleasanton Ordinance 2015. If required plans and specifications for the automatic fire sprinkler system shall be submitted to the Livermore-Pleasanton Fire Department for review and approval prior to installation. The fire alarm system, including water flow and valve tamper, shall

have plans and specifications submitted to Fire Prevention for review and approval prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building(s).

CODE REQUIREMENTS

Building

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

60. The project developer shall submit a building survey and/or record of survey and a site development plan in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton. These plans shall be approved by the Chief Building and Safety Official prior to the issuance of a building permit. The site development plan shall include all required information to design and construct site, grading, paving, drainage, and utilities.
61. The project developer 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.
62. The building covered by this approval shall be designed and constructed to meet Title 24 state energy requirements.
63. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.

{end}



 PLEASANTON

July 5, 2012

Eric and Michele Wall
 Intuitive Surgical
 486 Kent Court
 Livermore, CA 94551

Dear Eric and Michele:

RE: PUD-01-14M
Effective Date: July 26, 2012

The City has completed its review of your application for a minor modification to an approved Planned Unit Development (PUD-01) to increase the maximum floor area from 4,600 square feet to approximately 6,200 square feet and to allow the additional floor area as a habitable basement for a new single-family custom home on an approximately 32,200-square-foot site located at 2505 Yolanda Court.

In accordance with City Council policy, notice of the proposed PUD minor modification was sent to the surrounding property owners within 1,000 feet of the project site on **June 11, 2012**. No request was made for a formal hearing.

Based upon the information submitted, it is my determination that the above changes are not substantial in nature since the overall plan for the site will remain the same. Therefore, in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton, I am granting a minor modification, Case PUD-01-14M, subject to the following conditions:

1. ~~PUD-01-14M shall modify the PUD Development Plan (PUD-01 and PUD-01-02M) for the property shown on Exhibit B, dated "Received, May 24, 2012", to increase the maximum floor area from 4,600 square feet to approximately 6,200 square feet and to allow the additional floor area as a habitable basement only for the site located at 2505 Yolanda Court. Minor changes to the modification may be allowed subject to the approval of the Director of Community Development.~~
2. The additional floor area shall only be allowed as the habitable basement shown on Exhibit B for PUD-01-14M and P12-0801.

COMMUNITY DEVELOPMENT

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

Planning	Building & Safety	Engineering	Traffic	Inspection
200 Old Bernal Ave. (925) 931-5600 Fax: 931-5483	200 Old Bernal Ave. (925) 931-5300 Fax: 931-5478	200 Old Bernal Ave. (925) 931-5650 Fax: 931-5479	200 Old Bernal Ave. (925) 931-5630 Fax: 931-5479	157 Main Street (925) 931-5600 Fax: 931-5484

July 5, 2012
Eric and Michele Wall
Page Two

3. Except, as modified by Conditions 1 and 2 above, all applicable conditions and requirements of PUD-01 and PUD-01-01M shall remain in full force and effect.
4. To the extent permitted by law, the project applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employee and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

In accordance with the PUD ordinance, the Planning Commission and City Council are being notified of this approval. **Any Planning Commission or City Council member has twenty (20) calendar days from the date of approval of this letter to appeal this decision if they so desire.** Such an appeal would be subject to a public hearing before the Planning Commission and City Council.

If you have any questions with regard to this matter, please do not hesitate to give me a call.

Sincerely,



Janice Stern
Planning Manager

cc: Jeffrey Randolph. Pacific Crest Builders, 2109 East Street, Concord, CA 95015

~~A COPY OF THIS LETTER AND A COMPLETED BUILDING PERMIT QUESTIONNAIRE (ATTACHED) MUST BE PRESENTED TO THE BUILDING AND SAFETY DIVISION WHEN APPLYING FOR BUILDING PERMITS. THE QUESTIONNAIRE MUST THEN BE SUBMITTED TO THE PLANNING DIVISION.~~

EFFECTIVE DATE: July 26, 2012

BUILDING PERMIT QUESTIONNAIRE

This questionnaire is being sent to you to be completed and returned to the Planning Division when you file for a building permit for your recently approved project. Its purpose is to ensure that your plans are checked in a timely manner and that the project is built according to the approved plans.

We appreciate your cooperation. If you have any questions, please call the Planning Division.

1. Applicant's Name, and Address:

Eric and Michele Wall
Intuitive Surgical
486 Kent Court
Livermore, CA 94551

2. Project Address/Location:

2505 Yolanda Court, Pleasanton, CA 94566

3. Description of project for which a permit is being requested: **to increase the maximum floor area from 4,600 square feet to approximately 6,200 square feet and to allow the additional floor area as a habitable basement for a new single-family custom home.**

4. The building project for which this permit is being requested has been approved by the:

Planning Division Planning Commission
 City Council

5. Planning Division Project Number PUD-01-14M

6. Do you certify that the plans being submitted for issuance of building permits conform in every respect to the approved plans and to all conditions of approval required by the above bodies?
 Yes No

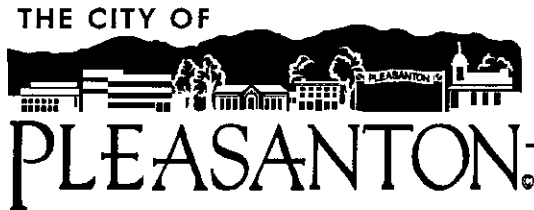
7. If the answer to Question No. 6 is "No", please list every item on the submitted building permit plans which differs from the approved plans or conditions of approval. Use the reverse side or attach additional sheets if necessary. All changes to the approved plans should be clouded with delta numbers().

I hereby attest that the above is true and correct. I understand that failure to correctly answer these questions may result in a delay of issuance of building permits and that if changes are discovered after the permit is issued, I am responsible for revising the project to conform to the plans approved by the City boards and/or commissions.

Date

Signature and Title

Phone Number



City Council Staff Report

March 4, 2003
Department of Planning and
Community Development

SUBJECT: PUD-01-1M

Applicants/Owners: Mark Arola and Jon McCurdy

Purpose: Application for a major modification to an existing PUD development plan for six lots on a 4.2-acre site to modify the previously approved lotting pattern and to create design guidelines in place of previously approved building designs.

General Plan: Low Density Residential (< 2.0 du/ac)

Zoning: PUD (Planned Unit Development) - LDR (Low Density Residential)

Location: 2503 Vineyard Avenue

PLANNING COMMISSION RECOMMENDATION:

Approval per the attached conditions.

STAFF RECOMMENDATION:

Determine the following:

1. The appropriate FAR for future custom houses.
(The Planning Commission recommends 4,000-square-foot maximum, not including up to 600 square feet of garage space. The applicant seeks a 40% FAR maximum with garage space not included. Staff now recommends 4,200 square feet for Lots one through five and 5,000 square feet for Lot 6, not including up to 600 square feet of garage space.)

2. The design of two-story buildings on all lots and second-story windows on Lots 1-5.
(The Planning Commission and staff recommend second stories be built within the "attic-area" of the houses to minimize the appearance of mass and keep the overall height at 23 feet. For Lots 1-5, second-story windows were limited to the south-facing side to give the appearance of one-story homes as viewed from Shadow Cliffs Park. The applicant wishes to allow any two-story design subject only to the 23-foot height limit.)
3. Any other issue with the plan, conditions, or guidelines.
(Staff believes the applicant is in agreement with the remaining draft conditions and guidelines which are essentially as recommended by the Planning Commission.)

Approve PUD-01-1M by taking the following actions:

1. Make the findings for the major modification of the approved PUD Development Plan stated in the Planning Commission staff report; and,
2. Introduce the draft ordinance approving PUD-01-1M subject to Exhibit "B", Draft Conditions of Approval, modifying Condition 4(f) as described above.

SUMMARY:

The proposed project now being considered by the City Council is substantially similar to the previously approved development plan except for a redistribution of lots and use of design guidelines in lieu of actual building design plans. The resolutions of issues pertaining to density, building/landscape design, building heights facing the Shadow Cliffs facility, noise, public trails, etc., that were required with the previous application, either as design changes or conditions of approval, would be maintained with this application. The proposed project was well received by the Planning Commission and was forwarded to the City Council with a recommendation for approval.

Honorable Mayor and Members of the City Council:

BACKGROUND

The attached Planning Commission staff report contains a complete discussion pertaining to *Background, Subject Property, and Public Infrastructure.*

PROJECT DESCRIPTION

The proposal now before the City Council is substantially similar to the previously approved development plan except for a redistribution of lots – going from the approved 4/2-lot distribution to a 5/1-lot distribution relative to the north and south sides of the realigned Vineyard Avenue – and the use of design guidelines in lieu of actual building design plans. (Estimated lot sizes and a complete description of the changes to the previously approved development plan are covered in the *Project Description* section of the attached Planning Commission staff report.) The Pleasanton workers/buyers requirement for these six lots would also be deleted. All other aspects of the City Council's former approval pertaining to green building measures, photovoltaic panels, etc., would remain effective.

PLANNING COMMISSION MEETINGS

Planning Commission Work Session

The Planning Commission first reviewed this application as a preliminary proposal at a work session held on August 14, 2002. Commissioner Matt Sullivan was not present at the meeting, and Commissioner Mary Roberts recused herself; she did, however, speak on the proposal as a member of the public. Mr. Jon McCurdy, the applicant, was present and spoke on the proposal, and Mr. Steve Brozosky spoke on the proposal as a member of the public. Minutes of the work session are provided in the Planning Commission's packet. The Commission's consensus is contained within the Planning Commission staff report.

Planning Commission Public Hearing

The Planning Commission reviewed the application again at a public hearing held on January 8, 2003. Mssrs. Jon McCurdy and Mark Arola were present to speak in favor of the proposed project. Commissioners Mary Roberts and Michael Sedlak recused themselves from the proceedings. Ms. Roberts, however, did speak on the proposal as a member of the public. There was no other public testimony. Minutes of the public hearing are provided in the City Council's packet on this item.

The Planning Commission's discussion focused on issues pertaining to noise from the RMC/Lonestar plant, the proposed building heights facing the Shadow Cliffs facility, green building measures, and the noise/odor impacts from an operating asphalt batch plant located approximately 3,000 feet easterly of the subject property. The Planning Commission voted 4-0-2 to forward PUD-01-1M to the City Council with a recommendation for approval, with the additional requirement that the potential noise and odor impacts from the asphalt batch plant be disclosed to the future buyers of the lots covered by this application. The applicants concurred with this requirement, which is reflected in the draft ordinance.

DISCUSSION

A complete discussion of the “*PUD Submittal*”; issues pertaining to “*Land Use*”, the “*Vineyard Avenue Corridor Specific Plan*” including the “*Vineyard Avenue Right-Of-Way*”, “*Specific Plan Fees*”, and the “*Old Vineyard Avenue Public Trail*”; issues pertaining to “*Site Plan, Lotting Standards, and Circulation*”, the “*East Bay Regional Park District*”, “*View Analyses*”, “*Design Guidelines*”, “*Housing*”, “*Green Building Measures/Photovoltaic Roof Panels*”, and “*Landscaping*”; issues pertaining to “*Noise*” impacts from the “*RMC/Lonestar*” facility and from “*Vineyard Avenue*”; and issues pertaining to “*Existing Trees*”, “*Grading and Geotechnical*”, and “*Urban Stormwater Water Runoff Measures*” are discussed in detail in the attached Planning Commission staff report.

While not technically a part of the Vineyard Avenue Corridor Specific Plan, this parcel has been treated essentially as if it has been a part of that Specific Plan in the original PUD and in this modification. As the project now proposes custom lots to be sold to individual home builders, some modifications to the “standard” conditions applicable elsewhere in the Corridor have been made. Many of these have been made after the Planning Commission hearing after the applicant called attention to staff the ambiguity and/or appropriateness of numerous conditions as written. The conditions now more clearly identify the obligations and responsibilities of the subdivider and those of individual home builders/lot buyers. Staff does not believe any of these changes to be significant or substantive. Two issues have arisen since the Planning Commission hearing: the allowable floor area ratio, or house size, to be allowed on these lots and the allowable design of two-story houses. These issues are discussed below.

Allowable Floor Area Ratio (FAR)

The original Delco project proposed actual units, ranging in size from 3,141 to 3,850 square feet on the six lots. As a custom lot subdivision, the PUD needs to establish a maximum FAR or maximum house size. Staff had recommended a 4,000-square-foot size, which was adopted by the Planning Commission, since this was somewhat larger than the previously proposed house sizes and appropriate for custom homes yet still reflected the Planning Commission’s and East Bay Regional Park District’s desires for those homes to not dominate their setting. No new visual depiction was prepared based on the Planning Commission’s determination that this project’s similarity to the previous project (similar house size, height, mass, etc.) would not be significantly different.

The applicant now wishes to allow houses up to 40% FAR on all lots, with garages of any size not counting toward FAR. (The City for many years now has counted garage space beyond 600 square feet toward the FAR since very large garages add significantly to the overall mass of a house; the 600-square-foot “rule” was included in the City staff’s original recommendation.) The applicant, now more fully cognizant of the high costs in infrastructure and fees for these lots, believes it needs to offer lot buyers significantly more potential house area in order to sell the lots at a price it needs to make the project feasible.

After meeting with the applicant to discuss the FAR concern, staff is now recommending somewhat increased maximum lot sizes. Staff suggests a 4,200-square-foot limit for lots one through five, recognizing that this is the maximum allowed in the slightly smaller lot “Vineyard Village” portion of the Vineyard Corridor Specific Plan (minimum lot sizes there are 12,000 square feet, but most are larger). And, recognizing the now very large Lot 6 (about 21,000 useable square feet), staff recommends a 5,000-square-foot limit. This matches the 25% FAR established for the custom home lots in the Nevis and Oetman low density PUD’s in the Corridor just westerly of the site. Staff would still support keeping the 600-square-foot garage area maximum as “exempt” floor area.

The table below shows the effect of the various options:

	Lot Size	Planning Commission Recommendation		Applicant’s Request		Current Staff Recommendation	
		Sq. Ft.	FAR	Sq. Ft.	FAR	Sq. Ft.	FAR
Lots 1-4	11,400-14,000+ ¹	4,000	30-35%	4,560-5,600	40%	4,200	30-37%
Lot 5	17,000+ ¹	4,000	24%	6,800	40%	4,200	25%
Lot 6	21,000+ ¹	4,000	19%	8,400	40%	5,000	24%

¹ Net of access corridors and common maintenance area.

Note: Planning Commission and staff recommendations would include garage area greater than 600 square feet; applicant’s request would exclude all garage area.

Staff believes its current recommendation is in line with other limitations applied to similar projects near this one and is appropriate given earlier concerns expressed over the appearance of these homes both as viewed from Vineyard Avenue and from the East Bay Regional Park District’s Shadow Cliffs park.

Two-Story House Design

During the original PUD hearings, the Planning Commission expressed concern with the height and building mass of the two houses now proposed as Lot 6 and for all the houses backing up to Shadow Cliffs Park. East Bay Regional Park District requested one-story homes along its border. Ultimately, the plan for the four lots approved abutting Shadow Cliffs Park included two single-story houses and two with a small, 320-square-foot, second-story built within the attic area with windows facing away from the Park. The key lot on the south side of Vineyard Avenue (at the trail-street intersection) was a single-story house.

With the PUD modification, EBRPD representatives continued to request single-story homes to minimize the impact of the appearance of a row of two-story homes over-looking the passive,

natural area portion of Shadow Cliffs Park. Planning Commissioners likewise sought to minimize this impact. The compromise of slightly increased allowable height (relative to a pure single-story house) so that a second-story area could be built within the roof area of the house, with the window/wall portion of the second-floor design not facing the Park, was agreeable to Commissioners and Park representatives. This same design treatment, without window restrictions, was also felt to resolve the building height/massing issues for Lot 6. This home sits below a berm/wall along the relocated Vineyard Avenue, and the landscaping required to be planted along Vineyard Avenue and the trail will screen this relatively low building.

Staff believes the design criteria satisfactorily compromises the interests expressed by neighbors and the Commission while allowing some second-story floor area should a future homebuilder so desire. The Delco house plans have demonstrated that these criteria can co-exist with attractive, desirable exterior and interior house plans. Individual, custom house designs should be able to also create houses up to the staff-recommended sizes with similarly attractive and desirable designs.

The modification requested by the applicant would delete the design note and one-story reference following the "Maximum Building Height" bullet in Condition 4(c), leaving only the 23-foot limit. This would likely result in houses with true two-story elements (two-story high walls, second-story windows) on most houses, and second-story windows would be expected to overlook Shadow Cliffs Park.

Public Comment

Notices of the Planning Commission's public hearing on this item were sent to homeowners living within 1000 feet of the project area and to all homeowners living within the Vineyard Avenue Corridor Specific Plan area. As of the writing of the City Council staff report, staff has received no additional written or verbal comments pertaining to the proposal.

PUD DEVELOPMENT PLAN MAJOR MODIFICATION FINDINGS

The Zoning Ordinance of the Pleasanton Municipal Code sets forth the purposes of the Planned Unit Development (PUD) District and the "considerations" to be addressed in reviewing a PUD Development Plan. These considerations would also apply to a major modification of an approved development plan. The findings for this application are covered in the attached Planning Commission staff report.

FISCAL IMPACT

The project developer would be required to pay the per unit development fees specified by the Vineyard Avenue Specific Plan Financing Plan – estimated at \$55,000.00 per dwelling unit –

and the school impact fee totaling \$6.50 per square foot. The homes covered by this application would pay property taxes to would go to offset their impact to City services including police, fire, support staff, etc.

CITY COUNCIL OPTIONS

The City Council has the following options pertaining to this application:

1. Approve the proposed as recommended by the Planning Commission.

This option would have all conditions as shown in Exhibit "B."

2. Approve the project with a modified Condition 4(f) and/or Condition 4(c).

With this option the Council would modify the FAR and/or second-story design limitations as currently recommended by staff, by the applicant, or as the Council deems appropriate.

3. Modify the project and/or conditions of approval.

With this option the Council can approve the project with any modifications to design, conditions of approval, etc., that the City Council deems to be appropriate. Any modification desired which was not considered by the Planning Commission would require referral back to the Planning Commission before adoption.

4. Deny the proposed project.

Denying the proposed project would leave intact the previous development plan and conditions, at least until that approval may lapse. The applicant could propose any new development plan as well.

ENVIRONMENTAL ASSESSMENT

Environmental review for the proposed project was undertaken with the Negative Declaration adopted by the City Council on March 20, 2001 in conformance with the standards of the California Environmental Quality Act (CEQA). No subsequent, supplemental, or addendum to the Negative Declaration is necessary because there are no substantial changes to the project or to the circumstances under which the project is being undertaken that involve new significant environmental effects or that substantially increase the severity of previously identified effects. Furthermore, there is no new information of substantial importance, which was unknown at the time that the Negative Declaration was adopted by the City Council regarding the project or its effects, mitigation measures, or alternatives. Any previously identified effects or impacts are mitigated to a level of insignificance, with the mitigation measures incorporated into the

project's design or imposed on the project pursuant to the conditions of approval. Therefore, no new environmental document accompanies this staff report.

CONCLUSION

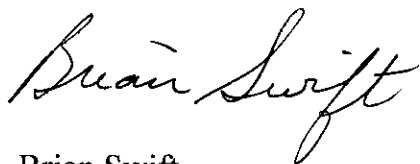
As stated in the Planning Commission staff report, staff believes the proposed project is designed in a manner that is compatible with and sensitive to the restrictions posed by the site and by surrounding properties, is in keeping with the themes and policies of the Vineyard Avenue Corridor Specific Plan, and is generally consistent with the approval of PUD-01. Construction of the proposed project would help pay for the infrastructure needed to serve the Specific Plan area including the planned Neal elementary school. The Planning Commission concurred with the staff analysis and recommendation, and forwarded the proposal to the City Council with its recommendation for approval.

STAFF RECOMMENDATION

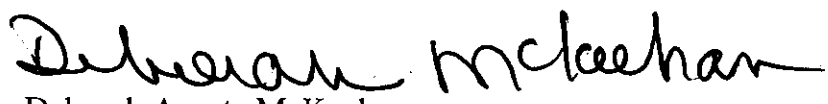
Staff recommends the City Council take the following actions:

1. Make the findings for the major modification of the approved PUD Development Plan stated in the Planning Commission staff report; and,
2. Introduce the draft ordinance approving PUD-01-1M subject to Exhibit "B," Draft Conditions of Approval, with the staff-recommended modification to Condition 4(f).

Respectfully Submitted,



Brian Swift
Director of Planning and
Community Development



Deborah Acosta McKeehan
City Manager

Attachments:

1. Location Map
2. Exhibit "A," PUD Development Plan, dated "Received, February 8, 2001".
3. Draft Ordinance dated February 4, 2003 including Exhibit "B," Draft Conditions of Approval.

4. Exhibit "C," Draft Building and Landscape Design Guidelines, dated February 4, 2003
5. Exhibit "D," Hammerhead turn-around design serving Lots 1 through 5, dated February 4, 2003
6. Planning Commission Staff Report dated January 8, 2003
7. Minutes of the Planning Commission Public Hearing held on January 8, 2003
8. Minutes of the Planning Commission Work Session held on August 14, 2002
9. "Noise Assessment Study for the Planned Single-Family Development, Hahner/Costas Property, Vineyard Avenue, Pleasanton", Project No. 30-104-1, by Edward L. Pack Associates, Inc.
10. Focused site plan, building elevations and floor plans, and the preliminary design plan for the trail and trail crossing of Vineyard Avenue for the Costas portion of PUD-01
11. View analyses for the Costas portion of PUD-01
12. Ordinance No. 1826 for PUD-00-01

Item 6a

PUD-01-1M, Mark Arola and Jon McCurdy (SR 03:029)

Councilmember Brozosky excused himself from hearing this item because of a condition of approval which links it to property that is within 500 feet of his property.

Brian Swift presented the staff report.

Ms. Ayala asked if there would be a traffic light at the intersection of the existing and the realigned Vineyard Avenues.

Mr. Swift said there would be a traffic light at this intersection, providing access to the cul-de-sac for five lots and providing access on the opposite street for the three to four houses. Primarily the reason for the signal is to provide a safe way for bicyclist and pedestrians and users of the trail to cross the main trail from Shadow Cliffs to the trail near existing Vineyard Avenue.

Ms. Hosterman had a question about this property not being a part of the Vineyard Corridor Specific Plan.

Mr. Swift explained that this parcel is not part of the Specific Plan area, yet the Plan Area surrounds it on three sides. At the time the Specific Plan boundaries were established, this property had a previously approved PUD and therefore it was exempted from the boundaries of the Plan area.

Ms. Hosterman asked if the fees that would be collected from this development would be an integral part of the fees for Neal School.

Mr. Swift said the developer would pay fees just as if the project were a part of the Specific Plan area

Ms. Hosterman asked Mr. Swift about the Planning Commission's recommendations mentioned in the Staff Report, Exhibit B, page 18, number 35, concerning the developer providing to the homebuyers pv (photo-voltaic) systems as an option.

Mr. Swift said this was a requirement of the prior approval that the Planning Commission was using before implementation of the Green Building Ordinance and it was carried forward in this application. If one developer buys the project and builds it as one project, then the requirement is that one of the model options has a pv system that a homebuyer can purchase.

Ms. Hosterman asked how much of a hardship it would be to require that this be made available to home purchasers if, in fact, the lots are sold separately, instead of as a group. Would this be a hardship to request that the developer provide pv options to the ultimate purchaser regardless of how it is packaged?

Mr. Swift said the intention would be to sell lots to individual homeowners who would then build their own houses. If they build their own house with their own design and their own plan, he didn't know how the City could incorporate a pv system in this sort of circumstance. The homes would be subject to the City's Green Building Ordinance.

The public hearing was opened.

Mr. Jon McCurdy, the applicant, thanked the Council and Mr. Swift for the work done on this project. He said the only thing left undecided was the two-story vs. the slanted roof style for the structures.

Mayor Pico said it appeared from the staff report that there was no agreement on the size of the homes.

Mr. McCurdy said he was in agreement with the compromise. He thought that 40% of the lot size would be a fair compromise. The lots are big lots and as he has gotten into the development of this land, the fees are going to be approximately \$65,000 per lot. A cul-de-sac will have to be built with curbs and street lights, drainage ditches, and

posting of bonds. He said he received the property through a financial deal that went sour. He said the more flexibility he could have for building houses on this property, the better off it will be for all concerned. There will be better looking, better designed houses, and fewer slanted roof restrictions.

Ms. Linda Chavez, representing the East Bay Regional Park District, stated the Park District is very concerned about the development that has been proposed for this property over the years. Shadow Cliffs is immediately adjacent to it, but the vacant part is actually the more passive, natural area of the park. The District wants to keep the sense of ambiance of a natural area. The homes proposed for this property are within 30 feet of the top of the bank of the arroyo. Every time the project has come forward, the Park District has asked that the houses be low in profile and the density kept down so that the transition from the natural area of the Park to the development would be attractive. At this point the Park District does support the City staff recommendation, yet there is some concern about the density. There is an additional lot from previous proposals, which is a 20% increase on the bank. The District doesn't want the house height raised, in order to maintain a gentle transition and sensitivity to the site. They would prefer to see the houses not increased in size. The District is concerned about bulk and size and feels there needs to be some sensitivity on the part of the City to this property. She realizes that by adding the additional lot to the north side, this made the whole area work better.

Mr. Campbell asked Mr. Swift to comment on the setback from the top of the arroyo and is this consistent with the rest of the City.

Mr. Swift said there would be a 30 foot setback requirement and this is a slightly larger setback that would typically occur to property adjacent to most of the other waterways in the City. It is comparable to the same type of setback for other lots this size. There is nothing special required on this setback because of the Shadow Cliffs location.

Ms. Chavez said the geologist looked at the slopes and was concerned about sloughing and this is part of the setback determination. The District is willing to accept the setback requirements and is more concerned about two-story homes on the parcels.

There being no other speakers, the public hearing was closed.

Ms. Ayala asked about the slanted roofs and the 23 foot height limit. The developer mentioned making it look more massive by requiring this. She asked Mr. Swift to discuss this requirement.

Mr. Swift said the design guidelines would keep the appearance of a slightly taller roof, but what would be visible would be a single story from the vantage point of Shadow Cliffs. On the other side would be visible dormer windows and elevations, but the total height would be 23 feet, which is not very tall. Each of the home designs would be required to have a design review before approval.

Mayor Pico said the main issue is whether the City will allow second story designs, subject to the 23 foot height limit and the size of the homes being built on the lots.

Ms. Swift said those were, in fact, the two issues. Mr. McCurdy indicated he was happy with the staff recommended slightly larger houses (200 sq/ft) than the ones the Planning Commission had recommended on lots one through five, and on lot six a 5,000 sq/ft house would be allowed. That doesn't mean that all of the houses will be built that size, but they would be custom houses.

Ms. Ayala asked if there was going to be a condition regarding the traffic signal. Will the people understand that a signal is being installed in that location? She felt it necessary to inform the buyers about the signal.

Mr. Swift said the signal being built is part of the core infrastructure. He felt the signal would possibly be installed before the street is developed. The signal notification, however could be a part of the approval.

Mayor Pico said he would rather support smaller than larger homes on this property. He stated he did not have any problem with the Planning Commission recommendation and could see adopting the recommendation as an alternative of going to the 4200 sq/ft on all six lots rather than allowing a 5000 sq/ft house on one. The sizes of homes the applicant was requesting are far greater than what he would want to consider on this property.

Ms. Hosterman added she felt much the same way after reading the Planning Commission report, minutes, and recommendations under Exhibit B. There has been a lot of work, time, and effort in coming to this point. She felt the Commission had done an excellent job and she was in support of the recommendations submitted.

Mr. Campbell asked Mr. Swift if the 40% floor area ratio was unusual and what is normally required of a similar development. He also inquired about the single story vs. two story requirement and the justification for this requirement. He asked if the request of EBRPD has anything to do with trying to keep the design of the houses single story.

Mr. Swift indicated that 40% ratio is the limit in this zoning district. Floor ratio normally goes down as the lot size gets larger, and it is not unusual that a 25-30% ratio be used when there are lots 12,000-20,000 sq/ft. Floor area ratios are higher on a small lot, single family project, going up to as high as 55-60%. Most of Pleasanton have floor ratios in the 35-40% range. The Planning Commission would allow a second story be built if it was in the sloped roof portion of the main house. This has windows on lots on lots one through five that face south, and on lot six that face any direction. The Planning Commission and staff recommendation on that aspect is the same in order to avoid two story walls to the house and to keep the overall height lower than it would be than if the builder went up straight to build the second story and then build the roof on top of the

second story, rather than within the roofline of the first story. Mr. Swift said the EBRPD preferred a single story house so there would only be a small wall visible from across Shadow Cliffs. The District's original position was single story houses, then that position was modified to include two story portions of the house, as long as those portions built in the roof line making it look like a single story house. The guidelines proposed currently allow this modification.

It was moved by Ms. Ayala, seconded by Mayor Pico, to introduce Ordinance 1877 approving PUD-01-1M, regarding the major modification to the existing PUD development plan for six lots on a 4.2 acre site subject to Exhibit B, draft conditions of approval, with staff recommendations with the following modifications: (1) 4200 sq/ft maximum house size on all lots; and (2) the buyer of each lot to be notified of the traffic signal on the corner.

The roll call vote was as follows:

AYES: Councilmember – Ayala, Campbell, Hosterman, and Mayor Pico
NOES: None
ABSENT: None
ABSTAIN: Councilmember Brozosky



CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

ORDINANCE NO. 1877

**AN ORDINANCE APPROVING THE APPLICATION OF
MARK AROLA AND JON MCCURDY FOR A MAJOR
MODIFICATION TO AN APPROVED PLANNED UNIT
DEVELOPMENT, AS FILED UNDER CASE PUD-01-1M**

WHEREAS, Mark Arola and Jon McCurdy have applied for a major modification to an approved Planned Unit Development (PUD-01) to modify the lotting pattern and to create design guidelines in place of building designs for six lots on a 4.2-acre site located at 2503 Vineyard Avenue; and

WHEREAS, the property is zoned PUD (Planned Unit Development) - LDR (Low Density Residential) District; and

WHEREAS, a Negative Declaration was prepared and adopted for PUD-01; and

WHEREAS, there are not substantial changes to the project or to the circumstances under which the project is undertaken that involve new significant environmental effects or substantially increase the severity of previously identified effects, and there is no new information of substantial importance not known at the time the Negative Declaration was adopted regarding the project or its effects, mitigation measures, or alternatives; therefore, no additional environmental documentation was prepared for this application; and

WHEREAS, Council received the Planning Commission's recommendations for approval of the major modification; and

WHEREAS, a duly noticed public hearing was held on March 4, 2003; and

WHEREAS, the City Council finds that the proposed major modification is compatible with and sensitive to the restrictions posed by the site and by surrounding properties and in keeping with the themes and policies of the Vineyard Avenue Corridor Specific Plan, and generally consistent with PUD-01.

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

Section 1: Approves Case PUD-01-1M, the application of Mark Arola and Jon McCurdy for a major modification to an approved Planned Unit Development (PUD-01) to modify the lotting pattern and to create design guidelines in place of building designs for six lots on a 4.2-acre site located at 2503 Vineyard Avenue, subject to the conditions shown in "Exhibit B," attached hereto and made part of this case by reference.

Section 2: A summary of this ordinance shall be published once within fifteen (15) days after its adoption in "The Valley Times," a newspaper of general circulation published in the City of Pleasanton, and the complete ordinance shall be posted for fifteen (15) days in the City Clerk's office within fifteen (15) days after its adoption.

Section 3: This ordinance shall be effective thirty (30) days after the date of its final passage and adoption.

INTRODUCED at a regular meeting of the City Council of the City of Pleasanton on March 4, 2003.

ADOPTED at a regular meeting of the City Council of the City of Pleasanton on March 18, 2003 by the following vote:

AYES: Councilmembers - Ayala, Brozosky, Campbell, Hosterman, and Mayor Pico

NOES: None


ABSENT: None

ABSTAIN: None



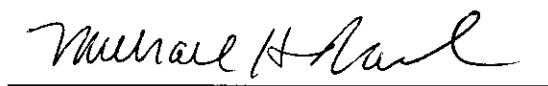
TOM PICO, MAYOR

ATTEST:



Peggy L. Ezidro, City Clerk

APPROVED AS TO FORM:



Michael H. Roush, City Attorney

Exhibit "B"
Final Conditions of Approval for PUD-01-1M (Corrected)

per City Council
March 4, 2003

General Conditions:

1. The development covered by this approval shall be constructed substantially as shown on the development plans, Exhibit "A", dated "Received February 4, 2003" on file with the Planning Department, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Planning Director if found to be in substantial conformance to the approved exhibits. This project may be constructed by a subdivider followed by individual lot development/house construction, entirely by a single project developer, or any combination thereof. Reference in these conditions to "project developer" shall mean either the subdivision developer or the individual lot/house builder as is relevant to the work and responsibilities undertaken by each.
2. All conditions and requirements of the Vineyard Avenue Corridor Specific Plan as related to this property and the adopted mitigation measures of the Final Environmental Impact Report shall be applicable to this PUD development plan.
3. Any change proposed to the development plan covered by this approval including, but not limited to, changes to the overall design guidelines, overall project grading, conditions of approval, etc., shall require a major modification of the PUD development plan. Changes to a constructed dwelling/landscape design that conforms to the approved design guidelines shall not require a development plan modification.
4. The lots covered by this development plan approval shall be subject to the following uses and site development standards:
 - a. Permitted Uses:
 - Single-family detached housing;
 - Household pets;
 - Accessory structures and uses including but not limited to a private garage, living area without a kitchen, enclosed storage, and recreation room;
 - Small family day care home, defined as eight or fewer children not including children of the day-care owner/operator.

- b. Conditional Uses:
- Nursing home for not more than six patients;
 - Home occupation conducted in accordance with Chapter 18.104, Home Occupations, of the Pleasanton Municipal Code;
 - Large family day care home defined as greater than eight children not including children of the day care owner/operator; and,
 - Second unit.
- c. Development Standards for Primary Structures and Additions to Primary Structures:
- Front Yard Building Setback – 25-feet;
 - Side Yard Building Setback – 10-feet;
 - Rear Yard Building Setback – 20-feet; and,
 - Maximum Building Height – One-story or 23-feet. (Note: The homes covered by this approval may be configured as two story buildings provided that the second floor is designed and built into the building's sloped attic area and, for Lots 1 through 5 adjoining the Shadow Cliffs facility, that the second floor windows are designed as dormers located only on the structure's south facing side. On Lot 6, said dormers may be located on any side of the structure.)
- d. Development Standards for Accessory Structures:
- Rear Yard Setback – 20-feet;
 - Interior Side Yard – 10-feet;
 - Street Side Yard for Corner Lots – 20-feet; and,
 - Maximum height – One-Story and 15-feet.
- e. For all primary and accessory structures, the building height shall be measured vertically from the lowest ground elevation adjacent to the building to the highest elevation of the building, excluding chimneys.
- f. The maximum floor area ratio (FAR) for Lots 1 through 6 including primary and accessory structures shall be 40-percent or 4,200 square feet, whichever is less. The floor area ratio shall not include swimming pools/spas and a cumulative garage floor area less than 600 square feet. Garage floor area over 600 square feet shall be counted in the lots' floor area ratios. (Note: This is cumulative garage floor area, e.g., the combined floor area for detached and attached garages on these lots.)

- g. For Lot 6, the primary structure shall maintain a minimum 25-foot building setback from the inside face of the sound wall adjoining Vineyard Avenue and from the property line or the toe of the slope bank, whichever is greater from the old Vineyard Avenue right-of-way. Accessory structures, excluding a swimming pool/spa shall maintain a minimum 15-foot building setback. All other setback requirements specified in Conditions 4.c. through 4.f. shall still apply to Lot 6.
 - h. Covered front porches attached to the main structure may come to a point no closer than 12-feet from the front property line, provided that the covered front porch is designed to be an integral part of the home, is open on three sides, has a minimum depth of eight-feet, maintains the required 10-foot side yard, and has a minimum width of 10-feet or covers 50-percent of the width of the wall that it is located along, whichever is greater. The porch eaves shall project no more than an additional 24-inches into the required front yard setback area.
5. The project subdivider shall pay any and all fees to which the project is subject to at the time of any final map, said fees being those in effect at the time the map is filed for approval. These fees shall include the Vineyard Avenue Corridor Specific Plan fees in accordance with the provisions of the Vineyard Avenue Corridor Specific Plan Financing program, except that should a final map be submitted which only creates Lot 6 as a buildable lot, the Specific Plan fees collected with such a final map shall be for one lot only. The remaining fees shall be collected at the time of the first final map creating any of Lots 1-5. Individual lot/home builders shall pay any and all fees collected at the time a building permit is issued at the rates in effect at the time of issuance of the building permit.
 6. The homebuilders shall show evidence of payment of the then-existing Pleasanton Unified School District school impact fee prior to issuance of a building permit.
 7. Prior to issuance of a building permit, the project developer 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 shall pay any applicable Dublin San Ramon Services District (DSRSD) sewer permit fee.
 8. This development plan shall be of no further validity and the project developer shall be required to submit the same or new development plan for City approval prior to development of the site in the event that the project developer fails to record a final map within two years of this PUD Development Plan approval. Portions of the development plan not covered by a final map within two years will have the development plan lapse as to that portion of the project.
 9. The project developer acknowledges that the City of Pleasanton does not guarantee the availability of sufficient sewer capacity to serve this development by the approval of this

case, and that the project developer agrees and acknowledges that building permit approval may be withheld if sewer capacity is found by the City not to be available.

10. This approval does not guarantee the availability of sufficient water to serve the project. The City shall withhold building permits for the project if at the time building permits are applied for, mandatory water rationing is in effect, unless the City has adopted a water offset program and unless the project developer is participating in the program. Notwithstanding the project developer's participation in such a program, the City may withhold building permits if the City determines that sufficient water is not available at the time of application of building permits.

Planning Requirements:

11. The project developer or individual lot developers shall utilize "Green Building" practices in constructing the new homes on this site. The project developer shall use their best efforts to implement the measures identified in the Alameda County Waste Management Authority's *New Home Construction Green Building Guidelines* in the design, construction, and operation of the proposed homes. Before issuance of building permits, the project/lot developer shall submit to City staff the green building provisions that would be incorporated into the proposed project's construction. The project/lot developer shall then meet with City staff to review these provisions. If, following this review, it appears that there are other feasible and mutually agreeable green building measures that can be incorporated into the project, the project/lot developer shall modify the project accordingly. Before issuance of a building permit, the green building measures shall be explicitly called out on a separate sheet of the building permit plan set and shall be subject to review and approval by the Planning Director.
12. The project developer shall submit a waste management plan to the Building and Safety Division prior to issuance of building or demolition permits. The plan shall include the estimated composition and quantities of waste to be generated and how the project developer intends to recycle at least 50-percent of the total job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance of a final building permit. During demolition and construction, the project developer shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only". The project developer shall contact Pleasanton Garbage Service for the disposal of all waste from the site.
13. Prior to the demolition of any existing structure located on the subject property, the project developer shall have the structures examined for the presence of lead, lead-based paint, and/or asbestos by a qualified environmental professional. If lead and/or asbestos are found to be present, demolition of these structures shall be conducted in accordance with the applicable requirements of the California Department of Industrial Relations (Cal-OSHA) for lead, and Cal OSHA and the Bay Area Air Quality Management Board

(BAAQMD for asbestos. The project developer shall provide to the Planning Director a follow-up report within 30-days after demolition of the structures is completed, if needed.

14. Prior to the demolition of any existing structure(s) located on the subject property, the project developer shall have the structure(s) examined for the presence of bats.
15. The project developer shall provide a bond to the City guaranteeing the installation of all common open space, street trees, and all common infrastructure improvements shown on the approved development plan or otherwise required as part of this development. The project developer shall provide an itemized cost estimate of said improvements, to be submitted with the bond, for the review and approval the Planning Director prior to issuance of building permits (which shall not be unreasonably withheld). The bond shall be returned to the project developer upon acceptance of said improvements by the Planning Director.
16. The height of the primary structure(s) covered by this PUD Development Plan approval shall be surveyed and verified as being in conformance to the approved building height as conditioned. Said verification is the project developer's responsibility, shall be performed by a licensed land surveyor or civil engineer, and shall be completed and provided to the Planning Department before the first framing or structural inspection by the Building Department.
17. All windows facing the RMC/Lonestar plant shall be triple paned. This detail shall be shown on the building permit plan set submitted to the Planning Director for review and approval before issuance of a building permit. The structures to be constructed on Lots 1 through 5 shall be sited so that a useable yard area is provided on the westerly sides of the structures and that the structures themselves would function to shield the yards from the noise of the RMC/Lonestar processing plant.
18. The preliminary design plans for the planned old Vineyard Avenue public trail shall be approved by the City Council before issuance of the first building permit for this project.
19. A statement disclosing the RMC/Lonestar facility has a noise source shall be prominently displayed in the tract sales office for this development, if a sales office is used in this project.
20. The project developer shall complete all of the on-site improvements at one time, including all improvements around future building pads. All remaining pad areas shall be seeded and kept in a neat and weed-free manner at all times.
21. Lot 6 shall be accessed from Vineyard Avenue over the shared access driveway and public streets shown on the Hahner portion of Tract 7240. No building permit shall be issued for the building on this lot until evidence is provided to the satisfaction of the Planning Director and the City Engineer that said access is available. This restriction

shall not apply to the construction of the subdivision improvements, e.g., retaining walls, sound walls, right-of-way landscaping, etc., required between Lot 6 and the old and new alignments of Vineyard Avenue.

22. Construction of the proposed project could result in the disturbance of active raptor nests, which are protected under California State Fish and Game (CSFG) Code Section Code Section 3503.5. If grading is to begin during the raptor-nesting season (February 1 to August 31), a focused survey for raptor nests shall be conducted by a qualified biologist during the nesting season. The survey shall be conducted no less than 14-days, and no more than 30-days, prior to the beginning of grading and/or tree removal. If nesting raptors are found during the focused survey, no grading or tree removal shall occur within 500-feet of an active nest until the young have fledged – as determined by a qualified biologist – or until the project developer receives written from CSFG personnel to proceed. The written findings of the biologist shall be provided to the Planning Director within 30-days of the start of grading.

Final Subdivision Map Requirements:

23. The home builders for Lots 1 through 6, respectively, shall submit an overall landscape plan for the interface area between the old Vineyard Avenue right-of-way and their lots. The landscape plan shall include planting of a quantity and type of species that would screen the yards for the lots from view of trail uses. The landscape plan shall be subject to the review and approval of the Planning Director and the City's Landscape Architect with the final subdivision map.
24. With the final subdivision map creating Lot 6, the project developer shall set forth the common open space/maintenance area of Lot 6 and maintenance responsibilities in conjunction with Tract 7240.
25. The project developer shall record at the time of recordation of the final map reciprocal access, utility, and drainage easements with maintenance and repair responsibilities clearly defined between Lots 1 through 5 and between Lot 6 and Lots 29 through 30 of Tract 7240 unless otherwise approved by the Planning Director.
26. The recorded deed of sale for all lots covered by this approval shall include the following:
 - a. A clause which states that the property is in an area subject to noise, dust, and vibration levels from gravel harvesting and processing and that the City of Pleasanton is not liable for possible damages due to such impacts.
 - b. The recorded deed of sale shall include a noise/dust/vibration easement.

- c. A disclosure statement shall be provided to prospective purchasers and tenants by lot owners, developers, and future successors in interest providing full disclosure of the potential future mining operations within the Specific Plan Area.
- d. The recorded deed of sale for all lots shall include a disclosure statement indicating the close proximity of the Vineyard Avenue Corridor Specific Plan area to the Livermore Municipal Airport and of possible impacts to homes due to aircraft over flights.
- e. A disclosure statement describing the planned use and construction of the old Vineyard Road right-of-way for public trail uses.
- f. A disclosure stating that the East bay Regional Park District operates Shadow Cliffs Regional Recreation Area, a regional recreation facility, and that the buyer recognizes that the activities that take place in the "Regional Recreation Area" may result in noise, odors, dust, traffic or other conditions that may affect the lots covered by this PUD Development Plan.
- g. A disclosure on all lots regarding the underground, 230-kilovolt electrical transmission line in the right-of-way of new Vineyard Avenue.
- h. Maintenance responsibilities for the concrete "V-ditch" storm drain system located along the rear property lines of Lots 1 through 5 and the urban stormwater runoff measures for these lots.
- i. A disclosure of the nearby sanitary sewer pump station with standby diesel generation on new Vineyard Avenue.
- j. A disclosure of the future staging area and parking area to be owned and operated by the East Bay Regional Park on a portion of Old Vineyard Avenue right-of-way, and the proposed City Park to be located on the old landfill site on the south side of Vineyard Avenue.
- k. A disclosure of the locations of the sub drains on the lots, any further excavation causing the sub-drain to be relocated would be at the owner's expense.
- l. A disclosure of the noise and odor associated with the operation of the asphalt batch plant on the RMC/Lonestar property easterly of the lots covered by this development plan.
- m. A disclosure of the traffic signal to be installed at the intersection of new Vineyard Avenue and the cul-de-sac/hammerhead street covered by this approval.

Wording for these clauses and/or disclosures shall be submitted to the City Attorney for review and approval before City Council approval of the first final subdivision map for this development and shall be recorded over the project site by separate instrument.

27. Lot 6 shall be required to be part of the property owners association created for the lots and parcels on the Hahner portion of Tract 7240. Pertaining to Lot 6, the property owners association shall be responsible for the following:
 - a. Maintenance of all private utilities, shared access driveways, and other common areas and facilities on the site, including all landscaping and soundwalls extending to the face of curb.
 - b. Maintenance of any storm drainage swales, gutters, inlets, outfalls, and channels not within the area of a dedicated public street or public service easement approved by the City Engineer.
 - c. Maintenance of the screen planting located between the property line of Lot 6 and the trail to be located on the old Vineyard Avenue right-of-way.
28. The existing roadway easement line for old Vineyard Avenue, defined as a line located 25-feet from the centerline of old Vineyard Avenue, shall separate Lot 6 from the public trail/land area. With recordation of the final subdivision map, the project developer shall dedicate to the City of Pleasanton the old Vineyard Avenue right-of-way.

Building and Site Design Requirements:

29. The building and landscape designs for Lots 1 through 6 shall be subject to Exhibit "C", Building and Landscape Design Guidelines, dated January 8, 2003, and shall be subject to design review approval by the Planning Commission following the procedures delineated in the Pleasanton Municipal Code.
30. The project developer 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.
31. The project developer shall provide automatic opening sectional roll-up garage doors throughout the project, as approved by the Director of Building Inspection and Planning Director.
32. Private yard lighting shall be designed, installed, and controlled so as not to be pointed directly towards the existing and future "uphill" properties located along the south side of Old Vineyard Road.
33. Approved building materials and colors shall be stated on the plans submitted for issuance of building permits.

34. The homes covered by this approval shall be constructed to encourage telecommuting by providing as an option telecommunications infrastructure consistent with state-of-the-art methods, e.g., cabling for DSL service, wiring for total room access, etc. The project developer shall submit with the first building permit application those measures included in the home construction for review and approval by the Planning Director before issuance of the first building permit.

Photovoltaic Systems:

35. If the lots covered by this approval are to be mass developed as a single development, the project developer shall provide to the homebuyers, photovoltaic systems as an option. With the building permit plan set, the project developer shall show the installations for each of the buildings covered by this approval to the satisfaction of the Planning Developer before issuance of a building permit.
36. The project developer, if developing the houses as one project, shall implement the following measures with the construction of the structures covered by this approval so that the owners can install roof-mounted photo-voltaic systems in the future:
 - a. Electrical conduit with pull-strings shall be installed between the roofs and the main electrical panel.
 - b. Roof trusses shall be engineered to handle an additional load of five-pounds per square foot.
 - c. The location of roof vents, pipes, etc., shall be centralized, e.g., on north facing roof areas, to maximize the unobstructed roof area for photovoltaic panels. Minimal roof penetrations would be allowed on southeast to southwest facing roofs.
 - d. The homes on these lots be sited and designed so that there are broad sloped roof areas facing southeast to southwest in order to maximize solar exposure for the panels.
 - e. An area shall be provided near the main panel for the “inverter” required to convert the direct current output from the photovoltaic panels to alternating current.
 - f. Bi-directional meters shall be installed which would deduct the amount of power flowing from the panels to the power “grid”.
 - g. A solar panel arbor/porch cover up to a 15-foot height is a specifically permitted use without requiring the administrative design review process.

These measures shall be shown on the building permit plan set submitted to the Planning Director for review and approval before issuance of the first building permit. The project developer shall provide to the future homebuyers the necessary information delineating the means by which photovoltaic panels can be applied to the roofs of the structures covered by this approval. This information shall be submitted to the Director of Planning for review and approval prior to occupancy of the first unit.

37. The project developer shall work with the Planning staff and with representatives of the Sacramento Municipal Utility District to develop a program for the bulk purchase of photovoltaic panels/equipment for this project. This information shall be brought back to the Planning Commission for its review with the tentative subdivision map.

Existing Trees:

38. The project developer shall submit an updated tree report for the existing trees located on this property including an inventory of the trees that were located in the Vineyard Avenue right-of-way with the final subdivision map for review and approval by the Planning Director. The report shall inventory each tree as to location, species, size, health, value, and disposition. No trees shall be removed other than those specifically permitted for removal. The project developer shall post cash, letter of credit, or other security satisfactory to the Planning Director 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.
39. The removal of a heritage tree shall be mitigated in conformance to the standards of the Vineyard Avenue Corridor Specific Plan and Final EIR. For the orchard trees and non-heritage/non-orchard trees to be removed from the subject property in conjunction with this development, the project developer shall replace these trees on a replacement ratio of one, 24-inch box-size tree for each tree being removed. These replacement trees shall be shown on the improvement plans for this development before issuance of a grading/on-site permit.
40. The project developer shall submit the improvement plans, tract grading plans, and building permit construction plans to HortScience for review in order to determine that site-specific measures required to preserve the existing trees designated for preservation during construction are being implemented with the plans. The consultant's comments shall be submitted to the Planning Director and to the City's Landscape Architect and shall be incorporated onto the final site plans, grading plans, improvement plans, etc., prior to issuance of a grading, on-site, and/or building permits. If the lots are to be developed individually, this requirement shall be implemented by the individual lot developer.

41. No tree trimming and/or pruning would occur unless supervised by a horticultural consultant. The project developer would arrange for the consultant to conduct a field inspection of the construction site(s) prior to issuance of grading permits to ensure that all recommendations have been properly implemented. The consultant would then certify in writing to the Planning Director that the recommendations have been followed.
42. For the existing trees that would be located on private lots, the project developer shall record a disclosure/deed restriction on the lot stating that the existing trees on these lots are to be preserved and maintained by the homeowner. The disclosure/deed restriction shall state the measures to be employed by the homeowner to preserve these trees, e.g., not planting turf beneath the drip line/canopy of an existing oak tree. The disclosures/deed restriction shall also describe the permit procedures for removing any existing tree. The disclosures/deed restrictions shall be submitted to the City Attorney and to the Planning Director for review and approval before recordation.
43. At the final map stage, the value of the heritage trees to be removed, not including orchard trees, shall be appraised to the satisfaction of the Planning Director and the City's Landscape Architect and shall be paid to the City's Urban Forestry Fund at the time of recordation of the final subdivision map.

Landscaping and Irrigation System Design and Operation:

44. The project developer shall enter into an agreement with the City, approved by the City Attorney, which guarantees that all landscaping and open space areas included in this project will be maintained at all times in a manner consistent with the approved landscape plan for this development. Said agreement shall run with the land for the duration of the existence of the structures located on the subject property.
45. The project developer shall provide root control barriers and four-inch perforated pipes for parking lot trees, street trees, and trees in planting areas less than 10-feet in width, as determined necessary by the Planning Director at the time of review of the final landscape plans.
46. The project developer shall submit detailed landscape and irrigation plans, subject to the review and approval of the Planning Director and City Landscape Architect, as part of the improvement plans. These plans shall include a street tree-planting plan and landscape plans for all street rights-of-way, landscape trails and berm areas, open space areas, and landscape screening. The irrigation plan shall provide for automatic controls. Said landscape plan shall be detailed in terms of species, location, size, quantities, and spacing.
47. Restrictions minimizing the use of herbicides for the future landscaping in the proposed development shall be submitted for the review and approval of the City Landscape

Architect prior to the approval of the final improvement plans. These restrictions shall be listed in the project CC&Rs.

48. Stone-faced entry monuments/ walls and accent landscaping may be constructed at the project entrance from Vineyard Avenue and at the junction of new Vineyard Avenue with the entry to the trail located on the old Vineyard Avenue right-of-way. The final design and location of these monuments/walls and landscaping shall be submitted for review and approval by the Planning Director prior to their construction.
49. A final fencing plan shall be submitted for review and approval with the subdivision improvement plans. This plan shall be consistent with the Vineyard Avenue Corridor Specific Plan and Vineyard Village Landscape Design Guidelines.
50. In the southernmost area of Lot 5, adjoining the north side of new Vineyard Avenue, a landscaped berm shall be installed to function as a noise/visual barrier. The berm shall have an effective minimum height of five-feet measured from the pavement grade of new Vineyard Avenue. Landscaping on this berm shall include a combination of 15-gallon and 24-inch box size, evergreen trees and shrubs. Landscaping irrigation shall be automatically controlled. These changes shall be shown on the improvement plans to the satisfaction of the City Engineer and Planning Director before City Council approval of the first final subdivision map. If the subdivision improvements precede development of individual houses, this landscaping shall be bonded for and then installed prior to occupancy of the first house.
51. The berm and landscape area shall be maintained and irrigated by the property owners of Lots 1 through 5 via a shared maintenance agreement or other instrument. The wording for the agreement shall be prepared by the project developer for review and approval by the City Attorney before recordation of the final subdivision map.

Building Permit Review:

52. All dwelling units in the development shall be constructed to meet Title 24 state energy requirements.
53. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Department will issue permits.
54. The project developer shall submit a building survey and/or record of survey and a site development plan in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton. These plans shall be approved by the Director of Building Inspection 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. Specific items to be indicated on the site development plan

necessary to construct the improvements are to be in accordance with the City of Pleasanton Private Development Design Guidelines adopted April 15, 1986.

55. 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 or shall be an approved crib wall type. Calculations signed by a registered civil engineer shall accompany the wall plans.
56. The project developer shall submit plot plans for each of the residential lots showing building setbacks and a topographic plan showing grading and drainage. Pad elevations, finish floor elevations, retaining walls, easements, maximum height of the highest structure, and the front, rear, and side yards are to be indicated on the plan. Plans for custom lots are to be signed by a registered civil engineer. All residential plot plans shall show compliance with 2907(d) and 70012(d) of the Uniform Building Code.
57. The project developer shall submit two copies of the site soils report to the Director of Building and Safety for third party peer review and shall pay for such review at the time specified by the Director, but in all cases before the issuance of a grading permit.
58. The project developer shall submit record tract grading plans showing:
 - a. the elevation of all four corners of the lot as well as the center of the lot;
 - b. all top and toe of slope elevations, and
 - c. the top and toe of all retaining wall elevations.
59. The record-grading plan is to be submitted to the Director of Building Inspection before the first house final.
60. The soils engineer shall certify the pad compactions of all lots containing fill to the satisfaction of the Director of Building Inspection prior to the issuance of building permits.

Construction Requirements:

61. All initial site improvements and house construction activities shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices.
62. Final inspection by the Planning Department is required prior to occupancy.

63. At no time shall campers, trailers, motor homes, or any other vehicle be used as living or sleeping quarters on the construction site. All such vehicles shall be removed from the site at the end of each workday.
64. If archeological materials are uncovered during grading, trenching, or other on-site excavation, all work on site shall be stopped and the City immediately notified. The county coroner and the Native American Heritage Commission shall also be notified and procedures followed as required in Appendix "K" of the California Environmental Quality Act (CEQA). A similar note shall appear on the improvement plans.
65. 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.

Police Department Requirements:

66. The area of the development shall be tested for strength and clarity of signal to and from the area for City emergency services communications including, but not limited to, City 800-megahertz trunked radio, Livermore-Pleasanton Fire Services radio, Alameda County 800-megahertz trunked radio, CLEMAR/ Police Dispatch, and the current police mobile data system, unless waived by the Police Department, City of Pleasanton. Expert opinions may be required in anticipation of communications difficulties inside or around large structures. Mitigation plans of less than acceptable communications shall be submitted to the satisfaction of the Police Department prior to approval and shall be financed by the project developer immediately upon approval.

Fire Department Requirements:

67. The project developer shall meet all requirements of the Pleasanton Fire Code (Pleasanton Municipal Code, Chapter 20.24).
68. The project developer shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
69. Prior to any construction framing, the project developer shall provide adequate fire protection facilities, including, but not limited to surface roads, fire hydrants, and a water supply and water flow in conformance to the City's Fire Department Standards able to suppress a major fire. When alternate methods of fire protection are approved by the Fire Chief, this requirement may be waived or modified. Proposed alternative methods of fire protection shall be submitted in writing to the Fire Chief prior to any framing construction. Work on the alternative fire protection methods shall not begin until approved by the Fire Chief.
70. The Fire Chief and the City Engineer shall approve the number, type, and location of all public fire hydrants.

71. All curbs located with 7-foot, 6-inch radius of a public 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.

Engineering Requirements:

72. The grading for Lots 1 through 5 shall be designed so that these lots shall be designed to drain front-to-back. A concrete "V-ditch" shall be constructed along the rear property lines of these lots, and shall drain to a future catch basin to be located at the westernmost end of Lot 1. The "V-ditch" shall be located so as to avoid the canopy drip-line area of any existing oak-tree groupings. This detail shall be shown on the improvement plans to the satisfaction of the City Engineer and Planning Director before City Council approval of the final subdivision map.
73. The typical street sections shall include an eight-foot wide Public Service Easement (PSE) behind the street right-of-way. Where the sidewalk is monolithic to the back of curb, the Public Service Easements (PSE) shall be located eight-feet behind the sidewalk to allow the installation of public utilities behind the sidewalk. In areas where there is no sidewalk, the eight-foot easement shall be measured from the back of curb. Unless otherwise approved by the City Engineer the first five-feet of the easement shall be graded at a two-percent grade towards the street. This section shall be shown on the final subdivision map to the satisfaction of the Planning Director and the City Engineer before approval of the final subdivision map.
74. The width of the court serving Lots 1 through 5 shall be 28-feet measured from face-of-curb to face-of-curb. The northwest side of the street shall have on street parking and a five-foot wide monolithic sidewalk. The other side of the street shall be posted for no parking. The hammerhead turn-around shown with Exhibit "D" may be used in place of the cul-de-sac. The project developer shall install an overland release, concrete "V-ditch" from the turn-around crossing between Lots 4 and 5 to the Arroyo del Valle. There shall be a concrete lined "V-ditch" located along the rear property line of Lots 1 through 5. The "V-ditch" shall have an individual catch basin for each of these lots. The "V-ditch" shall be connected to an underground storm drain system connected to the existing outfall at the westerly end of Lot 1. The "V-ditches", including the overland release and storm drain system, shall be private and maintained by a shared maintenance agreement among the individual property owners of Lots 1 through 5.
75. Prior to approval of the final subdivision map, the project developer shall post with the City an additional performance bond for all private subdivision improvements not subject to acceptance by the City of Pleasanton.
76. For the future landscaping to be installed between the private lots covered by this subdivision and the planned public trail located in the old Vineyard Avenue right-of-way, the shrubs to be planted shall be of a species that will achieve a minimum height of 10-

feet, seven years after installation. The shrubs shall be installed in groupings that achieve a 25-percent overlap of the individual shrub plantings after seven years. These changes shall be shown on the landscape plans for Lots 1 through 6, respectively, to the satisfaction of the Planning Director prior to issuance of a building permit for the respective lots.

77. All dry utilities – electric power distribution, gas distribution, communication service, Cable television, and any required alarm systems – shall be installed underground in a joint utility trench. All dry utilities shall be installed in conduit.
78. The project developer shall submit detailed landscape and irrigation plans as part of the improvement plans. These plans should include a street tree-planting plan and landscape plans for medians, buffer strips, and any right-of-way landscape areas. The irrigation plan shall provide for automatic controls.
79. The storm drainage from each lot shall be directed to an approved storm drain system in accordance with Sections 1806.55 and 3315.4 of the 1997 Uniform Building Code unless otherwise approved by the Planning Director and then by the Director of Building Safety or the City Engineer.
80. All utility boxes and transformers for this project shall be installed underground. All capacitor banks or switches for the project may be installed above ground if properly screened to the satisfaction of the Planning Director. The locations for boxes, transformers, switches, capacitor banks, etc., shall be shown on the final improvement plans submitted for review and approval by the City Engineer and by the Planning Director.
81. The curb and gutter of all streets within this development shall have sub drains installed at either the back of curb or lip of gutter at the discretion of the City Engineer. This detail shall be shown on the improvement plans. Said drains shall be connected to the storm drain system or drained by other means acceptable to the City Engineer. This detail shall be shown on the final improvement plans submitted for review and approval by the City Engineer before recordation of the final subdivision map.
82. The water and gravity sanitary sewer mains shall be public and maintained by the City. There shall be a two-way cleanout on the sanitary sewer lateral located at the back of the Public Service Easement. This detail shall be shown on the improvement plans submitted for review and approval by the City Engineer and by the Planning Director before recordation of the final subdivision map.
83. Roof leaders for the homes located on Lots 1 through 5 may be connected to the street gutter or to the storm drain system with approval of the City Engineer. For Lot 6, there shall be no direct roof leaders connected to the street gutter or storm drain system. This

requirement shall be verified by the City Engineer prior to issuance of a building permit for these lots.

84. If any work is to be done on an adjoining property not covered by this development plan, the project developer shall acquire written permission from the property owner(s) for the work to be done. Proof of such permission shall be provided to the City Engineer prior to the issuance of a grading permit.
85. Any retaining walls along a public street shall be placed behind the Public Service Easement, except as otherwise required by the City Engineer.
86. The project developer shall provide a 12-foot wide paved access to any maintenance holes and/or storm drain inlet/outlet located outside of the public street right-of-way that is intended to be publicly maintained. This change shall be shown on the final subdivision map to the satisfaction of the Planning Director and the City Engineer.
87. The existing septic tank and leach field shall be abandoned by the party who demolishes the existing house per Alameda County Health Department regulations. Evidence of the abandonment shall be provided to the Planning Director and to the City Engineer before the commencement of construction including grading.
88. All subdrains shall have clean out installed at the beginning of the pipe. The bottom of the pipe shall terminate in a storm drain or other storm drain outfall, subject the approval of the City Engineer. The project developer's engineer shall submit an as-built subdrain location map to the City Engineer prior to the City's acceptance of the Public Improvements. It shall be the responsibility of the homeowner to relocate the subdrains if, during the excavation of a pool or other subsurface structure, the subdrains are encountered. All lots covered by this PUD Development Plan shall have disclosures identifying the locations of the subdrains to the future homeowners. The disclosure shall be recorded over the lots by separate instrument with recordation of the final subdivision maps. The disclosure shall be reviewed by the City Attorney before recordation.
89. The perimeter of all building foundations shall be designed with subdrains. Said drains shall be connected to the street gutter or other means determined to be acceptable to the City Engineer.
90. Unless otherwise approved by the City Engineer, all fill and cut slopes shall be 3:1 horizontal to vertical. This change shall be shown on the tentative subdivision map submitted for review and approval by the Planning Commission.
91. With recordation of the final subdivision map, the project developer shall abandon all access rights to old and new Vineyard Avenue.

92. The project developer shall comply with the recommendations of the geotechnical reports titled: "Geotechnical Investigation on Proposed 9-Lot Development, 2503 Vineyard Avenue, Pleasanton, California, for Dan Costas (Project No. 7413), prepared by Terraresearch, Inc. dated September 23, 1996. The project developer's geotechnical consultant shall review and approve all foundation, retaining wall, and drainage geotechnical aspects of the final development plans to ensure that the recommendations have been properly incorporated into the development. The consultant shall certify by writing on the plans or as otherwise acceptable to the Director of Building Inspection that the final development plan is in conformance with the geotechnical report approved with the project.
93. The project developer shall arrange and pay for the geotechnical consultant to inspect and approve all foundation, retaining, and wall and drainage geotechnical aspects of project construction. If, after construction of the subdivision improvements, the lots covered by this approval are developed individually by the property owners, this requirement shall be implemented by the individual owners to the satisfaction of the Director of Building Safety. 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 and Director of Building Inspection for review and approval prior to occupancy.
94. When there is a grade difference between adjoining lots, the upper pad grade shall extend two-feet into the lower lot before the top-of-bank of the slope into the lower lot.
95. The project developer shall install street frontage improvements per Chapter 19.40.010 of the Pleasanton Municipal Code and to the satisfaction of the City Engineer. These improvements may include, but are not necessarily limited to, grading, curb and gutter, sidewalk, paving, storm drain, sanitary sewer, water facilities, street lighting, underground utilities, traffic control devices, landscaping, and automatic irrigation systems.
96. The project developer shall dedicate to the City for street right-of-way purposes those parcels of land intended to be public streets on the final subdivision map.
97. The project developer shall submit a refundable cash bond for hazard and erosion control prior to issuance of an Engineering or Building Department permit. The amount of this bond will be determined by the City Engineer.
98. The project developer 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.

99. All existing wells on the site, not used for landscape irrigation which remain 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 unless Zone 7 retains specific wells for observation wells, or special approval is obtained from the City Engineer for temporary use of an existing well for construction water. Any wells designated for abandonment or any wells, encountered during construction, are to be destroyed in accordance with a permit obtained from Zone 7.
100. The design for the line, grade, and structural sections for the streets serving this development shall be subject to final review and approval by the City Engineer.
101. The project developer 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.
102. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of an encroachment permit.
103. The project developer shall include erosion control measures on the final grading plan, subject to the approval of the City Engineer. The project developer is responsible for ensuring that the contractor is aware of such measures. All cut and fill slopes shall be renegotiated and stabilized as soon as possible after completion of grading, in no case later than October 15. No grading shall occur between October 15 and April 15 unless approved erosion control measures are in place, subject to the approval of the Building Department. Such measures shall be maintained until such time as permanent landscaping is in place.
104. The project developer shall submit a dust control plan or procedure as part of the improvement plans.
105. The design of the water supply and sanitary sewer systems shall be subject to the review and approval of the City Engineer.
106. Approval of the storm drainage system shall be subject to the review and approval of the City Engineer and Zone 7, as applicable, to determine that the system is adequate, connects to an approved point of discharge, meets any and all applicable requirements of the Alameda County Flood Control District - Zone 7, and meets the immediate and long-range requirements of this development.
107. The project developer shall be responsible for the installation of the street lighting system serving the development. The street lights shall be 70-watt, high pressure sodium vapor units mounted on poles designed in conformance to the design standards specified in the "Vineyard Village Landscape Design Guidelines" dated July 19, 2000. The light pole design shall be submitted with the final subdivision map application for review and

approval by the Planning Director before approval of the final subdivision map. Approval for the number, and location of poles shall be subject to the review and approval of the City Engineer.

108. 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. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
109. The project developer's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.
110. The project developer shall obtain all necessary State and Federal agency environmental permits before approval of the final subdivision map or, at the discretion of the City Engineer and Planning Director, the issuance of a grading permit.

Urban Stormwater Runoff Requirements:

111. The project developer shall install a structural control(s), such as oil/water separator(s), sand filter(s), or approved equal(s) as determined by the City Engineer and the Regional Water Quality Control Board on the site to intercept and pretreat storm water prior to reaching the storm drain. The design, locations, and a schedule for maintaining the separator shall be submitted to the City Engineer/Director of Building Safety for review and approval prior to approval of the final subdivision map. The structural control shall be cleaned at least twice a year: once immediately prior to October 15 and once in January. The owners of Lots 1 through 5 shall maintain the oil/water separator. The wording for the maintenance agreement shall be submitted to the City Attorney for review and approval before recordation of the final subdivision map and shall run with the land.
112. The project developer shall label all on-site storm drain inlets with the wording, "No Dumping -- Drains to Bay" using City-approved methods and materials. On-site storm drain facilities shall be cleaned a minimum of twice a year as follows: immediately prior to October 15 and once in January. Additional cleaning may be required if found necessary by the City Engineer/Director of Building Inspection.
113. Prior to the commencement of any clearing, grading, or excavation, the project developer shall submit a copy of the State Water Resources Control Board Notice of Intent (NOI) for coverage under the State Construction Storm Water General Permit.
114. All cut and fill slopes shall be revegetated and stabilized after completion of grading before October 15. Hydroseeding shall be accomplished before September 15 and irrigated with a temporary irrigation system to ensure that the grasses are established before October 15. No grading shall occur between October 15 and April 15 unless

approved erosion control/storm water quality measures are in place, subject to the approval of the City Engineer/Director of Building Safety. Such measures shall be maintained until such time as permanent landscaping is in place.

115. The project developer shall submit a construction Best Management Practices (BMP's) program for review and approval by the Planning Director prior to issuance of building and/or grading permits. These BMP's shall be implemented by the general contractor and all subcontractors and suppliers of materials and equipment. Construction site cleanup and control of construction debris shall also be addressed. Failure to comply with the approved construction BMP may result in the issuance of correction notices, citations, or a stop work order.
116. The project developer is responsible for implementing the following measures during all construction phases of the project:
 - a. Gather all construction debris on a regular basis and place it in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water runoff pollution.
 - b. 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.
 - c. 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.
 - d. Create a contained and covered area on the site for the storage of bags, cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system through being windblown or in the event of a material spill.
 - e. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
 - f. Bulk construction materials stored outdoors that may contribute to the pollution of storm water runoff shall be covered as required by the City Engineer and/or the Director of Building Inspection.

Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, or storm drains.

< End >

Exhibit “C”
Final Design Guidelines for PUD-01-1M (Corrected)

per City Council
March 4, 2003

Architectural Design Guidelines

Introduction

The subject property is located within the area of east Pleasanton covered by the Vineyard Avenue Corridor Specific Plan including adopted architectural and landscape design guidelines designed to give character and distinction to the residential districts located within the Specific Plan area, with the uniqueness of these individual developments coming in part from their buildings being set in harmony with their surroundings. Although the properties covered by this application are not technically a part of the Specific Plan area, they are bordered by Specific Plan properties and would participate in the approved infrastructure financing plan for the Specific Plan area. Therefore, each aspect of the properties in this development – architecture, building siting, street landscaping, and connections to the surrounding area – should be supportive of the overall Vineyard Avenue Corridor Specific Plan area. The following guidelines are intended for the design of the homes and the landscape treatments for these homes covered by this development plan. It will be the task of the project architects and landscape architects to translate these guidelines into contemporary housing and landscape designs.

Primary Goals

The primary goals of these design guidelines are to:

- Create a unique and special neighborhood using the surrounding Specific Plan area and the Arroyo del Valle as the focus for the neighborhood character.
- Incorporate quality building materials and construction methodologies to provide a sense of permanency and “rootedness” to the structures.

Overall Residential Design Guidelines

The visual strength of the overall development will be derived partially from the consolidation of buildings into compact areas so that relative large areas of contiguous land between buildings on adjacent lots can be maximized. The visual experience within this development would provide an equal emphasis on buildings, landscape, and connections – views or openings – to the surrounding area including the Arroyo with minor emphasis on driveways and the individualism of single homes.

1. **Outdoor Spaces:** The individual buildings on the individual sites within this development should be sited so as to shape outdoor spaces and to frame views from the street and cul-de-sac to the outlying areas including the Arroyo. The spaces between buildings should be varied in size and shape, and should be designed to consider use, circulation, and views.
2. **Collections of Buildings and Garage Placement:** The views of garages from the public street should be minimized.
 - a. Unless otherwise required by the PUD development plan, detached accessory structures located in rear yards shall maintain a five-foot minimum rear yard and side yard setback.
 - b. Detached accessory structures and/or garages shall be separated from the primary homes by at least five-feet. A low-profile – not to exceed a maximum height of 15-feet – covered breezeway of porch-type design may be constructed between the home and the detached structure/garage to provide protection from rain and to visually integrate the primary and accessory structures.
 - c. Tandem parking within a garage for not more than two consecutive cars may be permitted.
3. **Driveways:** Driveways should be minimized in terms of appearance and sited where possible to open views between properties and looking off-site.
 - a. Driveways should be constructed of materials other than asphalt. Earth-toned and textured surfaces – stone or colored concrete with simple stamped patterns – which complement the home exterior building materials and colors should be provided.
 - b. Auto-courts, Hollywood drives, Hollywood drives with front yard parking parallel to the street and/or cul-de-sac, and circular drives are not permitted.

Building and Architectural Guidelines

Variety in building form is a critical element in how the overall development will appear from off-site views. The building surfaces on all sides are to be rich in texture and ornamentation.

1. **Model Types:** Variety in model types and model variations is crucial for visual interest.
2. **Development Standards for Lots 1 through 5:** The development standards for the primary structures and additions to primary structures shall be:
 - Front Yard Building Setback – 25-feet;

- Side Yard Building Setback – 10-feet;
- Rear Yard Building Setback – 20-feet; and,
- Maximum Building Height – One-story or 23-feet. (Note: The homes covered by this approval can be configured as two story buildings provided that the second floor is designed and built into the building's sloped, attic area and, for Lots 1 through 5 adjoining the Shadow Cliffs facility, that the windows are designed as dormers located only on the structure's south facing side.)

The development standards for accessory structures on Lots 1 through 5 shall be:

- Rear Yard Setback – 20-feet;
- Interior Side Yard – 10-feet;
- Street Side Yard for Corner Lots – 20-feet; and,
- Maximum height – One-Story and 15-feet.

For Lot 6, the primary structure shall maintain a minimum 25-foot building setback from the inside face of the sound wall adjoining Vineyard Avenue and from the property line or the toe of the slope bank whichever is greater from the old Vineyard Avenue right-of-way. Accessory structures, excluding a swimming pool/spa shall maintain a minimum 15-foot building setback. All other setback requirements specified for Lots 1 through 5 shall still apply to Lot 6.

3. Front Porches: Covered front porches attached to the main structure may come to a point no closer than 12-feet from the front property line, provided that the covered front porch is designed to be an integral part of the home, is open on three sides, has a minimum depth of eight-feet, maintains the required 10-foot side yard, and has a minimum width of 10-feet or covers 50-percent of the width of the wall that it is located along, whichever is greater. The porch eaves shall project no more than an additional 24-inches into the required front yard setback area.
4. Building Height: For all primary and accessory structures, the building height shall be measured vertically from the lowest ground elevation adjacent to the building to the highest elevation of the building, excluding chimneys.
5. Floor Area Ratio: The maximum floor area ratio (FAR) for Lots 1 through 6 including primary and accessory structures shall be 40-percent or 4,200 square feet, whichever is less. The floor area ratio shall not include swimming pools/spas and a cumulative garage floor area less than 600 square feet. Garage floor area over 600 square feet shall be counted in the lots' floor area ratios. (Note: This is cumulative garage floor area, e.g., the combined floor area for detached and attached garages on these lots.)
6. Building Form: The individual homes shall be designed to achieve an eclectic mix of building forms and massing characteristic of the village form at the subdivision scale,

while incorporating individual building style and hardscape features to evoke the village character at the individual lot scale.

- a. Front-yard planter areas and patio/plaza hardscape areas should be used to avoid suburban-type, all-grass front yards. Site grading to differentiate building pads from street grade can create opportunities for such landscape features and should be encouraged.
 - b. All buildings – including the main house and accessory structures – should be simple in overall form and configuration. The main structure should generally be rectilinear in form. Square buildings should be avoided. “L”- or “U”-shaped buildings should be used in lieu of square building forms.
 - d. Building siting should permit major views through to outlying areas and to create varied front-yard street views.
 - e. Secondary roof elements can be shed, gable, or hip, which generally do not extend into the upper quarter of the main roof.
7. Roofs: The roof is the most significant element of the building and should be simply shaped and not complicated. The roof is primary in providing clarity to the overall building form. Gable roofs should generally dominate the roof form character on the cul-de-sac.
- a. Roof Pitch:
 - Roof pitches for the main house and any accessory structures should be a maximum of 6:12. Flatter pitches for portions of roofs, e.g., the roof over a covered front porch, are allowed when the total roof form is dominated by a 6:12 pitch.
 - All roof pitches should be the same except for: (1) porches that extend from single-story building mass (here the roof pitch shall maintain an absolute 4:12 minimum); (2) reduced pitches near eave lines that do not have secondary elements from them (used only on a limited basis); and, (3) increased pitches on dormers and gable ends.
 - b. Roof Penetrations: Roof penetrations, excluding chimneys, should be minimized, organized, occur primarily at the rear of the house, and be painted the same color as the roof. Eave vents for plumbing are encouraged over pipe penetrations through the roof.
8. Building Materials: The collection of individual buildings on the cul-de-sac should look uniform from a distance in terms of building materials. Individual buildings should ap-

pear authentic and substantial in their construction. Materials and colors contribute significantly to these characteristics.

- a. Exterior Walls: Materials, design, and detailing should be carried through to all four sides of the structure.
 - Materials: All buildings on each lot should have matching exterior stucco wall materials, consisting of either plaster, stucco, stone, or manufactured stone of the highest quality and authenticity.
 - Changes in Materials: Exterior walls should generally be the same from the ground to the roof except for treatments around door jambs and windows. A change in material around the base is not permitted.
 - Colors: Exterior building base colors should consist of warm, medium-light to medium tones of ochre, sand, taupe, gray, beige, and tan. Colors should have a reflectivity value of no greater than 30 percent, as specified by the manufacturer. Trim colors should be compatible with base colors and provide only subtle contrast.
- b. Roof Materials: All of the buildings located on this cul-de-sac including accessory structures should have similar roof materials consisting of either slate, authentic manufactured slate, or flat concrete tile. Colors should consist of solid medium-warm gray and brown tones of a flat, non-reflective nature.
- c. Chimneys: Chimney articulation should be refined similar to door and window opening surrounds. Chimneys may either be constructed of stone, brick, or the same material and color as the exterior walls of the building. Chimneys are encouraged to be located at the ends of buildings, centered on the roof peak.
- d. Opening Articulation:
 - Where provided around openings, expressed lintels, jambs, and sills should either be set flush to the exterior building walls or may consist of embedded trim that may project up to one-half inch for lintels and jambs and one-inch for sills.
 - Windows should fill the entire opening.
 - Articulation around dormer faces and main building entrances can be more elaborate and project from the surface of the exterior walls.
 - Preferred materials for opening articulation are pre-cast concrete, stone, authentic manufactured stone, or wood preferably heavy timber. Carved

stone or pre-cast concrete with decorative relief are encouraged at main entrances and dormer faces.

- Vine-covered exterior porches are encouraged.
- Generally, openings including windows, doors, and dormers should be set in at least six feet from the main corners of the main house.

9. Porches: Porches are highly encouraged as a way to enjoy life by providing covered places for outdoor living and views towards the cul-de-sac and neighbors.
 - a. Porches should be wide enough and long enough to be conveniently usable. Porches should be a minimum of eight by eight feet to accommodate a table, four chairs, and room to circulate. Additional circulation may be less than eight feet wide.
 - b. Porch roofs should not distract from the simplicity of the building mass.
 - c. Porches should be integrated into the body of the building mass and contained below the main roof, where possible.
 - d. Porch roofs can either extend out from the roof eave or extend as a shed roof off of the side of a building.
 - e. Stone, pre-cast concrete, or heavy timber porch posts with heavy timber rafters and beams are encouraged as porch structure materials.
 - f. A continuous seat wall at the base of the porch posts is encouraged as a way to define the edge of the porch and provide built-in seating. The seat wall should be of stone, authentic manufactured stone, earth-tone colored concrete, or exterior plaster to match the building.
 - g. As previously stated, front porches meeting specified design criteria would be able to project into the front yard building setback area.
10. Entries: Entrances should be modest in scale.
 - a. Main entry articulation should be limited to the area around the door.
 - b. Exterior entry architectural features should not be taller than one story.
 - c. Emphasis can be given to main entries by a terrace at the ground level.

11. Windows: Building walls and roofs should read as substantially solid with the windows appearing as secondary to the building mass.
- a. Windows should be rectangular in shape with a vertical ratio of at least three (vertical) over two (horizontal).
 - b. Single- or double-casement windows are strongly encouraged.
 - c. Window-glazing should be clear and non-reflective and conforming to Title 24 requirements.
 - d. Functional or decorative exterior wood shutters proportionate to the window openings are strongly encouraged in the homes on the cul-de-sac.
 - Windows should be recessed into the wall surface a distance of not less than one-half of the wall thickness.
 - Vertically-proportioned windows can be ganged side-by-side to create a larger opening for an exceptional view. Trimmed separations between ganged windows shall be eight-inches minimum.
 - e. Dormers in Roofs:
 - Dormers shall be placed on the roof only.
 - Dormer windows should be single, not ganged, windows.
 - Dormer roof material shall be the same as that used on the main roof.
 - Dormer sidewall materials shall match the exterior wall material.
12. Skylights: Skylights can detract from the visual dominance of the roof and, therefore, should be used sparingly.
- a. Skylights should be flat with a thin profile and follow the pitch of the roof. Domed skylights are not permitted.
 - b. Skylight glazing should be non-reflective.
 - c. Exposed curbs and flashing should be painted to match the color of the roof.
13. Terraces: Like porches, strategically placed terraces are highly encouraged as a way to promote outdoor living.

- a. Terraces should be sized in proportion to the room that they serve.
 - b. Terraces should be within two feet of the surrounding grade.
 - c. Terrace surface materials should be stone, authentic manufactured stone, or earth-tone colored concrete.
 - d. Seat walls surrounding the terrace are encouraged as a way to define the edge and to provide built-in sating. The seat-wall material should match the terrace material.
14. Mechanical Equipment and Trash Storage Areas: These items should be hidden from street view.
15. Urban Stormwater Runoff Measures: The lot developer is responsible for implementing the following measures during all construction phases.
- a. Gather all construction debris on a regular basis and place it in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water runoff pollution.
 - b. 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 gravelled 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.
 - c. 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.
 - d. Create a contained and covered area on the site for the storage of bags, cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system through being wind-blown or in the event of a material spill.
 - e. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.

- f. *Bulk construction materials stored outdoors that may contribute to the pollution of storm water runoff shall be covered as required by the City Engineer and/or the Director of Building Inspection.*

Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, or storm drains.

16. Construction Hours: All initial lot improvements and house and accessory structure construction activities shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices.
17. Green Building Practices: The individual lot developer shall utilize "Green Building" practices in constructing the new homes on this site. The lot developer shall use their best efforts to implement the measures identified in the Alameda County Waste Management Authority's New Home Construction Green Building Guidelines in the design, construction, and operation of the proposed homes. Before issuance of building permits, the project/lot developer shall submit to City staff the green building provisions that would be incorporated into the proposed project's construction. The lot developer shall then meet with City staff to review these provisions. If, following this review, it appears that there are other feasible and mutually agreeable green building measures that can be incorporated into the project, the lot developer shall modify the project accordingly. Before issuance of a building permit, the green building measures shall be explicitly called out on a separate sheet of the building permit plan set and shall be subject to review and approval by the Planning Director.
18. Construction/Demolition Waste: The lot developer shall submit a waste management plan to the Building and Safety Division prior to issuance of building or demolition permits. The plan shall include the estimated composition and quantities of waste to be generated and how the project developer intends to recycle at least 50-percent of the total job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Director of Building Safety prior to the issuance of a final building permit. During demolition and construction, the lot developer shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only". The lot developer shall contact Pleasanton Garbage Service for the disposal of all waste from the site.

Landscape Design Guidelines

The following landscape design guidelines are intended for use in the development of landscape improvements for individual residential lots, streetscape, and open space areas. These guidelines are to complement the Architectural Design Guidelines. Together they establish a comprehensive approach to neighborhood design and quality. They are proposed to enhance the con-

nection of the overall development located on this cul-de-sac to the other, nearby projects in the Vineyard Avenue Corridor Specific Plan area.

Primary Goals

The primary goals of the landscape design guidelines are to:

- To achieve landscape designs and treatments which complement and accentuate the architectural character of the buildings on this cul-de-sac.
- To use landscape elements to create unique neighborhood character within the cul-de-sac area.
- To establish a high level of design quality in terms of landscape materials and details of construction.

Landscape Design Guidelines

1. Residential Street Trees:

- a. Street tree planting patterns should be informal in arrangement along both sides of the public street and cul-de-sac serving this development.
- b. Tree patterns should be groupings of various tree types rather than a uniform planting of a single species.
- c. Street tree location should vary in spacing from one another and distance from the street.
- d. Breaks or discontinuities in street tree patterns are encouraged to enhance view corridors between buildings and to define outdoor space areas.
- e. Tree species to be used in street tree plantings should include trees that flower, have seasonal interest, and/or distinctive form and foliage.
- f. Street trees should be a minimum 24-inch box size when installed.

2. Residential Lot Tree Planting (Non Street Tree)

- a. Planting within individual residential lots and yards should generally be informal rather than formal in arrangement.
- b. Residential tree plantings should reinforce and support the development of village neighborhood clustering. They should reinforce the architectural elements of the

site's structure, be used to create outdoor living space, utilized to frame desired views, to screen unwanted views, and to provide privacy.

- c. Individual trees and tree clusters should be selected to mitigate local microclimate conditions, including the provision of summer shade, and seasonal wind protection.
- d. Flowering and fruiting trees are encouraged, as are trees that are native to the Vineyard Avenue Specific Area and/or adapted to a Mediterranean climate. Orchard type planting patterns are encouraged in some rear and/or side yard areas.
- e. Residential trees should be a minimum 15-gallon size with at least 50-percent of the trees being a minimum of 24-inch box-size.

3. Other Residential Lot Plantings

- a. Plant materials should be complementary to the Vineyard Avenue Corridor Specific Plan setting. Native plants or plants adapted to Mediterranean-like climates are encouraged.
- b. Plantings should be relatively simple in arrangement and character. The massing of shrub and perennial plantings is encouraged.
- c. Lawn plantings should be carefully used to play a specific functional or visual role. No more than 40 percent of the entire front yard landscape area should be lawn planting.
- d. Flowering or plantings in pots and/or containers are encouraged. Potted plants should be used to soften large paved areas, to create accents at building entries, and to transition between built and landscaped areas. Pots should be properly scaled, and complimentary to the style, color, and materials used in the building architecture.

4. Landscape Details and Materials:

a. Pavement

- Pavement materials should be appropriate to the intended use, selected for a durability and appearance, and be consistent with building architectural style and character.
- Recommended pavement materials for heavy outdoor use areas include simply patterned concrete with integral color, stone pavers or flatwork, and modular concrete pavers.

- Decorative pavements near building entries and in outdoor living spaces are recommended to include tile or terra cotta pavers suitable for outdoor use and exposure.
- Pool area decks should be integral color concrete or stone.

b. Walls and Fences:

- Walls and fences should complement the building architectural style and character both in materials and design. Where possible, they should appear as an extension of the building elements into the landscape.
- Wall and fencing materials should include wood, stone or manufactured stone, decorative iron, stucco, or exterior plaster over concrete masonry units. Where stone or manufactured stone is used, the stone shall turn building corners and cover wall surfaces. When stone veneer surfaces are used, the stone shall turn building corners and cover wall surfaces visible from the street.
- Area separations may also be achieved by the use of hedges or vines on a supporting structure.
- Solid fences and walls are not permitted in the front yard areas of these lots. Open wrought-iron style, picket-style, etc., fence designs up to a height of 42-inches measured from finished grade are permitted. A open fence is defined as a fence where at least 33-percent of the fence area is open to view.
- Solid fences may be used between individual rear yards on the side property line. Use of vines and/or hedges is also recommended to soften solid fences along property boundaries and to provide additional privacy.
- Wall and fence heights shall be six feet allowed by right, eight feet with approval by the Planning Director subject to an application for design review approval.

c. Outdoor Structures: Outdoor structures shall be designed and located to complement the primary buildings, define outdoor use areas, and enhance architectural massing.

- Structures may include, but not be limited to, low walls, pilasters, trellises, arbors, gazebos, utility buildings, equipment enclosures and screens, outdoor pavilions, fireplaces/barbeques, fountains, etc.

- The materials and detailing used for outdoor structures shall be complimentary to and consistent with those used in the residential building architecture.
 - Blank walls of outdoor structures and enclosures shall be screened or softened by the planting of shrubs or vines.
- d. Exterior Lighting: Exterior lighting should be used judiciously to complement building and landscape character, provide for night time safety and security, and enhance outdoor living opportunities. In keeping with the semi-rural character of the Specific Plan area, ambient light levels should be kept as low as possible.
- Lighting fixtures shall be integral to building and/or outdoor structure designs and complement building character and style in material and detail.
 - Lighting should be subtle rather than ostentatious, and care should be exercised in the selection and aiming of fixtures to minimize glare and to prevent light over spill into neighboring residences, streets, or outdoor use areas. The development's overall lighting designs should minimize the visibility of light sources and overall light levels as seen from adjacent hillside areas.
 - Front yard lighting should be limited to low level fixtures that provide for pedestrian comfort and safety. Bright decorative lighting to wash or illuminate building elements, landscape plantings, or outdoor structures should not be placed where it is visible from the public street/turn around or neighboring residential living areas.

< End >

Marion Pavan

From: Anne Rivoire [arivoire@ebparks.org]
Sent: Thursday, May 31, 2012 1:08 PM
To: Marion Pavan
Subject: 2505 Yolanda Ct.

Marion,

I have reviewed the referral and plans for the proposed custom home at 2505 Yolanda Court, adjacent to the District's Shadow Cliffs Regional Recreation Area. Thank you again for ensuring that we receive these referrals.

Upon review, I see that there is an area of "dense vegetation" shown on the northern portion of the lot. It is our preference that the project keep this vegetation screen intact. Other than this single consideration, we have no other concerns about the proposal.

If you have any questions please do not hesitate to contact me.

Regards,
Anne



Anne Rivoire
Senior Planner | Interagency Planning
East Bay Regional Park District
2950 Peralta Oaks Court, Oakland, CA 94605
Tel: 510-544-2624 | Fax: 510-635-3478
arivoire@ebparks.org | www.ebparks.org

STATEMENT OF CONFIDENTIALITY | This electronic message and any files or attachments transmitted with it may be confidential, privileged, or proprietary information of the East Bay Regional Park District. The information is solely for the use of the individual or entity to which it was intended to be addressed. If the reader of this message is not the intended recipient, you are notified that disclosing, distributing, or copying this e-mail is strictly prohibited. If you received this e-mail in error, please notify the sender immediately, destroy any copies, and delete this e-mail from your system.

 Please consider the environment before you print

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

Location Map
City of Pleasanton

GIS
Department
P12-0801

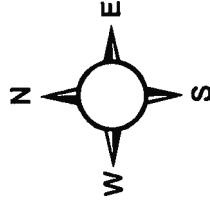
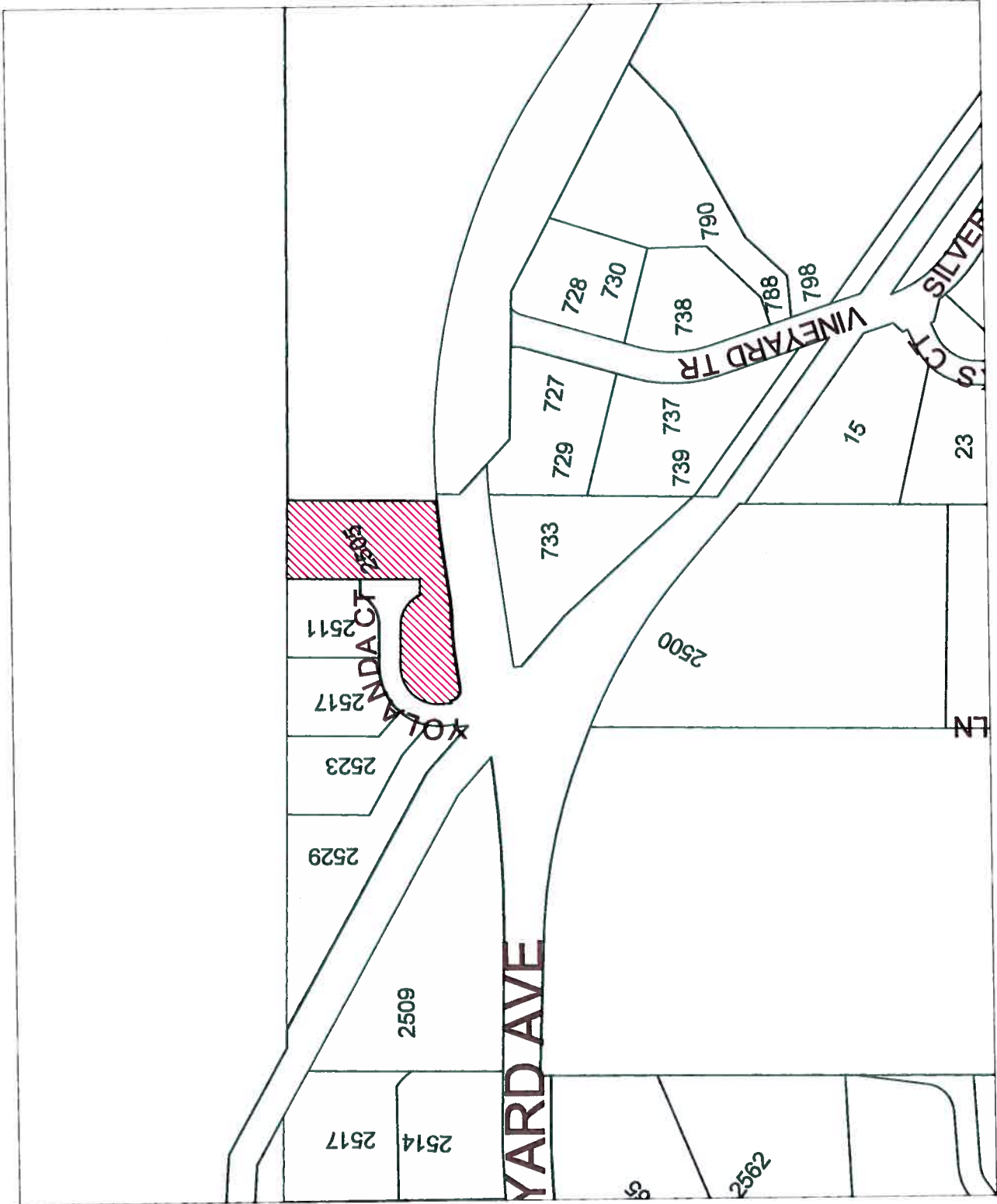


EXHIBIT H

Printed 7/30/2012



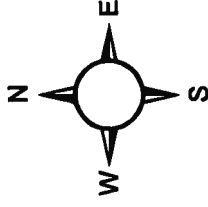
Notification Area

City of Pleasanton

GIS

Department

P12-0801



Printed 7/30/2012

