

**Exhibit A, Draft Conditions of Approval
Vesting Tentative Subdivision Map 7968**

**4171 and 4189 Stanley Boulevard
July 11, 2012**

**STANDARD CONDITIONS OF APPROVAL
Planning**

1. Vesting Tentative Map 7968 shall be in substantial conformance to Exhibit B, dated "Received, July 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. The Vesting Tentative Subdivision Map 7968 shall lapse two years from the effective date of this approval unless a final subdivision map is recorded or an extension is approved by the City.
3. This Vesting Tentative Subdivision Map 7968 shall incorporate by reference all applicable conditions and requirements of PUD-82, the PUD Development Plan covering this subdivision, as approved by the City Council.
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, 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.
5. Planning Division approval is required before any changes are implemented in the design, grading, drainage, etc., of the subdivision map.
6. The Final Subdivision Map plan check package will be accepted for submittal only after completion of the 15-day appeal period, measured from the date of the resolution 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.

SPECIAL CONDITIONS OF APPROVAL
Engineering

7. Only P.G. & E. switch enclosures, utility boxes, or capacitor banks may be installed above ground if properly screened to the satisfaction of the Director of Community Development. 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 Director of Community Development.
8. If any work is to be done on an adjoining property not covered by this tentative subdivision map approval, this project developer shall acquire written permission from the property owner 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.
9. The on-site storm drain system shall be designed with an overland release from the central landscape area across Lot 6, 7, or 8 to the Union Pacific Railroad right-of-way, or shall be designed with an on-site storm drain sump to receive the overflow. If the subdivision is designed with an overland release, the subdivider shall locate the release in an easement on the private lot and shall obtain an easement from the Union Pacific Railroad to receive the runoff. If the on-site storm drain system is designed with a sump, the on-site storm drain system shall be designed for a 50-year storm event. The overland release or the collection sump shall be shown on the improvement plans submitted with the Final Subdivision Map.

STANDARD CONDITIONS OF APPROVAL
Engineering

10. 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. The easements shall be shown on the Final Subdivision Map to the satisfaction of the City Engineer.
11. The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and drainage control measures, including concrete-lined V-ditches, to protect all cut and fill slopes from surface water overflow. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of a subdivision grading permit.
12. The project developer shall post with the City, prior to approval of the Final Subdivision Map, a separate performance bond for the full value of all subdivision improvements that are not to be accepted by the City of Pleasanton.

13. The minimum grade for the gutter flowline shall be set at one percent where practical, but not less than 0.75% unless otherwise approved by the City Engineer.
14. A water meter shall be provided to each lot of record within the development.
15. A sanitary sewer lateral with two-way cleanout located at the back of the sidewalk or curb, whichever is applicable, shall be provided to each lot of record.
16. Prior to the first plan check, the project developer's engineer/surveyor shall submit a preliminary copy of the Final Subdivision Map along with a preliminary copy of the title report and a copy of the adjoining deeds and/or recorded maps to the City. The City will forward these documents to its consultant who will estimate the cost for examining the map and certifying that the map is technically correct and in accordance with Section 66442 of the California Subdivision Map Act. After the consultant has provided a cost estimate, the applicant's engineer/surveyor may submit the first plan check along with a deposit for these costs along with all other standard plan check fees. Any unused portion of the estimate will be returned to the applicant after the map is recorded. Similarly, if the applicant withdraws their application in writing prior to the consultant having performed the work, any unused portion of the deposit will be returned to the applicant. Conversely, should the consultant's estimate be insufficient to cover all of the consultant's time, the applicant will be required to pay the City the difference between the estimate and the actual cost prior to submittal of the map for the City Engineer's approval.
17. At the time project developer submits the fee for the consultant map review, the applicant shall also submit the following information to the City Engineer for review and approval:
 - a) Two prints of the final subdivision map
 - b) One copy of the preliminary title report
 - c) One set of the computer closures
 - d) One legible copy of the latest recorded deed for the property being subdivided
 - e) One legible copy of the recorded deeds for each of the adjacent properties unless those properties are part of a recorded map which has been recorded within the last seven years; and
 - f) One legible copy of the Record of Survey used to prepare the Final Subdivision Map.

18. The applicant/developer's title company shall record the Final Subdivision Map, CC&R's, Storm Water Operations and Maintenance Agreement, any grant deeds or easements, and any other required documents concurrently with the Alameda County Recorder's Office. After the recording of these documents the City shall be provided with a legible recorded copy.
19. The project developer shall provide the City with a reproducible Mylar copy of the recorded map with all recording data shown.
20. The project developer shall deposit a bond with the City to ensure completion of any required improvements. This bond shall be in a standard form approved by the City Attorney and shall be in an amount satisfactory to the City Engineer. The City Engineer may waive this requirement if the required improvements have been satisfactorily installed prior to approval of the map.

< End >



STANLEY BOULEVARD

PLEASANTON, CALIFORNIA
DONATO BUILDERS, INC.

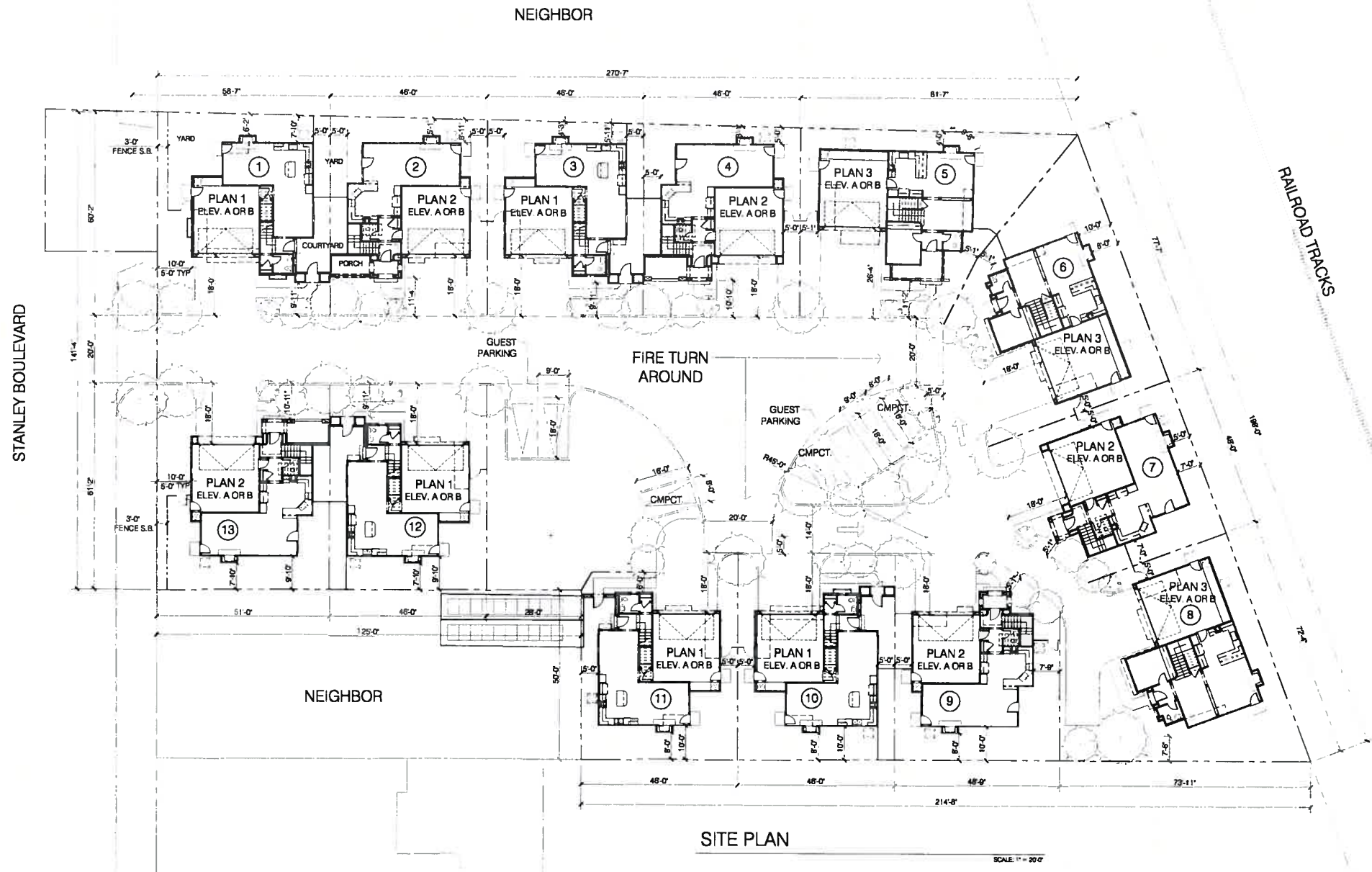
PUD AND TENTATIVE MAP
DESIGN REVIEW

05-11-2011



PUD - EQ (REVISED)
EXHIBIT B

RECEIVED
JUL 01 2011
CITY OF PLEASANTON
PLANNING DIVISION



PROJECT DATA

APN # 946-1689-017, 946-1689-018, 946-1689-019
 STANLEY BOULEVARD
 4171 & 4189 STANLEY BLVD., PLEASANTON, CA

PROJECT AREA CALCULATION

GROSS PROJECT SITE	52,510 S.F.
INDIVIDUAL LOT SIZE	2,603 S.F. - 3,965 S.F.

BUILDING TYPE	UNITS	PARKING
SINGLE FAMILY HOMES	13	26 COV. 26 UNCOV. 7 UNCOV. GUEST
TOTAL UNITS AND PARKING	13	59 SPACES

UNIT MIX

(5x) PLAN 1 : 1,599 - 1,639 S.F. EA. UNIT
 2 - 3 BEDROOMS
 2 CAR GARAGE

(5x) PLAN 2 : 1,720 - 1,757 S.F. EA. UNIT
 2 - 3 BEDROOMS
 2 CAR GARAGE

(3x) PLAN 3 : 1,892 S.F. - 1,920 S.F. EA. UNIT
 3 - 4 BEDROOMS
 2 CAR GARAGE

PROJECT SETBACKS

FRONT YARD : 10'-0" AVERAGE/ 5'-0" MINIMUM
 SIDE YARD : 5'-0" MINIMUM / 10'-0" AT STANLEY BLVD.
 REAR YARD : 5'-0" MINIMUM

CONTACT INFO.

PROJECT CONTACT:	ARCHITECT:	LANDSCAPE ARCHITECT:
DONATO BUILDERS, INC.	HUNT HALE JONES	CAMP & CAMP ASSOCIATES, INC.
1854 WARSAW AVENUE LIVERMORE, CA 94550 TEL. (925) 245-0694 FAX. (925) 454-8605	444 SPEAR STREET, SUITE 200 SAN FRANCISCO, CA 94105 TEL (415) 512-1300 FAX. (415) 288-0288	2540 CAMINO DIABLO, SUITE 201 WALNUT CREEK, CA 94597 TEL. (925) 941-6498 FAX. (925) 941-6455

VICINITY MAP



STANLEY BOULEVARD
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t. 415-512-1300
 f. 415-288-0288

SITE PLAN
DR 2

SCALE: AS NOTED
 DATE: 05-11-11
 PROJECT: 288002



STANLEY BOULEVARD ELEVATION

RESIDENCE 1B - SPANISH



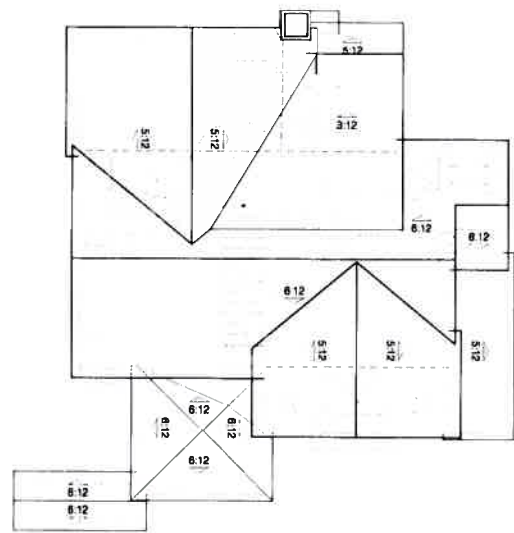
FRONT ELEVATION

RESIDENCE 1A - ANDALUSIAN



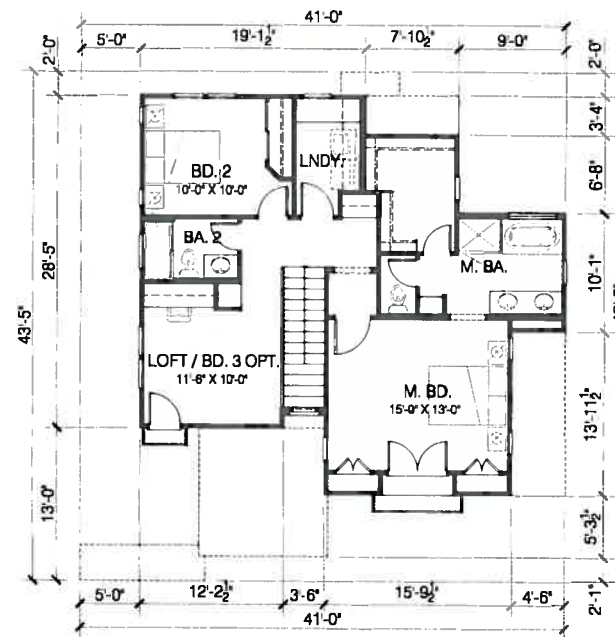
FRONT ELEVATION

RESIDENCE 1B - SPANISH



ROOF PLAN

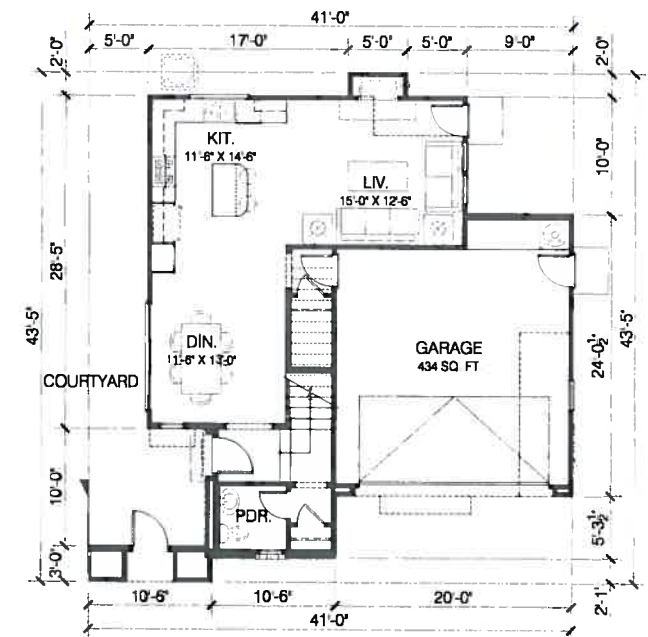
RESIDENCE 1A - ANDALUSIAN



UPPER FLOOR PLAN

RESIDENCE 1A - ANDALUSIAN

UPPER LEVEL: 921 S.F.



MAIN FLOOR PLAN

RESIDENCE 1A - ANDALUSIAN

MAIN LEVEL: 718 S.F.
TOTAL: 1,639 S.F.
GARAGE: 434 S.F.

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PLAN 1A

DR 3

SCALE: 1/8"=1'-0"
DATE: 05-11-11
PROJECT: 288002



19 15 10 16 14

FRONT ELEVATION

RESIDENCE 1A - ANDALUSIAN

1/4" = 1'-0"

**LEGEND
EXTERIOR MATERIAL**

- 1. SPANISH TILE ROOFING
- 2. DECORATIVE CHIMNEY CAP
- 3. STUCCO
- 4. FOAM TRIM
- 5. BRICK SILL
- 6. GSM GLITTER
- 7. VINYL WINDOW
- 8. FRENCH DOOR
- 9. WOOD DOOR
- 10. WROUGHT IRON RAILING
- 11. DECORATIVE WROUGHT IRON GRILLE
- 12. DECORATIVE WINDOW
- 13. WOOD FENCE
- 14. ADDRESS SIGN
- 15. DECORATIVE LIGHT
- 16. WOOD GARAGE DOOR
- 17. DECORATIVE TILE GABLE VENT
- 18. METERS
- 19. COURTYARD ENTRY



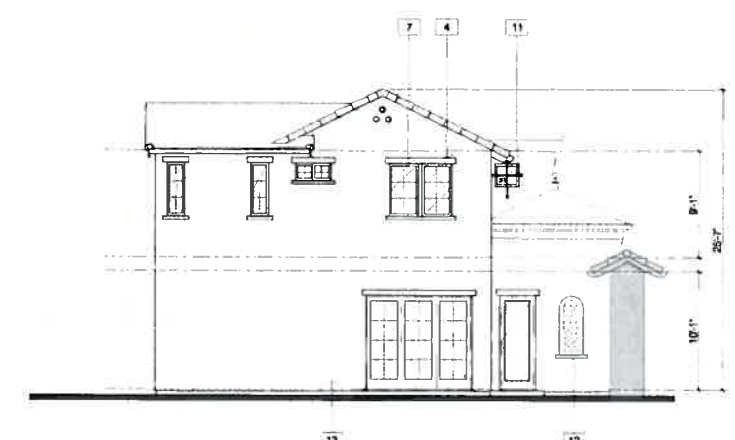
RIGHT ELEVATION

RESIDENCE 1A - ANDALUSIAN



REAR ELEVATION

RESIDENCE 1A - ANDALUSIAN



LEFT ELEVATION

RESIDENCE 1A - ANDALUSIAN

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PLAN 1A

DR 4

SCALE: 1/8"=1'-0"

DATE: 05-11-11

PROJECT: 288002



STANLEY BOULEVARD ELEVATION

RESIDENCE 1B - SPANISH



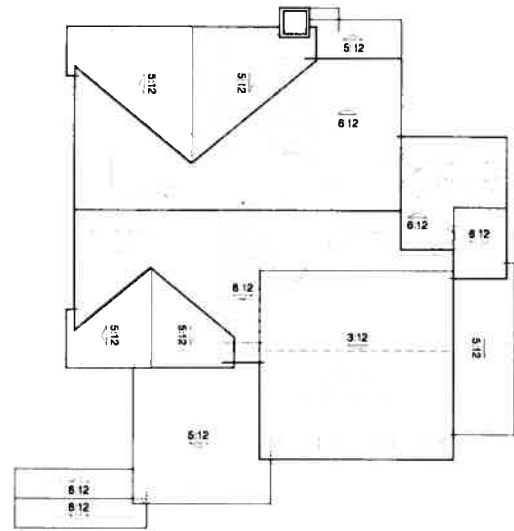
FRONT ELEVATION

RESIDENCE 1A - ANDALUSIAN



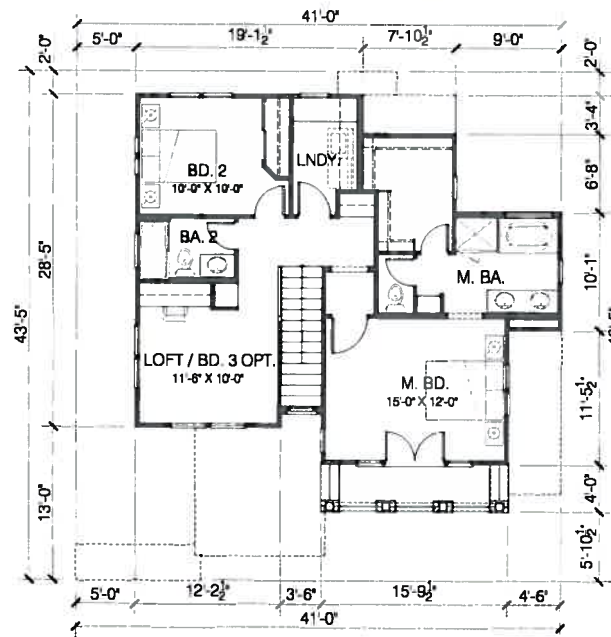
FRONT ELEVATION

RESIDENCE 1B - SPANISH



ROOF PLAN

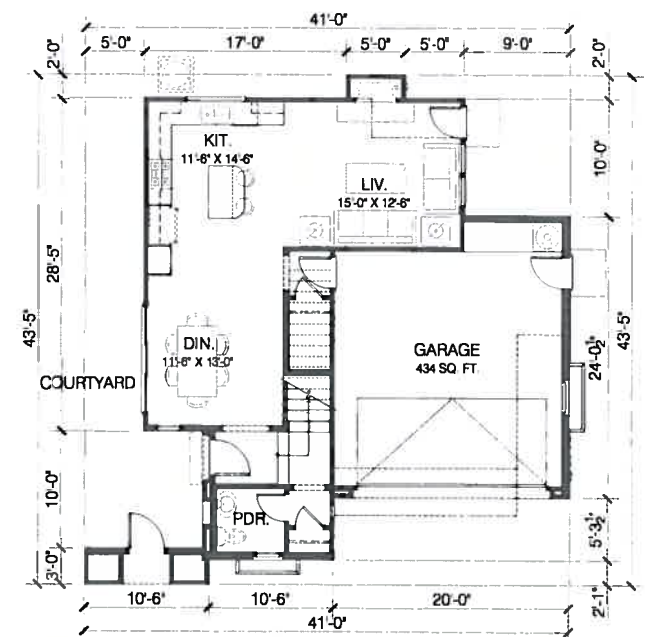
RESIDENCE 1B - SPANISH



UPPER FLOOR PLAN

RESIDENCE 1B - SPANISH

UPPER LEVEL: 881 S.F.



MAIN FLOOR PLAN

RESIDENCE 1 - SPANISH

MAIN LEVEL: 718 S.F.
TOTAL: 1,599 S.F.
GARAGE: 434 S.F.

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PLAN 1B

DR 5

SCALE: 1/8"=1'-0"

DATE: 05-11-11

PROJECT: 288002



**LEGEND
EXTERIOR MATERIAL**

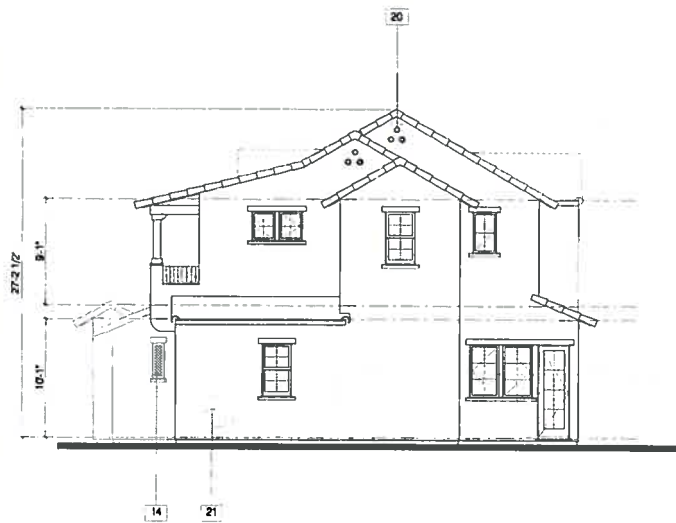
- 1. SPANISH TILE ROOFING
- 2. DECORATIVE CHIMNEY CAP
- 3. STUCCO
- 4. FOAM TRIM
- 5. BRICK SILL
- 6. GSM GUTTER
- 7. VINYL WINDOW
- 8. FRENCH DOOR
- 9. WOOD DOOR
- 10. WOOD POST
- 11. WROUGHT IRON RAILING
- 12. DECORATIVE WROUGHT IRON GRILLE
- 13. DECORATIVE TILE
- 14. DECORATIVE WINDOW
- 15. WOOD FENCE
- 16. ADDRESS SIGN
- 17. DECORATIVE LIGHT
- 18. STUCCO SHELF WITH BRICK CAP
- 19. WOOD GARAGE DOOR
- 20. DECORATIVE TILE GABLE VENT
- 21. METERS

9 18 12 17 11 19 10 16

FRONT ELEVATION

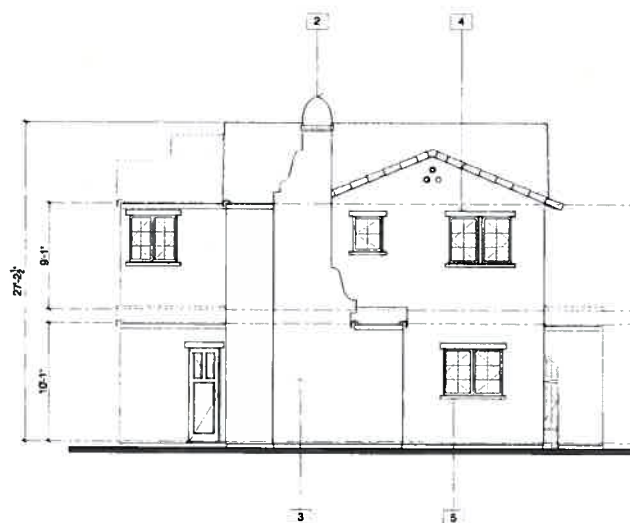
RESIDENCE 1B - SPANISH

1/4" = 1'-0"



RIGHT ELEVATION

RESIDENCE 1B - SPANISH



REAR ELEVATION

RESIDENCE 1B - SPANISH



LEFT ELEVATION

RESIDENCE 1B - SPANISH

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PLAN 1B

DR 6

SCALE: 1/8" = 1'-0"

DATE: 05-11-11

PROJECT: 288002



STANLEY BOULEVARD ELEVATION

RESIDENCE 2B - SPANISH



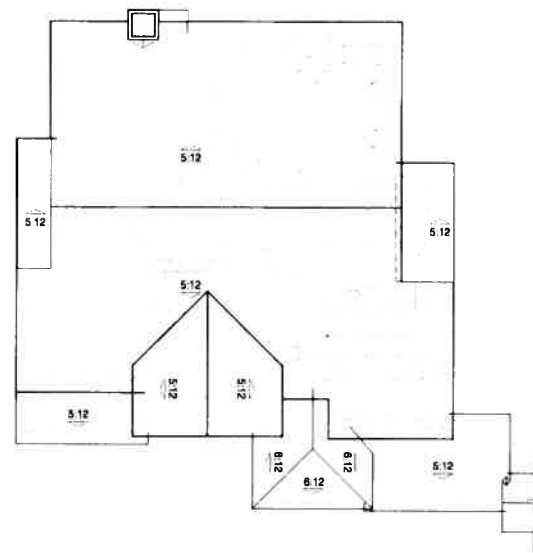
FRONT ELEVATION

RESIDENCE 2A - ANDALUSIAN



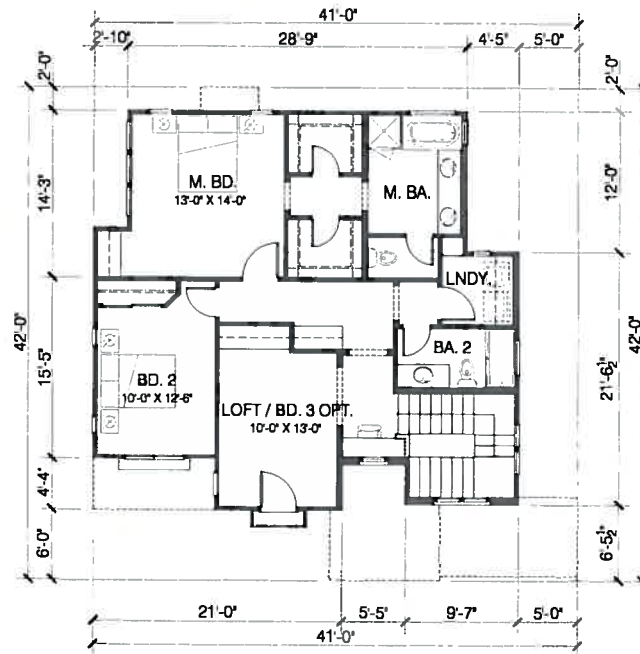
FRONT ELEVATION

RESIDENCE 2B - SPANISH



ROOF PLAN

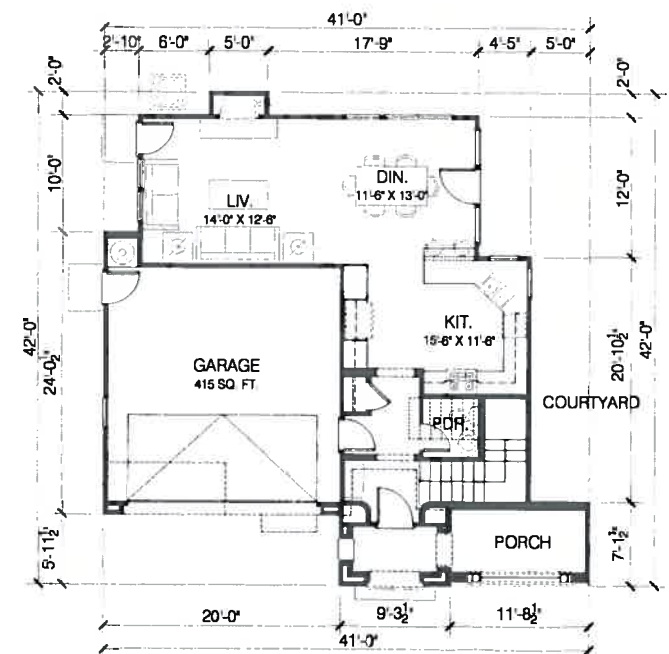
RESIDENCE 2A - ANDALUSIAN



UPPER FLOOR PLAN

RESIDENCE 2A - ANDALUSIAN

UPPER LEVEL: 1036 S.F.



MAIN FLOOR PLAN

RESIDENCE 2A - ANDALUSIAN

MAIN LEVEL: 721 S.F.
TOTAL: 1,757 S.F.
GARAGE: 415 S.F.

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PLAN 2A

DR 7

SCALE: 1/8"=1'-0"

DATE: 05-11-11

PROJECT: 288002



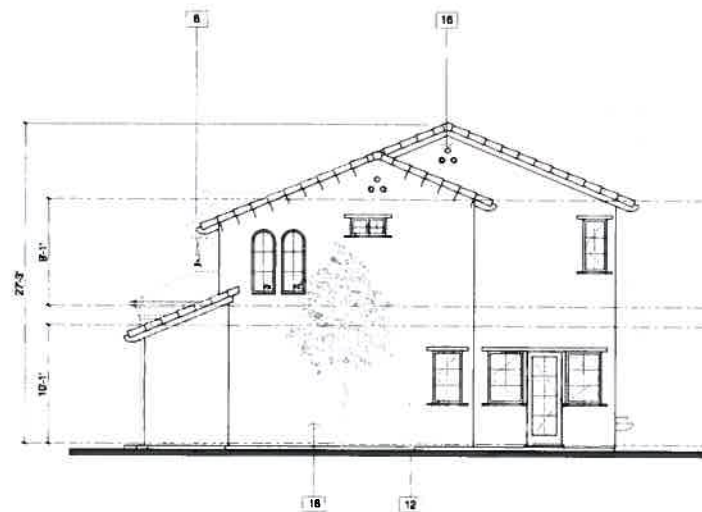
FRONT ELEVATION

RESIDENCE 2A - ANDALUSIAN

1/4" = 1'-0"

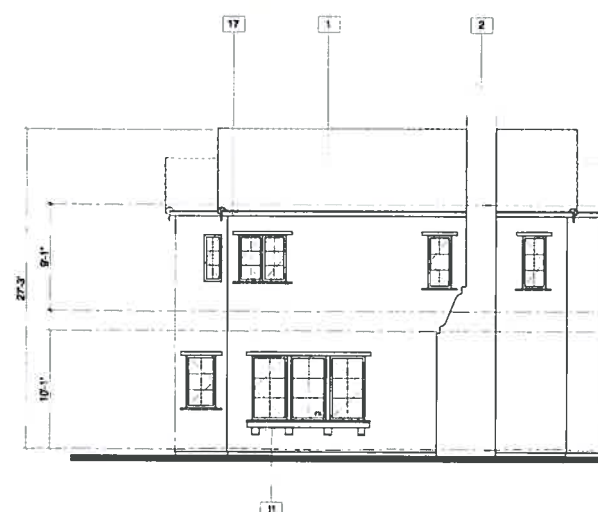
LEGEND
EXTERIOR MATERIAL

- 1. SPANISH TILE ROOFING
- 2. DECORATIVE CHIMNEY CAP
- 3. STUCCO
- 4. FOAM TRIM
- 5. VINYL WINDOW
- 6. FRENCH DOOR
- 7. WOOD DOOR
- 8. WROUGHT IRON SPIRE
- 9. WROUGHT IRON RAILING
- 10. DECORATIVE WINDOW COVERING
- 11. WOOD PLANTER BOX
- 12. WOOD FENCE
- 13. ADDRESS SIGN
- 14. DECORATIVE LIGHT
- 15. WOOD GARAGE DOOR
- 16. DECORATIVE TILE GABLE VENT
- 17. GSM GUTTER
- 18. COURTYARD OF NEIGHBOR
- 19. METERS



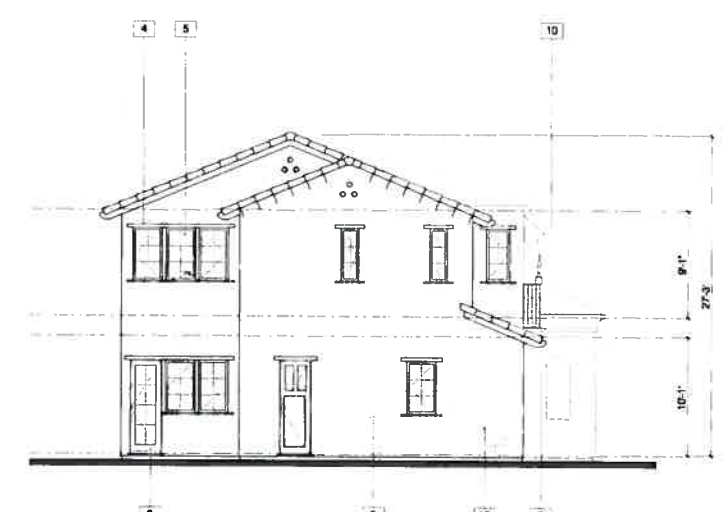
RIGHT ELEVATION

RESIDENCE 2A - ANDALUSIAN



REAR ELEVATION

RESIDENCE 2A - ANDALUSIAN



LEFT ELEVATION

RESIDENCE 2A - ANDALUSIAN

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PLAN 2A

DR 8

SCALE: 1/8" = 1'-0"

DATE: 05-11-11

PROJECT: 288002



STANLEY BOULEVARD ELEVATION

RESIDENCE 2B - SPANISH



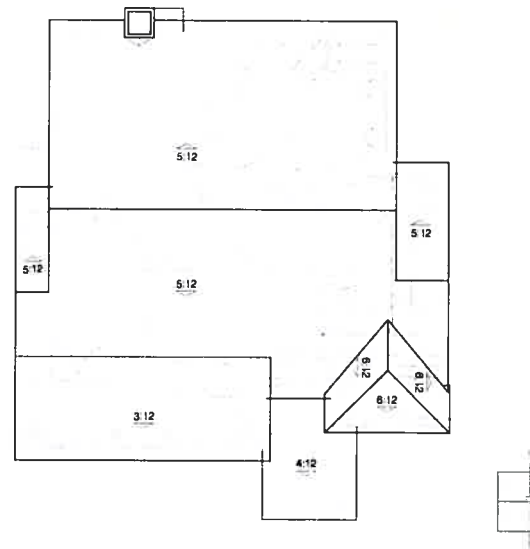
FRONT ELEVATION

RESIDENCE 2B - SPANISH



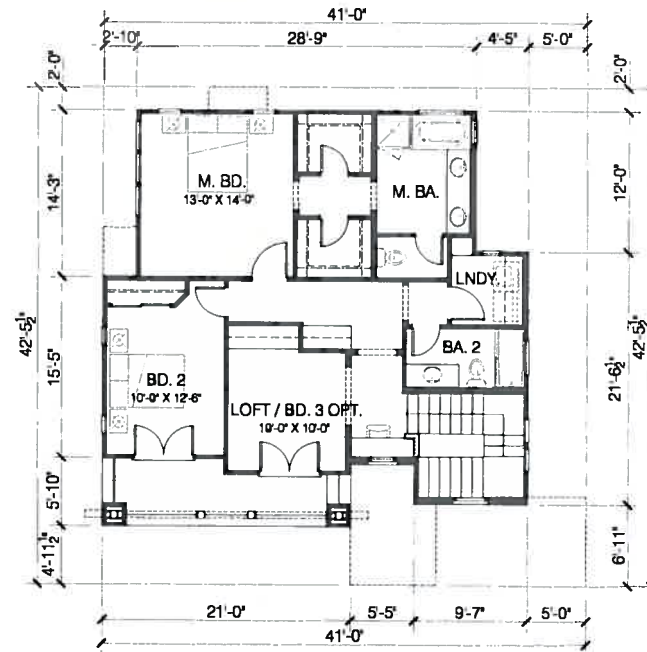
FRONT ELEVATION

RESIDENCE 2A - ANDALUSIAN



ROOF PLAN

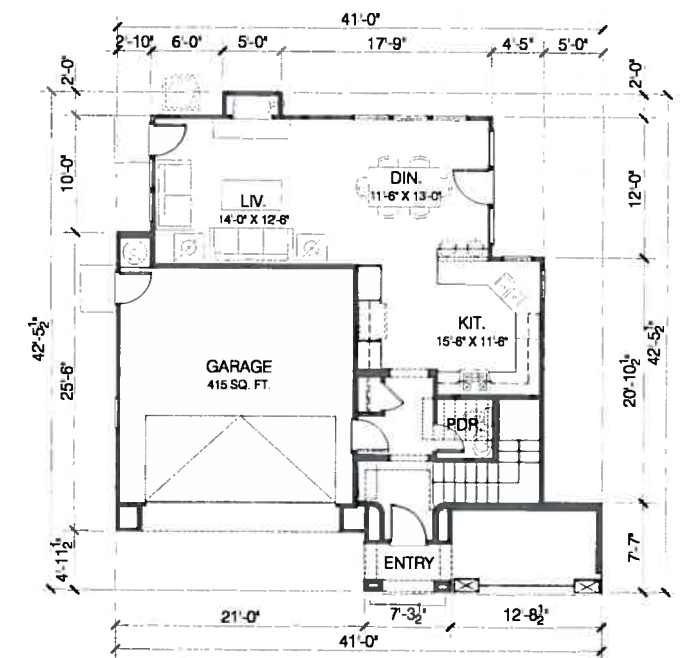
RESIDENCE 2



UPPER FLOOR PLAN

RESIDENCE 2

UPPER LEVEL: 991 S.F.



MAIN FLOOR PLAN

RESIDENCE 2

MAIN LEVEL: 721 S.F.
TOTAL: 1,720 S.F.
GARAGE: 415 S.F.

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PLAN 2B

DR 9

SCALE: 1/8"=1'-0"
DATE: 05-11-11
PROJECT: 288002



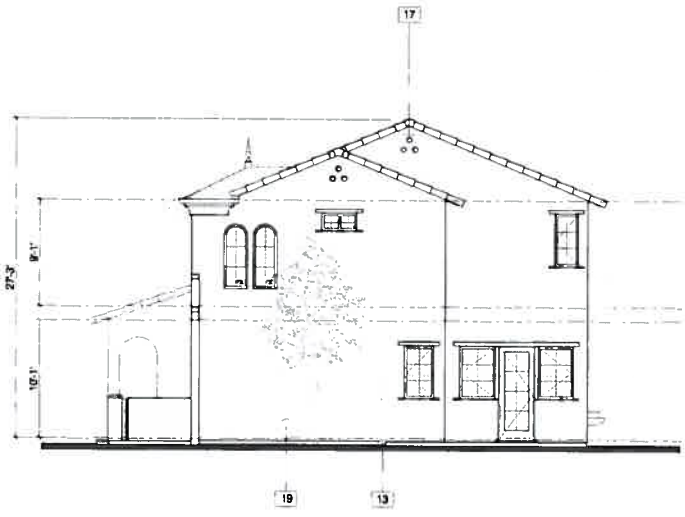
LEGEND
EXTERIOR MATERIAL

1. SPANISH TILE ROOFING
2. DECORATIVE CHIMNEY CAP
3. STUCCO
4. FOAM TRIM
5. VINYL WINDOW
6. FRENCH DOOR
7. WOOD DOOR
8. WROUGHT IRON SPIRE
9. WROUGHT IRON RAILING
10. DECORATIVE WROUGHT IRON GRILLE
11. WROUGHT IRON POT SHELF
12. DECORATIVE WINDOW
13. WOOD FENCE
14. ADDRESS SIGN
15. DECORATIVE LIGHT
16. WOOD GARAGE DOOR
17. DECORATIVE TILE GABLE VENT
18. GSM GLITTER
19. COURTYARD OF NEIGHBOR
20. DECORATIVE WOOD PLANTER BOX

FRONT ELEVATION

RESIDENCE 2B - SPANISH

1/8" = 1'-0"



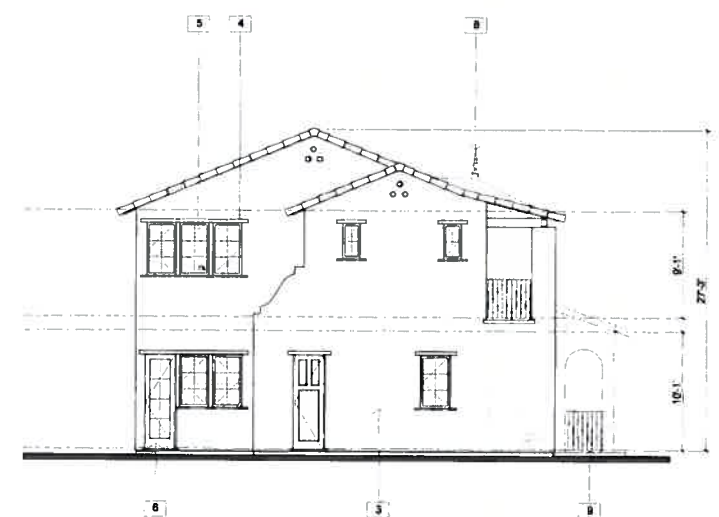
RIGHT ELEVATION

RESIDENCE 2B - SPANISH



REAR ELEVATION

RESIDENCE 2B - SPANISH



LEFT ELEVATION

RESIDENCE 2B - SPANISH

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PLAN 2B
DR 10

SCALE: 1/8" = 1'-0"
 DATE: 05-11-11
 PROJECT: 288002



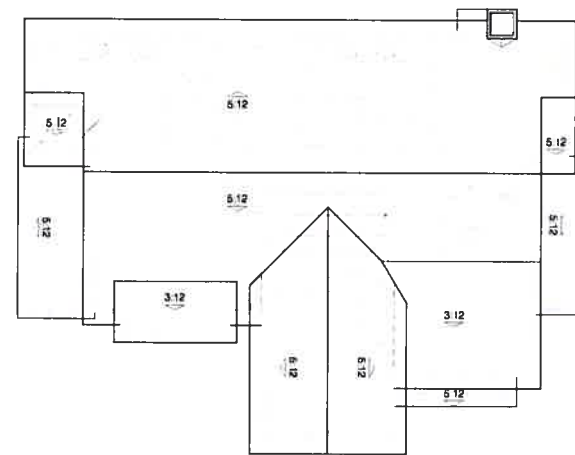
FRONT ELEVATION

RESIDENCE 3A - ANDALUSIAN



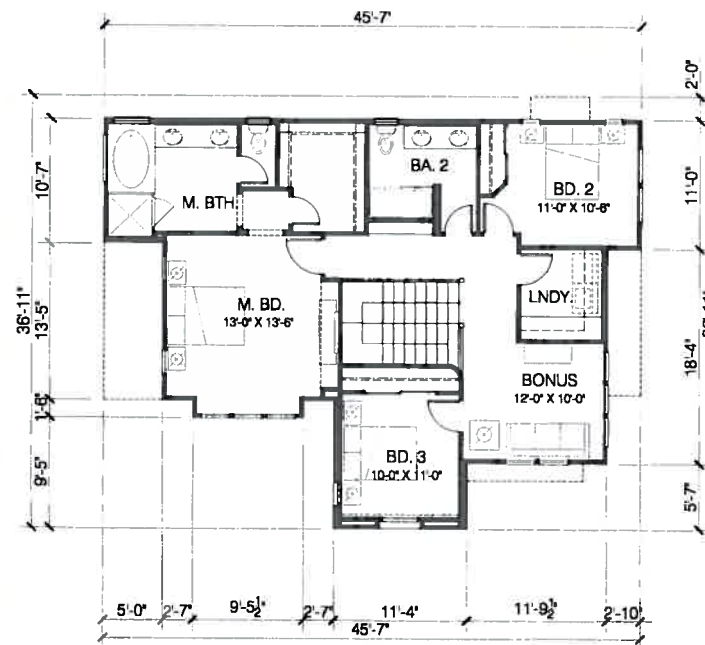
FRONT ELEVATION

RESIDENCE 3B - SPANISH



ROOF PLAN

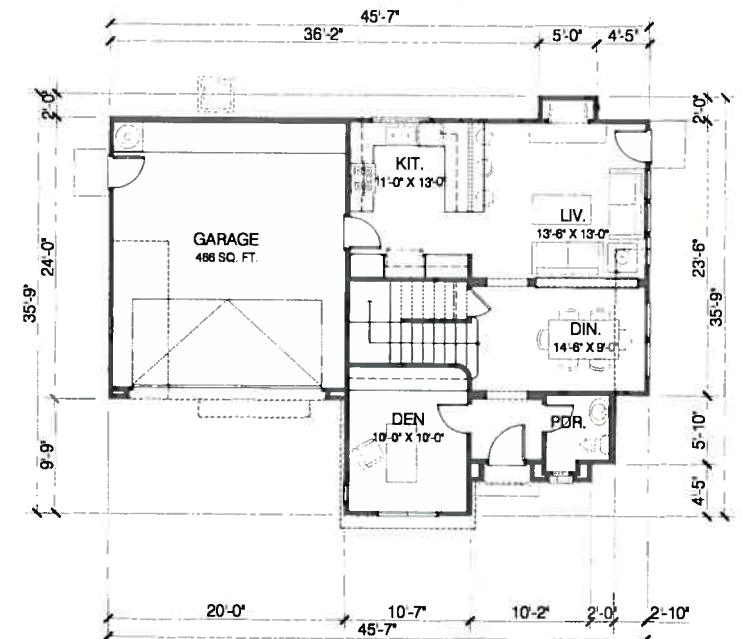
RESIDENCE 3A - ANDALUSIAN



UPPER FLOOR PLAN

RESIDENCE 3A - ANDALUSIAN

UPPER LEVEL: 1,136 S.F.



MAIN FLOOR PLAN

RESIDENCE 3 - ANDALUSIAN

MAIN LEVEL: 784 S.F.
TOTAL: 1,920 S.F.
GARAGE: 466 S.F.

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PLAN 3A

DR 11

SCALE: 1/8"=1'-0"

DATE: 05-11-11
PROJECT: 288002



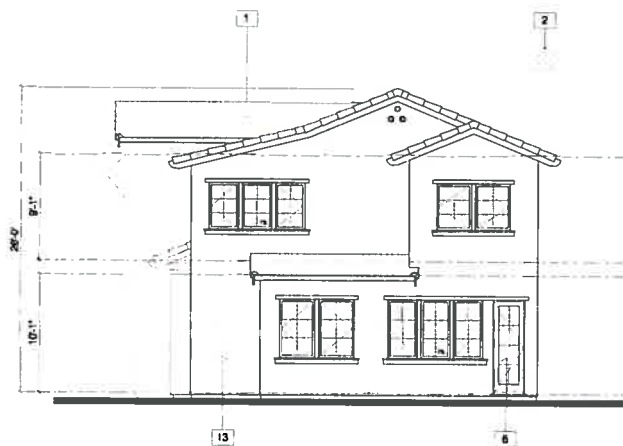
LEGEND
EXTERIOR MATERIAL

1. SPANISH TILE ROOFING
2. DECORATIVE CHIMNEY CAP
3. STUCCO
4. FOAM TRIM
5. VINYL WINDOW
6. FRENCH DOOR
7. WOOD DOOR
8. DECORATIVE WINDOW COVERING
9. DECORATIVE WINDOW
10. DECORATIVE WOOD CORBEL
11. PLANTER BOX
12. WINDOW BUILD-OUT
13. WOOD FENCE
14. ADDRESS SIGN
15. DECORATIVE LIGHT
16. WOOD GARAGE DOOR
17. BRICK VENEER
18. GSM GLITTER
19. METERS

FRONT ELEVATION

RESIDENCE 3A - ANDALUSIAN

1/8" = 1'-0"



RIGHT ELEVATION

RESIDENCE 3A - ANDALUSIAN



REAR ELEVATION

RESIDENCE 3A - ANDALUSIAN



LEFT ELEVATION

RESIDENCE 3A - ANDALUSIAN

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444 Spear Street, Suite 200
San Francisco, CA 94105
www.hunthalejones.com

t. 415-512-1300
f. 415-288-0288

PLAN 3A

DR 12

SCALE: 1/8" = 1'-0"

DATE: 05-11-11

PROJECT: 288002



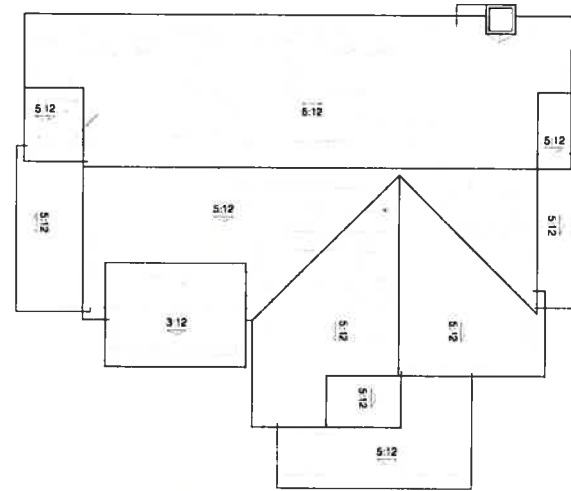
FRONT ELEVATION

RESIDENCE 3A - ANDALUSIAN



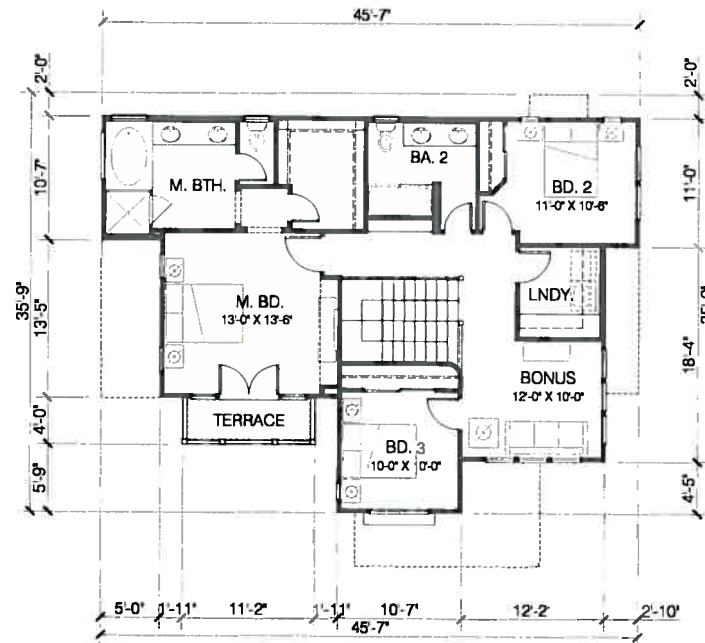
FRONT ELEVATION

RESIDENCE 3B - SPANISH



ROOF PLAN

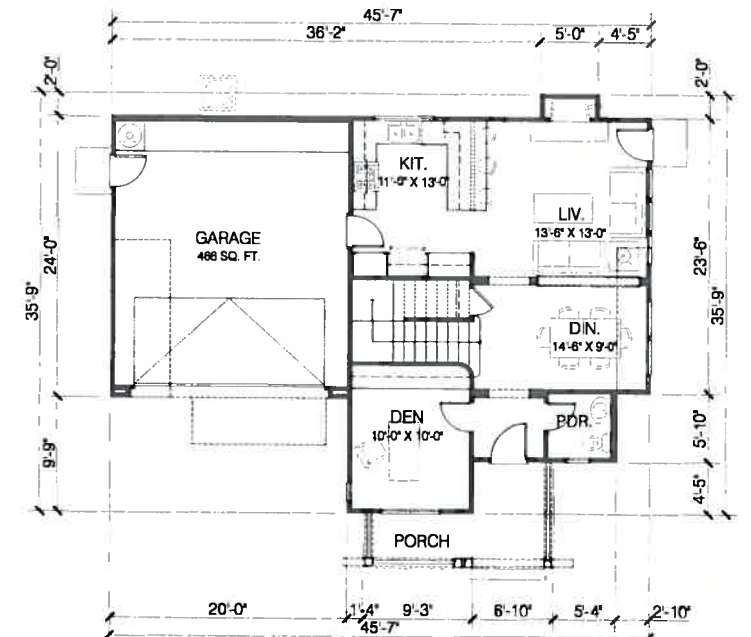
RESIDENCE 3B - SPANISH



UPPER FLOOR PLAN

RESIDENCE 3B - SPANISH

UPPER LEVEL: 1,111 S.F.



MAIN FLOOR PLAN

RESIDENCE 3B - SPANISH

MAIN LEVEL: 781 S.F.
TOTAL: 1,892 S.F.
GARAGE: 466 S.F.

STANLEY BOULEVARD

DONATO BUILDERS INC.
4171 & 4189 STANLEY BOULEVARD
PLEASANTON, CA



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San Francisco, CA 94105
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PLAN 3B

DR 13

SCALE: 1/8"=1'-0"

DATE: 05-11-11
PROJECT: 288002



LEGEND EXTERIOR MATERIAL	
1.	SPANISH TILE ROOFING
2.	DECORATIVE CHIMNEY CAP
3.	STUCCO
4.	FOAM TRIM
5.	VINYL WINDOW
6.	FRENCH DOOR
7.	WOOD DOOR
8.	DECORATIVE WOOD CORBEL
9.	WOOD PLANTER BOX
10.	WOOD FENCE
11.	ADDRESS SIGN
12.	DECORATIVE LIGHT
13.	WOOD GARAGE DOOR
14.	GSM GUTTER
15.	METERS
16.	WOOD RAILING
17.	DECORATIVE TILE GABLE VENT

FRONT ELEVATION

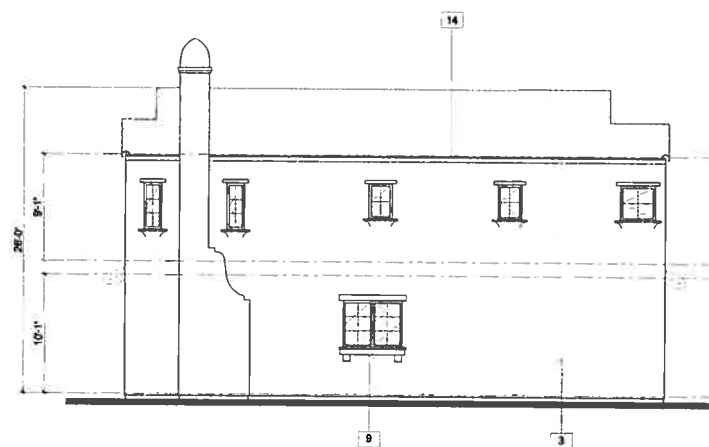
RESIDENCE 3B - SPANISH

1/8" = 1'-0"



RIGHT ELEVATION

RESIDENCE 3B - SPANISH



REAR ELEVATION

RESIDENCE 3B - SPANISH



LEFT ELEVATION

RESIDENCE 3B - SPANISH

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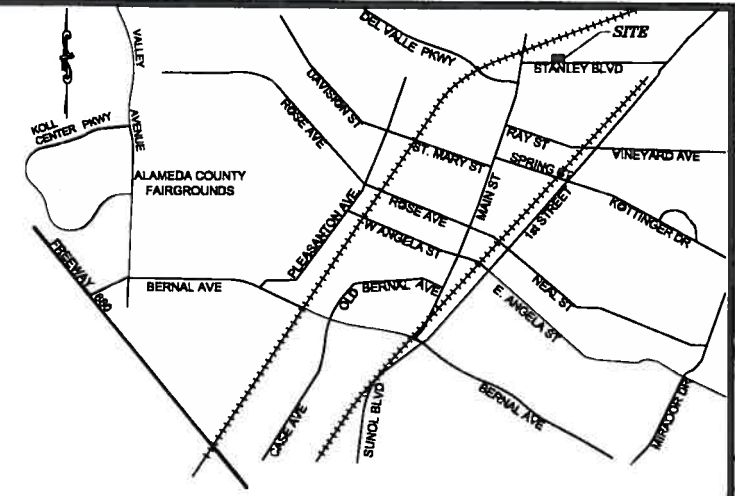
PLAN 3B
DR 14

SCALE: 1/8" = 1'-0"
DATE: 05-11-11
PROJECT: 288002

LEGAL DESCRIPTION:
 BEING A PORTION OF PLOT NUMBER 1 OF THE BERNAL PORTION OF THE RANCHO EL VALLE DE SAN JOSE, AND ALL OF PARCEL MAP 3668 FILED JUNE 4, 1982 IN BOOK 133 OF PARCEL MAPS, AT PAGE 94-95, ALAMEDA COUNTY RECORDS.
FLOOD ZONE
 ZONE C AS SHOWN ON COMMUNITY PANEL NUMBER 060012 0004 D DATED SEPTEMBER 19, 1984.

LEGEND

-  FIRE DEPARTMENT TURNAROUND
-  ASPHALT PAVEMENT
-  TURF STONE



VICINITY MAP
N.T.S.

TENTATIVE MAP NOTES:

OWNER: D. DONATO BUILDERS
 1854 WARSAW AVENUE
 LIVERMORE, CA 94560
 (925) 245-0684

ENGINEER: DEBOLT CIVIL ENGINEERING
 811 SAN RAMON VALLEY BLVD.
 DANVILLE, CA 94528
 (925) 837-3780

ASSESSOR'S PARCEL NUMBER: 948-1688-011, 018, 017, 018 AND 019

AREA: 52,510 SF±

EXISTING USE: RESIDENTIAL

PROPOSED USE: RESIDENTIAL

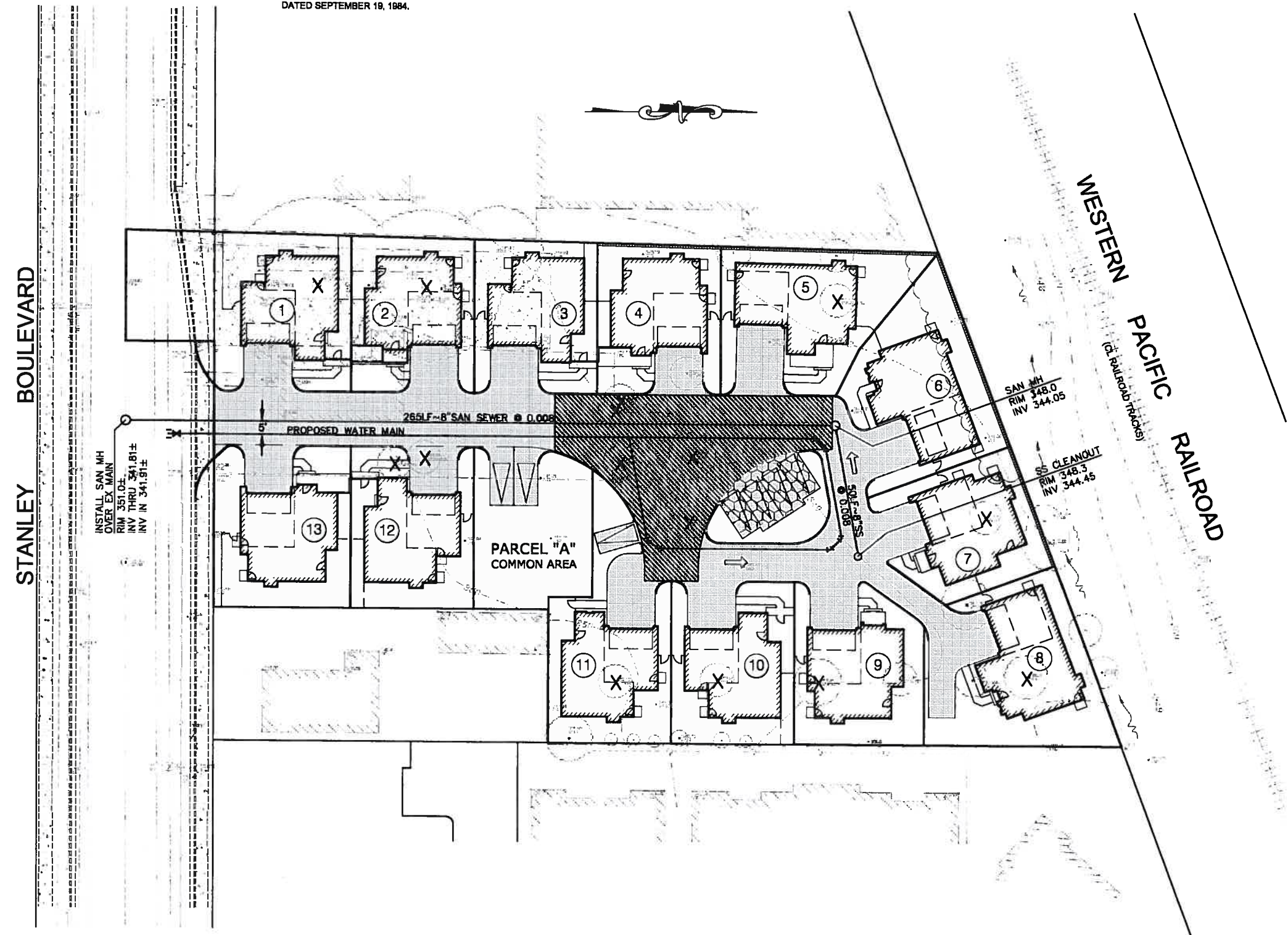
UTILITIES: GAS & ELECTRIC - P.G.&E.
 TELEPHONE - S.B.C.
 SEWER - CITY OF PLEASANTON
 WATER - CITY OF PLEASANTON
 STORM - CITY OF PLEASANTON
 CABLE - COMCAST
 FIRE - LIVERMORE PLEASANTON FIRE DEPT.

UTILITY LOCATIONS SHOWN ARE BASED ON UTILITY COMPANY RECORDS AND ARE APPROXIMATE ONLY.

BASIS OF ELEVATION: U.S. COAST AND GEODETIC SURVEY, BRONZE DISK, STAMPING G 832 1947. 1.0 MILE SOUTHWEST ALONG THE SOUTHERN PACIFIC RAILROAD FROM THE CROSSING OF NEAL STREET AT PLEASANTON, MIDWAY BETWEEN THE SECOND AND THIRD POLES SOUTHWEST OF MILEPOLE 4D, AT CONCRETE BRIDGE 39.83 OVER A SMALL CREEK, IN THE TOP OF THE SOUTHEAST END OF THE SOUTHWEST CONCRETE ABUTMENT, 6 1/2 FEET SOUTHWEST OF THE SOUTHEAST RAIL, AND ABOUT 1 FOOT LOWER THAN THE TRACK.

ELEVATION: 337.23

BOUNDARY NOTE: APPROXIMATE BOUNDARY INFORMATION SHOWN WAS COMPILED FROM AVAILABLE RECORD DATA AND DOES NOT REPRESENT AN ACTUAL FIELD BOUNDARY SURVEY.



TRACT 7968
VESTING TENTATIVE MAP

DONATO BUILDERS INC
 4171 & 4189 STANLEY BOULEVARD
 PLEASANTON CONTRA COSTA COUNTY CALIFORNIA

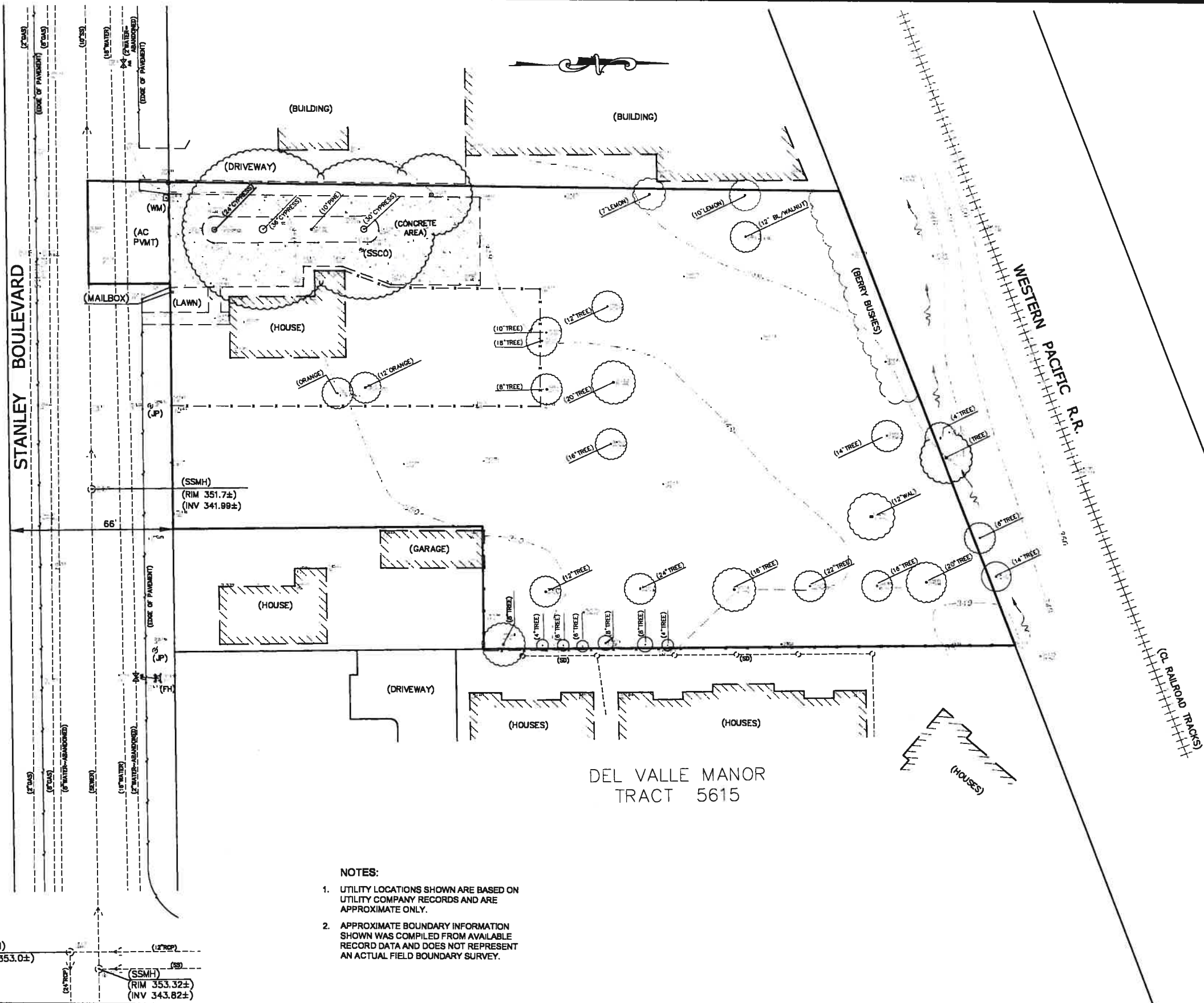
#	REVISIONS	DATE
1	REMOVED LOT	4/22/11

DeBolt Civil Engineering
 811 San Ramon Valley Boulevard
 Danville, California 94526
 Tel: 925/837-3780
 Fax: 925/837-4378

Date: 8/3/2010
 Scale: 1" = 20'
 By: JED/wl
 Job No.: 07239

TM-1

STANLEY BOULEVARD



NOTES:

1. UTILITY LOCATIONS SHOWN ARE BASED ON UTILITY COMPANY RECORDS AND ARE APPROXIMATE ONLY.
2. APPROXIMATE BOUNDARY INFORMATION SHOWN WAS COMPILED FROM AVAILABLE RECORD DATA AND DOES NOT REPRESENT AN ACTUAL FIELD BOUNDARY SURVEY.

TM-2

TOPOGRAPHIC SURVEY

4171 and 4189 STANLEY BOULEVARD

PLEASANTON ALAMEDA COUNTY CALIFORNIA

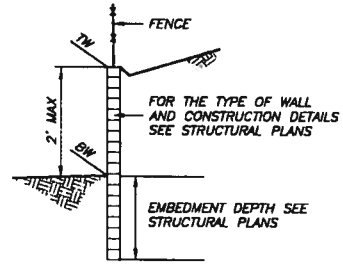
JAMES E. DIGGINS R.C.E. 27818
RENEWAL DATE: 03/31/2012

#	REVISIONS	DATE

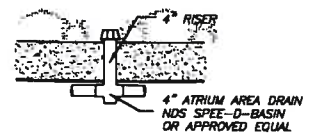


DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/837-3780
Fax: 925/837-4378

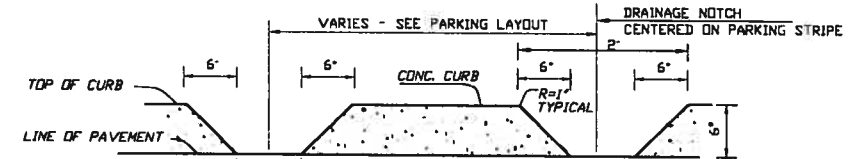
Date: 8/3/2010
Scale: 1" = 20'
By: JED / M
Job No.: 07239



TYPICAL WALL SECTION
N.T.S.

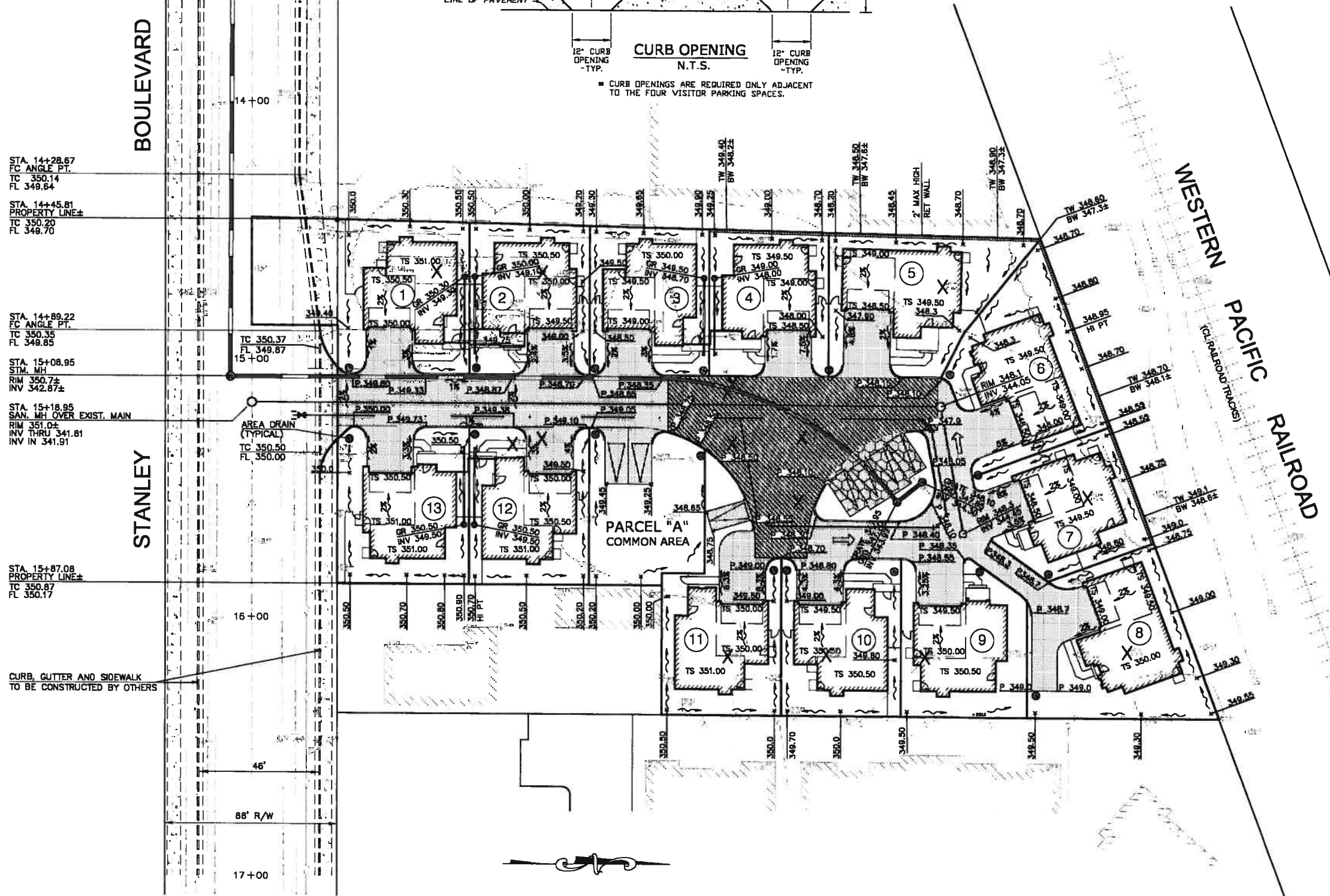


AREA DRAIN DETAIL
N.T.S.



■ CURB OPENINGS ARE REQUIRED ONLY ADJACENT TO THE FOUR VISITOR PARKING SPACES.

SEE SHEET TM-5 FOR CONTINUATION



- LEGEND**
- PAVED AREA
 - TURF STONE
 - FIRE DEPARTMENT TURNAROUND
 - RETAINING WALL
 - STORM LINE
 - SANITARY SEWER LINE
 - WATER LINE
 - AREA DRAIN
 - TOP OF SLAB
 - TOP OF WALL
 - BOTTOM OF WALL

STA. 14+28.67
FC ANGLE PT.
TC 350.14
FL 349.64

STA. 14+45.81
PROPERTY LINE±
TC 350.20
FL 349.70

STA. 14+99.22
FC ANGLE PT.
TC 350.35
FL 349.85

STA. 15+08.95
STM. MH
RIM 350.7±
INV 342.87±

STA. 15+18.95
SAN. MH OVER EXIST. MAIN
RIM 351.0±
INV THRU 341.81
INV IN 341.91

STA. 15+87.08
PROPERTY LINE±
TC 350.87
FL 350.17

CURB, GUTTER AND SIDEWALK TO BE CONSTRUCTED BY OTHERS

TRACT 7968
GRADING AND DRAINAGE PLAN

DONATO BUILDERS INC.
4171 & 4189 STANLEY BOULEVARD

PLEASANTON

ALAMEDA COUNTY

CALIFORNIA

JAMES E. DIGGINS
RENEWAL DATE: 03/31/12 R.C.E. 27818

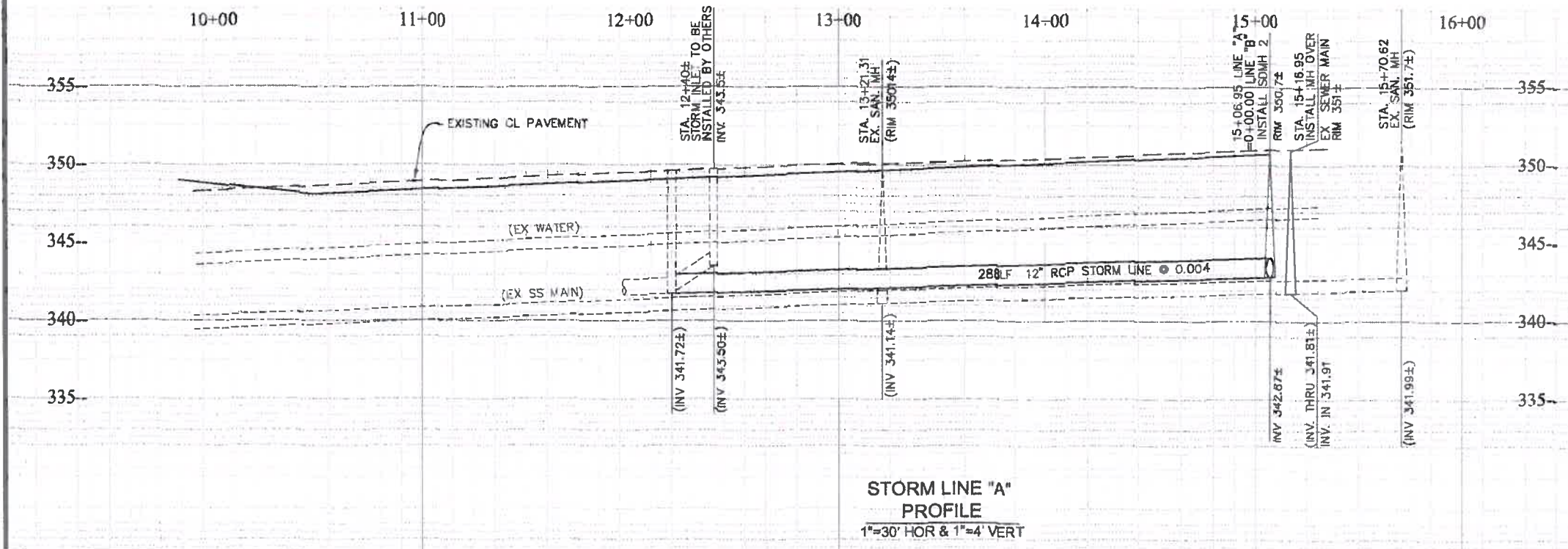
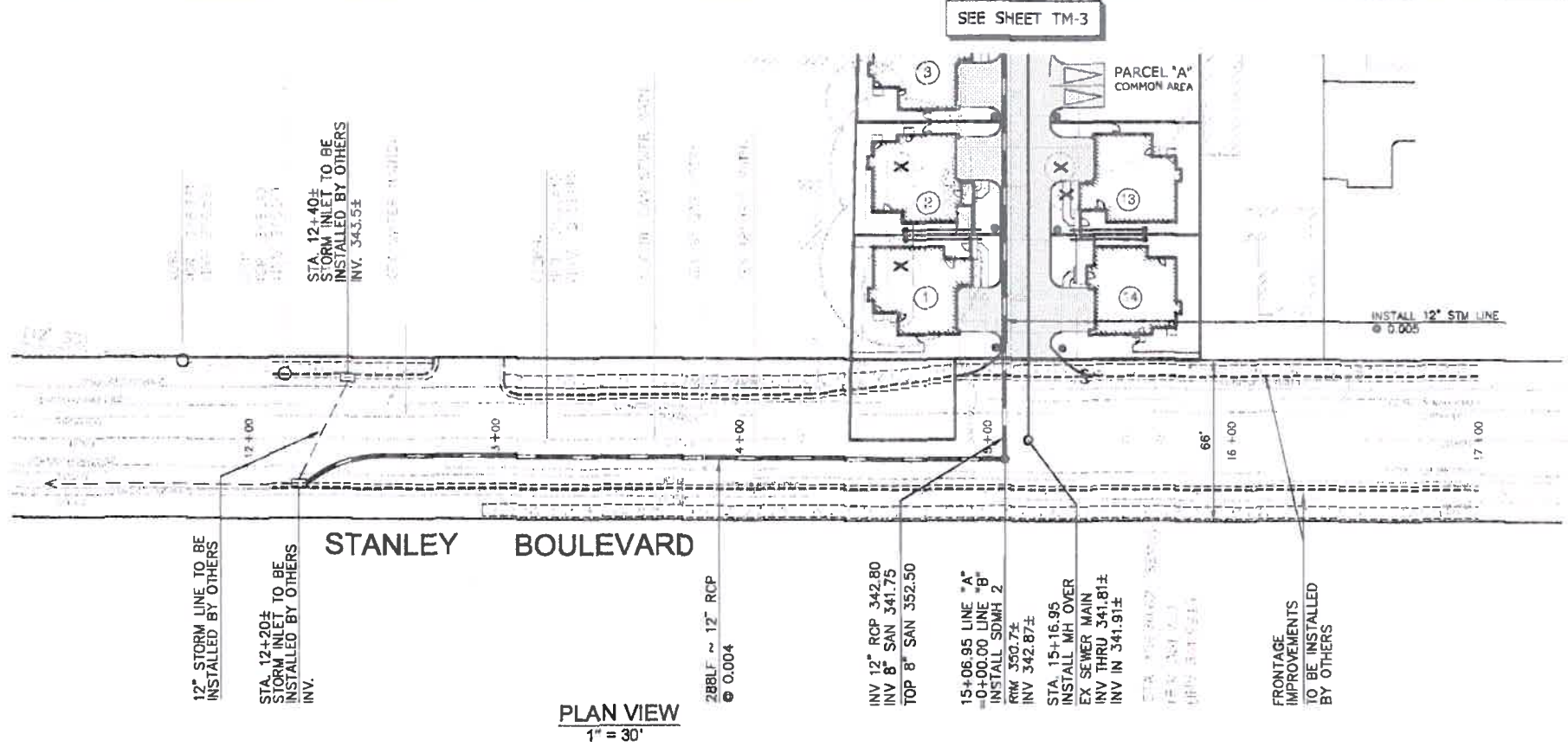
#	REVISIONS	DATE
1	REMOVED LOT	4/22/11



DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/837-3780
Fax: 925/837-4378

Date: 8/3/2010
Scale: 1"=20'
By: JED/gvl
Job No: 07239

TM-3



TRACT 7968
OFF - SITE
STORM DRAINAGE PLAN

DONATO BUILDERS INC.
4171 & 4189 STANLEY BOULEVARD
PLEASANTON ALAMEDA COUNTY CALIFORNIA

JAMES E. DIGGINS RCE 27818
RENEWAL DATE: 03/01/12

#	REVISIONS	DATE
1	REMOVED LOT	4/22/11

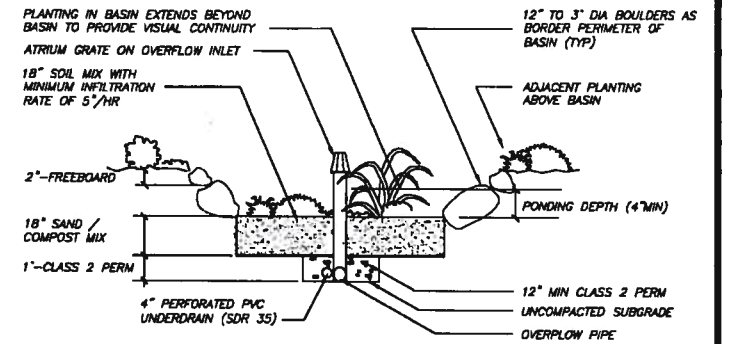


DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/837-3780
Fax: 925/837-4378

Date: 8/3/2010
Scale: 1"=30' H, 1"=4' V
By: JED/ed
Job No: 07239

TM-5

NOTE: SOIL MIX TO CONFORM TO SPECIFICATION
IN APPENDIX "B" OF THE LATEST C.3 GUIDEBOOK



BIO-SWALE DETAIL
NTS

DMA	AREA (SF)	SURFACE	DMA	AREA (SF)	SURFACE
DMA-1	610	ROOF	DMA-29	584	ROOF
DMA-2	720	LANDSCAPING	DMA-30	634	LANDSCAPING
DMA-3	547	ROOF	DMA-31	851	LANDSCAPING
DMA-4	828	ROOF	DMA-32	2,371	LANDSCAPING
DMA-5	514	ROOF	DMA-33	1,175	LANDSCAPING
DMA-8	644	ROOF	DMA-34	567	LANDSCAPING
DMA-9	514	ROOF	DMA-35	1,240	LANDSCAPING
DMA-10	590	ROOF	DMA-36	1,020	LANDSCAPING
DMA-11	599	ROOF	DMA-37	808	LANDSCAPING
DMA-12	610	ROOF	DMA-38	325	LANDSCAPING
DMA-13	547	ROOF	DMA-39	568	LANDSCAPING
DMA-14	799	ROOF	DMA-40	326	LANDSCAPING
DMA-15	483	ROOF	DMA-41	1,219	LANDSCAPING
DMA-16	547	ROOF	DMA-42	801	LANDSCAPING
DMA-17	610	ROOF	DMA-43	484	LANDSCAPING
DMA-18	483	ROOF	DMA-44	750	LANDSCAPING
DMA-19	799	ROOF	DMA-45	559	LANDSCAPING
DMA-20	791	ROOF	DMA-46	773	LANDSCAPING
DMA-21	483	ROOF	DMA-47	198	LANDSCAPING
DMA-22	598	ROOF	DMA-48	739	LANDSCAPING
DMA-23	559	ROOF	DMA-49	513	ASPHALT
DMA-24	574	ROOF	DMA-50	1,875	ASPHALT
DMA-25	584	ROOF	DMA-51	1,323	ASPHALT
DMA-26	584	ROOF	DMA-52	2,042	ASPHALT
DMA-27	548	ROOF	DMA-53	8,315	ASPHALT
DMA-28	574	ROOF	DMA-54	985	ASPHALT
			DMA-55	775	LANDSCAPING

IMP	SIZE
IMP-1	120 SF
IMP-2	580 SF
IMP-3	190 SF
IMP-4	100 SF
IMP-5	180 SF
IMP-6	110 SF
IMP-7	100 SF
IMP-8	190 SF

IMP	SIZE
IMP-9	100 SF
IMP-10	210 SF
IMP-11	160 SF
IMP-12	180 SF
IMP-13	100 SF
IMP-14	420 SF
IMP-15	110 SF
IMP-16	100 SF
IMP-17	100 SF

LEGEND

- BIO-SWALE / PLANTERS
- TURF STONE
- CATCH BASINS
- STORM DRAIN LINE
- EARTH SWALES
- DENOTES AREA (DMA)
DRAINAGE MANAGEMENT AREA
- IMP
INTEGRATED MANAGEMENT PRATICE

TM-6

TRACT 7968
STORM WATER CONTROL
PLAN EXHIBIT

DONATO BUILDERS INC.
4171 & 4189 STANLEY BOULEVARD

PLEASANTON

ALAMEDA COUNTY

CALIFORNIA

JAMES E. DIGGINS
RENEWAL DATE: 03/31/12 R.C.E. 27818

#	REVISIONS	DATE
1	REMOVED LOT	4/22/11



DeBolt Civil Engineering
811 San Ramon Valley Boulevard
Danville, California 94526
Tel: 925/837-3780
Fax: 925/837-4378

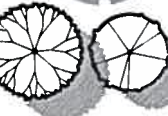
Date:
8/3/2010
Scale:
1"=20'
By:
JED/rd
Job No:
07239

TREE LEGEND

LARGE SCALE CANOPY TREE (PUBLIC R.O.W.)



MEDIUM SCALE STREET TREE



EVERGREEN SCREEN TREE



FLOWERING ACCENT TREE



SMALL SCALE ACCENT TREE



Plant Palette

Symbol	Botanical Name	Common Name	Size
TREES:			
ACE RUB	Acer rubrum 'New World'	NEW WORLD RED MAPLE	24" Box
ARB UME	Arbutus unedo 'Tiana'	STRAWBERRY TREE	24" Box
ORR OGG	Cercis occidentalis	WESTERN REDBUD	24" Box
LIQ BTY	Liquidambar styraciflua	AMERICAN SWEETGUM	24" Box
LR TUL	Liriodendron tulipifera	TULIP TREE	24" Box
MAG UT	Magnolia 'Little Gem'	LITTLE GEM MAGNOLIA	24" Box
PLA AGE	Platanus x acerifolia	LONDON PLANE TREE	24" Box
PYR RED	Pyrus calleryana 'Purple Robe'	FLOWERING PEAR	24" Box
ROB AMB	Robinia acutifolia 'Purple Robe'	LOCUST	24" Box
SEQ SEM	Sequoia sempervirens	COAST REDWOOD	24" Box
SHRUBS:			
AGA AFR	Agapanthus africanus	LILY-OF-THE-NILE	5 gallon
ARG HOW	Arctostaphylos 'Howard Morton'	MANZANITA	5 gallon
CAM JAP	Camellia japonica	CAMELLIA	1 gallon
CAR CAL	Carpenteria californica	BUSH ANEMONE	5 gallon
CIS LAD	Cistus ladanifer	CRIMSON SPOT ROCKROSE	1 gallon
CIS PUR	Cistus purpureus	ORCHID ROCKROSE	5 gallon
DIE SPE	Dietes species	FORTNIGHT LILY	1 gallon
FEI BEL	Ferrea salicoides	PINEAPPLE GUAVA	5 gallon
HEL SEM	Heliconia sempervirens	BLUE OAT GRASS	5 gallon
HEM NYB	Hemerocallis hybrid	EVERGREEN DAYLILY	1 gallon
IRI DOU	Iris douglasiana	IRIS	1 gallon
JAS POL	Jasminum polyanthum	PINK JASMINE	1 gallon
LAV ANG	Lavandula angustifolia	ENGLISH LAVENDER	1 gallon
LR MIB	Liriope muscari	BIG BLUE LILY TURF	5 gallon
MIE RIO	Muhlenbergia rigens	DEER GRASS	5 gallon
MYR CAL	Myrica californica	PACIFIC WAX MYRTLE	5 gallon
MYR ODM	Myrica comata	MYRTLE	5 gallon
PHO TEN	Phoradendron tenax	NEW ZEALAND FLAX	5 gallon
RIB VS	Ribes viburnifolium	EVERGREEN CURRANT	5 gallon
SAL GLE	Salvia clevelandii	CLEVELAND SAGE	5 gallon
SAL GRE	Salvia 'Greggii'	AUTUMN SAGE	5 gallon
VINES:			
OLE JAC	Clematis jackmanii	EVERGREEN CLEMATIS	5 gallon
PYR KAW	Pyrus kawakamii	EVERGREEN PEAR	5 gallon (espalier)
GROUNDCOVERS:			
Dwarf Boreal Fescue		TURF	Lawn from seed
Arctostaphylos 'Emerald Carpet'		MANZANITA	1 gal. @ 36" o.c.
Cotoneaster 'Lorain'		COTONEASTER	1 gal. @ 36" o.c.
Rosa multiflora		ROSEMARY	1 gal. cans/48" o.c.
Vinca minor		DWARF PERIWINKLE	0" o.c./ from flats
INFILTRATION PLANTS:			
CAR DIV	Carex divisa	BERKELEY SEDGE	1 gallon
DES GAE	Deschampsia cespitosa	TUFTED HAIRGRASS	1 gallon
JUN PAT	Juncus patens	CALIFORNIA GREY RUSH	1 gallon
MM ALR	Muhlenbergia aurantiaca	STICKY MONKEYFLOWER	1 gallon
MS BR	Miscanthus sinensis	JAPANESE SILVER GRASS	1 gallon
MYO PAR	Myoporum parvifolium 'Futah Creek'	MYOPORIUM	1 gallon

VEGETATION CONSISTENT WITH ADJACENT C3 PLANTERS

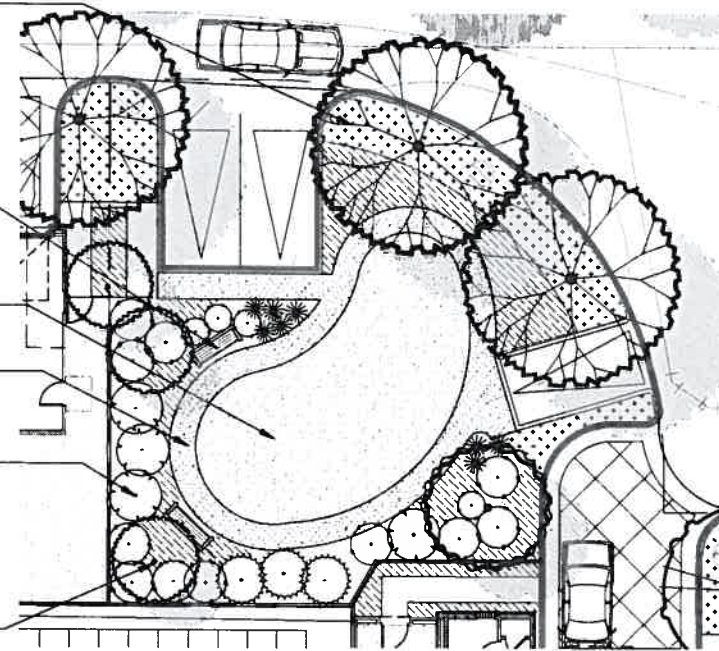
BENCH, TYP.

TURF AREA FOR RECREATION

DECOMPOSED GRANITE PATHWAY

UPRIGHT SHRUBS SCREEN FENCE AND ENCLOSE PARK

TREE HEIGHT TO REMAIN CLEAR OF NEIGHBORING SOLAR PANEL SUNLIGHT



POCKET PARK ENLARGEMENT #1



SELF CONTAINED WALL FOUNTAIN

CLIMBING VINE IN PLANTER POTS

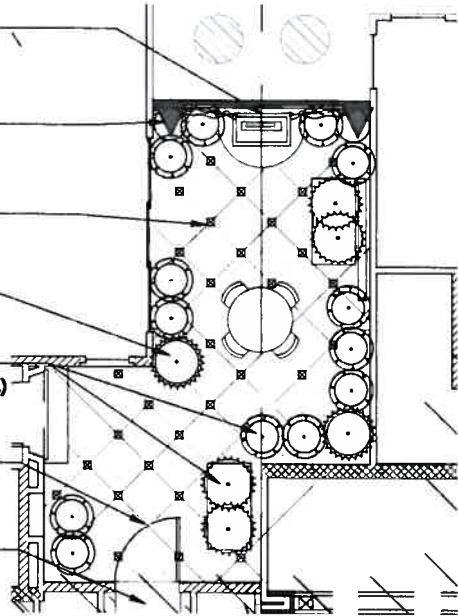
SPANISH TILE PAVING W/ ACCENT TILE INSERTS

PLANTING URN

PLANTER & POTS W/ PLANTS (TYPICAL)

ORNAMENTAL WOODEN PRIVACY GATE

ENTRY PATH



COURTYARD ENLARGEMENT #1

(TYPICAL)



INTERIOR COURTYARD (SEE ENLARGEMENT 1)

CONCRETE PAVING WITH BAND (DRIVEWAYS ONLY)

STREET TREE PER CITY REQUIREMENTS

ASPHALT CONCRETE PAVING (ENTRY DRIVE)

MAILBOX CLUSTER

INTERIOR COURTYARD (SEE ENLARGEMENT 2)

GROUNDCOVER (TYPICAL)

GOOD NEIGHBOR FENCE, TYP. SEE FENCING EXHIBIT, SHEET L2

FLOWERING ACCENT TREE (TYPICAL)

MEDIUM SCALE STREET TREE

CITY OF PLEASANTON STANDARD FIRE APPARATUS BURNAROUND, SEE DETAIL # 135

SOUNDWALL, SEE FENCING EXHIBIT, SHEET L2 FOR LOCATION

INFILTRATION PLANTING, TYP. SEE LIST ABOVE

CONIFEROUS EVERGREEN TREE (TYPICAL)

PLANTING AREA

OUTDOOR DINING AREA

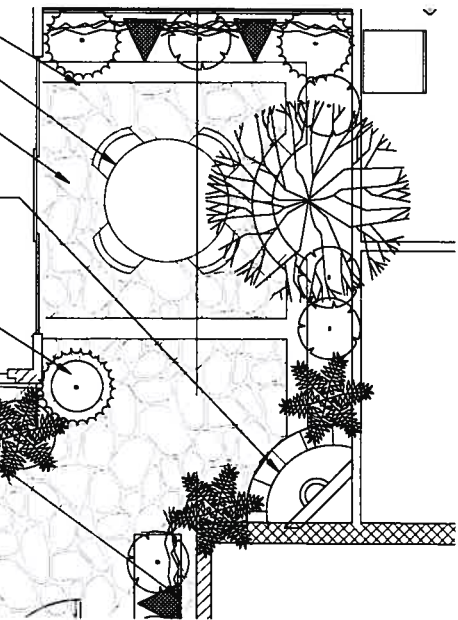
FLAGSTONE PAVING W/ CONCRETE BAND

WALL FOUNTAIN W/ RAISED POOL

PLANTER POTS & URNS W/ PLANTING

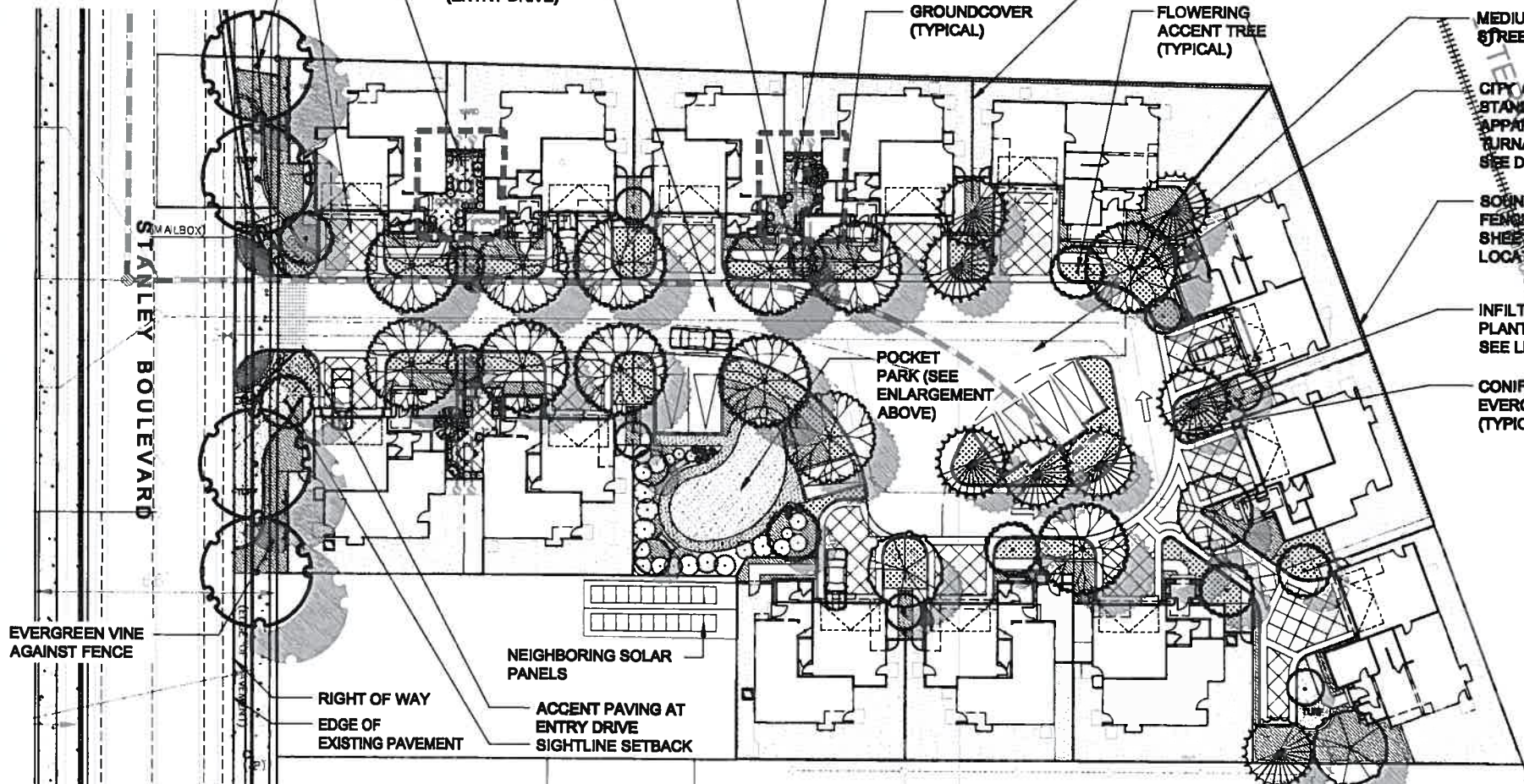
PLANTER W/ CLIMBING VINE

ENTRY PATH



COURTYARD ENLARGEMENT #2

(TYPICAL)



PRELIMINARY LANDSCAPE PLAN



NOTE: ALL PLANTING SHALL BE IRRIGATED WITH AN AUTOMATIC WATER CONSERVING IRRIGATION SYSTEM IN COMPLIANCE WITH THE CITY OF PLEASANT HILL WATER CONSERVATION ORDINANCES. ALL PLANTING AND IRRIGATION OPERATIONS SHALL COMPLY WITH THE CITY PLEASANT HILL LANDSCAPE GUIDELINES.

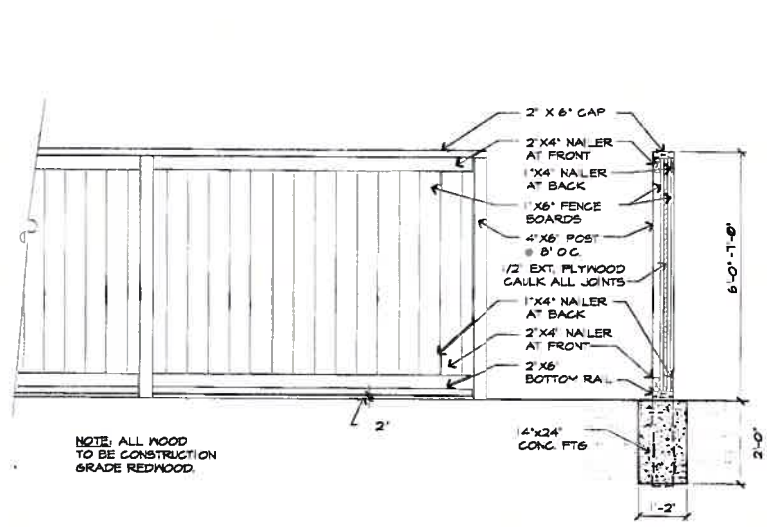
REVISIONS	BY

camp & camp associates
 planning & landscape architecture
 2840 CAMINO DAVILA, SUITE 201
 WALNUT CREEK, CALIFORNIA 94597
 (925) 941-6485 FAX (925) 941-6428
 email: tc@campandcamp.com

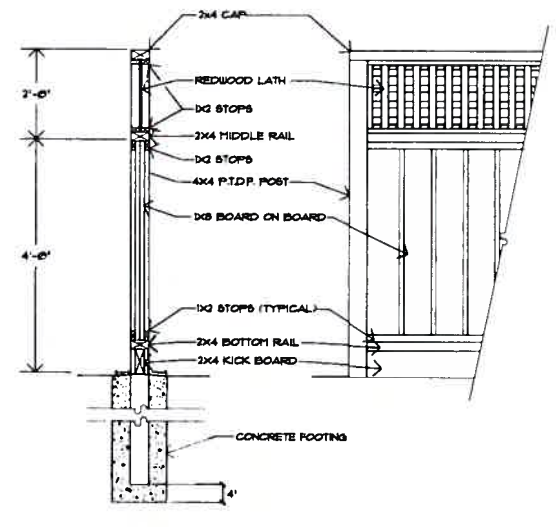
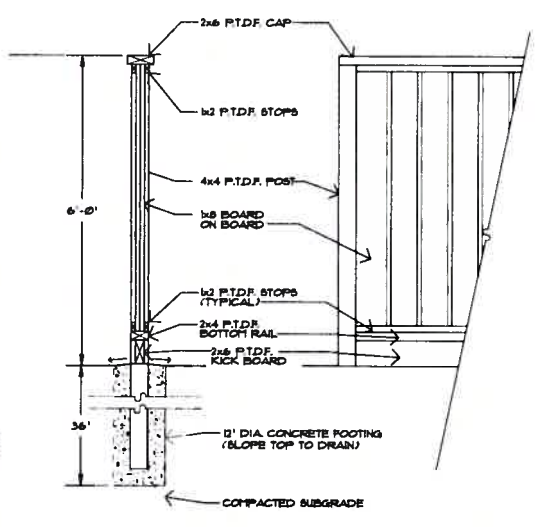
PRELIMINARY LANDSCAPE PLAN

4171 & 4189
 STANLEY BOULEVARD
 PLEASANTON, CA

DRAWN: C.M.
 CHECKED: T.C.
 DATE: 02-26-2010
 SCALE: AS SHOWN
 JOB NO. 08-015
 SHEET
1
 OF 06 SHEETS



NOTE: ALL WOOD TO BE CONSTRUCTION GRADE REDWOOD.

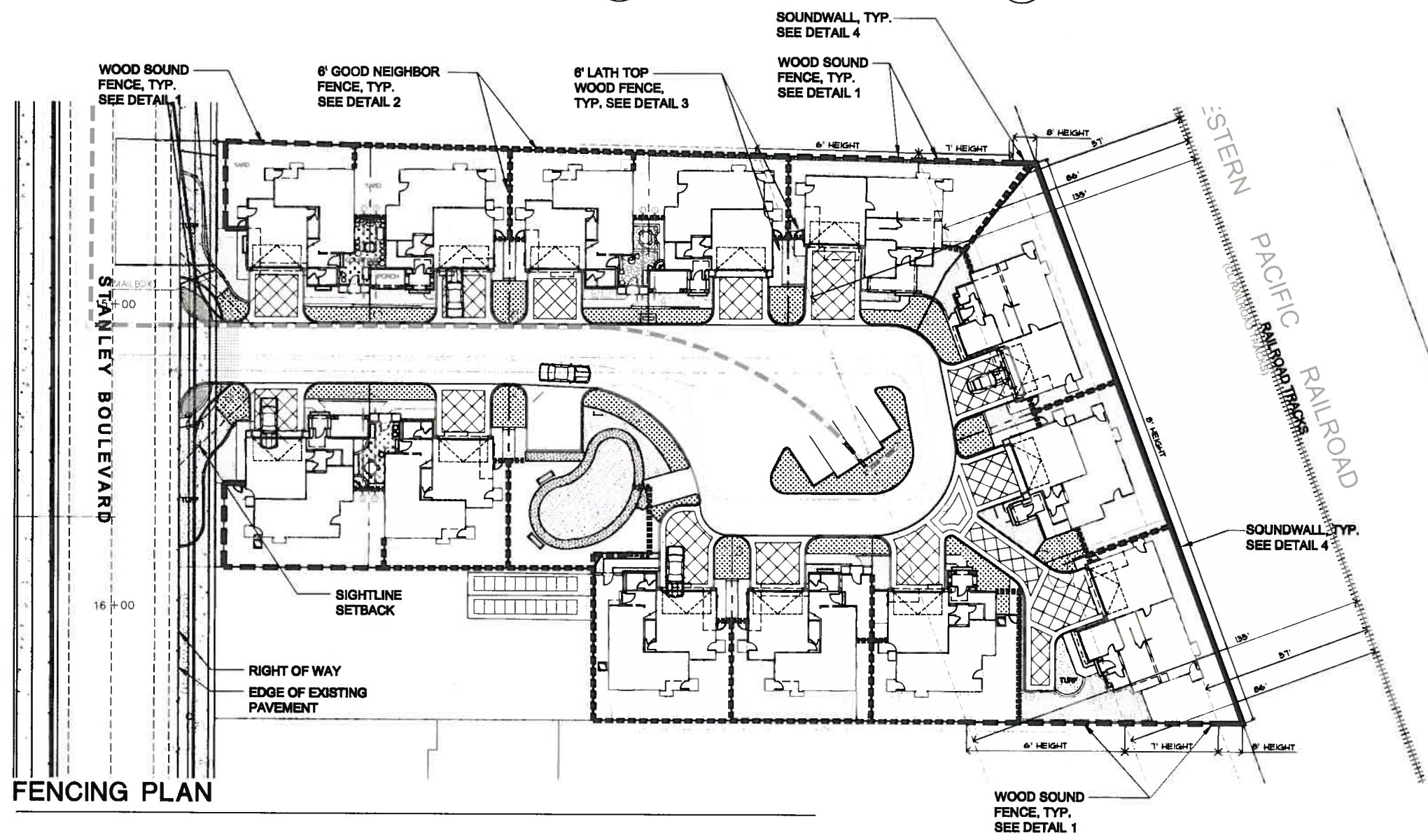


1 WOOD SOUND FENCE
SCALE: 1/2" = 1'-0"
024 - 10/09

2 6' GOOD NEIGHBOR FENCE
NTS

3 6' LATH TOP WOOD FENCE
NTS

4 8' SIERRA PRECAST SOUNDWALL
NTS



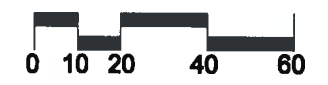
FENCING PLAN

NOTES

- SEE ACOUSTICAL CONSULTANTS REPORT PREPARED MARCH 31, 2008 BY EDWARD L. PACK ASSOCIATES, INC. FOR SOUNDWALL RECOMMENDATIONS AND DISTANCE REQUIREMENTS FROM STREET AND RAILROAD TRACKS.
- SIERRA PRECAST TO DETERMINE APPROPRIATE DETAILING OF 6' SOUNDWALL MEDITERRANEAN SOUNDWALL SHOWN FOR AESTHETIC CONSIDERATION ONLY.

LEGEND

- 6'-7' WOOD SOUND FENCE, SEE PLANS FOR HEIGHTS AND SETBACK DISTANCES FROM RAILROAD TRACKS, SEE DETAIL 1
- 6' GOOD NEIGHBOR FENCE, SEE DETAIL 2
- 6' LATHTOP WOOD FENCE, SEE DETAIL 3
- SOUNDWALL, SEE PLANS FOR HEIGHTS AND SETBACK DISTANCES FROM RAILROAD TRACKS, SEE DETAIL 4



REVISIONS	BY

camp & camp associates
 planning & landscape architecture
 2549 CAMINO DIABLO, SUITE 201
 WALNUT CREEK, CALIFORNIA 94597
 (925) 941-6400 FAX (925) 941-6405
 email: info@campandcamp.com

REGISTERED LANDSCAPE ARCHITECT
 P. TORRENCE CAMP
 NO. 4484
 STATE OF CALIFORNIA

FENCING EXHIBIT

4171 & 4189
 STANLEY BOULEVARD
 PLEASANTON, CA

DRAWN: C.H.
CHECKED: T.C.
DATE: 02-28-2010
SCALE: AS SHOWN
JOB NO. 08-018
SHEET
L2
OF 00 SHEETS

STANLEY BOULEVARD

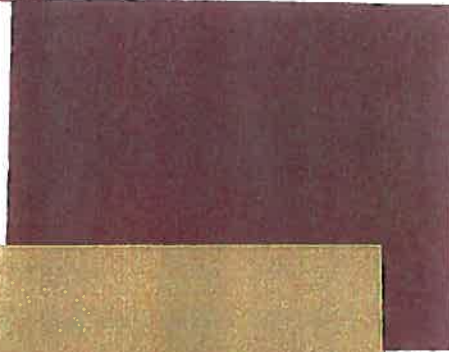
PLEASANTON, CA

EXHIBIT C



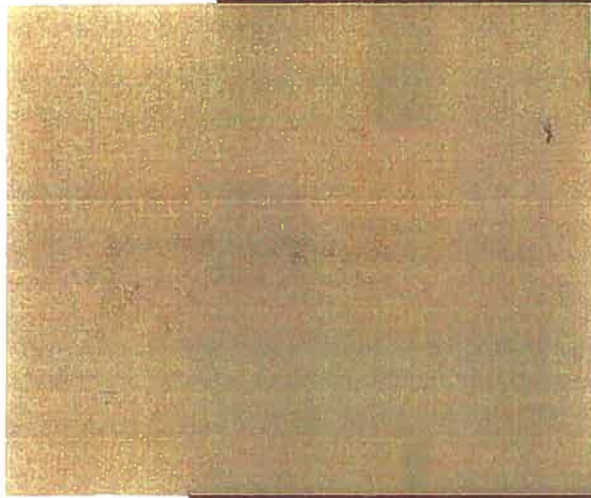
ROOF

EAGLE ROOFING PRODUCTS
CAPISTRANO
VALLEJO RANGE



TRIM PAINT COLOR

KELLY MOORE PAINTS
COLOR : KM 4072-5 SOUL OF THE EARTH



BODY 1 PAINT COLOR

KELLY MOORE PAINTS
COLOR : KM 231 SPANISH SAND



ACCENT PAINT COLOR

KELLY MOORE PAINTS
COLOR : KM 4183-3 GINGERBREAD MAN



BRICK

ROBINSON BRICK
GREYMOHR

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DONATO
BUILDERS INC.



PLAN 1A
CB1

DATE 1/26/08

PROJECT 288002

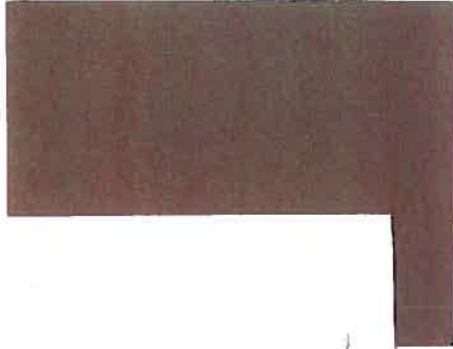
STANLEY BOULEVARD

PLEASANTON, CA



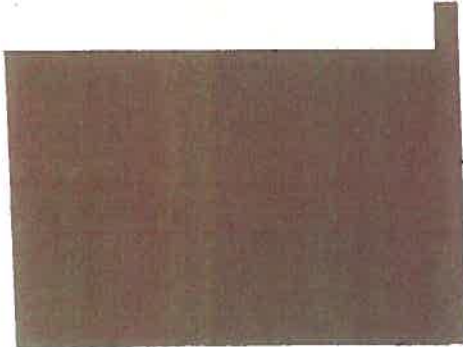
ROOF

EAGLE ROOFING PRODUCTS
CAPISTRANO
CARLSBAD BLEND



TRIM PAINT COLOR

KELLY MOORE PAINTS
COLOR : KM 4184-5 FRIAR'S CLOAK



BODY 1 PAINT COLOR

KELLY MOORE PAINTS
COLOR : KM 25 BLANCO

ACCENT PAINT COLOR

KELLY MOORE PAINTS
COLOR : KM 4182-3 LESCAMELA VANILLA

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DONATO
BUILDERS INC.



PLAN 1B
CB2

DATE: 1/06/08

PROJECT: 28802

STANLEY BOULEVARD

PLEASANTON, CA



ROOF

EAGLE ROOFING PRODUCTS
CAPISTRANO
LOS PADRES BLEND



TRIM PAINT COLOR

KELLY MOORE PAINTS
COLOR : KM 3848-5 DARK MOON

BODY 1 PAINT COLOR

KELLY MOORE PAINTS
COLOR : KM 32 WHITE DOVE



ACCENT PAINT COLOR

KELLY MOORE PAINTS
COLOR : KM 3847-3 CASTLEMARE

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ROBINSON BRICK
OLD CHARLESTON

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t. 415-512-1300
f. 415-288-0288

DONATO
BUILDERS INC.



PLAN 2A
CB3

DATE 1/16/08

PROJECT 28802

STANLEY BOULEVARD

PLEASANTON, CA



ROOF

EAGLE ROOFING PRODUCTS
CAPISTRANO
VALLEJO RANGE



TRIM PAINT COLOR

KELLY MOORE PAINTS
COLOR : KM 4039-3 WILDWOOD BAY



BODY 1 PAINT COLOR

KELLY MOORE PAINTS
COLOR : KM 4105-1 BEIGE BLUFF



ACCENT PAINT COLOR

KELLY MOORE PAINTS
COLOR : KM 160 BRAVADO

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www.hunthalejones.com
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DONATO
BUILDERS INC.



PLAN 2B

CB4

DATE: 1/05/08

PROJECT: 248002

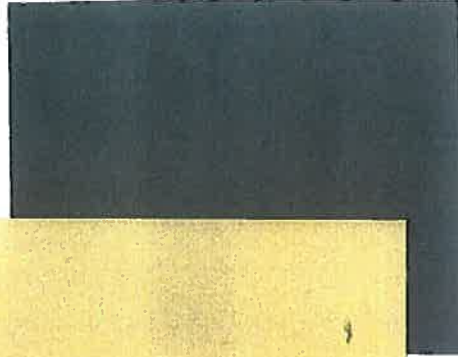
STANLEY BOULEVARD

PLEASANTON, CA



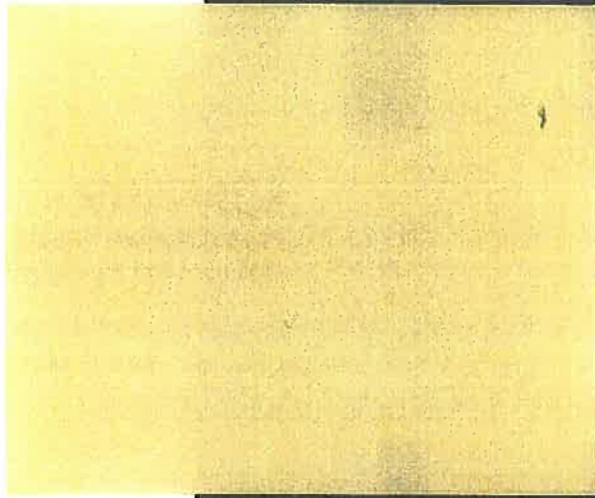
ROOF

EAGLE ROOFING PRODUCTS
CAPISTRANO
LOS PADRES BLEND



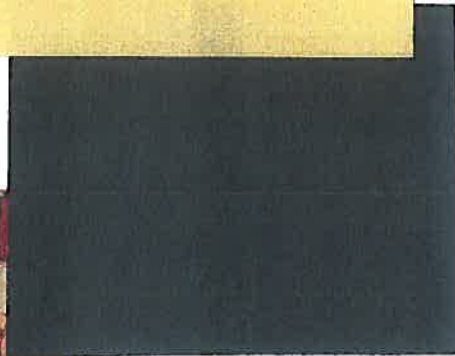
TRIM PAINT COLOR

KELLY MOORE PAINTS
COLOR : KM 3928-5 HAZEL'S COAT



BODY 1 PAINT COLOR

KELLY MOORE PAINTS
COLOR : KM 3980-2 WESTERN WEAR



ACCENT PAINT COLOR

KELLY MOORE PAINTS
COLOR : AC 251-1 VERMEER'S FIELD



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CONFETTI

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DONATO
BUILDERS INC.



PLAN 3A
CB5

DATE: 1/08/08

PROJECT: 28802

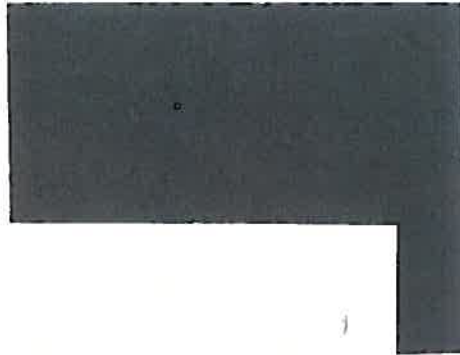
STANLEY BOULEVARD

PLEASANTON, CA



ROOF

EAGLE ROOFING PRODUCTS
CAPISTRANO
CARLSBAD BLEND

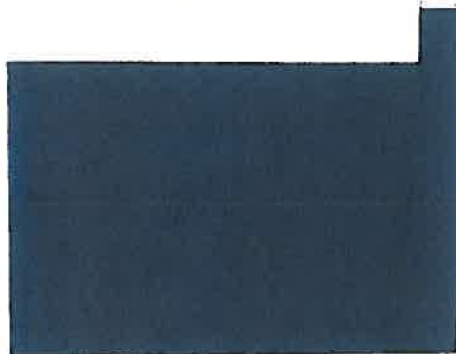


TRIM PAINT COLOR

KELLY MOORE PAINTS
COLOR : AC 252-5 ROCKY MOUNTAIN

BODY 1 PAINT COLOR

KELLY MOORE PAINTS
COLOR : KM 23 SWISS COFFEE



ACCENT PAINT COLOR

KELLY MOORE PAINTS
COLOR : KM 73 CORTEZ

	<p>Architecture Planning Interiors</p> <p>444 Spear Street, Suite 200 San Francisco, CA 94105 www.hunthalejones.com t. 415-512-1300 f. 415-288-0288</p>		<p>PLAN 3B CB6</p> <p>DATE: 1/06/08 PROJECT: 258002</p>
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EXHIBIT B
GreenPoint RATED
RECEIVED

Total Points Targeted: 79

JUL 01 2011

CITY OF PLEASANTON
 PLANNING DIVISION



GreenPoint Rated Checklist: Single Family

The GreenPoint Rated checklist tracks green features incorporated into the home. **A home is only GreenPoint Rated if all features are verified by a Certified GreenPoint Rater through Build It Green.** GreenPoint Rated is provided as a public service by Build It Green, a professional non-profit whose mission is to promote healthy, energy and resource efficient buildings in California.

The minimum requirements of GreenPoint Rated are: verification of 50 or more points; Earn the following minimum points per category: Energy (30), Indoor Air Quality/Health (5), Resources (6), and Water (9); and meet the prerequisites A.2.a, H10a., J.2, K7., and N.1. Projects meeting measure J4. Obtain EPA Indoor airPLUS certification should automatically meet the requirements of 29 other measures; when J4 is chosen, these 29 measures will be highlighted in blue for your convenience.

The criteria for the green building practices listed below are described in the GreenPoint Rated Single Family Rating Manual. For more information please visit www.builditgreen.org/greenpointrated

Single Family New Home 4.0 / 2008 Title 24

STANLEY BLVD / DONATO BUILDERS		Points Achieved	Community	Energy	IAQ/Health	Resources	Water
			Possible Points				
1. SITE							
1. Protect Topsoil and Minimize Disruption of Existing Plants & Trees							
TBD	a. Protect Topsoil and Reuse after Construction	0					
TBD	b. Limit and Delineate Construction Footprint for Maximum Protection	0					
2. Divert/Recycle Job Site Construction Waste (Including Green Waste and Existing Structures)							
Yes	a. Required: Divert 50% (by weight) of All Construction and Demolition Waste (Recycling or Reuse)	Y				R	
TBD	b. Divert 100% of Asphalt and Concrete and 65% (by weight) of Remaining Materials	0					
TBD	c. Divert 100% of Asphalt and Concrete and 80% (by weight) of Remaining Materials	0					
3. Use Recycled Content Aggregate (Minimum 25%)							
TBD	a. Walkway and Driveway Base	0					
TBD	b. Roadway Base	0					
TBD	4. Cool Site: Reduce Heat Island Effect On Site	0					
TBD	5. Construction Environmental Quality Management Plan, Duct Sealing, and Pre-Occupancy Flush-Out [*This credit is a requirement associated with J4: EPA IAPI]	0					
Total Points Available in Site = 12		0					
			Possible Points				
2. FOUNDATION							
TBD	1. Replace Portland Cement in Concrete with Recycled Fly Ash and/or Slag (Minimum 20%)	0					
TBD	2. Use Frost-Protected Shallow Foundation in Cold Areas (CEC Climate Zone 16)	0					
TBD	3. Use Radon Resistant Construction [*This credit is a requirement associated with J4: EPA IAPI]	0					
TBD	4. Install a Foundation Drainage System [*This credit is a requirement associated with J4: EPA IAPI]	0					
TBD	5. Moisture Controlled Crawlspace [*This credit is a requirement associated with J4: EPA IAPI]	0					
6. Design and Build Structural Pest Controls							
TBD	a. Install Termite Shields & Separate All Exterior Wood-to-Concrete Connections	0					
TBD	b. All Plants Have Trunk, Base, or Stem Located At Least 36 Inches from Foundation	0					
Total Points Available in Foundation = 12		0					
			Possible Points				
3. LANDSCAPE							
0%	Enter in the % of landscape area. (Projects with less than 15% of the total site area (i.e. total lot size) as landscape area are capped at 6 points for the following measures: C1 through C7 and C9 through C11)						
TBD	1. Group Plants by Water Needs (Hydrozoning)	0					
TBD	2. Mulch All Planting Beds to the Greater of 3 Inches or Local Water Ordinance Requirement	0					
3. Construct Resource-Efficient Landscapes							

STANLEY BLVD / DONATO BUILDERS

		Points Achieved	Community	Energy	IAQ/Health	Resources	Water
TBD	a. No Invasive Species Listed by Cal-IPC Are Planted	0					
TBD	b. No Plant Species Will Require Shearing	0					
TBD	c. 75% of Plants Are Drought Tolerant, California Natives or Mediterranean Species or Other Appropriate Species	0					
4. Minimize Turf in Landscape Installed by Builder							
TBD	a. Turf Shall Not Be Installed on Slopes Exceeding 10% and No Overhead Sprinklers Installed in Areas Less than 8 Feet Wide	0					
TBD	b. Turf is Small Percentage of Landscaped Area (2 Points for ≤33%, 4 Points for ≤10%)	0					
Yes	5. Plant Shade Trees	3					
6. Install High-Efficiency Irrigation Systems							
TBD	a. System Uses Only Low-Flow Drip, Bubblers, or Sprinklers	0					
Yes	b. System Has Smart (Weather-Based) Controller	3					
TBD	7. Incorporate Two Inches of Compost in the Top 6 to 12 Inches of Soil	0					
8. Rain Water Harvesting System							
TBD	a. Cistern(s) is Less Than 750 Gallons	0					
TBD	b. Cistern(s) is 750 to 2,500 Gallons	0					
TBD	c. Cistern(s) is Greater Than 2,500 Gallons	0					
TBD	9. Irrigation System Uses Recycled Wastewater	0					
TBD	10. Submetering for Landscape Irrigation	0					
11. Design Landscape to Meet Water Budget							
TBD	a. Install Irrigation System That Will Be Operated at ≤70% Reference ET (Prerequisites for Credit are C1. and C2.)	0					
TBD	b. Install Irrigation System That Will Be Operated at ≤50% Reference ET (Prerequisites for Credit are C1, C2, and C6a or C6b.)	0					
TBD	12. Use Environmentally Preferable Materials for 70% of Non-Plant Landscape Elements and Fencing A) FSC-Certified Wood, B) Reclaimed, C) Rapidly Renewable, D) Recycled-Content E) Finger-Jointed or F) Local	0					
Yes	13. Reduce Light Pollution by Shielding Fixtures and Directing Light Downward	0					
Total Points Available in Landscape = 35		6					
D. STRUCTURAL FRAME & BUILDING ENVELOPE			Possible Points				
1. Apply Optimal Value Engineering							
TBD	a. Place Joists, Rafters and Studs at 24-Inch On Center	0					
TBD	b. Door and Window Headers are Sized for Load	0					
TBD	c. Use Only Cripple Studs Required for Load	0					
2. Construction Material Efficiencies							
TBD	a. Wall and Floor Assemblies (Excluding Solid Wall Assemblies) are Delivered Panelized from Supplier (Minimum of 80% Square Feet)	0					
TBD	b. Modular Components Are Delivered Assembled to the Project (Minimum 25%)	0					
3. Use Engineered Lumber							
Yes	a. Engineered Beams and Headers	1					
Yes	b. Wood I-Joists or Web Trusses for Floors	1					
TBD	c. Engineered Lumber for Roof Rafters	0					
TBD	d. Engineered or Finger-Jointed Studs for Vertical Applications	0					
Yes	e. Oriented Strand Board for Subfloor	1					
Yes	f. Oriented Strand Board for Wall and Roof Sheathing	1					
TBD	4. Insulated Headers	0					
5. Use FSC-Certified Wood							
TBD	a. Dimensional Lumber, Studs and Timber (Minimum 40%)	0					
TBD	b. Panel Products (Minimum 40%)	0					
6. Use Solid Wall Systems (Includes SIPs, ICFs, & Any Non-Stick Frame Assembly)							
TBD	a. Floors	0					
TBD	b. Walls	0					
TBD	c. Roofs	0					
TBD	7. Energy Heels on Roof Trusses (75% of Attic Insulation Height at Outside Edge of Exterior Wall)	0					
8. Install Overhangs and Gutters							
TBD	a. Minimum 16-Inch Overhangs and Gutters	0					
TBD	b. Minimum 24-Inch Overhangs and Gutters	0					

TANLEY BLVD / DONATO BUILDERS

Points Achieved	Community	Energy	IAQ/Health	Resources	Water
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G. Reduce Pollution Entering the Home from the Garage

TBD	[*This credit is a requirement associated with J4: EPA IAPI]					0
Yes	a. Build Garage Exhaust Fan OR Build a Detached Garage					1
	b. Tightly Seal the Air Barrier between Garage and Living Area (Performance Test Required)					5
Total Points Available in Structural Frame and Building Envelope = 39						

Possible Points

EXTERIOR

TBD	1. Use Environmentally Preferable Decking					0
TBD	2. Flashing Installation Techniques Specified and Third-Party Verified					0
	[*This credit is a requirement associated with J4: EPA IAPI]					0
TBD	3. Install a Rain Screen Wall System					1
Yes	4. Use Durable and Non-Combustible Siding Materials					2
Yes	5. Use Durable and Fire Resistant Roofing Materials or Assembly					3
Total Points Available in Exterior = 8						

Possible Points

INSULATION

	1. Install Insulation with 75% Recycled Content					1
Yes	a. Walls					1
Yes	b. Ceilings					1
Yes	c. Floors					1
Total Points Available in Insulation = 3						

Possible Points

PLUMBING

1. Distribute Domestic Hot Water Efficiently						
(Max. 5 points. G1a. is a Prerequisite for G1b-e)						
Yes	a. Insulate All Hot Water Pipes					2
	[*This credit is a requirement associated with J4: EPA IAPI]					0
TBD	b. Use Engineered Parallel Plumbing					0
TBD	c. Use Engineered Parallel Plumbing with Demand Controlled Circulation Loop(s)					0
TBD	d. Use Traditional Trunk, Branch and Twig Plumbing with Demand Controlled Circulation Loop(s)					0
TBD	e. Use Central Core Plumbing					0
2. Water Efficient Fixtures						
Yes	a. High Efficiency Showerheads ≤ 2.0 Gallons Per Minute (gpm) at 80 psi					3
Yes	b. High Efficiency Bathroom Faucets ≤ 1.5 gpm at 60psi					1
TBD	c. High Efficiency Kitchen and Utility Faucets ≤ 2.0 gpm					0
Yes	3. Install Only High Efficiency Toilets (Dual-Flush or ≤ 1.28 Gallons Per Flush (gpf))					2
Total Points Available in Plumbing = 12						8

Possible Points

H. HEATING, VENTILATION & AIR CONDITIONING

1. Properly Design HVAC System and Perform Diagnostic Testing						
TBD	a. Design and Install HVAC System to ACCA Manual J, D, and S Recommendations					0
	[*This credit is a requirement associated with J4: EPA IAPI]					0
TBD	b. Test Total Supply Air Flow Rates					0
TBD	c. Third Party Testing of Mechanical Ventilation Rates for IAQ (meet ASHRAE 62.2)					0
2. Install Sealed Combustion Units						
[*This credit is a requirement associated with J4: EPA IAPI]						0
TBD	a. Furnaces					0
TBD	b. Water Heaters					0
TBD	3. Install High Performing Zoned Hydronic Radiant Heating					1
Yes	4. Install High Efficiency Air Conditioning with Environmentally Preferable Refrigerants					
5. Design and Install Effective Ductwork						

STANLEY BLVD / DONATO BUILDERS

		Points Achieved	Community	Energy	IAQ/Health	Resources	Water
TBD	a. Install HVAC Unit and Ductwork within Conditioned Space	0					
TBD	b. Use Duct Mastic on All Duct Joints and Seams [*This credit is a requirement associated with J4: EPA IAP1]	0					
TBD	c. Pressure Relieve the Ductwork System [*This credit is a requirement associated with J4: EPA IAP1]	0					
TBD	6. Install High Efficiency HVAC Filter (MERV 8+) [*This credit is a requirement associated with J4: EPA IAP1]	0					
TBD	7. No Fireplace OR Install Sealed Gas Fireplace(s) with Efficiency Rating >60% using CSA Standards [*This credit is a requirement associated with J4: EPA IAP1]	0					
Yes	8. Install ENERGY STAR Bathroom Fans on Timer or Humidistat	1					
Yes	9. Install Mechanical Ventilation System for Cooling (Max. 4 Points)	1					
TBD	a. Install ENERGY STAR Ceiling Fans & Light Kits in Living Areas & All Bedrooms	0					
TBD	b. Install Whole House Fan with Variable Speeds (Credit Not Available if H9c Chosen)	0					
TBD	c. Automatically Controlled Integrated System with Variable Speed Control	0					
Yes	10. Advanced Mechanical Ventilation for IAQ	Y			R		
TBD	a. Required: Compliance with ASHRAE 62.2 Mechanical Ventilation Standards (as adopted in Title 24 Part 6) [*This credit is a requirement associated with J4: EPA IAP1]	0					
TBD	b. Advanced Ventilation Practices (Continuous Operation, Some Limit, Minimum Efficiency, Minimum Ventilation Rate, Homeowner Instructions)	0					
Yes	c. Outdoor Air Ducted to Bedroom and Living Areas of Home	1					
Yes	11. Install Carbon Monoxide Alarm(s) (or No Combustion Appliances in Living Space and No Attached Garage) [*This credit is a requirement associated with J4: EPA IAP1]	1					
Total Points Available in Heating, Ventilation and Air Conditioning = 27		4					
I. RENEWABLE ENERGY			Possible Points				
Yes	1. Pre-Plumb for Solar Water Heating	1					
Yes	2. Install Wiring Conduit for Future Photovoltaic Installation & Provide 200 ft² of South-Facing Roof	1					
0.0%	3. Offset Energy Consumption with Onsite Renewable Generation (Solar PV, Solar Thermal, Wind) <i>Enter % total energy consumption offset. 1 point per 4% offset.</i>	0					
Total Available Points in Renewable Energy = 27		2					
J. BUILDING PERFORMANCE			Possible Points				
Yes	1. Building Envelope Diagnostic Evaluations						
TBD	a. Verify Quality of Insulation Installation & Thermal Bypass Checklist before Drywall [*This credit is a requirement associated with J4: EPA IAP1]	1					
TBD	b. House Passes Blower Door Test [*This credit is a requirement associated with J4: EPA IAP1]	0					
TBD	c. Blower Door Results are Max 2.5 ACH ₅₀ for Unbalanced Systems (Supply or Exhaust) or Max 1.0 ACH ₅₀ for Balanced Systems (2 Total Points for J1b. and J1c.)	0					
TBD	d. House Passes Combustion Safety Backdraft Test	0					
15%	2. Required: Building Performance Exceeds Title 24 (Minimum 15%) <i>(Enter the Percent Better Than Title 24. Points for Every 1% Better Than Title 24).</i>	30		≥30			
TBD	3. Design and Build Near Zero Energy Homes <i>(Enter number of points, minimum of 2 and maximum of 6 points)</i>	0					
TBD	4. Obtain EPA Indoor airPlus Certification <i>(Total 42 points, not including Title 24 performance; read comment)</i>	0					
TBD	5. Title 24 Prepared and Signed by a CABEC Certified Energy Plans Examiner (CEPE)	0					
TBD	6. Participation in Utility Program with Third Party Plan Review						
TBD	a. Energy Efficiency Program [*This credit is a requirement associated with J4: EPA IAP1]	0					
TBD	b. Renewable Energy Program with Min. 30% Better Than Title 24 (High Performing Home)	0					
Total Available Points in Building Performance = 45+		31					
K. FINISHES			Possible Points				
TBD	1. Design Entryways to Reduce Tracked-In Contaminants	0					
	2. Use Low-VOC or Zero-VOC Paint (Maximum 3 Points)						

TANLEY BLVD / DONATO BUILDERS

		Points Achieved	Community	Energy	IAQ/Health	Resources	Water
Yes	a. Low-VOC Interior Wall/Ceiling Paints (<50 Grams Per Liter (gpl) VOCs Regardless of Sheen) [*This credit is a requirement associated with J4: EPA IAPI]	1					
TBD	b. Zero-VOC: Interior Wall/Ceiling Paints (<5 gpl VOCs Regardless of Sheen)	0					
TBD	3. Use Low-VOC Coatings that Meet SCAQMD Rule 1113 [*This credit is a requirement associated with J4: EPA IAPI]	0					
TBD	4. Use Low-VOC Caulks, Construction Adhesives and Sealants that Meet SCAQMD Rule 1168	0					
TBD	5. Use Recycled-Content Paint	0					
	6. Use Environmentally Preferable Materials for Interior Finish A) FSC-Certified Wood, B) Reclaimed, C) Rapidly Renewable, D) Recycled-Content or E) Finger-Jointed F) Local	0					
TBD	a. Cabinets (50% Minimum)	0					
TBD	b. Interior Trim (50% Minimum)	0					
TBD	c. Shelving (50% Minimum)	0					
TBD	d. Doors (50% Minimum)	0					
TBD	e. Countertops (50% Minimum)	0					
Yes	7. Required: Reduce Formaldehyde in Interior Finish – Meet Current CARB Airborne Toxic Control Measure (ATCM) for Composite Wood Formaldehyde Limits by Mandatory Compliance Dates [*This credit is a requirement associated with J4: EPA IAPI]	Y			R		
	8. Reduce Formaldehyde in Interior Finish - Exceed Current CARB ATCM for Composite Wood Formaldehyde Limits Prior to Mandatory Compliance Dates						
TBD	a. Doors (90% Minimum)	0					
TBD	b. Cabinets & Countertops (90% Minimum)	0					
TBD	c. Interior Trim and Shelving (90% Minimum)	0					
TBD	9. After Installation of Finishes, Test of Indoor Air Shows Formaldehyde Level <27ppb	0					
Total Available Points in Finishes = 27		1					Possible Points
FLOORING							
TBD	1. Use Environmentally Preferable Flooring (Minimum 15% Floor Area) A) FSC-Certified Wood, B) Reclaimed or Refinished, C) Rapidly Renewable, D) Recycled-Content, E) Exposed Concrete, F) Local. Flooring Adhesives Must Meet SCAQMD Rule 1168 for VOCs	0					
TBD	2. Thermal Mass Floors (Minimum 50%)	0					
TBD	3. Low Emitting Flooring (Section 01350, CRI Green Label Plus, Floorscore [*This credit is a requirement associated with J4: EPA IAPI]	0					
Total Available Points in Flooring = 8		0					Possible Points
W. APPLIANCES AND LIGHTING							
Yes	1. Install ENERGY STAR Dishwasher (Must Meet Current Specifications)	2					
	2. Install ENERGY STAR Clothes Washer						
TBD	a. Meets ENERGY STAR and CEE Tier 2 Requirements (Modified Energy Factor 2.0, Water Factor 6.0 or less)	0					
TBD	b. Meets ENERGY STAR and CEE Tier 3 Requirements (Modified Energy Factor 2.2, Water Factor 4.5 or less)	0					
	3. Install ENERGY STAR Refrigerator						
TBD	a. ENERGY STAR Qualified & < 25 Cubic Feet Capacity	0					
TBD	b. ENERGY STAR Qualified & < 20 Cubic Feet Capacity	0					
	4. Install Built-In Recycling Center or Composting Center						
TBD	a. Built-In Recycling Center	0					
TBD	b. Built-In Composting Center	0					
	5. Install High-Efficacy Lighting and Design Lighting System						
TBD	a. Install High-Efficacy Lighting	0					
TBD	b. Install a Lighting System to IESNA Footcandle Standards or Hire Lighting Consultant	0					
Total Available Points in Appliances and Lighting = 13		2					Possible Points
N. OTHER							
Yes	1. Required: Incorporate GreenPoint Rated Checklist in Blueprints [*This credit is a requirement associated with J4: EPA IAPI]	Y				R	
TBD	2. Pre-Construction Kick-Off Meeting with Rater and Subs	0					

STANLEY BLVD / DONATO BUILDERS

		Points Achieved	Community	Energy	IAQ/Health	Resources	Water
TBD	3. Homebuilder's Management Staff are Certified Green Building Professionals	0					
Yes	4. Develop Homeowner Manual of Green Features/Benefits and Conduct Walkthroughs. (*This credit is a requirement associated with J4: EPA IAP)	3					
TBD	5. Install a Home System Monitor OR Participate In a Time-of-Use Pricing Program	0					
Total Available Points in Other = 6		3					

O. COMMUNITY DESIGN & PLANNING

			Possible Points				
1. Develop Infill Sites							
Yes	a. Project is an Urban Infill Development	2					
Yes	b. Home(s)/Development is Located within 1/2 Mile of a Major Transit Stop	2					
TBD	2. Build on Designated Brownfield Site	0					
3. Cluster Homes & Keep Size in Check							
TBD	a. Cluster Homes for Land Preservation	0					
Yes	b. Conserve Resources by Increasing Density (10 Units per Acre or Greater)	4					
	c. Home Size Efficiency	2					
1732	i. Enter Average Unit Square Footage						
2.7	ii. Enter Average Number of Bedrooms/Unit						
4. Design for Walking & Bicycling							
a. Site Has Pedestrian Access Within 1/2 Mile of Community Services:							
TIER 1: Enter Number of Services Within 1/2 Mile							
0	1) Day Care 2) Community Center 3) Public Park 4) Drug Store						
	5) Restaurant 6) School 7) Library 8) Farmer's Market 9) After School Programs 10) Convenience Store Where Meat & Produce are Sold						
TIER 2: Enter Number of Services Within 1/2 Mile							
0	1) Bank 2) Place of Worship 3) Laundry/Cleaners 4) Hardware						
	5) Theater/Entertainment 6) Fitness/Gym 7) Post Office						
	8) Senior Care Facility 9) Medical/Dental 10) Hair Care						
	11) Commercial Office or Main Employer 12) Full Scale Supermarket						
	i. 5 Services Listed Above (Tier 2 Services Count as 1/2 Service Value)	0					
	ii. 10 Services Listed Above (Tier 2 Services Count as 1/2 Service Value)	0					
TBD	b. Development is Connected with A Dedicated Pedestrian Pathway to Places of Recreational Interest Within 1/4 mile	0					
c. Install Traffic Calming Strategies (Minimum of Two):							
TBD	- Designated Bicycle Lanes are Present on Roadways;						
	- Ten-Foot Vehicle Travel Lanes;	0					
	- Street Crossings Closest to Site are Located Less Than 300 Feet Apart;						
	- Streets Have Rumble Strips, Bulbouts, Raised Crosswalks, or Refuge Islands.						
5. Design for Safety & Social Gathering							
TBD	a. All Home Front Entrances Have Views from the Inside to Outside Callers	0					
TBD	b. All Home Front Entrances Can be Seen from the Street and/or from Other Front Doors	0					
TBD	c. Orient Porches (min. 100sf) to Streets and Public Spaces	0					
Yes	d. Development Includes a Social Gathering Space	1					
6. Design for Diverse Households (6a. is a Prerequisite for 6b. and 6c.)							
TBD	a. All Homes Have At Least One Zero-Step Entrance	0					
TBD	b. All Main Floor Interior Doors & Passageways Have a Minimum 32-Inch Clear Passage Space	0					
Yes	c. Locate Half-Bath on the Ground Floor	0					
TBD	d. Provide Full-Function Independent Rental Unit	0					
Total Achievable Points in Community Design & Planning = 35		11					

P. INNOVATION

			Possible Points				
A. Site							
1. Stormwater Control: Prescriptive Path (Maximum of 3 Points, Mutually Exclusive with PA2.)							
TBD	a. Use Permeable Paving for 25% of Driveways, Patios and Walkways	0					
TBD	b. Install Bio-Retention and Filtration Features	0					
TBD	c. Route Downspout Through Permeable Landscape	0					
TBD	d. Use Non-Leaching Roofing Materials	0					
TBD	e. Include Smart Street/Driveway Design	0					
TBD	2. Stormwater Control: Performance Path (Mutually Exclusive with PA1): Perform Soil Percolation Test and Capture and Treat 85% of Total Annual Runoff	0					

STANLEY BLVD / DONATO BUILDERS

		Points Achieved	Community	Energy	IAQ/Health	Resources	Water
C. Landscape							
TBD	1. Meet Local Landscape Program Requirement	0					
D. Structural Frame & Building Envelope							
1. Design, Build and Maintain Structural Pest and Rot Controls		0					
TBD	a. Locate All Wood (Siding, Trim, Structure) At Least 12" Above Soil	0					
TBD	b. All Wood Framing 3 Feet from the Foundation is Treated with Borates (or Use Factory-Impregnated Materials) OR Walls are Not Made of Wood	0					
TBD	2. Use Moisture Resistant Materials in Wet Areas: Kitchen, Bathrooms, Utility Rooms, and Basements. <i>(*This credit is a requirement associated with J4: EPA IAPI)</i>	0					
E. Exterior							
TBD	1. Vegetated Roof (Minimum 25%)	0					
G. Plumbing							
TBD	1. Greywater Pre-Plumbing (Includes Clothes Washer at Minimum)	0					
TBD	2. Greywater System Operational (Includes Clothes Washer at Minimum)	0					
TBD	3. Innovative Wastewater Technology (Constructed Wetland, Sand Filter, Aerobic System)	0					
TBD	4. Composting or Waterless Toilet	0					
TBD	5. Install Drain Water Heat-Recovery System	0					
TBD	6. Install a Hot Water Desuperheater	0					
H. Heating, Ventilation, and Air Conditioning							
TBD	1. Humidity Control Systems (Only in California Humid/Marine Climate Zones 1,3,5,6,7) <i>(*This credit is a requirement associated with J4: EPA IAPI)</i>	0					
TBD	2. Design HVAC System to Manual T for Register Design	0					
K. Finishes							
TBD	1. Materials Meet SMaRT Criteria <i>(Select the number of points, up to 5 points)</i>	0					
N. Other							
TBD	1. Detailed Durability Plan and Third-Party Verification of Plan Implementation	0					
2. Educational Signage of Project's Green Features		0					
TBD	a. Promotion of Green Building Practices	0					
TBD	b. Installed Green Building Educational Signage	0					
3. Innovation: List innovative measures that meet green building objectives. Enter in the number of points in each category for a maximum of 4 points for the measure in the blue cells. Points achieved column will be automatically fill in based on the sum of the points in each category. Points and measures will be evaluated by Build It Green.		0					
TBD	Innovation: Enter up to 4 Points at right. Enter description here	0					
TBD	Innovation: Enter up to 4 Points at right. Enter description here	0					
TBD	Innovation: Enter up to 4 Points at right. Enter description here	0					
TBD	Innovation: Enter up to 4 Points at right. Enter description here	0					
TBD	Innovation: Enter up to 4 Points at right. Enter description here	0					
Total Achievable Points in Innovation = 33+		0					

Summary

Total Available Points in Specific Categories		35	96+	44	110	58
Minimum Points Required in Specific Categories	50	0	30	5	6	9
Total Points Achieved	79	8	36	5	17	13

Project has met all recommended minimum requirements



EXHIBIT B

EXHIBIT C

RE

MAY 27 2010

**Stanley Boulevard
Pleasanton, CA
May 24, 2010**

**CITY OF PLEASANTON
PLANNING DIVISION**

Site Development Standards

<u>Type of Accessory Structure</u>	<u>Maximum Height</u>	<u>Setbacks</u>	<u>Coverage*</u>
1. Decks, unroofed porches, patios, steps, terraces, etc.	1 ft. above finished grade	0 ft. setbacks to rear and side property line	No greater than 75% rear or side yard coverage
2. Covered Patios: -Detached and attached patios to main structure, open on 3 or more sides.	10 ft.	3 ft. setbacks to rear and side property line	No greater than 50% rear or side yard coverage
-Detached and attached patios to main structure, enclosed on 2 or more sides.	10 ft.	5 ft. setbacks to rear and side property line	No greater than 50% rear or side yard coverage
3. Additional architectural projections to main structure such as awnings, eaves, etc.	_____	NOT ALLOWED	_____
4. Balconies, open stairways on main or accessory structures.	_____	NOT ALLOWED	_____
5. Sheds, animal shelters, barbecues, wet bars and similar structures.	6 ft.	3 ft. setback to rear and side property line	No greater than 50% rear or side yard coverage
6. Spas and swimming pools.		3 ft. setback to rear and side property line	
7. Spa and swimming pool equipment.	5 ft. <i>Must be screened for noise</i>	3 ft. setback to rear and side property line	
8. Any type of accessory structure in front yard, including architectural projections.	_____	NOT ALLOWED	_____

* Coverage is based on property lines, excluding easements.





Planning Commission Second Staff Report

July 13, 2011

Item 6.a.

SUBJECT: PUD-82

APPLICANT: David DiDonato, Donato Builders, Inc.

PROPERTY OWNER: Robert Molinaro

PURPOSE: Application for Rezoning of an approximately 1.17-acre site located at 4171 and 4189 Stanley Boulevard from R-1-6,500 (One-Family Residential) District to the PUD-HDR (Planned Unit Development – High Density Residential) District and for Planned Unit Development (PUD) Development Plan approval to construct 13 detached single-family homes.

GENERAL PLAN: High Density Residential (>8 du/ac).

SPECIFIC PLAN: Downtown Specific Plan – High Density Residential (>8 du/ac).

ZONING: R-1-6,500 (One-Family Residential) District.

LOCATION: 4171 and 4189 Stanley Boulevard

EXHIBITS:

- A. Draft Conditions of Approval, dated July 13, 2011
- B. Proposed PUD Development Plan, dated "Received July 1, 2011" with Site Plan, Building Floor Plans and Elevations, Topographic Survey, Landscape and Fencing Plans, Site Development Standards, Green Building Checklist, and Grading, Drainage, and Stormwater Control Plans
- C. Downtown Specific Plan Land Use Map
- D. Photographs of the Property
- E. City Council Staff Report dated December 7, 2010
- F. Excerpts of the Minutes of the December 7, 2010, City Council Public Hearing
- G. Planning Commission Staff Report dated September 15, 2010
- H. Excerpts of the Minutes of the September 15, 2010, Planning Commission Public Hearing
- I. Planning Commission Work Session Staff Report dated February 9, 2011

- J. Excerpts of the Minutes of the February 9, 2011, Planning Commission Work Session
 - K. Excerpts of the Minutes of the May 21, 2008, Planning Commission Work Session
 - L. Noise Analysis (Project No. 41-011-1), dated April 20, 2010, and Addendum (Project No. 41-011-3), dated May 10, 2011, prepared by Edward L. Pack Associates, Inc.
 - M. Tree Preservation Reports by Camp & Camp Associates, dated "Received May 27, 2010", dated July 16, 2010, by HortScience, Inc.
 - N. Memorandum from the City Landscape Architect dated January 25, 2011
 - O. California Department of Parks and Recreation Survey Form – 523, Prepared by Architectural Resources Group
 - P. Before/After Photograph of a bungalow provided to the Planning Commission at the February 9, 2011 Work Session
 - Q. State Solar Shade Control Act (California Public Resources Code sections 25980 *et. al.*
 - R. Shade and Shadow Study by Hunt, Hale, and Jones, dated November 11, 2010.
 - S. Shade and Shadow Study by SolarCity for Darell Walterson, dated December 15, 2010.
 - T. Neighborhood Petition Submitted at the May 21, 2008, Planning Commission Work Session Meeting
 - U. Revised letter from Linda Garbarino, Pleasanton Heritage Association, dated "Received" November 1, 2010.
 - V. Public Emails
 - W. Location Map
 - X. Public Noticing Map
-

I. BACKGROUND

Background

On July 30, 2009, David DiDonato of Donato Builders, Inc. submitted PUD-82 an application for PUD rezoning and development plan approval for a 14-unit residential development located on a 1.17-acre site located on 4171 and 4189 Stanley Boulevard in the Downtown Specific Plan (DTSP) Area. In conjunction with adopting the DTSP in March 2002, the City Council changed the General Plan Land Use Designations of several properties including this site to make them consistent with the Downtown Specific Plan Land Use Designations. The General Plan Land Use Designation for this site was changed from its previous designation of Medium Density Residential (2 – 8 du/ac) to its present designation of High Density Residential (>8 du/ac).

Planning Commission Public Hearing/Work Session Staff Reports and Meeting Minutes on the 14-Unit Development Plan

The Planning Commission reviewed the previous 14-unit development plan as a preliminary application at a public work session held on May 21, 2008 and then as a formal application at a public hearing held on September 15, 2010. Exhibit G and Exhibit H are, respectively, the Planning Commission public hearing staff report and excerpts of the public hearing minutes for September 15, 2010. Exhibit K are excerpts of the minutes of the May 21, 2008 Planning Commission work session.

Members of the public spoke at both Planning Commission meetings. Adjacent neighbors expressed concerns regarding the proposed density, building heights, floor area ratios, parking, building setbacks, drainage, tree loss, possible loss of views and light, housing type and sizes, and traffic safety and circulation. One resident spoke in favor of the project noting that developments like this provided needed housing. Exhibit T is a copy of the petition signed by 62 residents opposing the proposed rezoning, and requesting 15-foot minimum setbacks be provided from existing property lines and that as many trees as possible be retained. Exhibit U is a letter submitted by a representative of the Pleasanton Heritage Association (PHA) to the City Council outlining the PHA position on the proposal.

The Planning Commission recommended approval of the application on a 4-1 vote (Commissioner Pearce dissenting) subject to the draft conditions with the following modifications:

1. Require the disclosure statements for the properties be written in simple language.
2. Include train whistle noise impacts in the disclosure statements.
3. Require con-heart redwood be used for the wood fencing.
4. Require the applicant work with City staff to select tree species to maximize shading and size to the extent feasible. (Note: As discussed further in the **Sunlight Impacts** section of the staff report, it may not be feasible to satisfy the Commission's direction in the area of the development by the adjoining neighbor's detached garage.)

The applicant concurred with the Commission's recommendations and the project was then forwarded to the City Council.

City Council Public Hearing

On December 7, 2010, the City Council opened the public hearing on PUD-82. Exhibit E and Exhibit F are, respectively, the City Council staff report and excerpts of the minutes of the City Council public hearing.

Public concerns expressed at the City Council hearing include the proposed demolition of the existing 103-year-old bungalow on the site; the large number of existing trees proposed to be removed including several Heritage-size trees; the proposed density;

the narrow building setbacks from the eastern property line abutting the Del Valle Manor Townhomes; the lack of common open space area; the lack of affordable housing; adequate guest parking; and the circulation and parking issues on this section of Stanley Boulevard between Main Street and Stanley Boulevard/First Street.

While the City Council supported the proposed development concept, the Council did concur with several of the public concerns expressed at the hearing, and expressed its own concerns on the impacts of train whistles from the adjacent railroad operations on the living areas of the proposed homes; the arborist report; the lack of common open space area for children to play; proposed density; Green Building points; demolition of the existing bungalow; and the potential impacts to an adjoining neighbor's photovoltaic panels. The City Council voted unanimously to refer the proposed project back to the Planning Commission and directed staff and the applicant to address the comments made by the City Council with a revised development plan.

Planning Commission Work Session on Revised Development Plans

Prior to proceeding further, the applicant requested a Planning Commission work session to obtain the Commission's feedback on three site plan options based on a reduction in density from 14 units to 13 units before settling upon the revised proposal to be brought back to the Planning Commission and City Council for formal review. The work session also provided to the public their opportunity to comment on the revised site plan and development of the site.

The Planning Commission held its work session on February 9, 2011. Exhibit I and Exhibit J are, respectively, the Planning Commission Work Session Staff Report and excerpts of the minutes of the Work Session meeting. A summary of the Commission's comments with the applicant's responses follow:

- Demolition of the Existing House

Comments

Commissioner Pearce started that she will not support the demolition of the existing home; that preservation of the house should be considered on its example of an older home and can help the City retain the integrity of districts as well as its compliance with State and Federal guidelines; and that there still appears to be a lot that can be done with the home, if it is preserved. Commissioner Pearce added that she does not favor an individual allowing an existing older structure to fall into disrepair in order to facilitate its removal at a later time.

Commissioner Blank believes that the age of a structure alone should not be cause to merit its preservation; that if preserving the home makes the project uneconomical in terms of density that the discussion in its preservation may be different; and that the consultant's report did not identify any historical significance of the structure. Commissioner Blank added that he had previously supported the home's removal.

Commissioner O'Connor stated that while it would be good to have the house preserved that he will support the home's demolition; and that he considers it to be unfortunate that the City gives applicants the idea that following specific rules and procedures will result in an outcome, only to have the hearing body refute the outcome. Commissioner O'Connor stated his concern that the wording of the preservation standards, if strictly followed, will result in the removal of many of the older homes that he would like to see preserved.

Commissioner Pentin stated that he will support the demolition of the house; that the Commission has not made a finding to preserve the home; and that the consultant has indicated that the home does not rank as a heritage house. Commissioner Pentin questioned what would be accomplished by surrounding the existing home with a higher density residential development.

Chair Narum stated that she supports the demolition of the existing home. She noted that the integrity of this section of Stanley Boulevard is already gone and that there is only one other house remaining on this street that is more than 50 years old. She added that the City should focus on the older residential neighborhoods having many large historic homes that may not meet preservation criteria.

Applicant's Response

The applicant is proposing to demolish the existing home.

- Density

Comments

Commissioners Blank, O'Connor, and Pentin wanted a further reduction in density from the 13 units of the revised development plan to 12 units. Chair Narum stated that she could support 13 units, if the applicant reduced the house sizes and floor area ratios and increased the building setbacks. Commissioner Pearce concurred with a reduction in density but stated that she could support an increase in density for non-single-family homes with decreased living space and increased open space. Commissioner Blank added that a further decrease in density will provide an increase in open space, preserve additional trees, and, perhaps, reduce shading of the photovoltaic panels on the adjacent neighbor's property.

Applicant's Response

The applicant has not reduced the density of the proposed development from the 13-unit plan that was reviewed and discussed by the Planning Commission at the work session.

- House Sizes and Floor Area Ratios

Comments

Chair Narum stated that the proposed house sizes and floor area ratios are too high and suggested decreasing the house sizes in order to increase the rear yard setbacks and to provide additional open space. Commissioner Pearce wanted to

see non-single-family homes with decreased living space and increased open space. Commissioner Pentin stated that open space could be increased by reducing the floor area ratios or by reducing density; however, the project must "pencil" for the applicant. Commissioner Pentin added that if the floor areas of the houses are decreased that the floor area reduction should be significant.

Applicant's Response

The applicant has not reduced the house sizes or changed the type of housing of the proposed development plan from the plan that was reviewed and discussed by the Planning Commission at the work session.

- Setbacks

Comments

Some Commissioners wanted the setbacks along the railroad to be increased to 10 feet and, if the house sizes were reduced, to look at increasing the setbacks adjacent to De Valle Manor townhomes.

Applicant's Response

The applicant has not changed the proposed building setbacks from the development plan that was reviewed by the Planning Commission at the work session.

- Common Open Space Area

Comments

The Planning Commission preferred the central location of the common open space area. The commission believed that further reducing the project density would allow the open space area to be increased in size. Guest parking should not encroach into the common open space area. The Planning Commission also discussed the pros and cons of common area maintenance by a Maintenance Association or by a Homeowners Association. The Commission also stated that play equipment for children should be provided in the open space area.

Applicant's Response

The proposed 13-unit development plan places the common open space area in a central location on the site. The size of the open space area has not changed from the plan that was reviewed and discussed by the Planning Commission at the work session. The applicant has agreed to a condition requiring a Homeowners Association be created to maintain the development's common open space area and other common areas and utilities. The applicant did not propose play equipment in the open space area. Staff has added a condition requiring play equipment for the open space area. The applicant does not concur with this requirement and will speak on this issue at the public hearing.

- Adequate Parking

Comments

Increase the number of parking spaces by a number of measures such as decreasing density or decreasing floor area ratios.

Applicant's response

No additional parking spaces are provided from the number of parking spaces on the plan that was reviewed and discussed by the Planning Commission at the work session.

- Tree Removal and Mitigation

Comments

The Planning Commission recognized the competing goals of the Downtown Specific Plan for higher residential densities on supporting Downtown businesses and services and preserving the existing trees, and that the development of this site because of its constraints must be realistic in order for the applicant to realize a profitable return on investment. The Commission's consensus is to preserve as many healthy trees as feasible by reducing density and/or reworking the site plan. The Commission also requested the City Landscape Architect's attendance at the future public hearings.

Applicant's Response

The applicant has stated to staff that Tree #76, the 23-/29-inch diameter California Black Walnut tree located on the southeast corner of the rear/side yard of Lot 11, and Tree #65, a 23-inch diameter Douglas fir tree located in the rear yard of Lot 3, will be preserved. Preserving both these trees will reduce the total number of trees that will be removed with this development from 20 trees to 18 trees.

- Shade Trees and Neighbor's Photovoltaic Panels

Comments

Provide shade trees where feasible but minimize or avoid to the greatest extent feasible shading the adjoining neighbor's photovoltaic panels.

The applicant proposes one flowering accent tree and six small accent trees on the east side of the open space area by the detached garage with Mr. Walterson's photovoltaic panels. The landscape plan states that the tree height for the flowering accent tree on the southeast corner of the open space area should, "...remain clear of neighboring solar sunlight" shown on the east side of the common open space area. Staff has included a condition that the tree and shrub species selected for the open space shall not block Mr. Walterson's photovoltaic panels.

- **Noise and Vibration**

Comment

Ensure that the railroad noise and vibration are disclosed to the buyers of these homes.

Applicant's Response

As conditioned and agreed to by the applicant, railroad noise and vibration will be disclosed to the future buyers. The City Attorney will review the disclosures before their recordation and will run with the land for perpetuity.

II. Site Description

Subject Property

Figure 1, below, is a photograph of the existing home.



Figure 1: 2010 Photograph of the Existing House at 4189 Stanley Boulevard

The project site, comprised of five parcels, is located on the north side of Stanley Boulevard. Its land area is approximately 1.17 acres. Site topography is relatively flat and contains an existing single-family dwelling built in 1908 and a variety of trees, shrubs and grasses.

Surrounding Area

The subject property is bordered on the east by a single-family home and the Del Valle Manor townhome development. "Window-ology" (window covering sales office and warehousing) borders the site to the west. The Union Pacific Railroad borders the site

to the north. Single-family homes in the Jensen Tract neighborhood are located on the opposite side of the railroad tracks. The Pleasanton Mobile Home Park and single-family homes are located to the south of the subject site, opposite Stanley Boulevard. Figure 2, below, is the 2010 aerial photograph/location map of the project site.



Figure 2: 2010 Aerial Photograph/Location Map

Exhibit D, attached, are photographs of the site.

III. PROJECT DESCRIPTION

Rezoning

The proposed rezoning from the present R-1-6,500 (One-Family Residential) District to the Planned Unit Development – High Density Residential District will make the zoning consistent with the General Plan and Downtown Specific Plan Land Use Designations as well as applying the PUD designation to the site to accommodate the proposed development plan.

Proposed Development Plan

Figure 3 and Figure 4, on the following page, are copies of the 14-unit development and the 13-unit development, respectively.

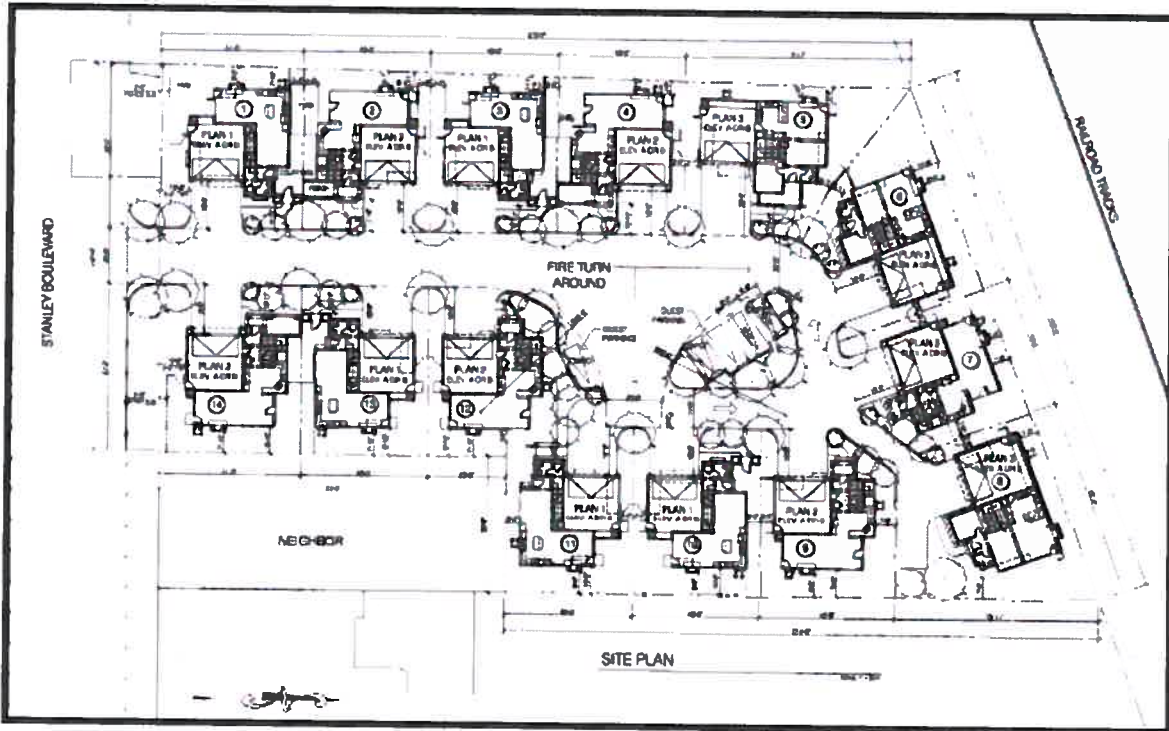


Figure 3: Previous Proposal – 14-Unit Development Plan

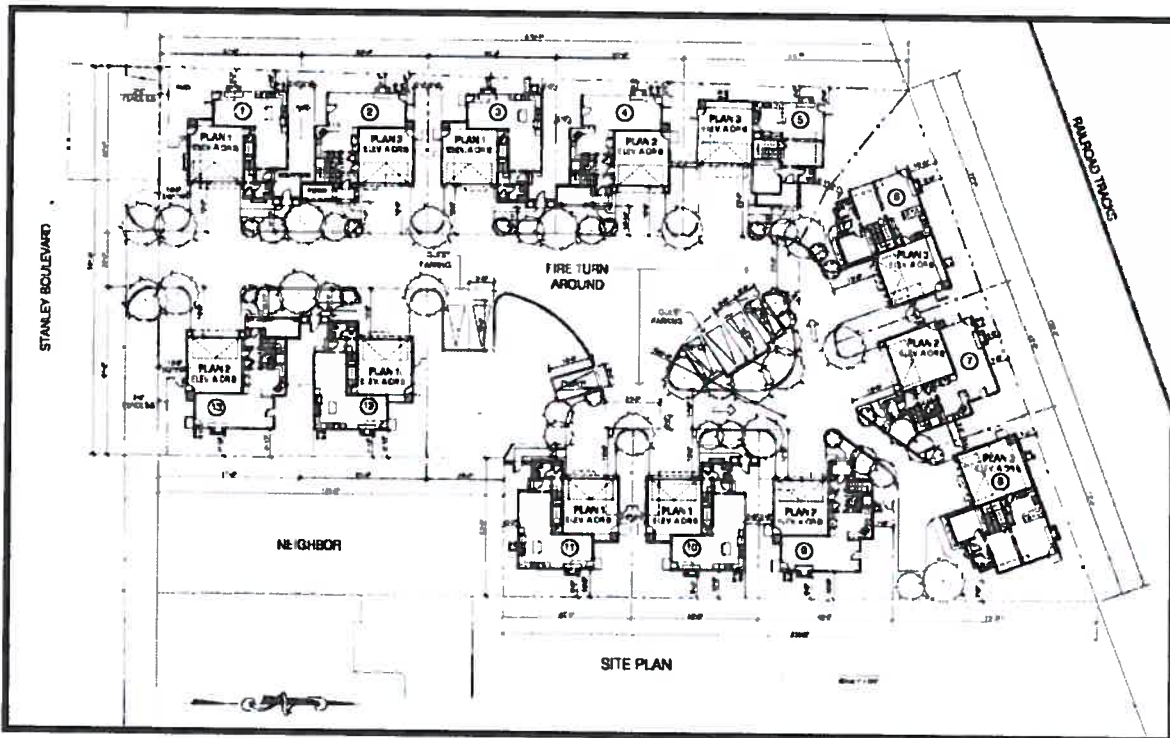


Figure 4: Present Proposal – 13-Unit Development Plan

Homeowners Association

The proposed development plan incorporated sections of the common street and parking areas and open space/amenity areas into the private lots, addressing the accessibility to these common areas by the development's residents and guests with

easements and the maintenance of these areas by a maintenance association. With the addition of the common open space parcel, staff discussed with the applicant the feasibility of a homeowners association to own and maintain the development's common areas including private streets and guest parking areas, common utilities, and the common open space area. The applicant concurred with the request; staff has included a condition requiring the homeowners association. The homeowners will maintain their private lots including homes, yards, and driveways.

Lot Standards

Table 1, below, lists the lot sizes, the model proposed on each lot, the house size, and the proposed floor area ratios for the 13-unit development plan. Net lot areas will range from 2,612 square feet (0.06 acres) to 3,965 square feet (0.09 acres). Staff notes that the individual lot floor area ratios have not changed from the previous 14-unit development plan. As previously stated, the proposed lot standards for each lot of the 13-unit development plan have not changed from the standards proposed with the previous 14-unit development plan.

Table 1: Lot Standards

Lot	Net Lot Size¹	House Model	House Size	FAR²
1	3,040 sq. ft.	Plan 1	1,599 or 1,639 sq. ft.	53 or 54%
2	2,695 sq. ft.	Plan 2	1,720 or 1,757 sq. ft.	64 or 65%
3	2,648 sq. ft.	Plan 1	1,599 or 1,639 sq. ft.	60 or 62%
4	2,603 sq. ft.	Plan 2	1,720 or 1,757 sq. ft.	66 or 67%
5	3,365 sq. ft.	Plan 3	1,892 or 1,920 sq. ft.	56 or 57%
6	3,280 sq. ft.	Plan 3	1,892 or 1,920 sq. ft.	58 or 59%
7	2,612 sq. ft.	Plan 2	1,720 or 1,757 sq. ft.	66 or 67%
8	3,965 sq. ft.	Plan 3	1,892 or 1,920 sq. ft.	48%
9	2,826 sq. ft.	Plan 2	1,720 or 1,757 sq. ft.	61 or 62%
10	2,815 sq. ft.	Plan 1	1,599 or 1,639 sq. ft.	57 or 58%
11	3,241 sq. ft.	Plan 1	1,599 or 1,639 sq. ft.	49 or 51%
12	2,813 sq. ft.	Plan 1	1,599 or 1,639 sq. ft.	57 or 58%
13	3,115 sq. ft.	Plan 2	1,720 or 1,757 sq. ft.	55 or 56%

¹ Net lot area excludes the private street and guest parking areas and the open space area.

² The FARs are calculated using the net lot area.

Site Design

- **Density Reduction**
The revised development plan reduced the proposed density from 14 to 13 detached single-family homes. The previously proposed buildable lot between what is now the proposed Lot 11 and Lot 12 was removed and replaced as a common open space parcel for the development's residents. Reflecting the Planning Commission's comments, staff has included a condition requiring the provision of a play structure for this amenity parcel.
- **Existing Bungalow**
The existing bungalow would be demolished to accommodate the proposed development.

- **Private Street Width**
A 20-foot wide (curb-to-curb) private street will provide access to the development from Stanley Boulevard. No internal sidewalks will be provided.
- **Existing Trees**
Eighteen of the 20 existing trees on the property will be removed to accommodate the proposed development, including 10 heritage-sized trees (as defined by the Municipal Code), where 20 trees (12 heritage-size) were previously proposed to be removed.
- **Guest Parking**
The development plan will now provide seven guest parking spaces where five parking spaces were previously proposed on the 14-unit plan.

Building Design

- **House Models**
The three house models will range in floor area from 1,599 square feet to 1,920 square feet. All models are two-stories tall and would vary in building height from 26 feet to 28 feet depending on the model and elevation type. Based on a discussion with the project architect, the building height for Lot 6, Lot 7, and Lot 8 may increase by approximately 30 inches to 36 inches if a "raised-floor" is used for the houses on these lots to mitigate the vibration from the operations of the adjacent railroad corridor. The potential height increase for these three lots only is proposed to be allowed by the draft conditions. The mitigation measures will be reviewed with the building permit plans.
- **Setbacks**
A 10-foot street side yard setback along Stanley Boulevard will be provided for Lots 1 and 13. The proposed house setbacks from the interior property lines will vary from lot-to-lot. Because of the narrow setbacks between building and property line, the PUD development plan is conditioned to not allow additions to any of the proposed homes. Site development standards for accessory structures are incorporated in Exhibit B.
- **Garage Parking**
Two garage parking spaces will be provided per unit. The residential driveways will be at least 18-foot long to accommodate parked vehicles with the garage door in a closed position.
- **Green Building**
The Green Building program is revised increasing the point total from the 75 points of the 14-unit development plan to 79 points of the 13-unit development plan.
- **Noise Study**
The applicant has provided an analysis of the interior noise levels from train whistles on Lot 1, by Stanley Boulevard, and on Lot 6, Lot 7, and Lot 8 by the railroad.

- Private Courtyards
Private courtyard areas will be created for Lot 1, Lot 3, Lot 10, and Lot 12.

IV. ANALYSIS

The following analysis covers the revised 13-unit development plan and the applicant's reply to the City Council and Planning Commission comments made at the previous public hearings and work sessions. This staff report references Exhibit G, the September 15, 2010 Planning Commission Staff Report, where applicable, for the detailed analyses of *Architecture and Design, Demolition of the Existing Dwelling, Drainage Plan, Driveway Material, Grading Plan, House Sizes and Floor Area Ratio, Growth Management Allocations, Landscaping and Fencing, Noise Impacts on Adjacent Properties, Private Sidewalks, Site Development Standards, Site Plan, and Utilities.*

Conformance with the General Plan and the Downtown Specific Plan

The PUD rezoning and the revised PUD development plan with a density of 11.1 units per acre is consistent with the High Density Residential (>8 du/ac) land use designation of the Pleasanton General Plan and Downtown Specific Plan.

The General Plan requires Low Density Residential (< 2 du/ac) and Medium Density Residential (2-8 du/ac) designated properties to provide public amenities such as the dedication of parkland or open space beyond the standard City requirements in order to exceed the midpoint densities of these land use designations. The midpoint density of the High Density Residential (>8 du/ac) land use designation is 15 du/ac and there is no public amenity requirement to exceed the midpoint density of High Density Residential designated properties.

As described in the attached Planning Commission staff report, the proposal will also further the General Plan Land Use Element Program 4.1, Policy 7, Policy 9, and Program 10.1; Housing Element Goal 1, Goal 14, and Policy 2; and Downtown Specific Plan Land Use Objective 1 and Design and Beautification Goal 1.

Sunlight Impacts

Darell Walteson, adjacent resident at 4151 Stanley Boulevard, contacted staff after the September 15, 2010 Planning Commission hearing and voiced concern that the proposed homes would block sunlight from reaching the photovoltaic panels that are located on the roof of his detached garage.

Figure 5, on the following page, copies a portion of the previous site plan showing the proposed building on then Lot 12 (now removed) and the accessory structure on Mr. Walteson's property. Mr. Walteson also questioned if there were any State laws protecting his PV panels from the proposed development.

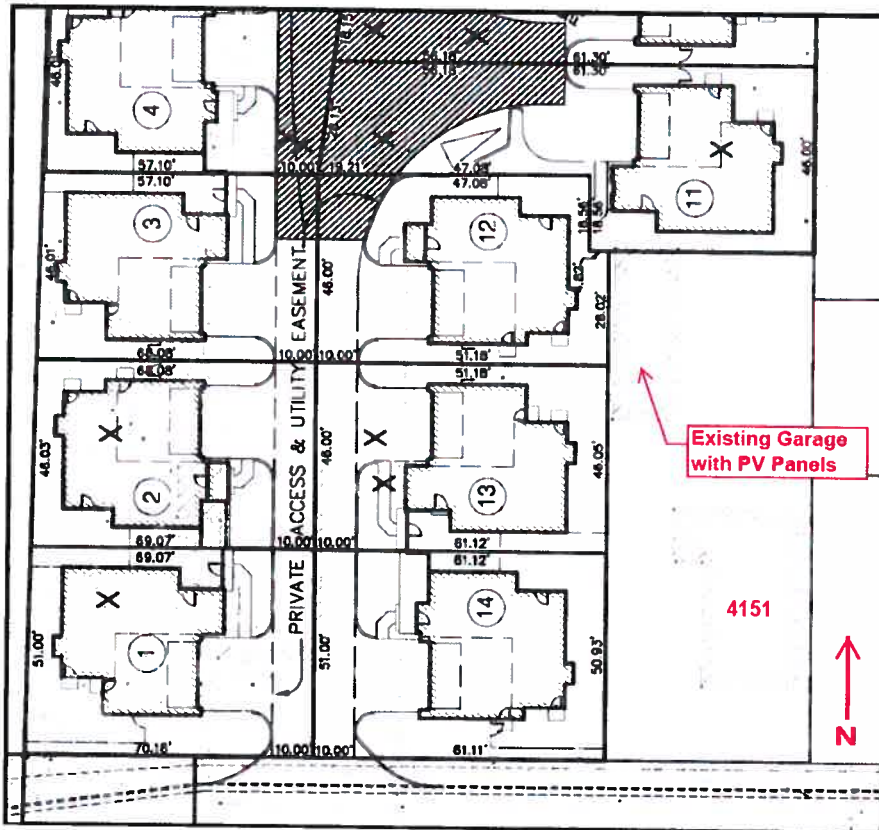


Figure 5: Previous site plan with accessory structure at 4151 Stanley Boulevard

Figure 6, below, is a photograph of Mr. Walterson's detached garage that faces the project side.



Figure 6: PV Panels at 4151 Stanley Boulevard

Exhibit Q, the State Solar Shade Control Act (California Public Resources Code sections 25980 *et. al.*) does provide certain protections to solar collectors from the

shading effects of trees or shrubs provided certain conditions are met: the solar collector must be set back at least 5 feet from a property line and located at least 10-feet above grade, except that a solar collector may be less than 10 feet in height if the solar collector is set back 5 feet from the property line plus an additional three times the amount lowered below 10 feet. Here, one of Mr. Walterson's panels (the panel to the west) appears to be within five feet of the property line so it would not be protected by State Law; the other panel (to the east) may be protected. Staff notes that any violation of the Solar Shade Control Act would be a civil matter between property owners that the City would not be responsible for enforcing.

Staff requested the applicant provide a shadow study which would show the shading of the proposed homes located immediately to west of Mr. Walterson's photovoltaic panels. The applicant's architect had provided a shadow study for the December 7, 2010 City Council hearing. At the Council meeting, Mr. Walterson voiced concerns regarding shading impacts and indicated to the Council that he was going to have an independent shadow study done. Mr. Walterson's shadow study was presented to the Planning Commission at its February 9, 2011, work session.

Two shade and shadow studies are provided: Exhibit R is the applicant's study and Exhibit S is Mr. Walterson's study. Both studies cover the proposed homes of the 14-unit development plan.

- The applicant's study includes the front yard trees of the proposed homes and the shading effects at 2:00 p.m. on December 21st, the day of the year when the sun reaches its lowest level, thereby casting the longest shadows. The applicant's study shows that there would be no shading impacts from the proposed front yard trees, but that there would be some, but minimal, shading of the photovoltaic panels from the proposed buildings on Lot 12 and Lot 13 of the 14-unit development plan (the shading on the neighbor's roof is shown as the hatched area and that the western photovoltaic panel array does not extend to the edges of the roof). The neighbor's shade and shadow study covered the 14-unit development plan and covered the shadow effect on December 21st at 2:00 p.m. and 4:00 p.m. and on March 21st and September 21st at 2:00 p.m. and 4:00 p.m.
- Replacing the previous Lot 12 house with the common open space area will reduce the shading of the photovoltaic panels, particularly at 4:00 p.m.
- Notwithstanding the fact the shade study and the fact that one of the panels appears to have been constructed within five feet of the property line, staff has conditioned the selection of trees and shrub species on the common area of the 13-unit development plan so as to not block Mr. Walterson's photovoltaic panels and has conditioned a disclosure for the trees and shrubs in the rear and side yards of Lot 12 regarding Mr. Walterson's photovoltaic panels.

Traffic and Circulation

The Pleasanton General Plan exempts the Downtown Specific Plan area from site-specific traffic studies which have the potential to exceed Level of Service (LOS) D –

DSP streets and intersections were built prior to modern road standards and lack the necessary right-of-way for major roadway improvements. Furthermore, removing on-street parking, adding additional travel lanes, and reducing sidewalk width – the types of traffic improvements that are typically required – would be inconsistent with the desired pedestrian character for the Downtown.

- The 13 unit proposal will generate approximately 10 a.m. and 13 p.m. peak hour trips and 130 daily trips compared to the 11 a.m. and 14 p.m. peak hour trips and 140 daily trips of the previous proposal. The proposed project is considered a small-scale project located in the Downtown, and, for these reasons, does not require a traffic study. In addition, the Final EIR that was approved for the Downtown Specific Plan anticipated development of this site with high density residential uses. Impacts and mitigations were addressed in this EIR. The residential use and proposed site layout are not anticipated to create any unique traffic or circulation circumstances. The applicant would be required to pay the City and Tri-Valley traffic fees as part of the project.
- The applicant will pay the proposed development's pro-rata share of the City's planned Stanley Boulevard reconstruction to modify and improve Stanley Boulevard described in the attached Planning Commission staff report (Exhibit G) that will improve vehicular, pedestrian, and bicycle circulation on this section of Stanley Boulevard between Main Street and Stanley Boulevard.
- Vehicular access to the development will only be provided from the single private street off Stanley Boulevard, which is preferred from a traffic safety and flow standpoint.

Therefore, the reduced density project combined with the Stanley Boulevard reconstruction will result in a proposed development that will be consistent with the City's traffic safety and accessibility standards.

Parking

As part of the Stanley Boulevard reconstruction project, a paved parallel parking lane will be provided on the north side of the street with no parking allowed on the south side of Stanley Boulevard. Two garage parking spaces will be provided per unit. The proposed parking ratio for the revised development plan with 13 units, a total of 26 garage parking spaces, and 7 open guest parking spaces will equal 2.54 parking spaces per unit. The residential driveways will be at least 18-feet long and able to accommodate parked vehicles with the garage door in a closed position. Adding each unit's driveway apron parking will increase the assigned and guest parking to a total of 59 parking spaces or 4.54 parking spaces per unit with each unit having four assigned parking spaces in the unit's garage and driveway apron.

As conditioned, the garages will not be allowed to be modified by the residents or used for storage in a manner that interferes with the ability to park two cars within the garage; that the residents shall park their vehicles in the garages; and that the driveways shall remain free of boats, trailers, campers, etc., to provide additional parking for guests and any additional vehicles owned by the residents. A condition of approval requires that

these parking restrictions shall be recorded as restrictive covenants that will “run with the land” and, therefore, shall be binding on all future property owners.

There will be adequate parking provided in the development for both residents and their guests in reply to the Commission’s direction. Although the guest parking will encroach into the common area, adequate area remains for play equipment, and to be used by the residents of the proposed project. The Planning Commission may wish to discuss the feasibility of adding one to two additional parking spaces in the open space area to increase guest and total parking. If this is done, the total parking ratio will increase from 4.54 parking spaces per unit to 4.62 or 4.69 parking spaces per unit, but would decrease the size of the common open space area.

Noise and Vibration

Noise

External noise sources that could affect the site include noise from the railroad to the north and traffic on Stanley Boulevard to the south. For single-family housing projects, the City’s General Plan generally requires that private yard areas excluding front yards not exceed 60 day/night average decibels (dB Ldn) and that indoor noise levels not exceed 45 dB Ldn. In addition, if the noise source is a railroad, an exterior noise level up to 70 dB Ldn is allowed and indoor noise levels cannot exceed a maximum instantaneous noise level (Lmax) of 50 dB in bedrooms and 55 dB in other rooms. Exhibit L are the two noise analyses that were prepared for the proposal.

In order to meet the General Plan noise standards, the first noise study required the following mitigation measures:

- Install an 8-foot tall acoustically effective barrier along the rear property lines of Lots 5, 6, 7, and 9 and along the rear and eastern side property lines of Lot 8. The applicant proposes an 8-foot tall precast concrete soundwall at these locations (see the fencing exhibit, Sheet L2, for the proposed design). Staff notes that the soundwall heights on the fencing exhibit need to be modified to conform to the height requirements of the noise study. A condition of approval addresses this item.
- Install a 6-foot tall acoustically effective barrier along the rear and street side yards of Lots 1 and 13. The applicant proposes a 6-foot tall wood sound fence at these locations.
- Provide forced-air mechanical ventilation, such as air conditioning, so that windows and doors may be closed at the discretion of the occupants to control noise.

A condition of approval requires that the applicant comply with the recommendations of the first noise study. Staff notes that the above mitigations address train engine/wheel noise but exclude full mitigation for train horns as these short, very loud events will require the installation of a 29-foot tall soundwall along the project boundary lines adjacent to the railroad right-of-way and flanking the sides of the project for 93 feet –

this mitigation is infeasible and is unacceptable from a design and neighborhood impact standpoint.

The City Council evaluated the requirement to achieve the General Plan noise standards with this development at its public hearing and Councilmember Sullivan requested that an addendum to the noise analysis for train horns be completed for the interior spaces of each of the proposed homes. The addendum is part of Exhibit L. It analyzed the noise levels for Lot 1, Lot 6, Lot 7, and Lot 8.

As shown on "Table 1: Train Horn Interior Maximum Noise Levels, dBA" of the noise addendum, the operation of train horns will generate from 89 dBA to 112 dBA at a 75-foot distance from the train; that STC 46 rated doors/windows will reduce interior noise levels by 41 dB for Lot 6, Lot 7, and Lot 8, the lots adjoining the railroad right-of-way; and that STC 28 rated doors/windows will reduce the interior noise levels by 20 dB for Lot 1 facing Stanley Boulevard. Table 2, below, copies a portion of the table in the noise addendum and shows the interior noise levels for train horns.

Table 2: Interior Noise Levels Due to Train Horns/Whistles

Lot	Window STC Rating	Noise Reduction	Interior Sound Level (Master Bedroom)	Interior Sound Level (Bedroom Two)
1	28	20 dBA	41 dBA to 64 dBA	52 dBA to 75 dBA
6	46	41 dBA	44 dBA to 67 dBA	51 dBA to 74 dBA
7	46	41 dBA	41 dBA to 64 dBA	45 dBA to 68 dBA
8	46	41 dBA	41 dBA to 64 dBA	51 dBA to 74 dBA

The train horn sound levels of the Lot 1 Bedroom Two interior is louder than for Lot 6, Lot 7, and Lot 8 because the STC rating of the Lot 1 windows does not need to be as high in order to mitigate the train engine/wheel noise. Train horns are operated to warn motorists and pedestrians of an oncoming train and generate very loud noise levels lasting a short duration; for this reason, train horns cannot be effectively mitigated by residential developments. The only effective mitigation would be if the Union Pacific Railroad and Ace Train were to not use their horns. The use of warning horns is regulated by the Federal Railroad Administration (FRA) of the Department of Transportation (DOT), which supersedes the City's authority.

The Planning Commission may wish to discuss requiring up to STC-46 rated doors and windows for all of the proposed homes within this development in order to further mitigate train horn noise. The applicant, however, does not concur with this requirement due to the costs associated with producing STC-46 windows, their appearance, and the potential conflict of such a requirement with the window design requirement that the applicant has accepted.

Vibration

As required by the General Plan, the noise study includes an analysis of railroad-induced ground vibration. The General Plan requires that the project demonstrate that it would be compatible with the vibration impact criteria established by the Federal Transit Administration (FTA). The study indicates that the homes on Lot 6, Lot 7, and Lot 8 will need to have spread foundation footings or post/beam foundations, resulting in a raised

first floor with a “crawl” space underneath the floor, instead of slab on-grade foundations in order to meet the FTA criteria.

As discussed with the applicant, the foundation system design for these three lots will be determined with the building permit based on the analyses provided by the applicant’s consultants including the architect, soils engineer, structural engineer, and noise consultant subject to City review and approval. Based on discussion with the architect, a raised foundation for the buildings on Lot 6, Lot 7, and Lot 8 may increase the height of the homes on these lots by 30-inches to 36-inches, or from 26-feet to 29 feet for Plan 1, 28-feet to 31-feet for Plan 2, and 28-feet to 31-feet for Plan 3, but only on these three lots. The draft conditions of approval allow for this flexibility.

The vibration study also identifies an alternative mitigation of slowing passing trains to no more than 15 mph within 100 feet of the site to reduce vibration to acceptable levels. This is not feasible as train speeds are regulated by the Federal Railroad Administration (FRA) of the Federal Department of Transportation (DOT) which supersedes the City’s authority.

Green Building

Since the proposed homes will not exceed 2,000 square feet, the applicant is not required to comply with the City’s Green Building Ordinance. However, the applicant continues to voluntarily incorporate a considerable number of green building measures into the project, and had revised the green building program increasing the number of points from 75 points to 79 points. Exhibit B includes the revised Green Building checklist. The State’s Green Building Standards Code (CALGreen) will also apply to the proposed development and is similar to the green building measures that the City’s Green Building Ordinance currently requires. Staff will continue to work with the applicant to attempt to increase the Green Building points for the development.

Tree Removal

At its work session on the 13-unit development plan, the Planning Commission requested the applicant preserve as many of the existing trees as feasible. The applicant has stated to staff that Tree #76, the 23-/29-inch diameter California Black Walnut tree located on the southeast corner of the rear/side yard of Lot 11, and Tree #65, a 23-inch diameter Douglas fir tree located in the rear yard of Lot 3, will be preserved and incorporated into the private yard area of this lot. Preserving both these trees will reduce the total number of trees that will be removed with this development from 20 trees to 18 trees. The applicant’s commitment to staff is reflected in the recommended conditions of approval. As requested by the Planning Commission, the City Landscape Architect will be present at the public hearing.

Tree Removal

In July 2010, the current property owner, Robert Molinaro, submitted a request to the City Landscape Architect to remove the three heritage-sized deodar cedar trees near the front of the property due to safety concerns with large falling branches. The City’s Landscape Architect hired HortScience to conduct a thorough examination of these three trees. Exhibit M includes the tree report by HortScience, dated July 16, 2010,

which indicates that all three trees are healthy and unlikely to fall over, although each had some defects in structure. Tree #62 (the middle tree) has had several large branch failures over the years and has an asymmetric form; the arborist recommended removal of this tree. The City's Landscape Architect agreed with the arborist's findings and approved the removal of the tree. Exhibit N is the memo prepared by the City's Landscape Architect further explaining the analysis in the tree report and justification for approving the tree's removal. The property owner has not yet removed Tree #62.

Tree Preservation/Mitigation

In the past, the Planning Commission and/or City Council have attempted to discourage tree loss in developments by adding an extra requirement to contribute the value of removed trees to the City's Urban Forestry Fund. The Urban Forestry Fund is used to plant new trees in the City as well as conservation, promotion, and public education in regard to Pleasanton's street trees, park trees, and trees on private property. The arborist has valued the eight trees to be removed at \$56,850, which excludes the value of the mulberry tree along Stanley Boulevard that will be removed by the City for the Stanley Boulevard reconstruction project.

Staff normally tries to mitigate tree removal by requiring additional trees be planted on the site beyond what is normally required in production home developments (i.e., street trees and other trees installed in the front yards). In some developments, tree mitigation is required at a 6:1 ratio for each tree removed with a certain percentage of those trees being box-sized. Given the small size of the lots, staff does not believe there is adequate room to install additional trees, particularly if a 6:1 ratio is used for the 18 trees to be removed. Therefore, at the prior hearings, staff had recommended that the applicant pay the appraised value of the trees to be removed into the City's Urban Forestry Fund. Staff recommends that the value of Tree #62 (\$16,000) should not be included since the City's Landscape Architect already approved the removal of this tree. The value of the trees to be removed is \$40,850 if Tree #62 is excluded.

The applicant has indicated that he may install landscaping for all yard areas around the homes. Should the applicant decide to install landscaping for all yard areas, staff would recommend the applicant receive credit for the cost of the trees installed in the rear and side yard areas beyond that currently shown on the development plan.

Open Space Landscaping

The preliminary landscape plan proposes one flowering accent tree and six small accent trees on the east side of the open space area by the detached garage with Mr. Walterson's photovoltaic panels. The plant palette specifies 10 types of trees and 21 types of shrubs for the entire development, but does not designate the types of trees and shrubs for the common area. The landscape plan does state that the tree height for the flowering accent tree on the southeast corner of the open space area should, "...remain clear of neighboring solar sunlight" shown on the east side of the common open space area. Staff has included a condition that the tree and shrub species selected for the open space area shall not block Mr. Walterson's photovoltaic panels.

Staff has included a condition requiring a disclosure for Lot 12 that the tree and shrub species selected for the rear and side yards of this Lot 12 regarding Mr. Walterson's photovoltaic panels.

V. PUD CONSIDERATIONS

The Zoning Ordinance of the Municipal Code sets forth purposes of the Planned Unit Development District and "considerations" to be addressed in reviewing a PUD development plan. Please refer to the attached Planning Commission staff report for a discussion of the considerations needed to approve the proposed PUD development plan.

VI. PUBLIC COMMENT

Public notices were sent to all property owners and tenants within a 1,000-foot radius of the project site. As noted earlier, public testimony and a petition were received during the previous Planning Commission and City Council meetings. Staff received an email from a nearby resident citing traffic and parking concerns and the lack of sidewalks on Stanley Boulevard. Any additional comments or concerns from the adjacent owners or tenants will be forwarded to the Planning Commission.

VII. CONCLUSION

Rezoning the site to PUD-HDR is consistent with Pleasanton General Plan and the Downtown Specific Plan land use designations of High Density Residential. Infill developments, especially those located on the relatively small parcels in the Downtown, face various challenges and site constraints that often times require and benefit from the flexibility allowed by the Planned Unit Development zoning process.

The project as revised and now proposed to the Planning Commission blends well with the Downtown's character and that the impacts to the adjacent residents have been minimized by the reduction in density as well as the positioning of homes, modest house heights for two-story structures, and prohibition of future additions. As an infill development, it will include appropriate compromise to accommodate the proposed density.

The units are designed and sized to provide an attractive and livable environment for the future residents. The future residents who live in this development will be able to walk to the Downtown, patronizing Downtown businesses and amenities including a developing nightlife, thus supporting and adding to the economic viability of Downtown. Therefore, staff recommends the Planning Commission forward the revised proposal to the City Council with a positive recommendation.

VIII. ENVIRONMENTAL ASSESSMENT

A Final Environmental Impact Report (Final EIR) was approved by the City Council for the Downtown Specific Plan in conformance with the standards of the California

Environmental Quality Act (CEQA). The California Environmental Quality Act (CEQA) specifies that residential development projects that are proposed pursuant to the requirements of an adopted specific plan for which an EIR has been prepared and certified are exempt from additional environmental review provided:

1. 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; or,
2. That new information of substantial importance which was not known at the time the previous EIR was certified shows the project will have one or more significant effects not discussed in the EIR.

The reduction of the proposed density from 14 to 13 units will reduce the traffic generation and draws upon City utilities and services by the development of this site. Window assemblies with upgraded STC ratings will reduce the impacts from railroad operations to interior living areas of the revised proposal. There are no new circumstances or information that will result in a new and significant environmental effect that was not already addressed by the Final EIR completed for the Downtown Specific Plan. Staff, therefore, recommends that the revised project be reviewed without any additional CEQA review or process.

IX. STAFF RECOMMENDATION

Staff recommends the Planning Commission forward Case PUD-82 to the City Council with a recommendation of approval by taking the following actions:

1. Find that there are no new or changed circumstances or information which requires additional CEQA review of the project;
2. Find that the proposed PUD rezoning and development plan are consistent with the General Plan and Downtown Specific Plan;
3. Make the PUD findings for the proposed development plan as listed in the attached Planning Commission staff report; and,
4. Adopt the draft resolution recommending approval of Case PUD-82, PUD rezoning from R-1-6,500 (One-Family Residential) District to PUD-HDR (Planned Unit Development – High Density Residential) and development plan approval to construct 13 detached single-family homes, subject to the conditions of approval listed in Exhibit B.

Staff Planner: *Marion Pavan, Associate Planner, 925-931-5610 or mpavan@ci.pleasanton.ca.us.*

PUD-82, David DiDonato, Donato Builders, Inc.

Application for Rezoning of an approximately 1.17-acre site located at 4171 and 4189 Stanley Boulevard from R-1-6,500 (One-Family Residential) District to the PUD-HDR (Planned Unit Development – High Density Residential) District and for Planned Unit Development (PUD) Development Plan approval to construct 13 detached single-family homes.

Marion Pavan presented the staff report and described the scope, layout, and key elements of the proposal.

Chair Narum requested Mike Fulford, City Landscape Engineer, speak about the general health of the trees within the project site.

Mr. Fulford stated that he understood there has been some confusion with regard to the tree reports for the project and apologized that it may have been due to the fact that he had commissioned a second tree report about a year-and-a-half after a first tree report was prepared in January 2009 by Ed Brennan, a very capable consulting arborist, who is on the City's list of consulting arborists, at the request of the developer and the Planning Division. Mr. Fulford indicated that Mr. Brennan inspected 22 trees on the property and rated them with respect to their health and value. He identified three of the trees as the prominent Deodar Cedar trees located at the front of the property, numbered Trees # 61, 62, and 64, which, at that time were found to be in moderate to good condition. Mr. Fulford continued that about a year later, Tree #62 suffered a catastrophic branch failure. He noted that all three trees have suffered some catastrophic branch failures in the past, but Tree #62's was particularly bad, and the property owner, Robert Molinaro, submitted an application to have all three trees removed.

Mr. Fulford stated that because these were prominent heritage trees, he looked closely into them and commissioned an independent study by HortScience, Inc., which reported in July 2010 that all three trees were healthy, although Tree #62 was in very bad structural condition and recommended that it be removed. Mr. Fulford indicated that he allowed the property owner to remove Tree #62 based on the fact that it was significant threat to public safety, but this has not yet been done. He added that sometime in the distant past, about 30-40 years ago, all three trees were topped, which is an unacceptable pruning practice because it indiscriminately lowers the height of the tree without regard to its structure. He noted that after the topping, the three trees grew out and now possess a pretty bad structure.

Mr. Fulford stated that in the first tree report, Tree #62 had an appraised value of \$16,000. He noted that if appraised today, its value would be a lot less, maybe nothing, because of its structural problem.

Commissioner Blank inquired if Trees #61 and #64 also had structural problems.

Mr. Fulford replied that they do have structural problems but not to the degree that Tree #62 has. He added that the pruning recommendations in the HortScience report

suggest that both trees could be preserved if judicious pruning took place, which would reduce the end weight of some of the big long overhanging branches and minimize any future branch failures, which would make them good trees that could last in the landscape for a very long time.

Commissioner Blank inquired what Trees #61 and #64 would be appraised for in today's valuation.

Mr. Fulford replied that they would probably have the same value as appraised in the first Tree Report of \$11,250 for Tree #61 and \$13,700 for Tree #64. He added that it is likely that another consulting arborist would value them the same.

Commissioner Blank inquired if the noise level numbers presented were the amount of the reduction of noise or the anticipated noise level inside of the bedroom.

Mr. Dolan replied that this was the noise inside the house. He indicated that this information was provided primarily based on some comments from Councilmember Sullivan, following the determination at some discussion that it was just not practical to reduce noise levels when the train goes by and blows its whistle because it would require a 40-foot wall. He pointed out that the mitigations proposed meet the noise levels in the General Plan, except when the train goes by and the whistle blows. He noted that Councilmember Sullivan understood that during those times, the noise level would be above the General Plan noise levels, and his question was merely and essentially how bad that noise level will be.

Commissioner Blank stated that the intent of the noise disclosure was not just that it be disclosed but that it be disclosed separately and in plain language because of noise sensitivity. He noted that most disclosures are highly technical, and deed disclosures, in particular, tend to be full of legalese which is something that is difficult to understand.

Mr. Dolan stated that this could be done.

Commissioner Blank noted that following the Commission's project review and its recommendations at the workshop, there were no changes made in the density, the FARs, or the setbacks; there was no significant change in terms of the open space area other than the addition of the play structure; there was no change in parking, a modest change in tree removal, some change in the shading to the photovoltaic panels, and no change in the noise or vibration. He asked staff if this was correct and in what areas were real changes made.

Mr. Pavan replied that Commissioner Blank was correct.

Commissioner O'Connor agreed with Commissioner Blank and noted that staff had proposed the play structure, to which the applicant has not agreed.

Commissioner Pentin noted that the current plan is significantly different than what was originally sent to the City Council and that the workshop was to identify this new plan

which the applicant is putting in front of the Commission. He asked staff if this was correct.

Mr. Pavan said yes.

Mr. Dolan stated that Commissioner's Blank's summary was accurate. He added that it would be fair to say that the applicant made some changes in response to the Council's comments, and the Council then re-directed the application back to the Planning Commission, who had additional requests, and the only change made since that time was saving two more trees.

Commissioner Pentin requested clarification that the sound levels presented are based on the sound inside which anticipated the train and train whistle combined.

Mr. Pavan confirmed that was correct.

Commissioner Pentin noted that Lot 1 has a Window STC Rating of 28. He inquired what the difference was between STC 28 and STC 46 and if STC 46 was better.

Mr. Pavan said STC stands for Sound Transmission Class which is predicated upon a variety of factors, including how the various aspects of structural are constructed. He explained that a sound in and STC 46 window is very involved; for example, a sliding glass window would have an outside window of two panes with air space in between and an inside window of either single or dual panes, resulting in 4.5- to 5.5 inch thick window assembly.

Commissioner Pentin inquired whether the windows of the bedrooms on Lot 2, 3, and 4 are not affected in the same way.

Mr. Pavan replied that the windows in those units were not evaluated in the second noise analysis.

Commissioner O'Connor inquired what the Municipal Code allows as the loudest at peak interior to a bedroom.

Steve Otto replied that that the General Plan standard for train noise is 50 dBA L_{max} in bedrooms and 55 dBA L_{max} in other rooms.

Commissioner O'Connor inquired why then up to 75 dBA is being allowed in the bedroom.

Mr. Dolan replied that a dialogue was actually held about this and the fact that it is impractical to reach the City's standard when the train goes by on this property or any other property along the railroad. He added that this is the noise level for people who live all along the line and that it is just the understanding of a practicality that anyone cannot, in any reasonable way, mitigate it down to the standard during that short duration when the train goes by.

Commissioner O'Connor inquired what decibel level is expected when the train goes by if the whistle was removed from the equation.

Mr. Dolan replied that this was not distinguished. He noted that the trains only blow the whistle when required to and that they have no choice at the crossing.

THE PUBLIC HEARING WAS OPENED.

Chair Narum disclosed that she met with Mr. Paul Martin.

Paul Martin, representing Donato Builders, applicant, and Robert Molinaro, property owner, stated that he would like to bring up three items: the first and second deal with Condition No. 45, payment of the developer's fair share of the Capital Improvement Program costs for the reconstruction of Stanley Boulevard; and Condition No. 105, payment of the in-lieu park dedication fees. He indicated that his concern is not with the payment itself but with the timing of the payments. He noted that Condition No. 45 requires payment prior to Final Map and Condition 105 requires payment prior to approval of the Map. He explained that normally, in construction financing, these will be part of the line items to be funded by the bank, and construction financing cannot be obtained until a Final Map is approved. He requested that the timing of the payment be changed to prior to issuance of the grading permit or before work starts to allow them to put the project together in dealing with the financing.

Mr. Martin stated that the third item deals with Condition No. 42 regarding the installation of playground equipment for the tot lot. He indicated that their issue is not that they do not want to have a tot equipment for children in the subdivision but for two reasons: (1) there is a rash of litigation all across the country over tot lot equipment, and it is a liability which almost guarantees that they will be sued; and (2) it has been his experience that use of tot lot equipment depends on the demographics of the residents moving into the subdivision. He proposed that they will fund the tot lot equipment if the homeowners association (HOA) wants this installed, tied to a vote of the HOA after the sale of the 10th or 11th lot so they have an idea of who's living there. He added that in the meantime, prior to that decision, the developer would propose constructing the tot lot as shown in landscape plans that have been submitted.

With respect to the tot lot, Commissioner Blank asked Mr. Martin how it could be ensured that this is really the desire of the HOA without being overridden by the builder, as the builder has the ability to go over the HOA. He added that he assumes the developer would fund the tot lot and not defer the cost to the HOA.

Mr. Martin replied that what he would like to do is put it in the CC&R's, which the City Attorney will review, that this would become a decision of the residents once the 11th sale is completed. He noted that after the 11th unit is sold, the builder would theoretically have two votes for the two remaining units, assuming all the units have not yet been sold. With respect to the funding of the tot lot, he proposed that to guarantee

their performance, it could be included in the subdivision bond which will guarantee all performance under the conditions.

Emilie Cruzan stated that she has addressed the Commission before about the development and indicated that her desire is that the heritage trees be retained on Stanley Boulevard. She expressed her disappointment that the developer is still insisting on removing the trees and instead of replacing them with comparable heritage trees, will put in houses. She noted that once the houses are built, there will be no ability for trees of that size to be on that street in that location.

Ms. Cruzan stated that the Deodar Cedars are only 25 feet from the property line. She noted that most of the acreage is bare so there is plenty of room for a lot of the units without removing the trees. She indicated that these trees are important because of their proximity in the neighborhood to the creek, they filter out noise from the train and particulate matter from the street, they provide a habitat for a lot of animals, and they are part of the City's heritage. She asked the Commission to consider this when it makes its decision.

Ms. Cruzan also questioned the process, stating that she was under the impression that when applicants receive direction from the Planning Commission and City Council they are required to consider it strongly. She noted that it appears that the applicant has not done that as the plan is basically the same plan they came up with in the first place, with the exception of the little change in the parking and one change in the lot. She indicated that she was not sure what that means for the process and that she was surprised to find so little compliance with the Commission's recommendations.

Chair Narum advised that she would have staff respond to the question at the end of the hearing.

Christine Bourg, speaking in place of Linda Garbarino, President of Pleasanton Heritage Association (PHA), who is attending another meeting. She stated that PHA agrees basically with Ms. Cruzan's comments regarding saving as many of the trees as possible and that she was happy to hear Mr. Fulford's report that two of the Deodar Cedars can be saved, and hopefully others can be as well. She added that she would be interested in hearing the discussion about that.

Ms. Bourg stated that PHA has several concerns and observations, one of which is the missed opportunities for historic Downtown, specifically the protection of historic neighborhoods and homes. She noted that Stanley Boulevard has continued to deteriorate over the last 15-20 years since the first home was demolished there and a high density development was built. She pointed out that this continued down the line on the northeast side, and eventually the property values for homeowners on the other side will be affected. She added that just as important is the entryway into the historic part of the City which has not been protected. She stated that if neighborhoods and homes are allowed to deteriorate, as this one has been, by neglect or by development interests, the next course after demolition would be new development. She indicated the PHA's concern in how the City can protect this from happening to future

neighborhoods in current homes in vintage neighborhoods, such as those near the Fairgrounds that could be potential victims of this.

Ms. Bourg stated that another missed opportunity is the failure to incorporate the wonderful architect of the 103-year-old California bungalow into the new units to be built. She questioned why the architecture of the new dwellings does not reflect the vintage architecture, now that the bungalow is gone. She noted that if the criteria of the California or National Historic Registry are used to decide whether a home should be saved or not, very few would qualify. She added that the PHA has made this point before and that if it comes down to that, then her house on 2nd street will be lost because, while it is well maintained, no one famous ever lived there. She noted that the home on the proposed site was owned by a baker, and her home was owned by the town's game warden.

Darrel Walterson stated that he lives adjacent to the property to be developed and has solar panels. He requested the Commission to consider reviewing the shading of the solar panels again before the project is approved. He also expressed concern about access to the sides of his detached garage for maintenance due to the development's setback from the property line. He requested the Commission to consider this as well to ensure that he would be able to get there for maintenance work such as painting.

Mike Donohue spoke for his neighbor, Scott Eaton, who is a medical doctor and who had to leave because he got a call. He stated that Mr. Eaton lives across from the development and was concerned with the amount of additional traffic and off-street parking as he has two small children.

THE PUBLIC HEARING WAS CLOSED.

With respect to the applicant's request to defer payment under Conditions Nos. 45 and 105, Commissioner Pentin inquired if the City has done something like this in the past or has given a variance on when and how payment can be made.

Mr. Dolan replied that he has no issue with this in principle but that he would like the City Engineering staff to comment on what the pitfalls might be, if any.

Wes Jost, Development Services Manager, replied that the pro rata share would typically be based on the frontage of the property along the street, and this would be due up front at the Final Map approval by the City Council.

Mr. Dolan explained that the question is there is issue with the payment coming at a different time.

Mr. Jost replied that the Final Map would go to the City Council, and construction would follow shortly thereafter after the Map is recorded. He noted that there should not be any time lapse between the time the Map goes to the Council and when construction actually starts.

Commissioner Olson indicated that the applicant's point is that securing financing is contingent on that Final Map. He noted that the bank will not sign on the line and start the funding until it sees that the Final Map is a go and construction starts. He added that he thinks it is a very reasonable request and asked staff what level of fees are involved.

Mr. Jost replied that he was not sure as the Council has not made a decision on whether or not to underground utilities along the frontage of Stanley Boulevard. He noted that the frontage improvements will have significant impact on the costs.

Commissioner Blank stated that he seems to recall the Commission doing similar waivers in the past. He noted that he thinks there is little risk involved if payment is made upon the issuance of a grading permit, which would be approximately a week after the Final Map is approved. He added that the funding should be in place by then.

Mr. Jost noted that this would be different than what has been done for other projects similar to this. He indicated that he is not saying this is not possible but that the City has typically received all fees up front prior to going to City Council. He added that staff would also have to confer with the City Attorney's Office.

Mr. Dolan stated that if the Commission wanted to amend the condition directing staff to explore this, staff would support it if staff does not find any specific pitfall with it.

Chair Narum inquired if this would apply to the in-lieu park fees as well.

Mr. Dolan replied that staff would explore both.

Referring to Mr. Walterson's request regarding access to the side of his garage for maintenance reasons, Commissioner Pentin asked staff if Mr. Walterson's property is zoned differently or has different uses.

Mr. Pavan replied that the property is zoned R-1-6,500, which is a one unit per lot.

Commissioner Pentin noted that if the project is approved tonight and the neighbor is doing some sort of painting or work, it could be assumed that the work would be the same as what any other homeowner would do in their own garage, as opposed to commercial painting or uses. He asked staff if this was correct.

Mr. Pavan replied that he believes the owner is referring to maintenance upkeep of the walls of the detached garage.

Commissioner Blank inquired if the neighbor has access.

Mr. Pavan replied that access for this purpose can be defined in the Tentative Map and reflected in the Final Map. He explained that the situation Mr. Walterson is experiencing is no different than that for zero-lot-line single-family homes throughout the City, where

an adjoining neighbor can request access from the next door neighbor to do work on his own wall, for example.

Commissioner Blank inquired whether this requires an easement.

Mr. Pavan replied that typically easements may be required and that staff would look at this at the Subdivision Map stage, which will come back to the Commission.

Commissioner Blank requested confirmation that the Commission did not have to do that tonight.

Mr. Pavan replied that the Commission could condition that tonight, but either way, it would be reviewed.

Commissioner Blank requested staff guidance on what to do with the shading of the solar panels.

Mr. Pavan noted that shading has already been addressed by the condition that trees in the open space area shall not shade the photovoltaic panels on Mr. Walterson's property. He further noted that a clearly worded disclosure has also been added on Lot 12 regarding the presence of the photovoltaic panels.

Commissioner Blank moved to find that there are no new or changed circumstances or information which requires additional CEQA review of the project and that the proposed PUD Rezoning and Development Plan are consistent with the General Plan and Downtown Specific Plan; to make the PUD findings for the proposed development plan as listed in the staff report; and to recommend approval of Case PUD-82, the rezoning of the project site from the R-1-6,500 (One-Family Residential) District to PUD-HDR (Planned Unit Development – High Density Residential) District, and Development Plan approval to construct 13 detached single-family homes, subject to the conditions of approval listed in Exhibit B of the staff report, with the following modifications: (1) Conditions Nos. 45 and 105: payment of the applicant's pro-rata share of the City's Capital Improvement Project to reconstruct Stanley Boulevard along the project frontage and of the applicant's in-lieu park dedication fees, respectively, shall be made prior to the issuance of the grading permit instead of prior to approval of the Final Map; and (2) Condition No. 42: the installation of the tot lot shall be determined by the homeowners association (HOA). The Commission also directed staff to address accessibility to the side of the neighbor's detached garage for maintenance purposes at the Tentative Map stage. Commissioner Pentin seconded the motion.

Commissioner Olson proposed an amendment regarding plain language disclosure in the conditions of approval.

Commissioner Blank indicated that it is already included in the conditions.

Chair Narum proposed a modification to the condition on the playground equipment that it be installed in conjunction with the Landscape Architect's determination of what play structure would be appropriate for the limited space.

Commissioner Blank proposed the language "The type of play structure shall be subject to the review and approval of the Director of Community Development."

Commissioners Pentin inquired if the stipulation included that the builder would have the vote of the HOA after the 11th lot is sold and that the tot lot will be paid for by the developer.

Chair Narum said yes.

Commissioners Blank and Pentin accepted the amendment.

Commissioner O'Connor indicated that he is in agreement with Commissioner Blank's statement.

Commissioner Pearce stated that her position on this property is well-known and that she is gratified that the City Council returned this to the Commission for further work. She indicated that she thinks this is a better project than it was when it was originally forwarded to the City Council, which has always been her hope. She added that she believes the applicant has satisfied the Council's direction in what has been done with the project and that, therefore, she will support the motion.

Commissioner Pearce continued that she is disappointed that the house could not be saved; however, she believes that under the current City guidelines regarding preservation, these guidelines have been satisfied. She noted that an expert was asked to come in to determine whether or not this was a historical resource; the expert did that and determined that it was not. She reiterated that this underscores the importance of having historic preservation discussions, so that the City can determine what is important to the City and not be reliant on the State and Federal guidelines. She indicated that she is gratified that two additional trees have been saved but is disappointed that more could not be saved, although she understands the financial and other constraints of the project. She emphasized that she believes this is a very appropriate site for affordable-by-design homes that are within walking distance to the Downtown.

Chair Narum agreed with Commissioner Pearce's comments and stated that she thinks this is not where the battle to saving houses is, that it is more to the south. She indicated that she wished more trees could be saved and that she supports the motion.

ROLL CALL VOTE:

AYES: Commissioners Blank, Narum, Olson, Pearce, and Pentin
NOES: None
ABSTAIN: None
ABSENT: None

Resolutions Nos. PC-2011-20 recommending approval of the rezoning and PC-2011-21 recommending approval of the Development Plan were entered and adopted as motioned.

Chair Narum requested Mr. Dolan to respond to Ms. Cruzan's question regarding the role of the workshop.

Mr. Dolan explained that typically, there is a workshop at which the Commission expresses its concerns about the project, and the applicant listens and explores with his team to what extent they can respond to those concerns. He continued that when the applicant comes back with an application, the Commission will decide on whether or not the project merits its support. He indicated that this sometimes depends heavily on how responsive the applicant was to the Commission's comments and sometimes it does not. He noted that in this case, the sequence of events was unusual in that it went to the City Council and was recycled back to the Commission.

Commissioner Blank commented that the reality is that the Commissioners do a great job but what they say does not matter because the final arbiter is the Council. He indicated that the Commission has seen this before where the developers paid little attention to the Commission's suggestions, goes to the City Council, and then comes back with suddenly with changes, and the Commission gets to see it again.

Chair Narum clarified that workshops are informative and not binding, and that no vote is taken.



CITY COUNCIL AGENDA REPORT

11

September 9, 2011
Community Development
Planning Division

TITLE: PUD-82, DAVID DiDONATO, DONATO BUILDERS, INC. – APPLICATION FOR REZONING OF AN APPROXIMATELY 1.17-ACRE SITE AT 4171 AND 4189 STANLEY BOULEVARD FROM R-1-6,500 (ONE-FAMILY RESIDENTIAL) DISTRICT TO PLANNED UNIT DEVELOPMENT – HIGH DENSITY RESIDENTIAL (PUD-HDR) DISTRICT AND FOR DEVELOPMENT PLAN APPROVAL TO CONSTRUCT 13 DETACHED SINGLE-FAMILY HOMES

SUMMARY

The applicant proposes to demolish an existing single-family home and construct 13 detached single-family homes, a density reduction from the previously proposed 14-unit development plan, on a site in the Downtown Specific Plan (DTSP) Area. The proposed rezoning to PUD-HDR and the proposed density of 11.1 units per acre are consistent with the General Plan and Downtown Specific Plan land use designations of High Density Residential (greater than eight dwelling units per gross acre) for the 1.17-acre site. Public comment on the development of this property includes density, housing affordability, parking, traffic, house setbacks, loss of sunlight, building heights, drainage, and tree loss. The Planning Commission (5-0 vote) determined that the project now with 13 units is appropriate in density and design and that the development would be compatible with the surrounding area. The applicant concurs with the Planning Commission's recommended conditions of approval.

PLANNING COMMISSION ACTION

Recommended approval (5-0) of the PUD rezoning and development plan application subject to the conditions shown in Exhibit "A" (Attachment #1).

RECOMMENDATION

1. Find that there are no new or changed circumstances or information which require additional CEQA review of the project;
2. Find that the proposed PUD rezoning and development plan are consistent with the General Plan and Downtown Specific Plan;
3. Make the PUD findings for the proposed development plan as stated in the July 13, 2011, Planning Commission staff report (Attachment #4); and
4. Introduce the draft ordinance approving Case PUD-82, PUD rezoning from R-1-6,500 (One-Family Residential) District to PUD-HDR (Planned Unit Development – High Density Residential) District and development plan approval to construct 13

detached single-family homes, subject to the Conditions of Approval, Exhibit "A" (Attachment #1).

FINANCIAL STATEMENT

The proposed development would have a negligible financial impact on the City. Increases in property and sales taxes would be used to provide services, such as police, fire, etc., for the increased demand generated by the 13 residences. The applicant would also pay development impact fees (e.g., low-income housing, public facilities, traffic, water/sewer connection, etc.) that are used to pay for the cost of new City and regional facilities and infrastructure necessitated by development.

BACKGROUND

The proposed development is located in the Downtown Specific Plan (DTSP) Area. The City Council approved the DTSP in March 2002. The Specific Plan Land Use Designation for the subject site is High Density Residential. In conjunction with the adoption of the DTSP, the General Plan Land Use Designations of several properties were changed to make them consistent with the DTSP Land Use Designations. The General Plan Land Use Designation for the subject site was changed from Medium Density Residential to High Density Residential in the 2005 – 2025 General Plan.

The City Council reviewed the applicant's previous proposal for a 14-unit development at its public hearing held on December 7, 2010. After reviewing the application and hearing public testimony, the City Council referred the proposal back to the Planning Commission and provided direction to the applicant. This revised 13-unit project is the applicant's response to the City Council.

The Planning Commission reviewed the revised 13-unit development plan at a public workshop held on February 9, 2011 and at a public hearing held on July 13, 2011. For a detailed description of the discussion at the prior City Council and Planning Commission meetings, please see the attached Planning Commission staff report and minutes. The Planning Commission reviewed and unanimously recommended approval of the PUD rezoning and the 13-unit development plan at its meeting of July 13, 2011. The application is now before the Council for final decision.

SITE DESCRIPTION

The project site, comprised of five parcels totaling approximately 1.17 acres, is located on the north side of Stanley Boulevard. The site topography is relatively flat and contains an existing single-family dwelling built in 1908 and a variety of trees, shrubs, and grasses. The property is bordered on the east by a single-family home and the Del Valle Manor townhome development. The business Window-ology (window covering sales office and warehousing) borders the site to the west. The Union Pacific Railroad borders the site to the north. Single-family homes in the Jensen Tract neighborhood are located on the opposite side of the railroad tracks. Pleasanton Mobile Home Park and single-family homes are located to the south of the subject site, on the other side of Stanley Boulevard. Figure 1, the 2010 aerial photograph/location map on the following page, shows the project site (outlined in red) and the adjoining land uses.

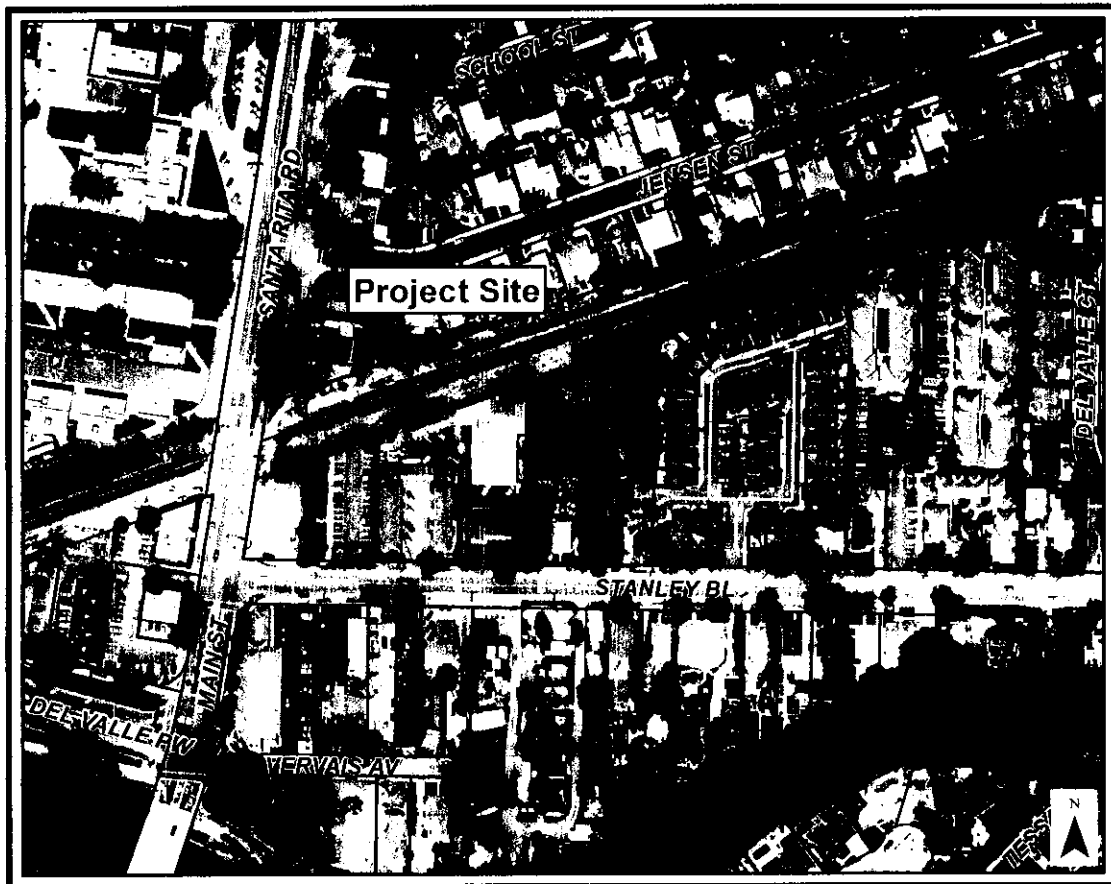


Figure 1, 2010 Aerial Photograph/Location Map

PROJECT DESCRIPTION

Rezoning

The proposed rezoning from the present R-1-6,500 (One-Family Residential) District to the Planned Unit Development – High Density Residential District will make the zoning consistent with the General Plan and Downtown Specific Plan Land Use Designations as well as applying the PUD designation to the site to accommodate the proposed development plan.

Proposed Development Plan

Figure 2 and Figure 3, on the following page, are, respectively, the 14-unit development plan previously reviewed by the City Council and the revised 13-unit development plan reviewed by the Planning Commission. Key changes between the 14-unit proposal and 13-unit proposal include the following:

1. The applicant eliminated former Lot 12 creating a common open space area with play equipment required to be provided.
2. The applicant added two guest parking spaces by the open space area.
3. The applicant will preserve two existing trees.

The applicant also submitted an addendum to the noise analysis for train horns for the interior spaces of the proposed homes on Lot 1, Lot 6, Lot 7, and Lot 8 (Attachment 3).

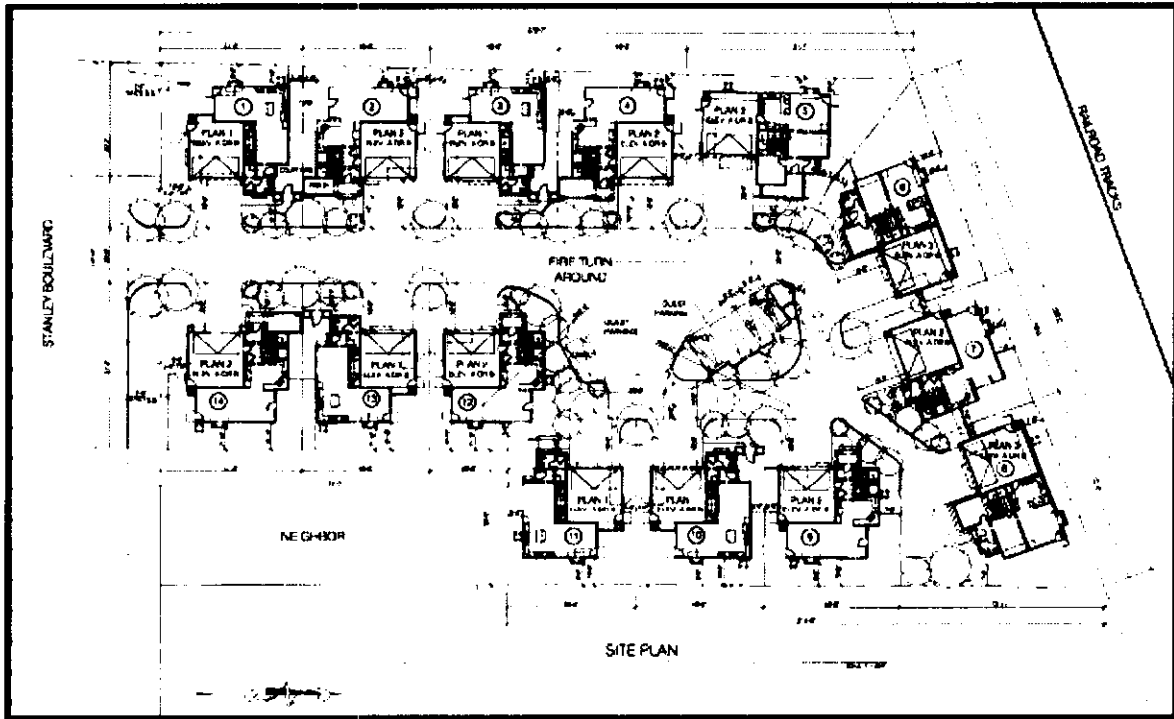


Figure 2: Previous Proposal – 14-Unit Development Plan

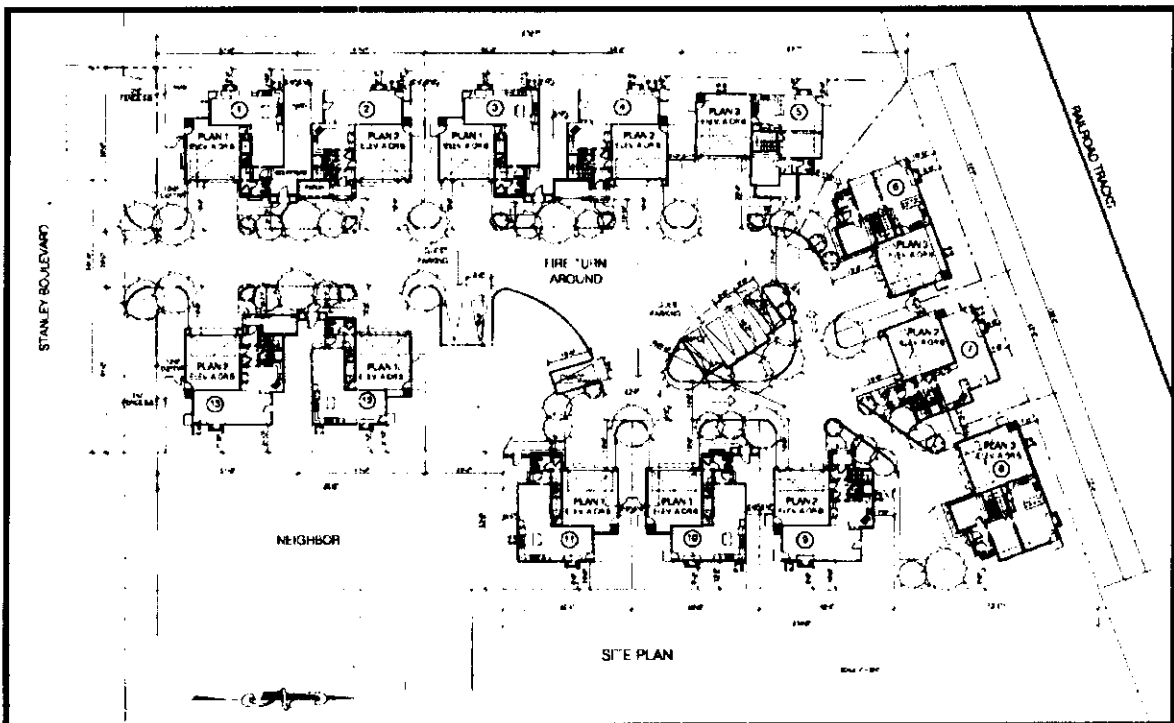


Figure 3: Present Proposal – 13-Unit Development Plan

Lot Standards

Table 1, below, lists the lot sizes, the model proposed on each lot, the house size, and the proposed floor area ratios for the 13-unit development plan. Net lot areas will range from 2,612 square feet (0.06 acres) to 3,965 square feet (0.09 acres). The individual lot floor area ratios and development standards for the 13-unit development plan have not changed from the previous 14-unit development plan.

Table 1: Lot Standards

Lot	Net Lot Size¹	House Model	House Size	FAR²
1	3,040 sq. ft.	Plan 1	1,599 or 1,639 sq. ft.	53 or 54%
2	2,695 sq. ft.	Plan 2	1,720 or 1,757 sq. ft.	64 or 65%
3	2,648 sq. ft.	Plan 1	1,599 or 1,639 sq. ft.	60 or 62%
4	2,603 sq. ft.	Plan 2	1,720 or 1,757 sq. ft.	66 or 67%
5	3,365 sq. ft.	Plan 3	1,892 or 1,920 sq. ft.	56 or 57%
6	3,280 sq. ft.	Plan 3	1,892 or 1,920 sq. ft.	58 or 59%
7	2,612 sq. ft.	Plan 2	1,720 or 1,757 sq. ft.	66 or 67%
8	3,965 sq. ft.	Plan 3	1,892 or 1,920 sq. ft.	48%
9	2,826 sq. ft.	Plan 2	1,720 or 1,757 sq. ft.	61 or 62%
10	2,815 sq. ft.	Plan 1	1,599 or 1,639 sq. ft.	57 or 58%
11	3,241 sq. ft.	Plan 1	1,599 or 1,639 sq. ft.	49 or 51%
12	2,813 sq. ft.	Plan 1	1,599 or 1,639 sq. ft.	57 or 58%
13	3,115 sq. ft.	Plan 2	1,720 or 1,757 sq. ft.	55 or 56%

¹ Net lot area excludes the private street and guest parking areas and the open space area.

² The FARs are calculated using the net lot area.

Homeowners Association

With the addition of the common open space parcel, the applicant will create a homeowners association to own and maintain the development’s common areas including private streets and guest parking areas, common utilities, and the common open space area. The homeowners will maintain their private lots including homes, yards, and driveways.

Site Design

- **Reduction in Number of Units**
 The revised development plan reduced the proposed number of units from 14 to 13 detached single-family homes. The previously proposed buildable lot between what is now the proposed Lot 11 and Lot 12 was removed and replaced as a common open space parcel for the development’s residents. Reflecting the Planning Commission’s recommendation, the applicant would bond for the purchase and installation of a play structure in the open space area after the 11th lot is sold and if requested by a majority vote of the homeowners association.

- **Private Street**
 A private street would provide access to the development. The street section would measure 20-feet wide (curb-to-curb) with no parking allowed. No internal sidewalks would be provided; a new sidewalk will be installed along the project frontage as part of the City’s Stanley Boulevard reconstruction.

- **Existing Bungalow**
The existing bungalow would be demolished to accommodate the proposed development.
- **Existing Trees**
A 23-/29-inch diameter California Black Walnut tree and a 23-inch diameter Douglas fir tree will now be preserved. Eighteen existing trees will be removed to accommodate the proposed development, including 10 heritage-sized trees (as defined by the Municipal Code). Three of these trees are a 33-inch diameter deodar cedar, a 41-inch diameter deodar cedar, and a 37-inch diameter deodar cedar.
- **Guest Parking**
The development plan will now provide seven guest parking spaces where five guest parking spaces were previously proposed on the 14-unit plan. The 13 unit development plan provides a total of 26 garage parking spaces, and 7 open guest parking spaces, which equals 2.54 parking spaces per unit. The residential driveways will be at least 18-feet long and are able to accommodate parked vehicles with the garage door in a closed position. Adding each unit's driveway apron parking will increase the assigned and guest parking to a total of 59 parking spaces or 4.54 parking spaces per unit with each unit having four assigned parking spaces in the unit's garage and driveway apron.
- **Walterson Photovoltaic Panels**
Replacing the previous Lot 12 house with the common open space area will reduce the shading of the photovoltaic panels, particularly at 4:00 p.m. Additionally, staff has conditioned the selection of trees and shrub species on the common area of the 13-unit development plan so as to not block Mr. Walterson's photovoltaic panels and has conditioned a disclosure for the trees and shrubs in the rear and side yards of Lot 12 regarding the photovoltaic panels.

Building Design

- **House Models**
The three house models will range in floor area from 1,599 square feet to 1,920 square feet. All models are two-stories tall and would vary in building height from 26 feet to 28 feet depending on the model and elevation type. The building height for Lot 6, Lot 7, and Lot 8 may increase by approximately 30 inches to 36 inches if a "raised-floor" is used for the houses on these lots to mitigate the vibration from the operations of the adjacent railroad corridor.
- **Setbacks**
A 10-foot street side yard setback along Stanley Boulevard will be provided for Lots 1 and 13. The proposed house setbacks from the interior property lines will vary from lot-to-lot. Site development standards for accessory structures are incorporated in Exhibit B.

- **Garage Parking**
As conditioned, the garages will not be allowed to be modified by the residents or used for storage in a manner that interferes with the ability to park two cars within the garage; the residents are required to park their vehicles in the garages.
- **Green Building**
The Green Building program is revised increasing the point total from the 75 points of the 14-unit development plan to 79 points of the 13-unit development plan.
- **Noise Study**
The applicant has provided an analysis of the interior noise levels from train whistles on Lot 1, by Stanley Boulevard, and on Lot 6, Lot 7, and Lot 8 by the railroad.

Please refer to the attached Planning Commission staff report, dated July 13, 2011, for additional project information.

PLANNING COMMISSION WORK SESSION

At the applicant's request, the Planning Commission held a work session on February 9, 2011 to review three site plan options based on a reduction in density from 14 units to 13 units before settling upon the revised proposal to be brought back to the Planning Commission and City Council for formal review. The work session also provided to the public their opportunity to comment on the revised site plan and development of the site. Attachment #4 includes excerpts of the minutes of the Work Session meeting. The Planning Commission asked the applicant to explore preservation of the existing house; reducing the number of project units; decreasing house sizes and floor area ratios or providing non-single-family homes with increased open space; increasing building setbacks from the railroad line and from the De Valle Manor townhomes; increasing common open space area; increasing the number of parking spaces; preserve as many healthy trees as feasible; minimizing or avoid to the greatest extent feasible shading the adjoining neighbor's photovoltaic panels; and ensuring that railroad noise and vibration are disclosed to the buyers of these homes.

PLANNING COMMISSION ACTION

The Planning Commission held a public hearing on July 13, 2011, to review the revised 13-unit development plan and the applicant's response to the Planning commission comments of the February 9th work session. Detailed information on this meeting is provided by Attachment #3, excerpts of the Planning Commission minutes. A PHA representative spoke at the hearing indicating concerns with the removal of existing trees and the existing home. Darell Walterson (4151 Stanley Boulevard) expressed concern about of maintenance access to the detached garage on his property, which sits on the property line.

After receiving public testimony, the Planning Commission approved the application on a 5-0 vote subject to staff's recommended conditions with the following modifications:
1) the applicant shall post a separate bond for the cost to install play equipment in the

common open space area upon demand by the Community Development Director after the 11th house is sold, if decided by the Homeowners Association; 2) the City shall review with the tentative map access to the detached garage and photovoltaic panels located on the Walterson property; and, 3) the timing of payment of the in-lieu park dedication fee and the pro-rata share to reconstruct Stanley Boulevard shall be approved by the Community Development Director.

DISCUSSION

The subject infill development has been designed in conformity with the General Plan and Downtown Specific Plan. The architectural style of the homes is appropriate for Downtown and the homes will be an attractive addition to the Stanley Boulevard area. A detailed analysis and discussion of the proposal is included in the attached Planning Commission staff reports dated July 13, 2011, and September 15, 2010, including: General Plan and Downtown Specific Plan conformity, zoning and uses, site design, demolition of the existing dwelling, traffic and circulation, parking, noise and vibration, grading, drainage, utilities, building design, house sizes and FAR, site development standards, Green Building, common and private open space, landscaping and fencing, tree removal and mitigation, and Growth Management.

Noise and Vibration

Train Horns

Councilmember Sullivan requested that an addendum to the noise analysis for train horns be completed for the interior spaces of each of the proposed homes. The addendum is part of Attachment #4. It analyzed the noise levels for Lot 1, Lot 6, Lot 7, and Lot 8.

As shown on “Table 1: Train Horn Interior Maximum Noise Levels, dBA” of the noise addendum, the operation of train horns will generate from 89 dBA to 112 dBA at a 75-foot distance from the train; that STC 46 rated doors/windows will reduce interior noise levels by 41 dB for Lot 6, Lot 7, and Lot 8, the lots adjoining the railroad right-of-way; and that STC 28 rated doors/windows will reduce the interior noise levels by 20 dB for Lot 1 facing Stanley Boulevard. Table 2, below, copies a portion of the table in the noise addendum and shows the interior noise levels for train horns.

Table 2: Interior Noise Levels Due to Train Horns/Whistles

Lot	Window STC Rating	Noise Reduction	Interior Sound Level (Master Bedroom)	Interior Sound Level (Bedroom Two)
1	28	20 dBA	41 dBA to 64 dBA	52 dBA to 75 dBA
6	46	41 dBA	44 dBA to 67 dBA	51 dBA to 74 dBA
7	46	41 dBA	41 dBA to 64 dBA	45 dBA to 68 dBA
8	46	41 dBA	41 dBA to 64 dBA	51 dBA to 74 dBA

The train horn sound levels of the Lot 1 Bedroom Two interior is louder than for Lot 6, Lot 7, and Lot 8 because the STC rating of the Lot 1 windows does not need to be as high in order to mitigate the train engine/wheel noise. Train horns are operated to warn motorists and pedestrians of an oncoming train and generate very loud noise levels lasting a short duration; for this reason, train horns cannot be effectively mitigated by

residential developments. The only effective mitigation would be if the Union Pacific Railroad and Ace Train were to not use their horns. The use of warning horns is regulated by the Federal Railroad Administration (FRA) of the Department of Transportation (DOT), which supersedes the City's authority.

Vibration

The vibration study indicates that the homes on Lot 6, Lot 7, and Lot 8 will need to have spread foundation footings or post/beam foundations, resulting in a raised first floor with a "crawl" space underneath the floor, instead of slab on-grade foundations in order to meet the FTA criteria. As discussed with the applicant, the foundation system design for these three lots will be determined with the building permit based on the analyses provided by the applicant's consultants including the architect, soils engineer, structural engineer, and noise consultant subject to City review and approval. Based on discussion with the architect, a raised foundation for the buildings on Lot 6, Lot 7, and Lot 8 may increase the height of the homes on these lots by 30-inches to 36-inches, or from 26-feet to 29 feet for Plan 1, 28-feet to 31-feet for Plan 2, and 28-feet to 31-feet for Plan 3, but only on these three lots. The draft conditions of approval allow for this flexibility.

PUD FINDINGS

Please refer to the attached, September 15, 2010, Planning Commission Staff Report, pages 22-25, for a discussion of the considerations needed to approve the proposed PUD development plan.

PUBLIC NOTICE

Notice regarding the proposed project and this City Council public hearing were mailed to property owners and tenants within 1,000 feet of the subject property and was also published in the local newspaper. At the time this report was written, staff had not received any additional verbal or written communications on the proposal. Public comments received after publication of the notice will be forwarded to the City Council as they are received.

ENVIRONMENTAL ASSESSMENT

A Final Environmental Impact Report (Final EIR) was approved by the City Council for the Downtown Specific Plan in conformance with the standards of the California Environmental Quality Act (CEQA). The California Environmental Quality Act (CEQA) specifies that residential development projects that are proposed pursuant to the requirements of an adopted specific plan for which an EIR has been prepared and certified are exempt from additional environmental review provided:

1. 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; or,
2. That new information of substantial importance which was not known at the time the previous EIR was certified shows the project will have one or more significant effects not discussed in the EIR.

The reduction of the proposed density from 14 to 13 units will reduce the traffic generation, and the project will draw upon existing City utilities and services by the development of this site. Window assemblies with upgraded STC ratings will reduce the impacts from railroad operations to interior living areas of the revised proposal. There are no new circumstances or information that will result in a new and significant environmental effect that was not already addressed by the Final EIR completed for the Downtown Specific Plan. Staff, therefore, recommends that the revised project be reviewed without any additional CEQA review or process.

CONCLUSION

Rezoning the site to PUD-HDR is consistent with Pleasanton General Plan and the Downtown Specific Plan Land Use Designations of High Density Residential. Infill developments, especially those located on the relatively small parcels in the Downtown, face various challenges and site constraints that oftentimes require and benefit from the flexibility allowed by the Planned Unit Development zoning process.

The project, as revised and now proposed, blends well with the Downtown's character, and impacts to the adjacent residents have been minimized by the reduction in density as well as the positioning of homes, modest house heights for two-story structures, and prohibition of future additions. As an infill development, it will include appropriate compromise to accommodate the proposed density.


The units are designed and sized to provide an attractive and livable environment for the future residents. The future residents who live in this development will be able to walk to the Downtown, patronizing Downtown businesses and amenities, thus supporting and adding to the economic viability of Downtown. Therefore, staff recommends that the Council approve the proposed project.

Submitted by:



Brian Dolan
Director of
Community Development

Fiscal Review:



Emily Wagner
Director of Finance

Approved by:



Nelson Fialho
City Manager

Attachments:

1. Draft City Council Ordinance for PUD-82 with Exhibit A, Recommended Conditions of Approval
2. Exhibit B: Proposed PUD Development Plan, dated "Received July 1, 2011" with Site Plan, Building Floor Plans and Elevations, Topographic Survey, Landscape and Fencing Plans, Site Development Standards, Green Building Checklist, and Grading, Drainage, and Stormwater Control Plans
3. Excerpts of the Planning Commission meeting minutes, dated July 13, 2011

4. July 13, 2011, Planning Commission Staff Report with the following Attachments:
 - C. Downtown Specific Plan Land Use Map
 - D. Photographs of the Property
 - E. City Council Staff Report dated December 7, 2010
 - F. Excerpts of the Minutes of the December 7, 2010, City Council Public Hearing
 - G. Planning Commission Staff Report dated September 15, 2010
 - H. Excerpts of the Minutes of the September 15, 2010, Planning Commission Public Hearing
 - I. Planning Commission Work Session Staff Report dated February 9, 2011
 - J. Excerpts of the Minutes of the February 9, 2011, Planning Commission Work Session
 - K. Excerpts of the Minutes of the May 21, 2008, Planning Commission Work Session
 - L. Noise Analysis (Project No. 41-011-1), dated April 20, 2010, and Addendum (Project No. 41-011-3), dated May 10, 2011, prepared by Edward L. Pack Associates, Inc.
 - M. Tree Preservation Reports by Camp & Camp Associates, dated "Received May 27, 2010", dated July 16, 2010, by HortScience, Inc.
 - N. Memorandum from the City Landscape Architect dated January 25, 2011
 - O. California Department of Parks and Recreation Survey Form – 523, Prepared by Architectural Resources Group
 - P. Before/After Photograph of a bungalow provided to the Planning Commission at the February 9, 2011 Work Session
 - Q. State Solar Shade Control Act (California Public Resources Code sections 25980 *et. al.*
 - R. Shade and Shadow Study by Hunt, Hale, and Jones, dated November 11, 2010.
 - S. Shade and Shadow Study by SolarCity for Darell Walterson, dated December 15, 2010.
 - T. Neighborhood Petition Submitted at the May 21, 2008, Planning Commission Work Session Meeting
 - U. Revised letter from Linda Garbarino, Pleasanton Heritage Association, dated "Received" November 1, 2010.
 - V. Public Emails
 - W. Location Map
 - X. Public Noticing Map
5. Stanley Boulevard Response to City Council Issues, prepared by David J. DiDonato, dated May 16, 2011

PUBLIC HEARINGS AND OTHER MATTERS

11. **Public Hearing:** PUD-82, David DiDonato, Donato Builders, Inc. – Consider an application to rezone approximately 1.17 acres at 4171 and 4189 Stanley Blvd. from R-1-6,500 (One Family Residential) to PUD-HDR (Planned Unit Development–High Density Residential) and a PUD Development Plan to construct 13 detached single-family homes

Community Development Director Brian Dolan gave the staff report and explained that the project is being returned to the City Council from the Planning Commission. He described the following issues and applicant response:

- The original 14-unit plan of single family detached homes was reduced to 13 units. The 3,500 square foot lot market with a 'red star' was removed as a residential lot and made into a common open space to be used by residents of the community.

- An additional 2 guest parking spaces were added.
- An older home sits on the property and the proposal has always been to demolish it. Certain members of the Planning Commission, the City Council, and the community that want the home maintained for historic preservation. The historic evaluation completed did not identify the home as something of significant architectural value or historical significance, and the applicant's proposal remains to demolish the home.
- Regarding density, the applicant was asked to consider reducing the number of units, and as stated previously, one unit was removed from the project.
- House sizes and FAR's: There are 3 models with 2 different sizes based on the exterior architectural treatments. Generally, models are 1,599 square feet to 1,920 square feet which is the same size reviewed in the past. The developer had reduced the floor sizes in the earlier dialogue at the Planning Commission level. The smallest units were reduced only 10 feet but the largest units reduced by almost 250 square feet. All are two stories tall and of modest high, from 26 to 28 feet.
- There was a request to explore the setbacks. One setback exists along the eastern property line up against the townhome development and some felt these were a little too close. There have also been some earlier changes with setting setbacks at 10 feet, but otherwise, there are no other changes.
- The applicant has agreed to a homeowners association and has requested a unique condition of approval relating to providing a tot lot for young children living in the development. The applicant maintains they believe this will not be their primary occupant in the development and asked to have some flexibility on installing a lot. They are willing to bond for the cost of installing it but waiting until 11 of the 13 units are occupied, and then have a vote of the HOA as to what it wants.

Mr. Dolan clarified with Vice Mayor Cook-Kallio that the area is approximately 3,500 square feet and a BBQ or picnic area could alternatively be installed instead of a tot lot.

Councilmember McGovern noted that in the minutes of the Planning Commission there was a question by Commissioners about whether or not, since there are 13 lots total and they want a vote of the HOA by the 11th lot, that the builder would get two votes and most likely these votes might impact the decision. She asked if the City would have to allow them the two votes and/or whether or not the City could restrict the votes to those who purchased the properties. Mr. Dolan said this could be set up in any manner, and the key is to provide flexibility for those who move in.

- Adequate parking: By providing the common open space instead of one of the lots, the applicant was able to add the number of guest spaces. In general, the development will 'live' a lot like a townhouse development. Even though yards are separated, it is much like townhome living. Given this environment, there is a fair amount of parking. Each unit would have 2 spaces in the garage, no parking in the private street, but on the two car pad in front of the garage, and then 7 guest parking spaces. There are a total of 5.4 spaces per unit compared to 2 spaces per unit next door.
- Tree removal and mitigation was a big issue in all discussions. The primary trees of concern were three large trees towards the front of the property. The applicant was asked at every meeting whether or not those could be preserved. The answer is that they do not want to give up the land area in order to save the trees, but they did identify 2 other trees on the edge of

the property, and those would be able to be preserved in the backyards of some of the proposed lots. Therefore, instead of removing 20 trees, they would remove 18 with 2 saved. The applicant will have to pay approximately \$40,000 to the City's Urban Forestry Fund.

Vice Mayor Cook-Kallio questioned if the materials presented to the Council reflected the corrected tree report. Mr. Dolan stated the report reflects the trees on the lot, and he clarified that trees removed by the railroad were not on this property. Those were made mention in the original tree report and tree expert, Mike Fulford, was to do more investigation on that issue.

Councilmember McGovern confirmed with Mr. Dolan that 12 of the 18 trees were determined to be heritage trees. Mr. Dolan deferred to Mr. Fulford.

Mike Fulford explained that the original report was prepared in 2009. The consulting arborist inspected all trees in late 2008. At that time, he found there were 25 trees on site. 2 were dead, with 13 different species and a couple trees were identified off-site on the railroad corridor. In mid-2009, UPRR examined their corridor to look for site distance problems, fire hazards and other obstacles, and they removed 3 trees north of this property which are not a part of the appraisal values given.

- A neighbor to the east has installed some photovoltaic (PV) panels on an accessory structure in the rear of their property. This property is a pre-existing, non-conforming structure. There has been some remodeling of that facility over the years. The roof is newer and some work has been done to the siding. They were able to look as far back as 1990 to determine whether that work was permitted and was not able to get to the records. There were permits for the PV and staff is assuming it is legal.

The concern over the PV is that the project would cast a shadow on the structure that sits on the property line. A good portion of the problem has been solved with the removal of the 14th lot, and he presented graphics showing the shadow in two different analyses, and both are consistent. He presented the graphic of the landscape plan for the open space, the lot removed, the existing garage, and an outline around the property line. He presented the applicant's shadow analysis which is consistent with what was provided to the neighbors and explained the neighbor's version which is easier to read and actually covers more timeframes.

Vice Mayor Cook-Kallio clarified shade locations and asked if the problem would be solved if the door was flipped and the chimney was made to be a corner chimney. Mr. Dolan said he believes not much is gained by moving the chimney; however, having a chimney is not necessarily mandatory.

Councilmember Sullivan asked if an analysis was done in the middle of June which he said would have been the highest production for the PV panels. Mr. Dolan said he did not believe so, and stated there would be a lot less shadow. Councilmember Sullivan referred to 4 panels being shaded and pointed out that half of the panels on a roof may be unproductive with one area of shading, so the problem extends beyond what the shading analysis shows.

- Lastly, there are noise sources on the site exist along Old Stanley and much more so along the railroad. Staff conducted a noise analysis and significant mitigation was required to meet all of the requirements in the General Plan. Ultimately it was proposed, and staff and the Planning Commission agreed, that it would not be reasonable to apply General Plan standards to the whistle of the train when it went by. To mitigate noise from the train when the whistle is blowing, a noise wall of 29 feet would need to be installed, as well as special windows. This had not been the direction by Council in the past and the attempt was to mitigate all the noise impacts but for the train whistle. With the STC-rated openings for

windows as outlined in this list with a much smaller noise wall in the rear, the General Plan requirements can be met for the interior and exterior noise levels.

Councilmember McGovern asked if noise levels were allowed to go up to 75 dBA in bedrooms. Mr. Dolan said the question was asked by Councilmember Sullivan in the past about what people will be subjected to during the period of time when the whistle blows. Staff provided this information in the staff report and in the study, as well as in a subsequent memo. It rises to 74 dBA for a brief moment during the duration of the whistle blowing.

Councilmember Sullivan referred to the table on page 8 of the staff report and asked that it be displayed after the presentation.

Mr. Dolan said staff continues to support the project. He believes the changes proposed improve the project and it is consistent with the General Plan and Downtown Specific Plan land use designations and policies. In terms of the land use designation, both documents call for high density development which is consistent with policies to provide smart growth, walk able communities, residential near services, and more residential near the downtown to add to the health of the downtown which would provide residents' ability to use more services there. He said Old Stanley is a unique and eclectic street and it is hard to be consistent with a major theme. For the downtown, the project blends overall with its general character in terms of the size of the homes proposed and the traditional design of homes on Old Stanley. The homes are unique in their square footages, which attract and serve a certain market not often served.

Councilmember Thorne questioned if Mr. Dolan compared the development with the development next door in terms of size, height and other things. Mr. Dolan said he believes they are smaller and do compare in height.

Mayor Hosterman pointed out that for that side of the street, the designation in the General Plan is for that use type, whereas, it is very different from the single family homes of various sizes on the other side of the street. Mr. Dolan agreed.

Lastly, Mr. Dolan said another reason staff is supportive of the project is because, as conditioned, staff feels it has addressed most of the impacts to the adjacent residents. While obviously it takes out the trees and does not preserve the old home, it does do a good job in addressing the potential for parking problems, and changes made are reasonable to the photovoltaic system.

Mayor Hosterman cited the Town's urban forest and said she did not like to lose trees; however, she likes the trade-off better than the last time the project was presented. She asked Mr. Fulford what the trade-off was in value of what is lost and gained in terms of new plantings. Mr. Fulford said a good part of this is subjective but the major trees are about the same age as the house and right on the street. They have a tremendous visual impact. It is likely they were damaged badly 40-50 years ago by topping and since then have not been structurally sound. There have been very recent and historic catastrophic branch failures. While the trees may be candidates for preservation, they will always be hazardous, and in his opinion, are not valuable long-term candidates for preservation. He thinks the community would be better served by planting more new trees with this development and said it would not take long to forest an area.

Vice Mayor Cook-Kallio said she has a fruitless Mulberry trees in her neighborhood which were recommended by a tree expert and not the best choice. Many people top them and they look horrible. She asked whether the HOA can condition homeowner upkeep for trees. Mr. Fulford said they are not proposing any fruitless Mulberry trees, and the project trees could be conditioned much the same way people are required to appropriately prune and maintain heritage trees.

Councilmember McGovern disclosed that she attended a neighborhood meeting, spoke to many residents and visited the house. In the minutes of the Planning Commission Mr. Fulford is quoted as stating there was a second study done which suggests that both trees could be preserved if judicial pruning took place which would make them good trees that could last in the landscape for a very long time. Mr. Fulford said this is true, but one would not want to have any development nearby or have trees in a place where people were. Councilmember McGovern added that there was a big difference with a 15-gallon tree and a tree that has a girth of 29 feet.

Councilmember Sullivan referred to Table 2 on page 8 of the staff report. He noted train horns generate from 89 dBA to 112 dBA at a 75 foot distance from the train. The last time the Council discussed equivalent noise examples. A pile driver is about 90 dBA, which is very loud. 112 dBA is also a significant jump and he believed that 75 feet from the train would greatly impact the site. He asked if there was an outdoor noise policy for backyards. Mr. Dolan said yes; it is 60 dBA and can rise to 65 dBA when the source of the noise is a train.

Councilmember Sullivan pointed out that there is almost double the noise standard for lots 6, 7 and 8, and Mr. Dolan said necessary reductions are achieved to meet the General Plan requirements with one exception—when a whistle blows. He was at the site today and a train went by and it was very loud when 2 whistles blew. He agreed that anyone living in these lots would have to tolerate it. As soon as this is added into the calculations, the requirements cannot be made when the whistle blows and this is the only exception being proposed.

Councilmember Sullivan referred to Table 2 and the far right column; 'Interior Sound Level Bedroom 2', and said it shows a range for Lot 1 of 52 to 75 dBA. Mr. Dolan said this was measured when the whistle was blowing. There is some variation, but there will be a maximum noise level of up to 75 dBA in a bedroom and it would be loud and similar to standing next to a busy freeway. While staff is not suggesting this is a good thing, they also note that this noise environment exists in hundreds of homes in the community, and this is one reason why staff did not feel it should hold this particular development to that standard. Councilmember Sullivan suggested that the City might want to recognize or decide that some are mistakes and the City should stop allowing this at some point in time instead of just continuing it. Mr. Dolan agreed that this was the Council's prerogative.

Councilmember Sullivan questioned the level of train engine and wheel noise, and Mr. Dolan directed him to information which was contained in the report.

Councilmember McGovern referred to setbacks along the railroad tracks. She questioned and confirmed that the closest homes were 57 feet away from the tracks, and believed, therefore, that the noise would be greater due to the 75 foot measurement. Mr. Dolan said all calculations in the study used the real setbacks, and he deferred to the noise consultant.

Councilmember McGovern asked to condition the project with full buyer disclosure on noise levels, and Mr. Dolan confirmed that the Planning Commission had added such a condition; that the noise impacts the occupants would have to live with needed to specifically be disclosed.

Councilmember McGovern referred to Table 1 on Exhibit L and questioned whether the consultant measured noise from 75 or 57 feet. Mr. Dolan suggested clarification from the noise consultant.

Mayor Hosterman suggested something be included in the disclosure that addresses the number of times the whistle can blow during the daytime and evening. She knows the usage of the railroad track has increased recently and is much more active in the evening/early morning hours.

Mayor Hosterman opened the public hearing.

Paul Martin, representing the applicant, said their sound consultant, Jeffrey Pack, was present to address questions. He thanked Mr. Dolan for his presentation which was thorough and said he was available to take questions.

Mayor Hosterman asked where the measurement of the decibels took place in relation to the setback. Mr. Martin said Mr. Pack could address questions relating to the sound study. In addressing a previous question, they are amenable to bond for the cost of installing a tot lot, wait until 11 of the 13 units are occupied, and then hold a vote of the HOA.

Jeff Pack, Edward L. Pack Associates, said the calculations are accurate. He had to measure 75 feet from the tracks because of shrubbery restrictions. The noise levels in the table and throughout the report are then calculated for the building setbacks, taking this into account. He calculated for every lot on the site under best and worst case conditions along Stanley and along the railroad.

Vice Mayor Cook-Kallio said she has a two-story building close to the railroad tracks and asked whether duration of the whistle was measured. Mr. Pack said there is a wide range of data. He said L-Max which is what is in the General Plan for railroad noise, is the measurement of the loudest part of noise if shorter than one second. A train horn can last anywhere from a short beep to a longer whistle depending on what is seen on the track, and it also depends on the engineer.

Councilmember Thorne questioned under what conditions the 112 dBA rating was achieved. Mr. Pack said he was out on the site for the entire 3-day period. Out of every one minute interval, average data is provided; the highest one second level data for each one minute period. When he sees a maximum of 112 dBA, it is a loud event. Councilmember Thorne agreed and said 115 dBA is the maximum industrial noise for an intermittent noise. Mr. Pack agreed and said it is a very loud event, but very short also, at one second.

Councilmember Sullivan questioned noise levels in the rear yards of these lots. Mr. Pack said the outdoor noise policies of the General Plan are for 24-hour averages. The City's goal is 70 decibels when the noise sources are railroads and 60 decibels for a non-railroad source, such as traffic. They use the 70 dBA level for outdoor areas, and this is why the 8 foot sound wall is required.

Councilmember Sullivan questioned what the exterior peak noise is. Mr. Pack said peak noise also has specific definitions for acoustics as done maximum. The outdoor maximum sound levels are either at the property boundary, at 57 feet, or for a wider area. They could look at what he measured from 75 feet compared to what is calculated for the setback at 57 feet, see the difference, and identify how things change over that space. In getting further away, they diminish. He said this data is not addressed in the General Plan as a planning policy, but maximum sounds represent the train horns, and measured sound levels are the outdoor maximum sound levels that were measured at 75 feet, which is 89 to 112 dBA.

Councilmember Sullivan said the actual outdoor noise levels at the lots were not evaluated like they were for the indoor noise levels. Mr. Pack said they were; the next column in the report indicates "sound levels at the setback" which are at 57 feet. They went up from 112 to 115 for one very worst case scenario. Therefore, it is anywhere from 92 to 115 dBA, except for lot 1, which was most likely the event of a motorcycle or emergency vehicle along Stanley Boulevard, which was not counted. He also noted that pile driving and train horns are very different kinds of noise sources. Pile drivers at a close distance get close to 120 to 125 dBA's, but it is an impulse sound with a rapid onset and decay or bang, and much more startling than a train noise that has slower onset and more of a decay. The awakening threshold between the two would also be different.

Councilmember Sullivan said the study also shows there are significant vibration problems caused by the train, which requires some mitigation on foundations. Mr. Pack agreed.

Councilmember McGovern confirmed with Mr. Pack that the table shows that at 75 feet, the range on Lot 6 was 89 to 112 dBA, but when it went to 57 feet it got worse, at 92 to 115 dBA. And, that the noise is louder with a smaller setback to the source's proximity. Councilmember McGovern added that a report in 2010 which said it would take a 29 foot tall sound wall along the project boundary adjacent to the railroad and flanking the sides of the project for 93 feet to actually mitigate the train engine wheel noise. Mr. Pack disagreed and said this would be needed to mitigate the horn noise primarily. Wheel rail interaction noise is better described by the first report using the L-1 value rather than the L-Max value. In using the L-1 values, mitigations proposed will reduce the train horn and train noise down to General Plan standards of 50 and 55 dBA.

Councilmember Sullivan said if the Council simply disregards the train horn, the standards are met. Mr. Pack said this is what has been done in the past given the nature of a train horn. With the train horn, it cannot be functionally mitigated unless there is a 29 foot high wall.

Vice Mayor Cook-Kallio asked how much the train noise is amplified if one is in a second story in that area. Mr. Pack said he was not sure what her particular window and house conditions were, but said heavy interior furnishings and carpet can reduce noise in comparison to a loft made of concrete, sheetrock and glass.

Linda Garbarino, President, Pleasanton Heritage Association, voiced concern with the identified heritage neighborhoods and feels this deserves some level of protection. She opposed a tot lot, removal of trees, and demolition of the home, stating that while all homes are not charming, the neighborhood is going to be eligible for California Register status and their goal is to look at the total neighborhood which she felt should be protected. She added that the large development across from this development has trees that the CC&R's have maintained, and said practices of the City are not clearly accessible to developers and the general public and should be improved.

Darrell Walterson said he thinks the old house does have intrinsic value to the neighborhood and could be restored. He voiced concerns with increased traffic on Stanley and continued concerns the shade will have on his solar panels.

Emilie Cruzan distributed the petition she had emailed to the City Council with 130 signatures regarding the loss of trees and the loss of trees on the development across the street which is part of the Housing Element. She opposed the removal of trees which represent a contiguous strip of urban forest that crosses Stanley Boulevard and extend all the way to the Arroyo Del Val. The area is also a wildlife corridor and creatures move through the trees which support the riparian habitat that borders along the Arroyo in this area. According to tree reports, the Cedar trees are in good health and candidates for preservation, and once cut down and replaced with houses, there will be no room for large trees which hawks will be able to sit in. If removed and the site built out, the void of 3 acres of trees will create a heat island in the neighborhood which will generate CO2 and pollutants. She asked the Council to consider that the short term profit of an influential developer should not be at the expense of an entire neighborhood.

Alan Robinette said he works next door at the window covering shop at 4225 Stanley and will be glad to see the Cedar trees removed because they are a hazard. Large branches have dropped for several years now. His PV panels will benefit from their removal and he thinks the two story homes will be a much better fit. He lives about 100 feet from the property and is also constantly trying to fight the rat population on the property.

Paul Martin, applicant, said he had no rebuttal or added comments.

Mayor Hosterman said the project has not been an easy one to consider. While she has opposed the cutting of trees, she also recognized they are a safety issue. She supported this type of project and its close proximity to the downtown. She recognized that the home could be

purchased and renovated, but this is not the case, and noted that the City will be able to bank funds from the development for what homeowners want. Parking and sound issues have been addressed and she noted that people who purchase new homes will know fully what they are buying through disclosure. She made a motion to support staff recommendation with minor amendments based on Council's discussion.

Councilmember Thorne seconded the motion. He said he appreciates the neighborhood inviting him over and giving him an opportunity to hear concerns from them directly. He shares some of the longer term concerns and hopes to be able to take an active role in ensuring the neighborhood is listened to and that input is heard early in the process than later. He emphasized that the Old Stanley corridor is a part of the Pleasanton downtown and part of the Downtown Specific Plan and is generally zoned for higher density projects, particularly infill projects. The 13-unit development fits well into this concept and is not a lot different from current infill projects. Regarding the existing home, whether it is a heritage home or building is far too dependent on the beholder and the prospective interest of that beholder and he suggested the City define historic guidelines.

Regarding the trees, Councilmember Thorne said this project has caused him to question whether or not the City's heritage tree ordinance is appropriate. When he first visited the property, he had a hard time believing the trees were heritage trees, as they seemed more like overgrown bushes that had not been pruned in 50 years and did not appear to have a defined trunk. Clearly, the Black Walnut and Cedar trees are heritage trees, but he thinks staff and the Planning Commission came to the correct conclusions. He also recognized the number of residents concerned about the future direction of their neighborhood who do not feel they have been listened to. They want to be part of the upfront planning process, and he agrees that development should engage the neighborhood. He acknowledged concerns about development over time affecting neighborhoods and citywide traffic, parking issues, said the developer needs to work with residents to assure their input is heard, and supported approval of the project.

Vice-Mayor Cook Kallio outlined her extensive communication with residents, the developer, and staff, and recognized the value of being actively engaged. She referred to the tree report and clarified that even with pruning there are inherent structural problems that will never go away due to topping the trees. She thinks the City is balancing what the neighborhood wants and what the property owner wants, and supported looking at neighborhood preservation. She thinks balancing the idea that there are modest-sized homes proposed near the downtown in a City that has not built many of them is good for new homebuyers. Regarding train noise, houses are built next to fire and police departments and places with episodic noise, and while not pleasant, she would be more concerned if she thought it produced long-term damage. Lastly, she asked for the applicant's help in mitigating the solar panel issue either by moving the chimney or putting some other kind of insulation there to allow the PV panels to get the maximum amount of sun.

Councilmember Sullivan said he has several concerns which have not been alleviated since the last hearing. He would not want to see the old house demolished, thinks Ms. Garbarino's comments were accurate, and felt that over time, these older homes will be gone. He agrees the City needs to do some work on its guidelines, opposes having the trees removed and echoed Ms. Cruzan's remarks regarding replacing 100 year old trees with homes. Regarding noise issues, he thinks the train noise will be a significant quality of life issue for many residents both in the daytime and evening hours.

Councilmember Sullivan said he has always been supportive of higher densities downtown, but it depends on how it is done. He suggested that the development might be better designed as multi-family and close to the same number of units, concentrating them on the center of the site to preserve the existing house and moving units away from the railroad tracks. Lastly, there is significant neighborhood opposition to this project with petitions, people attending all Council and

Commission meetings and workshops, and he said one of the key considerations during the Housing Element update was neighborhood acceptance of projects which is being ignored for this project. He feels this is simply the case of an influential property owner trumping the concerns and interests of the neighborhood, and he could not support the motion.

Councilmember McGovern said she is saddened by the idea the City is willing to take 103 year old house and demolish it so new houses can be built. She has concerns about the Downtown Specific Plan and the Council's interpretation of it. It encourages the removal of single family homes, regardless of their age, for high density housing which she feels is wrong. She thinks the house can be incorporated into the development which would probably make it a much better development. She visited the house, thought it had good structure, interesting architecture, and she feels the City is losing something valuable to the community and to the City.

Regarding the trees, Councilmember McGovern read both tree reports and both said they trees could be preserved and that they are in good condition. The reason they are being torn down is for homes. She could not support the motion but thinks there could be 9 houses, better setbacks, retention of the old house, trees, and still have a good development project. She also noted that \$40,000 will not replace the value of one tree and asked that replacement trees be larger than 15 gallon. She also agrees that the City drastically needs to begin work on a historic preservation ordinance and suggested adopting an ordinance to address dilapidation of homes, as well.

MOTION: It was M/S by Hosterman/Thorne to introduce and waive first reading of **Ordinance No. 2021** approving PUD-82, David DiDonato, Donato Builders, Inc. – rezone approximately 1.17 acres at 4171 and 4189 Stanley Blvd. from R-1-6,500 (One Family Residential) to PUD-HDR (Planned Unit Development–High Density Residential) and a PUD Development Plan to construct 13 detached single-family homes; as amended to add a condition that the plan be reviewed to allow for more sunlight to the home with PV panels; and, to add greater than 15 gallon replacement trees to the front of the property, and to change the timing of the vote of the homeowners concerning development of tot lot area when all 13 units are occupied . Motion carried by the following vote:

Ayes: Councilmembers Cook-Kallio, Thorne, Hosterman
Noes: Councilmembers McGovern and Sullivan
Absent: None

ORDINANCE NO. 2021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON APPROVING THE APPLICATION OF DAVID DiDONATO FOR PLANNED UNIT DEVELOPMENT (PUD) REZONING AND DEVELOPMENT PLAN APPROVAL, AS FILED UNDER CASE PUD-82

WHEREAS, David DiDonato has applied for Planned Unit Development (PUD) rezoning of an approximately 1.17-acre site at 4171 and 4189 Stanley Boulevard from the R-1-6,500 (One-Family Residential) District to the Planned Unit Development – High Density Residential (PUD-HDR) District and for development plan approval to construct 13 detached single-family homes; and

WHEREAS, an Environmental Impact Report (EIR) was prepared and certified for the Downtown Specific Plan (of which this site is part) on March 5, 2002; and the EIR anticipated that a high-density residential project such as that proposed would be located on the project site; further, the California Environmental Quality Act (CEQA) specifies that individual residential development projects that are proposed pursuant to the requirements of an adopted specific plan for which an EIR has been prepared and certified are exempt from additional environmental review; and

WHEREAS, the Planning Commission adopted Resolution No. PC-2011-20, recommending approval of the rezoning, and Resolution No. PC-2011-21, recommending approval of the Development Plan determining that the proposed rezoning and development plan are appropriate for the site, making findings, and recommending to the Pleasanton City Council that PUD-82 be approved; and

WHEREAS, on August 16, 2011 and September 6, 2011 the Pleasanton City Council held a duly noticed public hearing on this application and considered all public testimony, agenda reports, and related materials, and the recommendations of City staff and the Planning Commission; and

WHEREAS, the Pleasanton City Council finds that the proposed rezoning and development plan are consistent with the City's General Plan, the Downtown Specific Plan, and the purposes of the PUD District Ordinance of the City of Pleasanton.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Approves the rezoning of the approximately 1.17-acre site at 4171 and 4189 Stanley Boulevard from the R-1-6,500 (One-Family Residential) District to the Planned Unit Development – High Density Residential (PUD-HDR) District.

Section 2. The Zoning Map of the City of Pleasanton dated April 18, 1960, on file with the City Clerk, designating and dividing the City into zoning districts, is hereby amended to Zoning Unit Map No. 478, attached hereto as Exhibit A, dated October 6, 2011, and incorporated herein by this reference.

Section 3. Approves Case PUD-82, the application of David DiDonato for Planned Unit Development (PUD) development plan approval to construct 13 detached single-family

homes, subject to the conditions as shown in Exhibit B, attached hereto and made part of this ordinance by this reference.

Section 4. A summary of this ordinance shall be published once within 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 15 days in the City Clerk's Office within 15 days after its adoption.

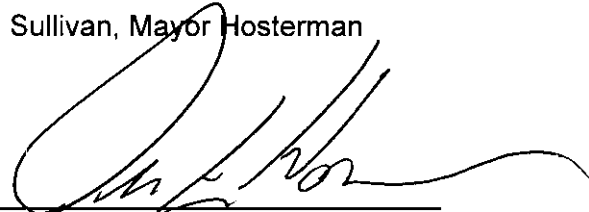
Section 5. This ordinance shall be effective 30 days after its passage and adoption

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton on August 16, 2011, by the following vote:

AYES: Councilmembers Cook-Kallio, Thorne, Mayor Hosterman
NOES: Councilmembers McGovern, Sullivan
ABSENT: None

And adopted at a regular meeting of the City Council of the City of Pleasanton on October 18, 2011, by the following vote.

AYES: Councilmembers Cook-Kallio, Sullivan, Mayor Hosterman
NOES: Councilmember McGovern
ABSENT: Councilmember Sullivan



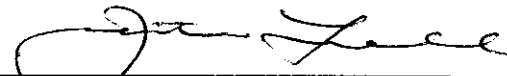
Jennifer Hosterman, Mayor

ATTEST:

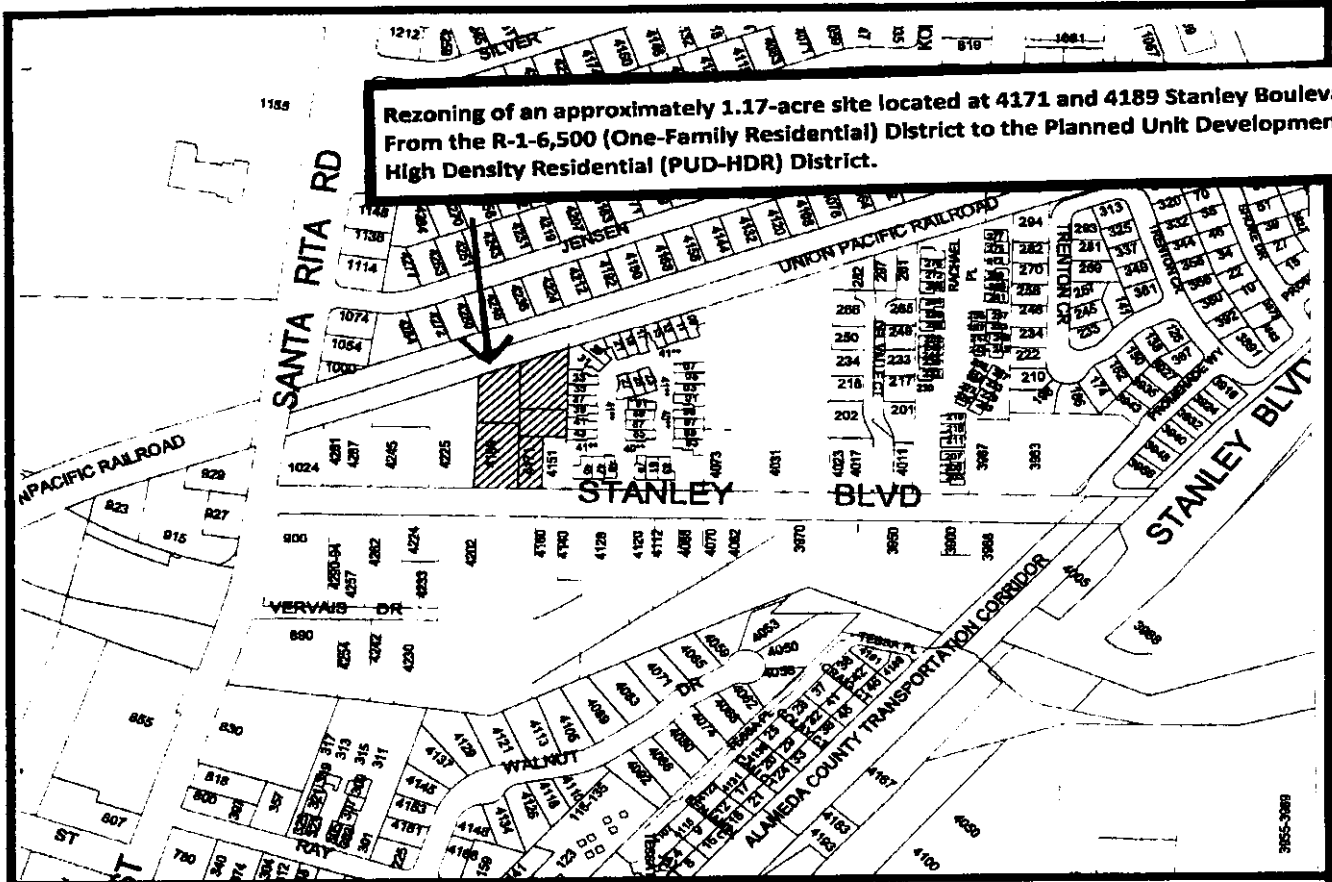


Karen Diaz, City Clerk

APPROVED AS TO FORM:



Jonathan P. Lowell, City Attorney



Rezoning of an approximately 1.17-acre site located at 4171 and 4189 Stanley Boulevard
 From the R-1-6,500 (One-Family Residential) District to the Planned Unit Development -
 High Density Residential (PUD-HDR) District.

**CITY OF PLEASANTON
 PLANNING DIVISION**

**Ordinance No. 2021
 Zoning Unit Map No. 478**

DRAWN BY:
 T. Snyder

APPROVED BY:

 DIRECTOR of
 COMMUNITY DEVELOPMENT

DATE:
 10/6/2011

SCALE:
 1" = 300'

SEC. NO.:
 PUD-82

**EXHIBIT B
CONDITIONS OF APPROVAL**

**PUD-82, David DiDonato, Donato Builders
4171 and 4189 Stanley Boulevard
September 6, 2011**

**SPECIAL CONDITIONS OF APPROVAL
Planning**

1. Prior to issuance of building permits for the project, a final subdivision map shall be approved by the City and recorded.
2. No additions or expansions are permitted to any house or garage in the development. Accessory structures shall conform to the approved accessory structure site development standards.
3. The garages shall not be modified or used for storage in a manner that would interfere with the ability to park two cars within the garage and each resident shall utilize the garages for the parking of vehicles. In addition, boats, trailers, campers, motor homes, and other recreational vehicles shall not be parked or stored on-site and residents, tenants, guests, etc., shall not park in the private street. The above parking restrictions for the development shall be included in the project CC&Rs. Said restrictions shall be submitted for review and approval by the City Attorney and Director of Community Development prior to recordation of the final map.
4. Unless otherwise specified in the conditions of approval, indicated in the accessory structure site development standards, or shown on the PUD development plan, all uses and site development standards shall be those of the R-1-6,500 District.
5. Unless otherwise approved by the Director of Community Development, the precast soundwall shall match the design shown on the PUD development plan. The soundwall color shall be submitted for review and approval by the Director of Community Development with the subdivision improvement plans.
6. Fencing within the development shall conform to the fencing plan. Minor modifications to the fencing plan may be approved by the Director of Community Development without a PUD modification.
7. The site development standards for accessory structures shall be modified:
 - a. To indicate that setbacks for covered patios, trellises, sheds, etc. shall be measured from the farthest architectural projection.
 - b. To indicate that decks and patios shall not interfere with the rear or side yard drainage installed by the developer.
 - c. To specify how setbacks are measured for the lots with the courtyards and easement areas (Lots 1-4, 9-10, and 12-13).

- d. To indicate that the wall material for detached and attached patios that are enclosed on two or more sides shall be limited to glass, screen lattice, or similar type of construction. Solid base walls of wood, stone, or stucco are permitted up to four feet from finished grade. Enclosed patios shall be non-conditioned space.

Said modifications shall be incorporated into a final site development standard document which shall be subject to the review and approval by the Director of Community Development prior to issuance of a building permit.

8. The project developer shall provide all initial home buyers with copies of the project conditions of approval and the site development standards for accessory structures.
9. The recorded deed of sale for all lots covered by this PUD Development Plan approval shall include separately recorded disclosure statements or restrictive covenants indicating the following:
 - a. That the property is in an area subject to noise, activity, and traffic impacts associated with a Downtown location.
 - b. The adjacency of the Union Pacific Railroad and possible noise, including noise from train whistles, and vibration impacts from said railroad.
 - c. That additions to the homes and garages are prohibited.
 - d. That the residents, tenants, guests, etc., are prohibited from parking in the private street.
 - e. That boats, trailers, campers, motor homes, and other recreational vehicles are prohibited from being parked or stored on-site.
 - f. That the garages shall not be modified or used for storage in a manner that would interfere with the ability to park two cars within the garage and that each resident shall utilize the garages for the parking of vehicles.
 - g. The estimated noise levels in the homes due to train horns as identified in the noise analysis, and that the noise levels are predicated on the varying railroad operations.

Wording for these disclosures and covenants shall be written in simple/plain language, 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.

10. The project developer/subdivider shall create the applicable access, use, maintenance, etc., easements for the private street, guest parking spaces, and courtyard areas, subject to the review and approval of the City Attorney and Director of Community Development.
11. The recorded deed of sale for Lot 3 shall include a disclosure identifying the preservation of Tree #65, a 23-inch diameter Douglas fir tree in the rear yard, and the recorded deed of sale for Lot 11 shall include a disclosure identifying the preservation of Tree #76, the 23-/29-inch diameter California Black Walnut tree in the southeast corner of the rear/side yard. Wording for these disclosures shall be written in simple/plain language, shall be submitted to the City

Attorney for review and approval before City Council approval of the final subdivision map for this development, and shall be recorded over these lots by separate instrument.

12. The recorded deed of sale for Lot 12 shall include a disclosure for the trees and shrubs to be planted in the rear and side yards of this lot regarding the photovoltaic panels on the roof of the detached garage on the adjacent property located at 4151 Stanley Boulevard. The wording for this disclosure shall be written in simple/plain language, 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 these lots by separate instrument.
13. The applicant shall work with staff to move the chimney on the Plan 1L model (Lot 12) on the east side of the building to reduce the shading of the photovoltaic panels at 4151 Stanley Boulevard. Said revision shall be subject to the review and approval by the Director of Community Development prior to issuance of a building permit.
14. The site plan shall be modified as follows:
 - a. The City's planned Stanley Boulevard street improvements shall be shown along the project frontage.
 - b. The street opening radii at Stanley Boulevard shall match that shown on the grading and drainage plan.
 - c. The air conditioning unit for Lot 9 shall be located in the northern side yard area.

Said revisions shall be subject to the review and approval by the Director of Community Development prior to issuance of a building permit.

15. All four building elevations of each model and elevation type shall be submitted for the review and approval by the Director of Community Development prior to issuance of a building permit.
16. The placement of the elevation style (i.e., Spanish or Andalusian) for each lot shall be submitted for the review and approval by the Director of Community Development prior to issuance of a building permit. The same elevation style shall not be used on the same model when they are located adjacent to each other (i.e., Lots 5 and 6, Lots 7 and 9, and Lots 10 and 11).
17. Wood-, fiberglass-, or vinyl-framed/sashed windows shall be utilized on the homes. If fiberglass- or vinyl-framed/sashed windows are used, they shall have a similar frame and sash thickness as found on a traditional wood-framed/sashed window unless the required noise mitigation for this project prevents compliance with this requirement. In addition, window mullions shall be raised and located on the exterior of the window unless the required noise mitigation for this project prevents compliance with this requirement. Manufacturer's specification sheets, details, and sections of the windows, and window treatments (sills, trim, etc.) shall be shown on the building permit plans and shall be subject to review and approval by the Director of Community Development prior to issuance of a building permit.
18. Except as otherwise approved by the Director of Community Development, the stucco on the buildings shall have a relatively smooth hand-troweled look finish. The stucco finish shall be noted on the building permit plans. Prior to installation, the applicant shall submit a sample of the stucco wall finish for review and approval by the Director of Community Development.

19. The developer shall comply with the recommendations of the noise and vibration study entitled "Noise and Vibration Assessment Study for the Planned Single-Family Development, Stanley Boulevard, Pleasanton" by Edward L. Pack Associates, Inc., dated April 20, 2010. Prior to issuance of a building permit, the applicant's noise consultant shall specify the minimum STC rating required for each window of each lot. Bathroom windows shall comply with the "living spaces" STC ratings indicated on Table I of the noise study. Details of the noise and vibration mitigation shall be submitted in conjunction with the plans submitted for issuance of building permits and shall be subject to the review and approval by the Director of Community Development prior to issuance of building permits for the project. The applicant's noise consultant shall review the applicable noise mitigations shown on the building permit plans to ensure that the recommendations have been properly incorporated into the design. The consultant shall certify in writing that such recommendations have been followed.
20. The developer may increase the height of the homes on Lot 6, Lot 7, and Lot 8 by 36-inches, or from 26-feet to 29 feet for Plan 1, 28-feet to 31-feet for Plan 2, and 28-feet to 31-feet for Plan 3 to implement the foundation requirement of the above vibration study.
21. The applicant shall provide automatic opening sectional roll-up garage doors on the garages of the houses covered by this approval. Unless otherwise approved by the Director of Community Development, the door design and material shall conform to the PUD development plan.
22. Scored permeable paving or decorative concrete pavers shall be used for all of the driveways. The driveway paving material and color(s) shall be submitted for review and approval by the Director of Community Development with the subdivision improvement plans.
23. The landscape and fencing plans shall be modified as follows:
 - a. Landscaping along the Stanley Boulevard street frontage shall be adjusted to accommodate the City's planned Stanley Boulevard street improvements.
 - b. The street opening radii at Stanley Boulevard shall match that shown on the grading and drainage plan.
 - c. The City right-of-way line shall be accurately identified.
 - d. If written permission is not provided from the adjacent property owners to allow the project's new fencing and/or soundwalls to be located on the shared property lines between the project site and the adjacent properties, then the fencing/walls and footings shall be located entirely on the project site.
 - e. The heights and location of the precast soundwall shall conform to the heights and location indicated in the April 20, 2010, noise study.
 - f. Con-heart redwood shall be used for the wood fencing material.
 - g. The applicant shall work with City staff to select tree species to maximize shading and size for the development to the extent feasible. The tree and shrub species selected for the open space area shall not shade the existing photovoltaic panels on the adjoining detached garage at 4151 Stanley Boulevard. The selected trees and shrubs shall be shown on the final landscape plan before their installation.

- h. The applicant shall retain Tree #76, the 23-/29-inch diameter California Black Walnut tree located on the southeast corner of the rear/side yard of Lot 11 and Tree #65, a 23-inch diameter Douglas fir tree located in the rear yard of Lot 3. Prior to issuance of a grading or building permit, the project developer shall install a temporary six foot tall chain-link fence (or other fence type acceptable to the Director of Community Development) generally along the existing tree drip lines, as shown on the plans. The fencing shall remain in place until the final landscape inspection by the Community Development Department. Removal of such fencing prior to that time may result in a "stop work order." Said revisions shall be subject to the review and approval by the Director of Community Development prior to issuance of a building permit.
 - i. The applicant shall work with staff to increase the number of trees planted in front of the property by Stanley Boulevard. The change shall be shown on the revised landscape plan before the issuance of the first building permit. Said revision shall be subject to the review and approval by the Director of Community Development prior to issuance of a building permit.
- 24. A final landscape plan and irrigation plan shall be submitted to and approved by Director of Community Development as part of the improvement plans prior to issuance of an on-site permit. Said landscape plan shall be consistent with the approved landscape plan plus any conditions of approval, and shall be detailed in terms of species, location, size, quantities, and spacing. Plant species shall be of a drought tolerant nature with an irrigation system that maximizes water conservation throughout the development (e.g., drip system).
- 25. All trees used in landscaping shall be a minimum of twenty-four (24) box-size as shown on the development plan and all shrubs shall be a minimum of five (5) gallons.
- 26. The project shall comply with the State of California's Model Water Efficient Landscape Ordinance. A licensed landscape architect shall verify the project's compliance with the ordinance: 1) prior to the issuance of a building permit; and 2) prior to final inspection. The verification shall be provided to the Planning Division.
- 27. Before each house final, all front yard landscaping shall be installed, reviewed, and approved by the Planning Division.
- 28. 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.
- 29. If written permission is not provided from the adjacent property owners to allow the project's retaining walls to be located on the shared property lines between the project site and the adjacent properties, then the retaining walls and footings shall be located entirely on the project site.
- 30. Prior to the first framing or structural inspection for each home, the project developer shall provide to the Director of Community Development a building height certification performed by a licensed land surveyor or civil engineer. Said certification shall allow for the installation of finished roof materials.

31. Prior to receiving a foundation inspection for each structure, the applicant shall submit a pad elevation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building Official and Director of Community Development, certifying that the pad elevations and building locations (setbacks) are pursuant to the approved plans.
32. Details of any permanent project identification signage shall be submitted for the review and approval by the Director of Community Development with the subdivision improvement plans.
33. The PUD plans shall be revised, as applicable, to eliminate the approximately 1,375-square-foot parcel within Stanley Boulevard that was previously dedicated to the City.
34. Only gas fireplaces, pellet fueled wood heaters, or EPA certified wood-burning appliances may be installed inside or outside of the homes.
35. All residences in the PUD shall be constructed to allow for future installation of a photovoltaic (PV) system. The applicant shall comply with the following requirements for making all units on the subject site photovoltaic-ready:
 - a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the building's main electrical panels;
 - b. An area shall be provided near the electrical panel for the installation of an "inverter" required to convert the direct current output from the photovoltaic panels to alternating current; and
 - c. Engineer the roof trusses to handle an additional load as determined by a structural engineer to accommodate the additional weight of a prototypical photovoltaic system beyond that anticipated for roofing.

These measures shall be shown on the building permit plan set submitted to the Director of Community Development for review and approval before issuance of the first building permit. The project developer shall provide the future homeowners 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 Community Development for review and approval prior to the occupancy of the first unit.

36. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. No construction shall be allowed on State or Federal Holidays. The Director of Community Development may allow earlier "start times" or later "stop times" for specific construction activities (e.g., concrete pouring) if it can be demonstrated to the satisfaction of the Director of Community Development that that the expanded construction hours are necessary (e.g., the concrete foundations need to be poured early due to weather conditions). 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.
37. Prior to issuance of a building permit, the applicant shall contribute \$2,500 per new unit to the Bernal Park Reserve Fund.

38. Prior to issuance of a building permit, the applicant shall contribute the appraised value of the trees to be removed (excluding Tree #62, #65, #76, and #83 as identified in the tree report) to the City's Urban Forestry Fund for tree mitigation. Should the applicant decide to install landscaping for all yard areas around the homes, then the applicant shall receive credit for the cost of the trees installed in the rear and side yard areas of the lots beyond that currently shown on the PUD plan.
39. The electrical plans for the homes shall provide telecommunications infrastructure consistent with state-of-the-art methods (e.g., cabling for DSL, broadband, or wireless service, wiring for total room access, etc.) in effect at the time that building permit(s) are issued. The plan shall be part of the building permit plan set.
40. The State of California's Green Building Standards Code, "CALGreen," shall apply, if applicable.
41. Water conservation devices shall be installed as part of the project. The water conservation devices shall be stated on the plans submitted for the issuance of a building permit.
42. The project shall comply with the current City/Pleasanton Garbage Service recycling and composting programs.
43. The applicant shall post a separate bond with the final subdivision map for the cost including materials and labor to install play equipment for children in the common open space area upon demand by the Community Development Director after the 11th house is sold. The decision to install the play equipment shall be based on a majority vote of the 11 homeowners. The play equipment designs and/or brochures shall be submitted to the Planning Division and to the City Landscape Architect for review and approval before installation.
44. A final subdivision map shall be required to subdivide the property into 13 lots plus one common parcel. With the final map, the project developer shall record Conditions, Covenants and Restrictions (CC&R's) at the time of recordation of the final map which shall create a homeowners association (HOA) for the development. The HOA shall be responsible for the maintenance of all common utilities and stormwater treatment measures, common access driveway and parking, common open space area and play equipment, and other facilities specified in the approval. The buildings, driveway aprons, landscape, and lot-specific drainage shall be the responsibility of the individual owner for the lot. The CC&R's shall be subject to the review and approval of the City Attorney prior to recordation of the final map. The City shall be granted the rights and remedies of the association, but not the obligation, to enforce the maintenance responsibilities of the association.
45. With the tentative map application, the City shall review access to the detached garage and photovoltaic panels on the adjacent property located at 4151 Stanley Boulevard.

SPECIAL CONDITIONS OF APPROVAL
Engineering

46. Unless otherwise approved by the City Engineer, the applicant shall install an additional catch basin further downstream (pipe) on the project site to provide a drainage release in the event one of the inlets gets plugged.
47. If the applicant's project precedes the City's Capital Improvement Project to reconstruct Stanley Boulevard, then the applicant shall install the storm drain pipe in Stanley Boulevard to the

westerly side of Santa Rita Road/Main Street unless otherwise approved by the City Engineer. If the City's Capital Improvement Project for Stanley Boulevard precedes approval of the Final Map, then the applicant shall pay a pro-rata share of the storm drain line to serve this development.

48. The applicant shall pay a pro-rata share of the City's Capital Improvement Project to reconstruct Stanley Boulevard along the project frontage prior to the approval of the final map, or at a later time approved by the Community Development Director.
49. If the applicant's project precedes the City's Capital Improvement Project to reconstruct Stanley Boulevard, then the applicant shall construct an interim street tie-in. The exact layout of the tie-in shall be determined at the improvement plan checking stage.
50. The applicant shall demonstrate to the satisfaction of the City engineer that the sanitary sewer laterals have sufficient cover and slope to serve all the units in this development; the sanitary sewer lateral invert information shall be shown on the engineering drawings submitted with the Tentative Subdivision Map.
51. There shall be a valley gutter between Stanley Boulevard and the in-tract street to prevent storm water on Stanley Boulevard from flowing onto the private street.
52. The water lateral to the existing house located on the property shall be abandoned in accordance with City standards.
53. The applicant shall dedicate a Public Service Easement (PSE) over the private street and extending 5 feet outside of the edge of the street for City maintenance of the water main and laterals, sanitary sewer main, and joint trench for the dry utilities. The applicant shall also dedicate an 8-foot wide a Public Service Easement (PSE) along the Stanley Boulevard project frontage.
54. If the applicant's project precedes the City's decision to underground overhead utilities along Stanley Boulevard, then the applicant shall install new services to the proposed units within this development underground in conduit to the nearest "utility approved" riser pole. The developer/subdivider shall also be responsible for paying a pro-rata share as determined by the City Engineer for undergrounding of the overhead utility lines across the project frontage including the service lines to this proposed development. Said payment shall be paid to the City prior to the approval of the final map.

SPECIAL CONDITIONS OF APPROVAL

Fire

55. The dwelling units 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 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 dwelling units.
56. The private street shall be designated as a fire lane and identified as such by red curb striping and posted with signs on both sides of the street at locations approved by the Fire Department.

Signs shall be according to state standards and read "No Parking - Fire Lane" and must be shown on the improvement plans.

STANDARD CONDITIONS OF APPROVAL
Community Development Department

57. 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.
58. The project developer shall submit a written dust control plan or procedure as part of the improvement plans.
59. The permit plan check package will be accepted for submittal only after the ordinance approving the PUD development plan becomes effective, unless the project developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the ordinance is overturned or that the design is significantly changed. In no case will a permit be issued prior to the effective date of the ordinance.
60. 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.
61. If any prehistoric or historic artifacts, or other indication of cultural resources are found once the project construction is underway, all work must stop within 20 meters (66 feet) of the find. A qualified archaeologist shall be consulted for an immediate evaluation of the find prior to resuming groundbreaking construction activities within 20 meters of the find. If the find is determined to be an important archaeological resource, the resource shall be either avoided, if feasible, or recovered consistent with the requirements of Appendix K of the State CEQA Guidelines. In the event of discovery or recognition of any human remains in any on-site location, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the County coroner has determined, in accordance with any law concerning investigation of the circumstances, the manner and cause of death and has made recommendations concerning treatment and dispositions of the human remains to the person responsible for the excavation, or to his/her authorized representative. A similar note shall appear on the improvement plans.
62. All existing wells on the site shall be removed or sealed, filled and abandoned pursuant to Alameda County Ordinance 73-68, prior to the start of grading operations. Wells shall be destroyed in accordance with the procedures outlined on the permit obtained from Zone 7. Zone 7 may request the developer/subdivider to retain specific wells for monitoring the ground water. The developer/subdivider shall notify the City of Zone 7's desire to retain any well and make provisions to save the well. Additionally, the developer/subdivider may request special approval for temporary use of an existing well for construction water or a more permanent use such as non potable outdoor landscaping. The developer/subdivider shall make such request in writing to the City Engineer.

STANDARD CONDITIONS OF APPROVAL
Planning

63. The proposed development shall be in substantial conformance to Exhibit B, dated "Received" July 30, 2009, May 27, 2010, and August 25, 2010, on file with the Planning Division, except as modified by these conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development.
64. The PUD development plan approval shall lapse two years from the effective date of this ordinance unless a final map is recorded.
65. To the extent permitted by law, the project applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorney's 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.
66. The applicant shall work with the Pleasanton Unified School District (PUSD) to develop a program to off-set 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 issuance of building permit. 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. In no event shall construction commence unless the above method and manner for the provision of these funds and/or facilities has been agreed to by the applicant and PUSD.
67. Prior to building permit submittal, a list of the green building measures used in the design of the units covered by this approval shall be provided to the Planning Division for the review and approval by the Director of Community Development.

The green building measures shall be shown on one of the first two pages of the plans submitted for issuance of a building permit. **Each point identified shall have a notation indicating the sheet the point can be found, and each sheet shall note where the point is located.** All proposed green building measures shall be shown throughout the plan set, as appropriate, as determined by the Director of Community Development.

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

68. 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.

69. 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.
70. 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.
71. 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.
72. The developer and future homeowners are encouraged to use best management practices for the use of pesticides and herbicides.
73. The project developer shall comply with the recommendations of the tree report prepared by Ed Brennan, dated "Received May 27, 2010". No tree trimming or pruning other than that specified in the tree report shall occur. The project developer shall arrange for the horticultural consultant to conduct a field inspection prior to issuance of City permits to ensure that all recommendations have been properly implemented. The consultant shall certify in writing that such recommendations have been followed.
74. The project developer shall post cash, letter of credit, or other security satisfactory to the Director of Community Development in the amount of \$5,000 for each tree required to be preserved, up to a maximum of \$25,000. This cash bond or security shall be retained for one year following acceptance of public improvements or completion of construction, whichever is later, and shall be forfeited if the trees are destroyed or substantially damaged. No trees shall be removed other than those specifically designated for removal on the approved plans or tree report.
75. The approved building materials and colors shall be stated on the plans submitted for issuance of building permits.
76. 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.
77. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
78. Portable toilets used during construction shall be kept as far as possible from existing residences and shall be emptied on a regular basis as necessary to prevent odor.

STANDARD CONDITIONS OF APPROVAL
Landscaping

Landscaping Requirements:

79. 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.

80. 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 such time as permanent landscaping is in place.

Tree Requirements:

81. The following statements shall be printed on to the site, grading, and landscape plans where applicable to the satisfaction of the Director of Community Development prior to issuance of a building permit:
- a. No existing tree to be saved may be trimmed or pruned without prior approval by the Community Development Director.
 - b. No equipment may be stored within or beneath the driplines of the existing trees to be saved.
 - c. No oil, gasoline, chemicals, or other harmful materials shall be deposited or disposed within the dripline of the trees to be saved or in drainage channels, swales, or areas that may lead to the dripline.
 - d. No stockpiling/storage of fill, etc., shall take place underneath or within five feet of the dripline of the existing trees to be saved.

STANDARD CONDITIONS OF APPROVAL

Building

82. 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.
83. 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.
84. 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 final inspection. 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 CONDITIONS OF APPROVAL
Engineering

85. A "Conditions of Approval" checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.
86. The project applicant or developer shall comply with the recommendations of the project's geotechnical consultant. The project applicant or developer's geotechnical consultant shall review and approve all foundation, retaining wall, and drainage geotechnical aspects of the final development plans to ensure that the recommendations have been properly incorporated into the development. The consultant shall certify by writing on the plans or as otherwise acceptable to the City Engineer that the final development plan is in conformance with the geotechnical report approved with the project.
87. The project applicant or 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.
88. The project applicant or 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.
89. The project applicant or 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.
90. All existing septic tanks or holding tanks shall be properly abandoned, pursuant to the requirements of the Alameda County Department of Health Services prior to the start of grading operations, unless specifically approved by the City Engineer.
91. 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.
92. All dry utilities (electric power distribution, gas distribution, communication service, Cable television, street lights and any required alarm systems) required to serve existing or new development shall be installed underground in conduit or in a joint utility trench.
93. 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 applicant or developer. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
94. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve the project.
95. The project developer/subdivider shall create drainage easements across the project for the benefit of the individual lots, subject to the review and approval of the City Engineer.

96. The project developer/subdivider shall create utility easements across the project for the benefit of the individual lots, subject to the review and approval of the City Engineer.
97. The tentative map shall contain a brief legal description of any parcel being re-subdivided, a statement of lot and total acreage, and a statement referencing any separate documents required to be recorded with the map.
98. There shall be no direct roof leaders connected to the street gutter or storm drain system, unless otherwise approved by the City Engineer.
99. The project applicant or developer and/or the project applicant's/developer's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.
100. The project applicant or developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and drainage control measures, including concrete-lined V-ditches, to protect all cut and fill slopes from surface water overflow. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of a subdivision grading permit.
101. The project applicant or developer shall include erosion control measures on the final grading plan, subject to the approval of the City Engineer. The project applicant or developer is responsible for ensuring that the contractor is aware of such measures. All cut and fill slopes shall be re-vegetated 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 permanent landscaping is in place.
102. Storm drainage swales, gutters, inlets, outfalls, and channels not within the area of a dedicated public street approved by the City Engineer shall be privately maintained by the property owners or through an association approved by the City.
103. The project applicant or developer shall be responsible for the installation of the lighting system serving the development. The lights shall be LED units. The lighting system design shall conform to the Illuminating Engineering Society (IES). Approval for the number, location, and type of electroliers shall be subject to the review and approval of the City Engineer.
104. The project applicant or developer shall submit detailed landscape and irrigation plans as part of the improvement plans. The irrigation plan shall provide for automatic controls.
105. All retaining walls and monument signs along the street shall be placed behind the Public Service Easement (PSE), unless otherwise approved by the City Engineer.
106. A water meter shall be provided to each lot of record within the development unless otherwise approved by the City Engineer.
107. A sanitary sewer lateral with two-way cleanout (located at the back of the sidewalk or curb, whichever is applicable) shall be provided to each lot of record within the development unless otherwise approved by the City Engineer.

108. The in-lieu park dedication fees shall be paid to the City prior to approval of the final subdivision map, at the rate then in effect, for the total number of buildable lots on the map or at a later time approved by the Community Development Director, unless this requirement has been otherwise satisfied.
109. Prior to approval of the improvement plans, the project applicant or developer shall comply with all applicable conditions of outside agencies having jurisdiction.
110. The applicant shall post with the City, prior to approval of the final map, a separate performance bond for the full value of all subdivision improvements that are not to be accepted by the City of Pleasanton.
111. The applicant/developer's title company shall record the final map, CC&R's, Storm Water Operations and Maintenance Agreement, any grant deeds or easements, and any other required documents concurrently with the Alameda County Recorder's Office. After the recording of these documents the City shall be provided with a legible recorded copy.
112. The curb and gutter along the street shall have a subdrain installed at either the back of the 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.

STANDARD CONDITIONS OF APPROVAL

Fire

113. The project developer shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
114. 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.
115. 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.
116. The Fire Prevention Bureau reviews building/civil drawings for conceptual on-site fire mains and fire hydrant locations only. Plan check comments and approvals DO NOT INCLUDE:
 - Installation of the on-site fire mains and fire hydrants. Specific installation drawings submitted by the licensed underground fire protection contractor shall be submitted to the Fire Prevention Bureau for approval.
 - Backflow prevention or connections to the public water mains.
117. The following items will be provided prior to any construction above the foundation or slab.
NOTE: Periodic inspections will be made for compliance.
 - a. Emergency vehicle access will be required to be provided to the site (tract), including the area where construction is occurring.

- b. Emergency vehicle access shall be a minimum of 20 feet in clear width. A clear height free of obstructions (power, cable, telephone lines, tree limbs, etc.) is required. This clearance shall be a minimum of 13 feet-6 inches. Inside turning radius of 45 feet and outside turning radius of 55 feet shall be provided.
- c. The carrying capacity of the access route(s) shall be 69,000 pounds under all weather conditions.
- d. Designated construction material storage and construction worker parking shall not obstruct the emergency vehicle access route(s).

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.)

- 118. The project shall meet all requirements of the City's Growth Management Program, as determined by the Director of Community Development.

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.)

- 119. 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.
- 120. The building covered by this approval shall be designed and constructed to meet Title 24 state energy requirements.
- 121. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.

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.)

- 122. All construction shall conform to the requirements of the California Fire Code currently in effect, and City of Pleasanton Ordinance 2015. All required permits shall be obtained.
- 123. Underground fire mains, fire hydrants, and control valves shall be installed in conformance with the most recently adopted edition of NFPA Pamphlet 24, "Outside Protection."
 - The underground pipeline contractor shall submit a minimum of three (3) sets of installation drawings to the Fire Department, Fire Prevention Bureau. The plans shall have the contractor's wet stamp indicating the California contractor license type, license number and must be signed. No underground pipeline inspections will be conducted prior to issuance of

approved plans. All underground fire protection work shall require a California contractor's license type as follows: C-16, C-34, C-36 or A.

- All field-testing and inspection of piping joints shall be conducted prior to covering of any pipeline.

124. All buildings undergoing construction, alteration or demolition shall comply with Chapter 14 (2010 California Fire Code) pertaining to the use of any hazardous materials, flame-producing devices, asphalt/tar kettles, etc.

125. Dead-end fire service water mains shall not exceed 500 feet in length and/or have more than five Fire Department appliances* shall be looped around the site or building and have a minimum of two points of water supply or street connection. Zone valves shall be installed as recommended under NFPA, Pamphlet 24 and the Fire Marshal.

* Note: Fire Department appliances are classified as fire sprinkler system risers, fire hydrants, and/or standpipes.

126. The building(s) covered by this approval shall conform to the requirements of the California Building Code currently in effect, California Fire Code currently in effect, and 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).

STANDARD URBAN STORMWATER CONDITIONS OF APPROVAL

The project shall comply with the California Regional Water Quality Control Board, San Francisco Bay Region, Municipal Regional Stormwater NPDES Permit, Order R2-2009-0074, NPDES Permit No. CAS612008, October 14, 2009:

(http://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2003/february/02-19-03-12finalto.doc;

and:

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

The project shall also comply with the "Construction General Permit" by the California Regional Water Quality Control Board, San Francisco Bay Region:

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

Design Requirements

127. The Permit design requirements include, but are not limited to, the following:

- a) Source control, sight design measures, and design and implementation of stormwater treatment measures are required when commercial, industrial, or residential development

creates and replaces 10,000 square feet or more of impervious surface, including roof area, streets, and sidewalk.

- b) Hydro-modification standards are required when a new development or redevelopment project creates and replaces total impervious area of one acre or more.
- c) The Permit requires a proactive Diazinon pollutant reduction plan (aka Pesticide Plan) to reduce or substitute pesticide use with less toxic alternatives.
- d) The Permit requires complying with the Copper Pollutant Reduction Plan and the Mercury Pollutant Reduction Plan.

128. The following requirements shall be incorporated into the project:

- a) The project applicant or 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) In addition to natural controls, the project applicant or developer shall install a structural control such as an oil/water separator, sand filter, or an approved equal in the parking lot to intercept and pre-treat stormwater prior to reaching the storm drain. The design, locations, and a schedule for maintaining the separator shall be submitted to the City Engineer/Chief Building Official for review and approval prior to issuance of building permits. The structural control shall be cleaned at least twice a year: once immediately prior to October 15 and once in January.
- c) The project applicant or developer shall submit sizing design criteria to treat stormwater runoff at the time of improvement plan submittal and an updated detailed copy of calculations with subsequent submittals.
- d) Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate and acceptable to the project soils engineer, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution.
 - Structures shall be designed to prohibit the occurrence and entry of pests into buildings, thus minimizing the need for pesticides.
 - Where feasible, landscaping shall be designed and operated to treat stormwater runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified. Soil shall be amended as required. (See planting guideline by Alameda County Clean Water Program.)
 - Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency, and plant interactions to ensure successful establishment.
 - Landscaping shall also comply with City of Pleasanton ordinances and policies regarding water conservation.

- e) All metal roofs, if used, shall be finished with rust-inhibitive paint.
 - f) Roof drains shall discharge and drain away from the building foundation. Ten percent of the stormwater flow shall drain to landscaped area or to an unpaved area wherever practicable.
129. A regular program of sweeping/ vacuuming, litter control, and spill cleanup shall be implemented. Such program shall be submitted to the Director of Community Development for review and approval prior to issuance of permits.

Construction Requirements

The Construction General Permit's construction requirements include, but are not limited to, the following:

Construction activities (including other land-disturbing activities) that disturb one acre or more (including smaller sites that are part of a larger common plan of development) are regulated under the NPDES stormwater program. Operators of regulated construction sites are required to develop and implement stormwater pollution prevention plans and to obtain a construction general permit (NOI) from the State Water Resources Control Board to discharge stormwater.

http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/finalconstpermi t.pdf

Stormwater

130. The project applicant or developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review by the City Engineer/Chief Building Official prior to issuance of building or engineering permits. A reviewed copy of the SWPPP shall be available at the project site until engineering and building permits have been signed off by the inspection departments and all work is complete. A site specific SWPPP must be combined with proper and timely installation of the BMPs, thorough and frequent inspections, maintenance, and documentation. Failure to comply with the reviewed construction SWPPP may result in the issuance of correction notices, citations or stop work orders.
131. The amendments to the SWPPP and all the inspection forms shall be completed and available at the site for inspection by the city, county, or state staff.
132. The project applicant or developer is responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measure, shall be included in the SWPPP and implemented as approved by the City.
- a) The project applicant or developer shall include erosion control/stormwater quality measures on the final grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and are subject to the review and approval of the City Engineer/Chief Building Official. If no grading plan is required, necessary erosion control/stormwater quality measures shall be shown on the site plan submitted for an on-site permit, subject to the review and approval of the Building and Safety Division. The project applicant/ developer is responsible for ensuring that the contractor is aware of and implements such measures.

- b) All graded areas shall be re-vegetated 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 unless approved erosion control/stormwater quality measures are in place, subject to the approval of City Engineer/Chief Building Official. Such measures shall be maintained until such time as permanent landscaping is in place.
- c) 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.
- d) 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.
- e) 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.
- f) 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 through being windblown or in the event of a material spill.
- g) Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
- h) Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, or storm drains.
- i) 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.
- j) Concrete wash area: Locate wash out areas away from the storm drains and open ditches, construct a temporary pit 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.
- k) 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.

Operation Requirements

The Permit's operation and maintenance requirements include but are not limited to the following: the operation and maintenance of treatment measures including but not limited to bio-swales, lawns, landscaped areas with deep-rooted plants, oil/water separator, Filterra units, etc.; and requires completing, signing, and recording an agreement with Alameda County recorder's office in a format approved by the State and Alameda County.

133. All projects, unless otherwise determined by the City Engineer or Chief Building Official, shall enter into a recorded Stormwater Treatment Measures Inspection and Maintenance Agreement for ongoing maintenance and reporting of required stormwater measures. These measures may include, but are not limited to:
- a) The Homeowners Association shall be responsible for maintaining all private streets, private utilities, and other privately owned common areas and facilities on the site including stormwater treatment measures. These maintenance responsibilities shall include implementing the maintenance plan, which is attached to the Stormwater Treatment Measures Inspection and Maintenance Agreement. This document shall be reviewed by the City Attorney's Office and recorded with the final map.
 - b) On-site storm drain inlets clearly marked and maintained with the words "No Dumping – Drains to Bay."
 - c) Proper maintenance of landscaping, with minimal pesticide and fertilizer use.
 - d) Ensure wastewater from vehicle and equipment washing operations is not discharged to the storm drain system.
 - e) Ensure that no person shall dispose of, nor permit the disposal, directly or indirectly, of vehicle fluids, hazardous materials or rinse water from cleaning tools, equipment or parts into storm drains.
 - f) Clean all on-site storm drains at least twice a year with one cleaning immediately prior to the rainy season. The City may require additional cleanings.
 - g) Regularly, but not less than once a month, sweep driveways, sidewalks, and paved areas to minimize the accumulation of litter and debris. Corners and hard to reach areas shall be swept manually. Debris from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Wastewater containing any soap, cleaning agent, or degreaser shall not be discharged into the storm drain.
 - h) Vegetated swales with grasses shall be mowed and clippings removed on a regular basis.

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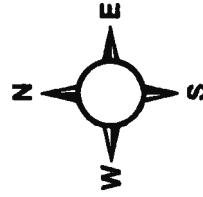
Public Notice Area

City of Pleasanton

GIS

Department

Donato Subdivision



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