

EXHIBIT A
DRAFT CONDITIONS OF APPROVAL
P11-818 / 4280 Hacienda Drive
Maddie's Center
Conditional Use Permit
January 11, 2012

PROJECT SPECIFIC CONDITIONS

1. If additional hours and activities beyond what was stated in the applicants' written narratives and schedule of activities, dated "Received December 19, 2011", on file in the Planning Division, are desired, prior City review and approval is required. Such modification may be approved by the Director of Community Development if found to be in substantial conformance with the approval. The Director of Community Development may also refer the matter to the Planning Commission if the proposed changes would be significant. Activities shall be restricted to the following times:
 - a. General operations shall be limited to Monday through Friday from 7:00 a.m. to 7:00 p.m. and on Saturdays and Sundays from 7:00 a.m. to 6:00 p.m.,
 - b. Trainings and classes twice per month with 20 or fewer attendee per training/class, and shall to be concluded by 8:00 p.m.,
 - c. Outdoor animal activities are limited to 7:00 a.m. to dusk daily,
 - d. Small events, such as birthday parties, to occur a maximum of 15 times per year, with a maximum of 50 attendees, to be conducted between the hours of 10:00 a.m. to 4:00 p.m., Monday through Sunday; and
 - e. Larger events, such as fundraisers, to occur a maximum of 6 times per year, with a maximum of 300 attendees, to be conducted between the hours of 7:00 p.m. to 10:00 p.m., Monday through Sunday.
2. The use shall comply with Chapter 9.04 of the Pleasanton Municipal Code (Noise Regulations).
3. The facility staff shall:
 - a. Cease use of the outdoor area for any dog that repeatedly barks or otherwise causes noise while outside,
 - b. Monitor the dogs closely while outside, and
 - c. Restrict the use of the outdoor area for any dog that demonstrates a propensity to bark.
4. The plans submitted for a building permit shall include all specified acoustical treatments, including absorbing materials (like Pyrok Acoustement 40) and sound transmission inhibiting products (3/8" laminated glass, acoustical sealants, acoustical insulation in partition walls).
5. The shelter and medical care facilities shall be limited to providing onsite care for a total maximum of 375 cats and 125 dogs.

6. The applicant shall pay the required sewer fees, traffic impact fees, and all other fees that the proposed use may be subject to prior to operation.
7. Prior to operating the facility, the applicant shall contact the City of Pleasanton's Economic Development Department to obtain information on the City of Pleasanton Commendable Commutes program.
8. All bike racks shall be installed as specified by the Hacienda Business Park Design Guidelines.
9. At no time shall balloons, banners, pennants, or other attention-getting devices be utilized on the site except as allowed by Section 18.96.060K of the Pleasanton Municipal Code for grand openings.

STANDARD CONDITIONS OF APPROVAL

Planning

10. The location and operation of the proposed use shall conform substantially to Exhibit B (site plan, floor plan, and written narrative), dated "Received, December 19, 2011," 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.
11. 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.
12. 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.
13. All Conditions of Approval of cases PUD-81-30 through PUD-81-30-51M shall remain in full force and effect.
14. If the operation of this use results in conflicts pertaining to parking, noise, traffic/circulation, or other factors, at the discretion of the Director of Community Development, this conditional use permit may be submitted to the Planning Commission for their subsequent review at a public hearing.
15. There shall be no outdoor storage.

- 16. The Maddie’s Fund and/or Maddie’s Center shall maintain the area surrounding the tenant space in a clean and orderly manner at all times.
- 17. This approval does not include approval of any signage for Maddie’s Fund and/or Maddie’s Center. If signs are desired, the applicant shall submit a sign proposal to the City for review and approval prior to sign installation. All signs shall conform to Hacienda Business Park Design Guidelines.
- 18. If the applicant wishes to relocate the use to a new address or tenant suite, the applicant shall secure a new conditional use permit prior to occupying the new building or tenant suite.
- 19. This conditional use permit approval will lapse one (1) year from the effective date of approval unless Maddie’s Fund and/or Maddie’s Center receives a business license.

Building

- 20. Prior to issuance of a business license, the applicant shall contact the Building and Safety Division and the Fire Marshal to ensure that the proposed use of the tenant space meets Building and Fire Code requirements. If required, the applicant shall obtain all appropriate City permits.

Fire

- 21. Should any operation or business activity involve the use, storage or handling of hazardous materials, the firm shall be responsible for contacting the LPFD prior to commencing operations. Please contact the Hazardous Materials Coordinator at (925) 454-2361.

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.)

- 22. 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.
- 23. All mechanical equipment shall be constructed in such a manner that noise emanating from it will not be perceptible beyond the property plane of the subject property in a normal environment for that zoning district.

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.)

24. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval.

{end}



November 11, 2011

Ms. Janice Stern
Planning Manager
City of Pleasanton
200 Bernal Avenue
Pleasanton, CA 94566

Re: Site Modifications
The Maddie's Center
Site 11H, Britannia Business Center II

Dear Janice:

This letter is being provided in accordance with the Declaration of Covenants, Conditions and Restrictions for Hacienda, Article III, Section 3.2, Paragraph 3.2.3, Plan Changes and Plans for Changes to Improvements. The Design Review Committee for the Hacienda Owners Association has reviewed the application for several site modifications. This application was submitted by ARQ Architects, on behalf of BEP Pleasanton Investors, Site 11H, dated October 17, 2011. These modifications are in substantial compliance with the guidelines set forth in the Design Guidelines and Covenants, Conditions and Restrictions.

The Hacienda Owners Association has reviewed and approved the following changes to the site:

1. Installation of light monitors and skylights to the roof of the building, and new doors and enlarged windows on the ground floor facing the courtyard with materials that will match those found on the existing building.
2. Modification of the approved parking ratio to 3.0 stalls per one thousand gross feet of building area and removal of parking stalls and related site improvements to accommodate the proposed installation of an outdoor animal recreation area. The parking count and ratio that will result from these modifications are as follows:

Building Gross SF: 141,000

	Proposed Requirement		Proposed Stall Count	
	Ratio	Number	Ratio	Number
Standard stalls	> 0.600	>254	0.653	288
Compact stalls	< 0.400	<169	0.347	153
Handicap stalls	0.021	9	0.023	10
Preferential stalls	0.050	21	0.054	24
Bike stalls	0.035	15	0.057	24
Total	0.0030	423	0.0031	441

The foregoing modification approval is premised on a substantial portion of the proposed use being dedicated to an animal care facility as described in the accompanying conditional use application. Should the facility discontinue this use in all or any portion of the building, the applicable parking ratio corresponding to the portion of the building where the animal care facility use is foregone will be restored to the ratio for general office uses; currently 4.0 stalls per one thousand gross square feet of building area.

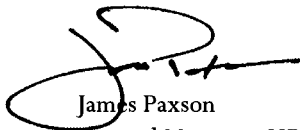
3. Removal of parking and hardscaping from the interior courtyard and installation of a vegetated park, earthen berms and an acoustical wooden screen around the new park area.
4. Installation of two new cooling towers within the interior courtyard with screening provided by the new landscape improvements.

All proposed modifications have been made to be consistent with the existing site plan and architecture. The design and description for this modification are included on the attached plan sheets.

The Hacienda Business Park Owners Association, through action of its members, has required the imposition of a special condition relating to the review and ultimate approval of this project. This condition limits full approval of the project until, on the determination by the Board of Directors of the Hacienda Business Park Owners Association, the Association has obtained "the receipt of a Planned Unit Development ordinance modification, duly adopted by the City of Pleasanton, establishing animal-related uses shown as conditionally permitted uses on Site 11H, 4280 Hacienda Drive". Demonstration of the satisfaction of this requirement will, therefore, constitute a critical component of the project's approval and a final approval issued by the Association will not be granted until the Association's Board of Directors has acted in its official capacity to make the required determination.

This application is hereby conditionally approved by the Hacienda Owners Association and may be processed for necessary approvals by the City of Pleasanton. Please feel free to contact me at the Association's office if I can be of any assistance in this matter.

Sincerely,



James Paxson
General Manager, HBPOA

cc: Manny Moreno
Lucy Schlaffer
Bill Durgin



November 11, 2011

Ms. Janice Stern
Planning Manager
City of Pleasanton
200 Bernal Avenue
Pleasanton, CA 94566

Re: Conditional Use Permit
The Maddie's Center
Site 11H, Britannia Business Center II

Dear Janice:

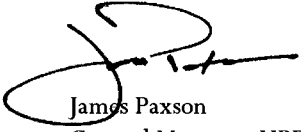
This letter is being provided in accordance with the Declaration of Covenants, Conditions and Restrictions for Hacienda, Article III, Section 3.2, Paragraph 3.2.3, Plan Changes and Plans for Changes to Improvements. The Design Review Committee for the Hacienda Owners Association has reviewed the application for a conditional use permit. This application was submitted by ARQ Architects, on behalf of BEP Pleasanton Investors, Site 11H, dated October 17, 2011. This modification is in substantial compliance with the guidelines set forth in the Design Guidelines and Covenants, Conditions and Restrictions.

The proposed conditional use permit will allow The Maddie's Center to operate administrative offices and high quality animal medical care, training, rehabilitation and placement services at 4280 Hacienda Drive. The administrative office portion of the business will be open Monday through Friday from 8:00 am to 6:00 pm with approximately 40 employees. In addition, The Maddie's Center may also conduct special programs off-hours occurring intermittently in the evenings no more than twice per month with an estimated 60 attendees at maximum attendance. The companion animal care portion of the business will be open Monday through Friday from 7:00 am to 7:00 pm and from 7:00 am to 6:00 pm on weekends. During public operating hours as many as 70 employees, consultants and volunteers may be in the building on a staggered schedule with approximately 10 visitors in the building at any one time. In consideration of the application, The Maddie's Fund have contemplated, and will employ, practices as part of their operation to manage special waste conditions that will arise as a result of the use as well as conditions related to noise. Based on a comprehensive review of space allocation and business practice, the applicant has demonstrated that their use is compatible with currently approved uses. The description of the use proposal for this modification is attached.

The Hacienda Business Park Owners Association, through action of its members, has required the imposition of a special condition relating to the review and ultimate approval of this project. This condition limits full approval of the project until, on the determination by the Board of Directors of the Hacienda Business Park Owners Association, the Association has obtained "the receipt of a Planned Unit Development ordinance modification, duly adopted by the City of Pleasanton, establishing animal-related uses shown as conditionally permitted uses on Site 11H, 4280 Hacienda Drive". Demonstration of the satisfaction of this requirement will, therefore, constitute a critical component of the project's approval and a final approval issued by the Association will not be granted until the Association's Board of Directors has acted in its official capacity to make the required determination.

This application is hereby conditionally approved by the Hacienda Owners Association and may be processed for necessary approvals by the City of Pleasanton. Please feel free to contact me at the Association's office if I can be of any assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Paxson', with a large, stylized flourish at the end.

James Paxson
General Manager, HBPOA

cc: Manny Moreno
Lucy Schlaffer
Bill Durgin

fc: 11H_mod007_approval.let
dc: DEV\DES\APP\MOD

memorandum



**Whitlock & Weinberger
Transportation, Inc.**

475 14th Street
Suite 290
Oakland, CA 94612

voice (510) 444-2600

website www.w-trans.com
email mspencer@w-trans.com

Date: December 15, 2011

To: **Ms. Janis Stephen**

From: Mark Spencer

Project: PLE002-1

Subject: Maddie's Center Trip Generation Analysis

Summary

This memorandum provides an analysis of the potential trip generation associated with the proposed Maddie's Center project to be located at 4280 Hacienda Drive in the City of Pleasanton. Compared to full occupancy the current office use, the proposed project would generate 46 net fewer a.m. peak hour trips and 6 net additional p.m. peak hour trips. Because the proposed project would result in fewer a.m. peak hour trips and about the same number of p.m. peak hour trips, no additional analysis of traffic operation is recommended at this time.

Project Description

Maddie's Center is a nonprofit organization that proposes to be located in an existing 143,044 square foot office building at 4280 Hacienda Drive within the Hacienda Business Park. The existing approved use for the building is office space, which can be leased and occupied as is. Maddie's Center would include about 83,044 square feet of administrative offices primarily on the second floor, and 60,000 square feet of animal care facilities primarily on the ground floor. The proposed animal care facilities would consist of a veterinary medical center, an indoor and outdoor animal training center, an adoption area and an education center. The existing building would be renovated to accommodate the proposed project uses, and some parking in the courtyard area would be removed to make room for the enclosed outdoor dog training area.

The proposed Maddie's Center would operate between 7:00 a.m. and 7:00 p.m. Monday through Friday, and between 7:00 a.m. and 6:00 p.m. on weekends. It is anticipated that approximately 70 employees or volunteers, working on a staggered schedule, would occupy the proposed animal care facility at any given time, while approximately 60 visitors would access the project site throughout the day.

Trip Generation Analysis

The trip generation analysis consisted of four elements:

1. Existing office space trip generation
2. Survey of a similar land use to establish trip generation rates
3. Trip generation based on employee and visitor estimates
4. Review of ITE and other sources to provide a trip generation comparison

Existing Office Space Trip Generation

The potential trip generation for the existing office building (assuming full occupancy) was estimated using standard rates published by the Institute of Transportation Engineers (ITE) in *Trip Generation*, 8th Edition, based on trip rates for "Office" (ITE Land Use Code #710).

Table I provides a summary of the expected trip generation based on full occupancy of the existing office building.

Table I
Trip Generation – Existing Office

Land Use	Units	AM Peak Hour			PM Peak Hour		
		Rate	Trips	In Out	Rate	Trips	In Out
Existing Office Building							
General Office	143.044 ksf	1.55	222	195 27	1.49	213	36 177

Notes: ksf = 1,000 square feet

Survey of a Similar Land Use to Establish Trip Generation Rates

A trip generation survey was conducted at a facility similar to the proposed Maddie's Center. Four facilities in the Bay Area were considered for trip generation surveys: the SPCA in San Francisco; the Animal Rescue Foundation (ARF) in Walnut Creek; the Canine Center for Independence in Santa Rosa; and the Guide Dogs for the Blind in San Rafael. Of these, the Animal Rescue Foundation was considered to be the most similar to the proposed project.

The Animal Rescue Foundation (ARF), located at 2890 Mitchell Drive in the City of Walnut Creek, is a 37,000 square foot animal care facility with approximately 50 employees or volunteers on-site at any given time. Similar to the proposed Maddie's Center, ARF has administrative offices and includes an animal training center, a veterinary clinic, an adoption area and an education center.

A trip generation survey was conducted on Thursday, December 8, 2011, and based on the actual counts performed, the ARF facility generates 29 a.m. peak hour trips (26 inbound and 3 outbound) and 59 p.m. peak hour trips (21 inbound and 38 outbound). Based on its size of 37,000 square feet, peak hour trip generation rates were calculated for the ARF facility.

A comparison was made between the trip generation for full occupancy of the existing office building, the vehicle trips surveyed at the ARF facility, and the calculated trip generation for the proposed project based on the survey trip rates. Trip generation rates were calculated for the ARF facility using building size as the independent variable; these rates were then applied to the animal care portion of the proposed Maddie's Center.

Based on the trip generation survey of the ARF facility, the proposed 60,000 square foot Maddie's Center animal care facility would be expected to generate an average of 47 trips during the a.m. peak hour and 95 during the p.m. peak hour. Combined with the trips associated with the remaining office space uses, this would represent a net change of 46 fewer a.m. peak hour trips (40 less inbound and 6 less outbound) and six more p.m. peak hour trips (19 more inbound and 13 less outbound) compare to the current office use.

Table 2
Trip Generation – Existing Office, Survey Site, Proposed Project

Land Use	Units	AM Peak Hour				PM Peak Hour			
		Rate	Trips	In	Out	Rate	Trips	In	Out
Existing Office Building									
General Office	143.044 ksf	1.55	222	195	27	1.49	213	36	177
ARF Trip Generation Survey									
Animal Care Facility	37 ksf	0.78	29	26	3	1.59	59	21	38
Proposed Maddie's Center									
Animal Care Facility	60 ksf	0.78	47	42	5	1.59	95	34	61
General Office	83.044 ksf	1.55	129	113	16	1.49	124	21	103
<i>Net Total Trips</i>			<i>176</i>	<i>155</i>	<i>21</i>		<i>219</i>	<i>55</i>	<i>164</i>
Net Change (Proposed – Existing)			-46	-40	-6		6	19	-13

Notes: ksf = 1,000 square feet

A more detailed version of this table is attached to this memo.

Trip Generation Based on Employee and Visitor Estimates

To provide a comparison with calculated trip generation estimates as indicated in Table 2, peak hour trips were estimated based on project specific data (employees and visitors). Though the 70 proposed employees are expected to access the site at staggered times, it was conservatively assumed that 75 percent would arrive during the a.m. peak hour and depart during the p.m. peak hour. The remaining 25 percent would access the site at times other than these two peak hours. Assuming that each employee drives to work in their own vehicle, 53 inbound and 53 outbound employee trips would be expected during the a.m. and p.m. peak hours respectively. Approximately 60 visitors per day are expected at the proposed animal care facility. As the public hours of operation do not coincide with the a.m. peak hour, visitor trips were not included for this peak period; however, 25 percent of the 60 daily visitors, or 15 visitors, were conservatively assumed to access the site during the p.m. peak hour. Based on an assumed vehicle occupancy of 1.5 visitors per vehicle, ten visitor trips are expected during the p.m. peak hour.

Using these project specific data, the proposed animal care facilities would generate about 53 a.m. peak hour trips and 63 p.m. peak hour trips, compared to 47 a.m. peak hour and 95 p.m. peak hour trips calculated using survey trip rates. This represents a difference of six additional trips during the a.m. peak hour and 32 fewer trips during the p.m. peak hour. The differences are likely attributable to the ratio of staff to building size and the larger square footage of the proposed Maddie's Center in Pleasanton compared to the ARF in Walnut Creek.

The calculated trip generation using employee and visitor estimates provides a good comparison, but may not be as accurate as a trip generation estimate using the survey trip rates. Staff and visitor numbers are estimates and will fluctuate over time, whereas building square footage is a more reliable independent variable for estimating trip generation.

Review of ITE and Other Sources to Provide a Trip Generation Comparison

ITE's *Trip Generation* does not contain trip generation rates for a facility similar to the proposed Maddie's Center. Standard rates for "Animal Hospital/Veterinary Clinic" (ITE Land Use Code #640) were used, however, to compare the trip generation potential for just the animal clinic portion of the proposed Maddie's Center. Based on the provided site plan it was assumed that the proposed animal clinic portion would consist of approximately one-third of the 71,522 square foot ground floor. This would equate to an approximately 23,600 square foot animal clinic.

As indicated in Table 3, a 23,600 square foot stand-alone animal clinic would be expected to generate 96 a.m. peak hour trips and 111 p.m. peak hour trips, which is more than the projected 47 a.m. peak hour and 95 p.m. peak hour trips calculated using survey trip rates. However, the proposed animal clinic portion of the project is not a stand-alone veterinary clinic, and thus the ITE rates do not represent this portion of the proposed project very well. The clinic space of the proposed Maddie's Center project would be associated with all the other proposed uses (training, adoption, education, etc.) and not be a sole generator of traffic, and these trips are accounted for in other portions of the estimate indicated in Table 2. The ITE trip rates for veterinary clinics are better suited for stand-alone facilities and as such they estimate a higher number of trips per square foot than a clinic such as the one proposed in the Maddie's Center project.

Table 3
Trip Generation – Stand-Alone Animal Clinic

Land Use	Units	AM Peak Hour			PM Peak Hour		
		Rate	Trips	In Out	Rate	Trips	In Out
Proposed Maddie's Center							
Animal Clinic	23.6 ksf	4.08	96	69 27	4.72	111	43 68

Notes: ksf = 1,000 square feet

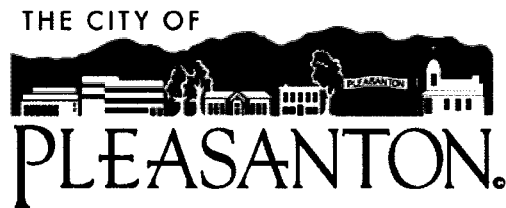
Because ITE provides trip generation rates only for animal hospitals and veterinary clinics, a search was conducted to determine if trip generation data is available for other animal care facilities with similar functions to the proposed Maddie's Center. Unfortunately there are no data readily available for similar animal care facilities.

Conclusions and Recommendations

- Compared to full occupancy the current office use, the proposed project would generate 46 net fewer a.m. peak hour trips and 6 net additional p.m. peak hour trips.
- Because the proposed project would result in fewer a.m. peak hour trips and about the same number of p.m. peak hour trips, no additional traffic analysis is recommended at this time.

- Trip estimates based on employees, visitors and a stand-alone veterinary clinic would not be as reliable as estimates based on square footage, for reasons cited above. However, if these figures were combined and used to estimate trips, and then compared to full occupancy of the existing office space, the peak hour trip differences would not exceed 100 net new peak hour trips. Therefore, the recommendation for no further traffic analysis would not change.

Trip Generation		8th Edition		AM PEAK						PM PEAK									
Number of Units	Land Use Number	Land Use No./Type	Trip Rate per Unit	Number of Trips	In %	In Rate	In Trips	Out %	Out Rate	Out Trips	Trip Rate per Unit	Number of Trips	In %	In Rate	In Trips	Out %	Out Rate	Out Trips	
Existing Office Building																			
143.044 ksf	710	General Office Building	1.55	222	88	1.36	195	12	0.19	27	1.49	213	17	0.25	36	83	1.24	177	
ARF Trip Generation Survey 12/8/11																			
37 ksf		Animal Care Facility	0.78	29	90	0.70	26	10	0.08	3	1.59	59	36	0.57	21	64	1.03	38	
Proposed Maddie's Center																			
60 ksf		Animal Care Facility	0.78	47	90	0.70	42	10	0.08	5	1.59	95	36	0.57	34	64	1.02	61	
83.044 ksf	710	General Office Building	1.55	129	88	1.36	113	12	0.19	16	1.49	124	17	0.25	21	83	1.24	103	
Net Proposed Trips				176			155			21		219			55			164	
Net Change (Proposed - Existing)				-46			-40			-6		6			19			-13	
Proposed Animal Clinic																			
23.6 ksf	640	Animal Hospital/Veterina	4.08	96	72	2.94	69	28	1.14	27	4.72	111	39	1.84	43	61	2.88	68	



MEMORANDUM

Date: December 20, 2011
To: Mike Tassano
From: Janis Stephen
Subject: Maddie's Center Parking Analysis

This analysis compares the existing and proposed number of site parking spaces to the City's parking requirement and the expected peak parking demand. The site circulation plan is reviewed and recommendations are made to promote alternative transportation modes.

The existing parking lot provides 559 spaces, within the site boundary. The applicant proposes to convert a portion of the parking lot into an outdoor dog training area, with a loss of 118 parking spaces. The applicant proposes a total of 441 parking spaces for the Maddie's Center project including 12 handicap parking spaces. This provides 1 parking space for every 324 sf of building area.

The City of Pleasanton parking requirements for this site are contained in the Hacienda Design Guidelines dated June 2009. The Appendix Table B-1, Summary of Site Development Criteria, requires 1 parking space for each 250 square feet of gross building area for this site (site 11H permitted use IPD). The permitted uses for the IPD planning district are research and development and light manufacturing. Due to the proposed change in use, the Hacienda IPD standard for parking is not applicable to this project. Note 7 of Table B-1 provides further information on parking requirements. A parking ratio of less than 1 parking space for every 300 sf requires approval of the City and the applicant.

The Institute of Transportation Engineers (ITE) Parking Generation 4th Edition provides estimated parking demand for both office use and veterinary clinics:

Facility	ITE 85th percentile parking demand
Office space 80,000 sf	276 parking spaces
Veterinary Clinic 63,000 sf	101 parking spaces

Total	377 parking spaces

ITE recommends 1 parking space for every 379 sf of building space (143,000 sf / 377 parking spaces). The ITE parking rates are based on observations at existing facilities. This estimate may not be comparable to the proposed use because the Maddie's Center animal care facility may not have the same parking demand characteristics as a veterinary clinic.

Based on the office use and animal care uses as described by the applicant, the total of 441 parking spaces proposed is expected to be sufficient to meet the needs of the facility, but any further reduction in the number of

parking spaces is not recommended. Efforts should be made to promote alternative transportation modes as described below.

Site Circulation and Alternative Transportation Recommendations:

Site access is provided by driveways located on Stoneridge Drive, Hacienda Drive, and Inglewood Drive. Inglewood Drive is a private drive. The entrance on Stoneridge Drive accommodates both right and left turns into the project and right turn only on exit. The north most Hacienda Drive entrance accommodates right turns into the project and right turns out of the project. The private drive located to the south of the project provides right and left turn access into and out of the project.

A loading zone and loading dock are provided within the project. Although the applicant does not currently have plans for a shuttle, a shuttle bus enclosure is provided within the project. The applicant states that bike racks will be provided, but the location is not shown on the plans. It is recommended that bike racks be provided in a convenient location close to a building entrance. A pedestrian path of travel from the public sidewalk to the building should be identified and marked.

The applicant describes plans for both small and large events. Small events of 50 or fewer people would occur during normal business hours, up to 15 times per year. Larger events of up to 300 people would occur in the evening hours (after 7pm), up to 6 times per year. Since larger events occur after normal business hours, sufficient parking should be available. The applicant is encouraged to promote alternative transportation choices for both employees and Maddie's Center patrons in order to reduce the need for parking and reduce traffic.

Through the City of Pleasanton Commendable Commutes program, employers with 75 or greater employees may partner with the City to promote alternative transportation. Am and pm peak hour bus service is available from the intersection of Stoneridge Drive at Hacienda Drive to the BART station and the Ace Rail Station. BART allows pets on condition that they be transported in a pet container. Both BART and Ace Rail allow service animals.

C h a r l e s M S a l t e r A s s o c i a t e s I n c

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Heather A Salter
Elizabeth P Thomas
Catherine F Spurluck
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Jasmine S Revildoro
Dani S Ciampino

10 November 2011

Lucy Schlaffer, AIA, LEED AP
Partner
ARQ Architects
1 Government Street
Kittery, ME 03904
Email: lucy@arqarchitects.com

**Subject: Maddie's Fund Feasibility Study – Acoustical Consulting
CSA Project No. 11-0301**

Dear Lucy:

We reviewed the updated project plans received on 2 November 2011 for the Maddie's Fund facility at 4280 Hacienda Drive in Pleasanton, CA. ARQ asked us to review the plans and determine if the proposed design incorporated our recommendations from our 1 August 2011 letter. We also received further information regarding Maddie's Fund dog control initiatives, as well as initial cooling tower selections. This letter summarizes our review, analysis of dog and cooling tower noise, and how the estimated noise levels compare to the City of Pleasanton Noise Ordinance requirements.

UPDATED PROJECT DRAWINGS

The new drawings show an eight-foot tall concrete wall separating the landscaped outdoor dog play area from the parking lot to the west. New cooling towers will be installed inside the outdoor dog play area, close to the north side of the building.

ACOUSTICAL CRITERIA

Pleasanton Municipal Code Chapter 9.04.040 "Noise limits" contains the following requirements for commercial property:

No person shall produce or allow to be produced by any machine, animal, device, or any combination of the same, on commercial property, a *noise* level in excess of 70 dBA¹ at any point outside of the property plane, unless otherwise provided in this chapter. (Ord. 1880, 2003; prior code § 4-9.04).

¹ dBA – A-weighted sound pressure level (or noise level) represents the noisiness or loudness of a sound by weighting the amplitudes of various acoustical frequencies to correspond more closely with human hearing. A 10-dB (decibel) increase in noise level is perceived to be twice as loud.

ACOUSTICAL ANALYSIS AND ADMINISTRATIVE DOG NOISE CONTROL

We understand that Maddie's Fund will limit dog barking through various administrative means. These approaches include the following:

- Dogs with a propensity for barking will not be taken to the outdoor play area
- Dogs outside will be monitored by Maddie's Fund staff at all times
- Dogs that bark outside will be brought inside immediately

Our August letter stated that maximum noise² from a typical barking dog will be about 67 dBA at the west property line. While we realize that 100% bark-free outdoor play cannot be guaranteed, we expect that dog noise will not significantly impact the adjacent properties given these administrative controls and initiatives.

ANALYSIS OF NOISE FROM NEW OUTDOOR MECHANICAL EQUIPMENT

Property Line Noise

Two new cooling towers will be installed near the north end of the outdoor play area. The mechanical engineer's initial selection is Baltimore Air Coil (BAC) cooling towers which are 15-foot tall. Using noise data provided by the mechanical engineer, we estimate that cooling tower noise at the west property line will be **63 dBA**. This assumes two cooling towers operating simultaneously at 100% load. Our calculation also takes into account reflections from the nearby building and terrain effects. This noise level achieves compliance with the City of Pleasanton's noise ordinance limit.

Noise within the Outdoor Play Area

BAC's data show that one cooling tower produce noise levels of 78 dBA at a distance of five feet from the tower. At 50 feet from the tower, noise levels are reduced to between 61 dBA and 65 dBA. Assuming two towers operating at 100% load, two towers would produce noise levels as loud as 68 dBA at a distance of 50 feet. Since the cooling towers will be equipped with variable-speed drives, oftentimes noise emissions will be much lower because the towers' fans and motors will be turning more slowly.

For reference, 68 dBA is about as loud as a person speaking at a "raised" voice at a distance of three feet. To the extent that dogs will play in the areas near the cooling towers, the owner may want to consider providing sound isolating, sound-absorptive barriers around the cooling towers to reduce noise levels in nearby outdoor play areas.

Barriers would need to break the line of sight between the top of the towers and a nearby observer in order to be acoustically effective. They should be constructed of materials that have a surface weight of at least 4 psf (e.g., plywood, cement board, or cement blocks). Barriers should be continuous all the way to the ground, and have no

² L_{max} – The maximum A-weighted sound level measured during a period of time.

gaps between panels. We are available to review and comment on barrier schemes as needed.

REVIEW OF ANALYSIS AND RECOMMENDATIONS

1. To meet City of Pleasanton Noise Ordinance requirements, acoustical barriers on the west side of the courtyard have been included in the project design to reduce dog noise levels. These barriers are currently shown as at least eight feet taller than current grade level. They meet the minimum recommended barrier height to reduce dog barking noise to meet City requirements.
2. The trees planned for the outdoor play area will help diffuse and absorb noise buildup in the courtyard. Additional sound-absorptive treatments (such as acoustical plaster) should also be considered on the building façades facing the outdoor play area.
3. Cooling tower noise will meet the City's property line noise ordinance requirements as shown. However, to control noise within the outdoor play area, sound-isolating, sound-absorptive barriers around the towers should be considered.

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This concludes our current comments on the updated Maddie's Fund documents. Please call with any questions.

Sincerely,

CHARLES M. SALTER ASSOCIATES, INC.



Ethan Salter, LEED AP
Principal Consultant

cc: Jay Orr
ARQ Architects
Email: jay@arqarchitects.com

ES/CLM/es
2011_11_08 Maddie's Fund Feasibility Study (11-0301) Follow-up Acoustical Consulting Letter_no ltr.doc

TREE REPORT
Britannia Business Center
Pleasanton, CA

PREPARED FOR:
Lucinda Schlaffer
ARQ Architects
1 Government Street, Suite 2
Kittery, Maine 03904

PREPARED BY:
HortScience, Inc.
325 Ray Street
Pleasanton CA 94566

November 2011



**Tree Report
Britannia Business Center
Pleasanton**

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Attachments

Tree Assessment Form

Tree Assessment Map

Introduction and Overview

ARQ Architects is planning to redesign the landscape at Britannia Business Center in Pleasanton, CA. The north-facing industrial property is located on Hacienda Drive and bordered to the west by Stoneridge Drive. A landscape planting strip and sidewalk surround the site on the north, east and west sides and is bisected on all three sides by driveways providing access to site parking. The building is U-shaped with an interior parking lot. The proposed improvements would transform the interior hardscape into a courtyard landscape setting. HortScience, Inc. was asked to prepare a **Tree Report** for the site.

This report provides the following information:

1. An evaluation of the health and structural condition of the trees from a visual inspection.
2. An evaluation of the impacts of the proposed development on the trees and identification of trees to be preserved and removed.
3. The appraised value of all the trees, using the methods established by the Council of Tree and Landscape Appraisers.
4. Guidelines for tree preservation during the design, construction and maintenance phases of development.

Assessment Methods

Trees were assessed in October, 2011. The assessment included 51 trees, 6" and greater in diameter, representing 5 (five) species which were growing immediately around the building and in islands throughout the parking lot. The assessment procedure consisted of the following steps:

1. Identifying the tree as to species;
2. Tagging each tree with a numerically coded metal tag and recording its location on a map;
3. Measuring the trunk diameter at a point 54" above grade;
4. Evaluating the health and structural condition using a scale of 1 – 5:
 - 5 - A healthy, vigorous tree, reasonably free of signs and symptoms of disease, with good structure and form typical of the species.
 - 4 - Tree with slight decline in vigor, small amount of twig dieback, minor structural defects that could be corrected.
 - 3 - Tree with moderate vigor, moderate twig and small branch dieback, thinning of crown, poor leaf color, moderate structural defects that might be mitigated with regular care.
 - 2 - Tree in decline, epicormic growth, extensive dieback of medium to large branches, significant structural defects that cannot be abated.
 - 1 - Tree in severe decline, dieback of scaffold branches and/or trunk; most of foliage from epicormics; extensive structural defects that cannot be abated.
5. Rating the suitability for preservation as "good", "moderate" or "poor".

Suitability for preservation considers the health, age and structural condition of the tree species, and its potential to remain an asset to the site.

Good: Trees with good health and structural stability that have the potential for longevity at the site.

Moderate: Trees with somewhat declining health and/or structural defects than can be abated with treatment. The tree will require more intense management and monitoring, and may have shorter life span than those in 'good' category.

Poor: Trees in poor health or with significant structural defects that cannot be mitigated. Tree is expected to continue to decline, regardless of treatment. The species or individual tree may have characteristics that are undesirable for landscapes, and generally are unsuited for use areas.

Description of Trees

Fifty-one (51) trees, representing 5 species, were assessed (Table 1). Descriptions of each tree are found in the **Tree Assessment Forms** and locations are plotted on the **Tree Assessment Map** (see attachments). The most commonly encountered species was London plane, with 20 trees, or 39% of the population. London planes had been planted in small parking lot islands; all the trees were young. Eighteen (18) trees had diameters between 6 and 8", and two (2) had diameters of 10" and 11". In general, London planes were in fair (13 trees) to good (7 trees) condition (Table 1). Many leaned east and all had varying degrees of leaf scorch and twig dieback.

Paper birch, with 13 trees (25%), was the second most common species. These trees had been planted in the landscape area in front of the northern and southern wings of the building. All were young, with diameters between 6 and 8". Eleven (11) were in fair condition and two (2) in good. The trees appeared to be experiencing drought stress, resulting in thinning crowns and twig dieback.

Callery pear, representing 22% of the population (11 trees), was also well represented. These had been planted in the landscape areas along the northern and southern perimeters of the courtyard. Callery pear had not performed well, with nine (9) trees in fair condition and two (2) in poor. The trees appeared to be experiencing drought stress and were under pressure from the bacterial disease fire blight (*Erwinia amylovora*), causing small leaves, and twig and branch dieback. The final two species were represented by four (4) honey locusts and three (3) purple-leaf plums. Both species, concentrated around the building entry at the east end of the courtyard, had performed well at the site. Three (3) of the honey locusts and all of the purple-leaf plums were in good condition and one (1) honey locust was in fair condition.

The City of Pleasanton defines any single-trunk tree with a diameter of 18" or greater or any multi-trunk tree with the cumulative diameters of the two largest stems equal to 18" or greater, or any tree 35' or taller, as Heritage. None of the trees had diameters of 18" or larger. However, by my estimate of their heights, 10 trees qualified as Heritage, including five (5) callery pears, four (4) honey locusts and one (1) London plane. Heritage status for individual trees is included in the **Tree Assessment Form** (see attachments). All of the Heritage trees were very close to 35' in height and a more precise measurement of heights may change their Heritage status.

**Table 1. Tree condition & frequency of occurrence
 Britannia Business Center, Pleasanton, CA**

Common Name	Scientific Name	Condition Rating			No. of trees
		Poor (1-2)	Fair (3)	Good (4-5)	
Paper birch	<i>Betula papyrifera</i>	-	11	2	13
Honey locust	<i>Gleditsia triacanthos f. inermis</i>	-	1	3	4
London plane	<i>Platanus x acerifolia</i>	-	13	7	20
Purple-leaf plum	<i>Prunus cerasifera 'Atropurpurea'</i>	-	-	3	3
Callery pear	<i>Pyrus calleryana</i>	2	9	-	11
Total		2	34	15	51
		4%	67%	29%	100%

Suitability for Preservation

Before evaluating the impacts that will occur during development, it is important to consider the quality of the tree resource itself, and the potential for individual trees to function well over an extended length of time. Trees that are preserved on development sites must be carefully selected to make sure that they may survive development impacts, adapt to a new environment, and perform well in the landscape.

Our goal is to identify trees that have the potential for long-term health, structural stability and longevity. For trees growing in open fields, away from areas where people and property are present, structural defects and/or poor health presents a low risk of damage or injury if they fail. However, we must be concerned about safety in use areas. Therefore, where development encroaches into existing plantings, we must consider their structural stability as well as their potential to grow and thrive in a new environment.

Evaluation of suitability for preservation considers several factors:

- **Tree health**
Healthy, vigorous trees are better able to tolerate impacts such as root injury, demolition of existing structures, changes in soil grade and moisture, and soil compaction than are non-vigorous trees.
- **Structural integrity**
Trees with significant amounts of wood decay and other structural defects that cannot be corrected are likely to fail. Such trees should not be preserved in areas where damage to people or property is likely.
- **Species response**
There is a wide variation in the response of individual species to construction impacts and changes in the environment. In our experience, for example, paper birch is sensitive to construction impacts, while honey locust is tolerant of site disturbance.
- **Tree age and longevity**
Old trees, while having significant emotional and aesthetic appeal, have limited physiological capacity to adjust to an altered environment. Young trees are better able to generate new tissue and respond to change.
- **Invasiveness**
Trees with the potential to invade an established forest, reproduce rapidly, and grow in sub-optimal environments are considered invasive. Species with these qualities may alter the function and aesthetics of the forest. No invasive species were assessed at the Britannia Business Center site.

Each tree was rated for suitability for preservation based upon its age, health, structural condition and ability to safely coexist within a development environment. Table 2 (following page) provides a summary of suitability ratings. Suitability ratings for individual trees are provided in the ***Tree Assessment Forms*** (see attachments).

We consider trees with good suitability for preservation to be the best candidates for preservation. We do not recommend retention of trees with low suitability for preservation in areas where people or property will be present. Retention of trees with moderate suitability for preservation depends upon the intensity of proposed site changes.

**Table 2: Tree suitability for preservation
Britannia Business Center, Pleasanton, CA**

Good	These are trees with good health and structural stability that have the potential for longevity at the site. Three (3) trees were of good suitability for preservation, including one (1) honey locust and two (2) purple-leaf plums.
Moderate	Trees in this category have fair health and/or structural defects that may be abated with treatment. These trees require more intense management and monitoring, and may have shorter life-spans than those in the "good" category. Thirty-seven (37) trees were of moderate suitability for preservation, including fourteen (14) London plane, thirteen (13) paper birch, six (6) callery pear, three (3) honey locust, and one (1) purple-leaf plum.
Poor	Trees in this category are in poor health or have significant defects in structure that cannot be abated with treatment. These trees can be expected to decline regardless of management. The species or individual tree may possess either characteristics that are undesirable in landscape settings or be unsuited for use areas. Eleven (11) trees were of poor suitability for preservation, including five (5) callery pear and six (6) London plane.

Preliminary Evaluation of Impacts and Recommendations

The **Tree Assessment** was the reference point for tree health and condition. I referred to the Site Plan prepared by ARQ Architects (09-06-11) and the Planting Plan prepared by Hallenbeck, Chamorro & Associates (09-21-92) to estimate the impacts to trees from the proposed changes. Tree trunk locations were shown on the Planting Plan for some, but not all trees.

The Site Plan proposes converting an existing parking lot into a courtyard landscape with meandering pathways within the eastern and western park areas, divided by a covered walkway and noise-buffering soundwall.

The eastern portion would consist of a passive park with provision for equipment enclosures near the north side of the building. The pathway continues into the western portion including landscaping, a relocated shuttle bus enclosure, a vehicle drop-off area and handicap parking.

Trees #48-60 and #93-98 are outside the area of construction and can be preserved, including the following Heritage trees:

- London plane #59
- Honey locusts #66, 67, 71 and 72

Trees #61-65 and #73-91 are located within the footprint of construction and need to be removed, including the following Heritage trees:

- Callery pears #61, 62, 63, 64 and 65

A total of eight (8) trees recommended for preservation are close to the limits of demolition, grading, and construction. Horizontal and vertical trunk elevations must be established before a final determination regarding impacts can be made.

Honey locust trees #66, 67, 71 and 72 will require tree protection at a minimum of five (5) feet from the trunk on the west and within five (5) feet or at the drip line in all other directions, whichever is greater.

Purple-leaf plums #68, 69 and 70 will require tree protection within five (5) feet of the trunk on the north, south and west sides, and to a minimum of 5 (five) feet or to the drip line to the north, whichever is greater (Photo 1).

Similarly, paper birch #92 can be retained if tree protection is provided at the curb, and within five (5) feet on the east, west and southern sides, and within five (5) feet or to the dripline to the north, whichever is greater.

These trees must be protected during demolition of the asphalt and curb by carefully removing hardscape and hand-digging as required so as not to disturb tree roots (see Tree Preservation Guidelines, page 9). All demolition work must be completed under the guidance of a Consulting Arborist and tree protection must be re-established for the duration of construction.

Without accurate trunk locations, recommendations for tree preservation and removal adjacent to the areas of construction are preliminary in nature. Preliminary recommendation for preservation and removal are provided in Table 3, following page.

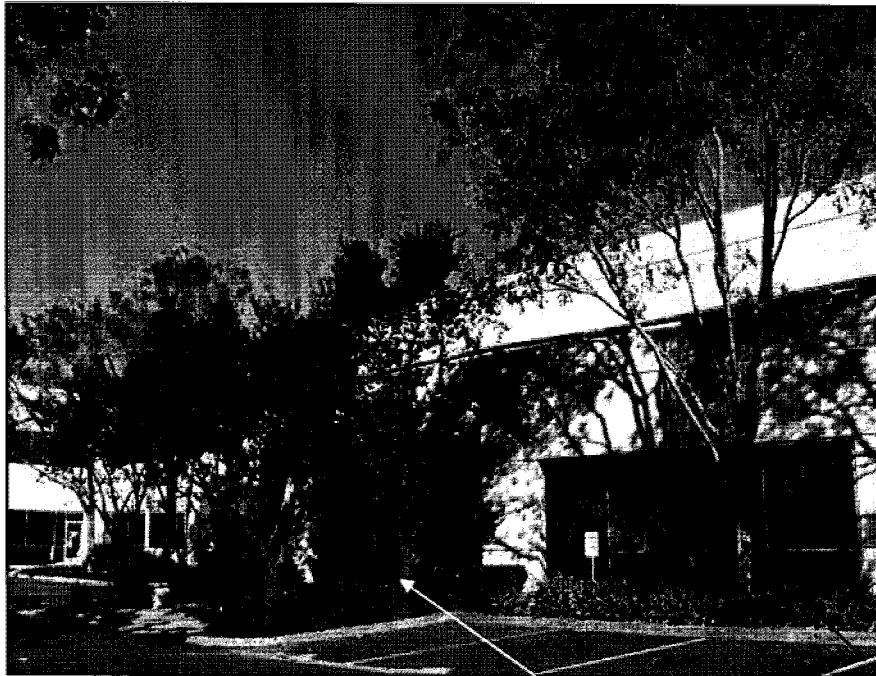


Photo 1. Honey locust (red arrows) and purple-leaf plum trees (yellow arrow) are located in narrow planting strips within or closely adjacent to the proposed construction and will require tree protection to the maximum extent possible during demolition and construction phases

**Table 3. Preliminary recommendations for action
 Britannia Business Center, Pleasanton, CA**

Tree No.	Common Name	Trunk Diameter	Heritage?	Recommendation for Action
48	Paper birch	8	No	Preserve; outside impacts
49	Paper birch	7	No	Preserve; outside impacts
50	Paper birch	8	No	Preserve; outside impacts
51	Paper birch	6	No	Preserve; outside impacts
52	Paper birch	6	No	Preserve; outside impacts
53	Paper birch	6	No	Preserve; outside impacts
54	Paper birch	7	No	Preserve; outside impacts
55	London plane	6	No	Preserve; outside impacts
56	London plane	6	No	Preserve; outside impacts
57	London plane	8	No	Preserve; outside impacts
58	London plane	6	No	Preserve; outside impacts
59	London plane	11	Yes	Preserve; outside impacts
60	London plane	7	No	Preserve; outside impacts
61	Callery pear	11	Yes	Remove; within new construction
62	Callery pear	8	Yes	Remove; within new construction
63	Callery pear	8	Yes	Remove; within new construction
64	Callery pear	8	Yes	Remove; within new construction
65	Callery pear	8	Yes	Remove; within new construction
66	Honey locust	11	Yes	Preserve; potentially impacted
67	Honey locust	10	Yes	Preserve; potentially impacted
68	Purple leaf plum	6,5,3,2	No	Preserve; potentially impacted
69	Purple leaf plum	6,5,4,2	No	Preserve; potentially impacted
70	Purple leaf plum	7,4,1	No	Preserve; potentially impacted
71	Honey locust	9	Yes	Preserve; potentially impacted
72	Honey locust	10	Yes	Preserve; potentially impacted
73	Callery pear	8	No	Remove; within new construction
74	Callery pear	7	No	Remove; within new construction
75	Callery pear	7	No	Remove; within new construction
76	Callery pear	8	No	Remove; within new construction
77	Callery pear	7	No	Remove; within new construction
78	Callery pear	10	No	Remove; within new construction
79	London plane	7	No	Remove; within new construction
80	London plane	7	No	Remove; within new construction
81	London plane	6	No	Remove; within new construction
82	London plane	6	No	Remove; within new construction
83	London plane	8	No	Remove; within new construction
84	London plane	6	No	Remove; within new construction
85	London plane	6	No	Remove; within new construction
86	London plane	6	No	Remove; within new construction
87	London plane	6	No	Remove; within new construction
88	London plane	6	No	Remove; within new construction
89	London plane	6	No	Remove; within new construction

(Continued, following page)

**Table 3. Preliminary recommendations for action, continued
 Britannia Business Center, Pleasanton, CA**

Tree No.	Common Name	Trunk Diameter	Heritage?	Recommendation for Action
90	London plane	8	No	Remove; within new construction
91	London plane	7	No	Remove; within new construction
92	Paper birch	8	No	Preserve; potentially impacted
93	Paper birch	7	No	Preserve; outside impacts
94	Paper birch	6	No	Preserve; outside impacts
95	Paper birch	6	No	Preserve; outside impacts
96	Paper birch	8	No	Preserve; outside impacts
97	Paper birch	8	No	Preserve; outside impacts
98	London plane	10	No	Preserve; outside impacts

Appraisal of Value

The City of Pleasanton requires that the value of all of the surveyed trees be established. To accomplish this, I used the standard methods found in *Guide for Plant Appraisal*, 9th edition (published in 2000 by the International Society of Arboriculture, Champaign IL). In addition, I referred to *Species Classification and Group Assignment* (2004), a publication of the Western Chapter of the International Society of Arboriculture. These two documents outline the methods employed in tree appraisal.

The value of landscape trees is based upon four factors: size, species, condition and location. Size is measured as trunk diameter, normally 54" above grade. The species factor considers the adaptability and appropriateness of the plant in the East Bay area. The *Species Classification and Group Assignment* lists recommended species ratings and evaluations. Condition reflects the health and structural integrity of the individual, as noted in the **Tree Assessment Form**. Location considers the site, placement and contribution of the tree in its surrounding landscape.

- The appraised value of nineteen (19) trees located outside the impacts of construction, and therefore can be preserved, is **\$7,850** (Table 4, following page).
- Eight (8) trees identified as being potentially impacted by construction have been appraised at **\$7,500** (Table 5, following page). These trees are estimated to be within 10' of the proposed improvements which requires that their trunks be surveyed and plotted on all plans before a final determination of impacts can be made.
- The remaining twenty four (24) trees are within the limits of construction and are recommended for removal (Table 6, page 9). The appraised value of these trees is **\$8,450**.

**Table 4. Appraised value of trees outside the impacts of construction
 Britannia Business Center, Pleasanton, CA**

Tree No.	Species	Trunk diameter (in.)	Heritage?	Appraised value (\$)
48	Paper birch	8	No	250
49	Paper birch	7	No	200
50	Paper birch	8	No	250
51	Paper birch	6	No	1,050
52	Paper birch	6	No	150
53	Paper birch	6	No	150
54	Paper birch	7	No	200
55	London plane	6	No	300
56	London plane	6	No	300
57	London plane	8	No	500
58	London plane	6	No	300
59	London plane	11	Yes	1,500
60	London plane	7	No	400
93	Paper birch	7	No	200
94	Paper birch	6	No	150
95	Paper birch	6	No	150
96	Paper birch	8	No	350
97	Paper birch	8	No	400
98	London plane	10	No	1,050
Total				7,850

**Table 5. Appraised value of trees recommended for removal
 Britannia Business Center, Pleasanton, CA**

Tree No.	Species	Trunk diameter (in.)	Heritage?	Appraised value (\$)
66	Honey locust	11	Yes	1,500
67	Honey locust	10	Yes	1,250
68	Purple leaf plum	6,5,3,2	No	700
69	Purple leaf plum	6,5,4,2	No	750
70	Purple leaf plum	7,4,1	No	1050
71	Honey locust	9	Yes	1000
72	Honey locust	10	Yes	950
92	Paper birch	8	No	300
66	Honey locust	11	Yes	1,500
67	Honey locust	10	Yes	1,250
68	Purple leaf plum	6,5,3,2	No	700
69	Purple leaf plum	6,5,4,2	No	750
70	Purple leaf plum	7,4,1	No	1050
71	Honey locust	9	Yes	1000
72	Honey locust	10	Yes	950
92	Paper birch	8	No	300
Total				7,500

**Table 6. Appraised value of trees potentially impacted by construction
 Britannia Business Center, Pleasanton, CA**

Tree No.	Species	Trunk diameter (in.)	Heritage?	Appraised value (\$)
61	Callery pear	11	Yes	500
62	Callery pear	8	Yes	200
63	Callery pear	8	Yes	200
64	Callery pear	8	Yes	200
65	Callery pear	8	Yes	200
73	Callery pear	8	No	200
74	Callery pear	7	No	100
75	Callery pear	7	No	150
76	Callery pear	8	No	200
77	Callery pear	7	No	100
78	Callery pear	10	No	950
79	London plane	7	No	550
80	London plane	7	No	550
81	London plane	6	No	300
82	London plane	6	No	300
83	London plane	8	No	700
84	London plane	6	No	300
85	London plane	6	No	300
86	London plane	6	No	300
87	London plane	6	No	300
88	London plane	6	No	300
89	London plane	6	No	300
90	London plane	8	No	700
91	London plane	7	No	550
Total				8,450

Tree Preservation Guidelines

The goal of tree preservation is not merely tree survival during development but maintenance of tree health and beauty for many years. Trees retained at 4100 Foothill Rd. that are either subject to extensive injury during construction or are inadequately maintained become a liability rather than an asset. The response of individual trees will depend on the amount of excavation and grading and the construction methods.

The following recommendations will help reduce impacts to trees from development and maintain and improve their health and vitality through the clearing, grading and construction phases.

Design recommendations

1. Any changes to the plans affecting the trees shall be reviewed by the Consulting Arborist with regard to tree impacts. These include, but are not limited to, demolition plans, site plans, improvement plans, utility and drainage plans, grading plans, and landscape and irrigation plans.
2. Have the vertical and horizontal locations of the following eight (8) trees established and plotted on all plans: #66, 67, 68, 69, 70, 71, 72 and 92.
3. A **TREE PROTECTION ZONE (TPZ)** shall be established around each tree to be preserved. No grading, excavation, construction or storage of materials shall occur within that zone. The **TPZ** shall be established as described below:
 - For honey locust trees #66, 67, 71 and 72, the **TPZ** shall be established at a minimum of five (5) feet to the west, and at the dripline in all other directions. If space allows, protect at the dripline in all directions.
 - For purple-leaf plum trees #68, 69 and 70, the **TPZ** shall be established on the west, north and south side at a minimum of five (5) feet and at the dripline to the east.
 - For London plane tree #92, the **TPZ** shall be established at a minimum of five (5) feet on the west side, and at the dripline in all other directions.
4. Fencing may temporarily be moved inside the **TPZ** to allow for the removal of curb and asphalt. All work done in this area must be under the supervision of the Consulting Arborist so as not to damage tree roots. The **TPZ** must be re-established as described above after demolition work is completed, and remain in place for the duration of the project.
5. No underground services including utilities, sub-drains, water or sewer shall be placed in the **TREE PROTECTION ZONE**.
4. Irrigation systems must be designed so that no trenching will occur within the **TREE PROTECTION ZONE**.
5. Any herbicides placed under paving materials must be safe for use around trees and labeled for that use.
6. As trees withdraw water from the soil, expansive soils may shrink within the root area. Therefore, foundations, footings and pavements on expansive soils near trees should be designed to withstand differential displacement.

Pre-construction treatments and recommendations

1. Fence all trees to be retained to completely enclose the **TREE PROTECTION ZONE** prior to demolition, grubbing or grading. Fences shall be 6 ft. chain link or equivalent as approved by the Consulting Arborist. Fences are to remain until all grading and construction is completed.
2. Trees may require pruning to provide construction clearance. All pruning shall be completed by a Certified Arborist or Tree Worker and adhere to the latest edition of the ANSI Z133 and A300 standards as well as the *Best Management Practices -- Tree Pruning* published by the International Society of Arboriculture. Brush shall be chipped and spread beneath the trees within the **TREE PROTECTION ZONE**.
3. Tree(s) to be removed that have branches extending into the canopy of tree(s) to remain must be removed by a qualified arborist and not by demolition or construction contractors. The qualified arborist shall remove the tree in a manner that causes no damage to the tree(s) and understory to remain.

Recommendations for tree protection during construction

1. Prior to beginning work, the contractors working in the vicinity of trees to be preserved are required to meet with the Consulting Arborist at the site to review all work procedures, access routes, storage areas and tree protection measures.
2. Any grading, construction, demolition or other work that is expected to encounter tree roots should be monitored by the Consulting Arborist.
3. Fences have been erected to protect trees to be preserved. Fences define a specific **TREE PROTECTION ZONE** for each tree or group of trees. Fences are to remain until all site work has been completed. Fences may not be relocated or removed without permission of the Consulting Arborist.
4. Construction trailers, traffic and storage areas must remain outside fenced areas at all times.
5. Prior to grading, pad preparation, excavation for foundations/footings/walls, trenching, trees may require root pruning outside the **TREE PROTECTION ZONE** by cutting all roots cleanly to the depth of the excavation. Roots shall be cut by manually digging a trench and cutting exposed roots with a saw, a vibrating knife, rock saw, narrow trencher with sharp blades, or other approved root pruning equipment. The Consulting Arborist will identify where root pruning is required.
6. Any root pruning required for construction purposes shall receive the prior approval of and be supervised by the Consulting Arborist.
7. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the Consulting Arborist so that appropriate treatments can be applied.
8. No excess soil, chemicals, debris, equipment or other materials shall be dumped or stored within the **TREE PROTECTION ZONE**.
9. Any additional tree pruning needed for clearance during construction must be performed by a Certified Arborist and not by construction personnel.

Maintenance of impacted trees

Trees preserved at Britannia Business Center may experience a physical environment different from that pre-development. As a result, tree health and structural stability should be monitored. Occasional pruning, fertilization, mulch, pest management, replanting and irrigation may be required. As trees age, the likelihood of failure of branches or entire trees increases. Thus, it is recommended that the property owner have the trees inspected annually for hazard potential.

HortScience, Inc.



John Leffingwell
Board Certified Master Arborist #WE-3966B
Registered Consulting Arborist #442

Attached: *Tree Assessment Form*
Tree Assessment Map

Tree Assessment

Brittannia Business Center
Pleasanton, California
October 2011



TREE No.	SPECIES	SIZE DIAMETER (in inches)	Heritage?	CONDITION 1=POOR 5=EXCELLENT	SUITABILITY FOR PRESERVATION	COMMENTS
48	Paper birch	8	No	3	Moderate	Leans E.; thin crown.
49	Paper birch	7	No	3	Moderate	Leans E.; fair density.
50	Paper birch	8	No	3	Moderate	Leans E.; thin crown.
51	Paper birch	6	No	3	Moderate	Slight lean SE.; fair density.
52	Paper birch	6	No	3	Moderate	Tipped back.; fair stricture; thin crown.
53	Paper birch	6	No	3	Moderate	Upright form; thin crown.
54	Paper birch	7	No	3	Moderate	Good structure; thin crown.
55	London plane	6	No	3	Moderate	Upright form; twig dieback; small space.
56	London plane	6	No	3	Moderate	Leans E.; twig dieback; small space.
57	London plane	8	No	3	Moderate	Upright form; twig dieback; small space.
58	London plane	6	No	3	Moderate	Leans E.; twig dieback; small space.
59	London plane	11	Yes	4	Moderate	Leans E.; twig and branch dieback; small space.
60	London plane	7	No	3	Moderate	Slight lean E.; twig dieback; small space.
61	Callery pear	11	Yes	3	Moderate	Multiple attachments at @ 7"; small leaves; twig dieback.
62	Callery pear	8	Yes	3	Moderate	Codominant trunks at @ 7"; weak attachment; small leaves; twig dieback.
63	Callery pear	8	Yes	3	Moderate	Upright form; small leaves; twig dieback.
64	Callery pear	8	Yes	3	Poor	Upright form; small leaves; twig and branch dieback.
65	Callery pear	8	Yes	3	Moderate	Upright form; small leaves; twig dieback.
66	Honey locust	11	Yes	4	Good	Multiple attachments at @ 10"; upright with laterals.
67	Honey locust	10	Yes	4	Moderate	Multiple attachments at @ 10"; upright form; trunk
68	Purple leaf plum	6,5,3,2	No	4	Good	Multiple attachments at @ 4"; narrow attachment; minor twig dieback.
69	Purple leaf plum	6,5,4,2	No	4	Good	Multiple attachments at @ 5"; narrow attachment; minor twig dieback.

Tree Assessment

Brittannia Business Center
Pleasanton, California
October 2011



TREE No.	SPECIES	SIZE DIAMETER (in inches)	Heritage?	CONDITION 1=POOR 5=EXCELLENT	SUITABILITY FOR PRESERVATION	COMMENTS
70	Purple leaf plum	7,4,1	No	4	Moderate	Multiple attachments at @ 4'; trunk wound; minor twig dieback.
71	Honey locust	9	Yes	4	Moderate	Multiple attachments at @ 10'; upright form; a little thin.
72	Honey locust	10	Yes	3	Moderate	Codominant trunks at @ 10'; ons stem topped; branch wounds and cankers.
73	Callery pear	8	No	3	Poor	Multiple attachments at @ 6'; fireblight; twig dieback.
74	Callery pear	7	No	2	Poor	Multiple attachments at @ 6'; fireblight; trunk wound.
75	Callery pear	7	No	3	Moderate	Multiple attachments at @ 6'; minor fireblight; epicormics.
76	Callery pear	8	No	3	Moderate	Multiple attachments at @ 6'; minor fireblight; epicormics.
77	Callery pear	7	No	2	Poor	Multiple attachments at @ 6'; very thin crown.
78	Callery pear	10	No	3	Poor	Multiple attachments at @ 6'; thin crown.
79	London plane	7	No	4	Moderate	Upright form; twig dieback; small space.
80	London plane	7	No	4	Moderate	Upright form; twig dieback; small space.
81	London plane	6	No	3	Poor	Leans E.; twig dieback; small space.
82	London plane	6	No	3	Poor	Leans E.; twig dieback; small space.
83	London plane	8	No	4	Moderate	Leans E.; moderate density; small space.
84	London plane	6	No	3	Moderate	Slight lean E.; twig dieback; small space.
85	London plane	6	No	3	Moderate	Slight lean E.; twig dieback; small space.
86	London plane	6	No	3	Poor	Leans E.; twig dieback; small space.
87	London plane	6	No	3	Poor	Leans E.; twig dieback; small space.
88	London plane	6	No	3	Poor	Leans E.; twig dieback; small space.
89	London plane	6	No	3	Poor	Leans E.; twig dieback; small space.
90	London plane	8	No	4	Moderate	Upright form; twig dieback; small space.
91	London plane	7	No	4	Moderate	Upright form; twig dieback; small space.

Tree Assessment

Brittannia Business Center
Pleasanton, California
October 2011



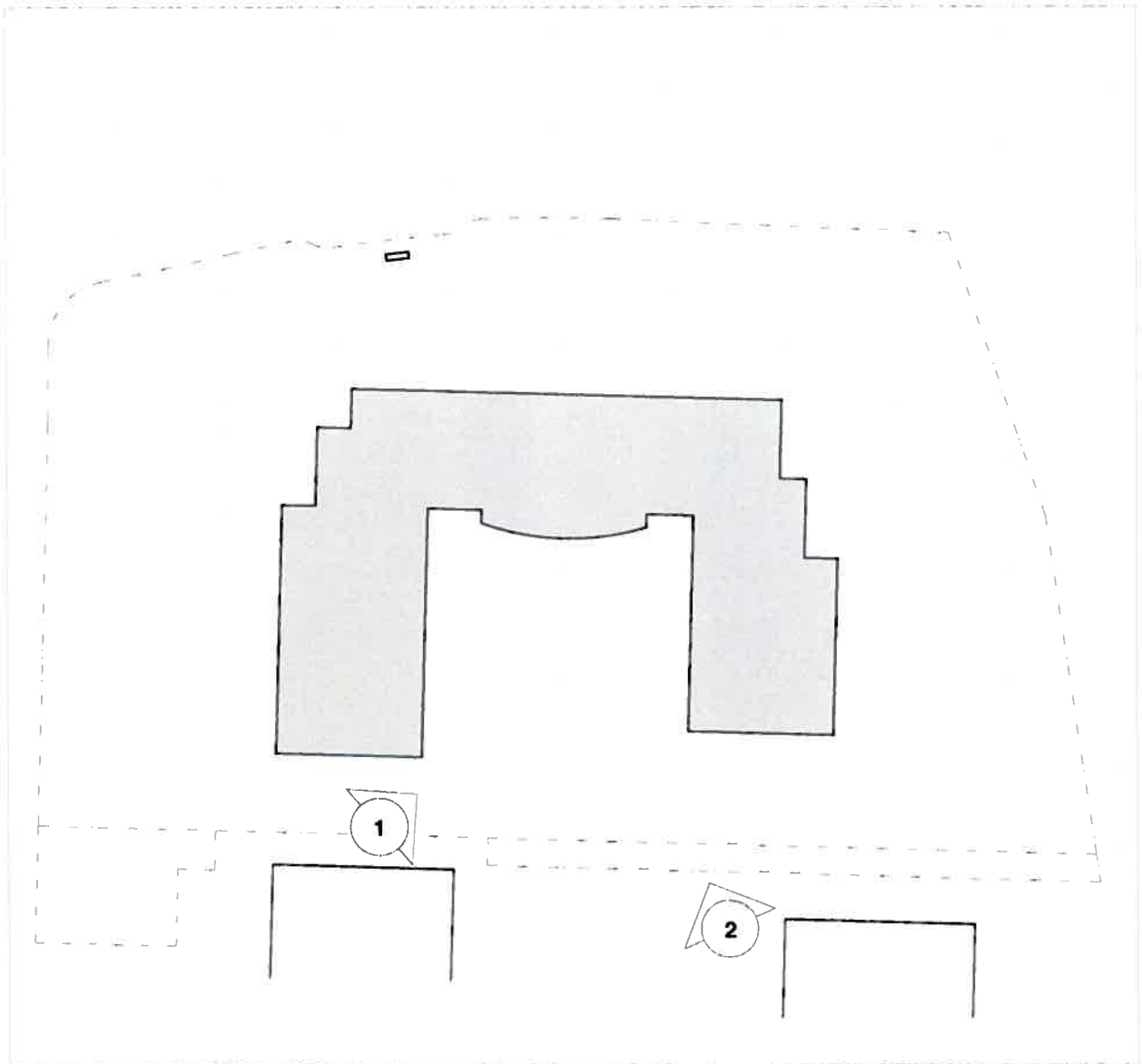
TREE No.	SPECIES	SIZE DIAMETER (in inches)	Heritage?	CONDITION 1=POOR 5=EXCELLENT	SUITABILITY FOR PRESERVATION	COMMENTS
92	Paper birch	8	No	4	Moderate	Upright form; minor twig dieback.
93	Paper birch	7	No	3	Moderate	Upright form; branch wounds; minor twig dieback.
94	Paper birch	6	No	3	Moderate	Asymmetric crown; minor twig dieback.
95	Paper birch	6	No	3	Moderate	Codominant trunks at @ 5'; one sided S.; minor twig dieback.
96	Paper birch	8	No	4	Moderate	Upright form; minor twig dieback.
97	Paper birch	8	No	3	Moderate	Leans E.; lateral E.; minor twig dieback.
98	London plane	10	No	4	Moderate	Slight lean E.; twig dieback; small space.



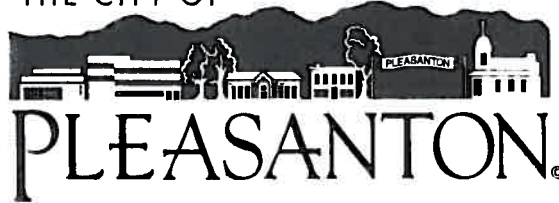
MADDIE'S CENTER
View of Courtyard Looking Southeast as Seen From Adjacent Property



MADDIE'S CENTER
View of Courtyard Facing Northeast as Seen From Adjacent Property



1 View facing Southeast
2 View facing Northeast



December 21, 2011

Bill Durgin
 Lake Tahoe Land Company, LLC
 3201 Danville Boulevard, Suite 172
 Alamo, CA 94507

Dear Mr. Durgin:

RE: PUD-81-30-51M
Effective Date: January 11, 2012

The City has completed its review of your application for a minor modification to an approved development plan, Case PUD-81-30 to designate animal shelters, animal adoption centers, animal rehabilitation centers, and similar uses including outdoor operations as conditionally permitted uses on Site 11H (4280 Hacienda Drive).

In accordance with City Council policy, notice of the proposed PUD minor modification was sent to the surrounding property owners on **November 21, 2011**. No request was made for a formal hearing.

Based upon the information submitted, it is my determination that the above changes are not substantial in nature since the overall plan for the site will remain the same. Therefore, in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton, I am granting a minor modification, Case PUD-81-30-51M, subject to the following conditions:

1. The animal shelters, animal adoption centers, animal rehabilitation centers, and similar uses including outdoor operations shall be conditionally permitted uses on Site 11H (4280 Hacienda Drive).
2. Except, as modified by Conditions 1 above, all conditions of Cases PUD-81-30 through PUD-81-30-50M shall remain in full force and effect.
3. To the extent permitted by law, the project applicant shall defend (with counsel reasonable acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

Approval of the minor modification will become effective on January 11, 2012 (**Pleasanton Municipal Code Chapter 18.68**), unless appealed prior to that time.

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

Sincerely,

Janice Stern
 Planning Manager

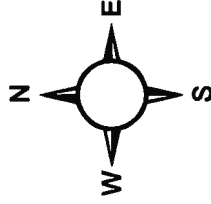
COMMUNITY DEVELOPMENT**P. O. BOX 520, Pleasanton, CA 94566-0802**

Planning	Building & Safety	Engineering	Traffic	Inspection
200 Old Bernal Ave. (925) 931-5600 Fax: 931-5483	200 Old Bernal Ave. (925) 931-5300 Fax: 931-5478	200 Old Bernal Ave. (925) 931-5650 Fax: 931-5479	200 Old Bernal Ave. (925) 931-5650 Fax: 931-5479	157 Main Street (925) 931-5680 Fax: 931-5484

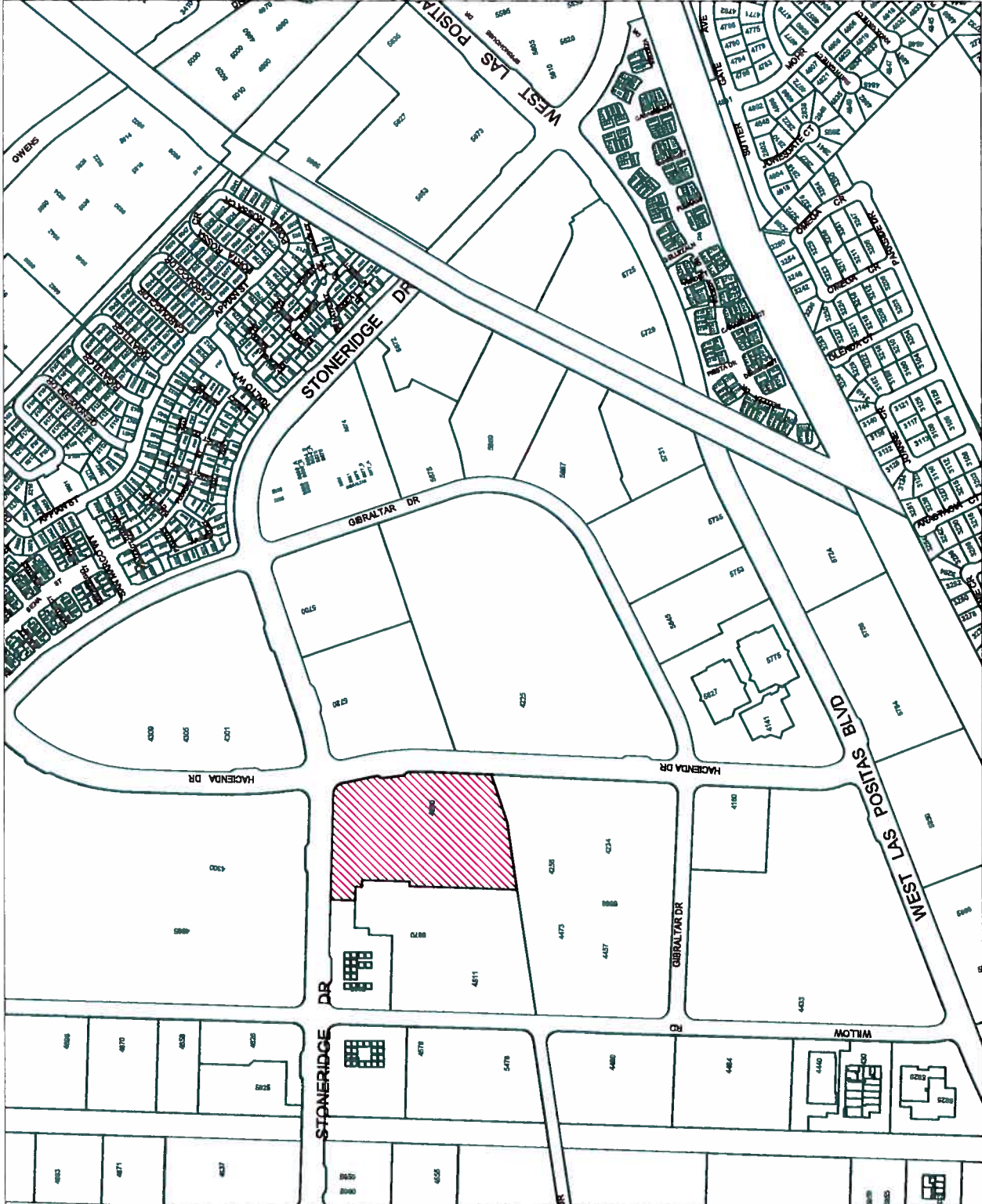
City of Pleasanton

GIS

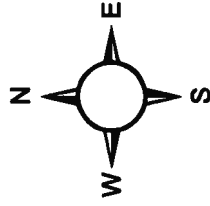
Department



Printed 12/28/2011



4280 Hacienda
City of Pleasanton
GIS
Department



Printed 12/28/2011

EXHIBIT K

