EXHIBIT A-1

Conditions of Approval PDR-965 1619 Cindy Way

PROJECT SPECIFIC CONDITIONS

Planning

- 1. The design review approval shall lapse one year from the effective date of approval unless a building permit is obtained and construction diligently pursued, or the City has approved a time extension.
- 2. The building permit plan check materials will be accepted for submittal only after completion of the 15-day appeal period, measured from the date of the approval letter, unless the project applicant submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the approval is overturned on appeal, or that the design is significantly changed as a result of the appeal. In no case will a building permit be issued prior to the expiration of the 15-day time-period.
- 3. Prior to issuance of building or demolition permits, the project 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 applicant intends to recycle at least seventy-five percent (75%) of the total job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance of a final building permit. During demolition and construction, the project applicant shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only." The project applicant shall contact Pleasanton Garbage Service for the disposal of all waste from the site.
- 4. The residence shall be constructed to allow for future installation of a Photovoltaic (PV) system and solar water heating systems. The project applicant shall comply with the following requirements for making the dwelling photovoltaic-ready and solar-water-heating-ready:
 - a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the building's main electrical panels;
 - b. An area shall be provided near the electrical panel for the installation of an "inverter" required to convert the direct current output from the photovoltaic panels to alternating current:

- c. Engineer the roof trusses to handle an additional load as determined by a structural engineer to accommodate the additional weight of a prototypical photovoltaic system beyond that anticipated for roofing.
- d. Plumbing shall be installed for solar-water heating; and
- e. Space shall be provided for a solar-water-heating tank.

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

- 5. A minimum of one appliance or system that meets Energy Star standards shall be installed in the home.. The water conservation device(s) shall be stated on the plans submitted for the issuance of a building permit.
- A minimum of one water conservation device such as low-flow faucets, toilets, shower fixtures, etc. shall be installed in the home. The water conservation devices(s) shall be stated on the plans submitted for the issuance of a building permit.
- 7. The State of California's Green Building Standard Code, "CALGreen", shall apply, if applicable.
- 8. 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.
- Street tree, fencing, and final front yard landscape and irrigation plans shall conform the approved fencing and landscaping plan of PUD-38. The front yard landscaping and irrigation indicated on the approved plans shall be installed prior to occupancy of the house.
- 10. Trees shall be a minimum of 15 gallons in size. All shrubs shall be a minimum of five gallons, unless otherwise shown on the plans and approved by the Director of Community Development. Deviations from the approved plan shall be reviewed and approved prior to installation.
- 11. The project applicant shall provide root control barriers and 4-inch perforated pipes for trees near driveways and in other paved areas less than 10-feet in width, or as determined by the Director of Community Development.
- 12. The electrical plan for the home 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.

Fire

13. The building covered by this approval shall be equipped with an automatic fire sprinkler system. Plans and specifications for the automatic fire sprinkler system shall be submitted to the Pleasanton Building and Safety Division for review and approval prior to installation. The fire alarm system, including water flow and valve tamper, shall have plans and specifications submitted to Fire Prevention for review and approval prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building.

STANDARD CONDITIONS OF APPROVAL

Community Development Department

- 14. The project applicant shall submit a refundable cash bond for hazard and erosion control. The amount of this bond will be determined by the Director of Community Development. The cash bond will be retained by the City until all the permanent landscaping is installed for the development, including individual lots, unless otherwise approved by the department.
- 15. The project applicant shall pay any and all fees to which the property may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
- 16. 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.

Planning

- 17. The proposed development shall be in substantial conformance to Exhibit B, dated "Received, May 24, 2011," including architecture sheets and color/material scheme, on file with the Planning Division, except as modified by the conditions of approval. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development.
- 18. 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 attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the project 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.
- 19. The project applicant shall work with the Pleasanton Unified School District and the Director of Community Development to develop a program, in addition to the school impact fees required by State law and local ordinance, to off-set this project's long-term effect on school facility needs in Pleasanton.
- 20. Prior to building permit submittal, a list of the green building measures used in the design of the unit covered by this approval shall be provided to the Planning Division for the review and approval by the Director of Community Development. The home covered by this approval shall be designed to achieve a "certified rating" of a minimum of 50 total points, achieving at least the minimum points in each category, using BuildItGreen's current GreenPoints rating system.

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

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

- 21. Only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed.
- 22. 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.
- 23. 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.
- 24. 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.
- 25. 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.
- 26. The developer and future homeowners are encouraged to use best management practices for the use of pesticides and herbicides.
- 27. The project applicant must provide to the Director of Community Development a building height certification performed by a licensed land surveyor or civil engineer. Said certification must allow for the installation of finished roof materials and must meet the approved building height.
- 28. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. No construction shall be allowed on State or Federal Holidays, Saturdays, or Sundays. The Director of Community Development may allow earlier "start times" or later "stop times" for specific construction activities, e.g., concrete pouring. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the hours of construction shall be posted on site.
- 29. 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.
- 30. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.

31. 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.

Engineering

- 32. 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.
- 33. All dry utilities (electric power distribution, gas distribution, communication service, Cable television, street lights and any required alarm systems) required to serve the house shall be installed underground in conduit or in a joint utility trench unless otherwise specifically approved by the City Engineer.
- 34. 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. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
- 35. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve the project.
- 36. There shall be no direct roof leaders connected to the street gutter or storm drain system, unless otherwise approved by the City Engineer.
- 37. The project applicant and/or the project applicant's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.
- 38. The project applicant 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.
- 39. The project applicant shall include erosion control measures on the final grading plan, subject to the approval of the City Engineer. The project applicant is responsible for ensuring that the contractor is aware of such measures. All cut and fill slopes shall be revegetated and stabilized as soon as possible after completion of grading, in no case later than October 15. No grading shall occur between October 15 and April 15 unless approved erosion control measures are in place, subject to the approval of the City Engineer. Such measures shall be maintained until such time as permanent landscaping is in place.

40. All retaining walls along the street shall be placed behind the Public Service Easement (PSE), unless otherwise approved by the City Engineer.

Building

- 41. 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.
- 42. At the time of building permit plan submittal, the project applicant shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures to prevent stormwater runoff onto adjoining properties.

Fire

- 43. The project applicant shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
- 44. Prior to any construction framing, the project applicant shall provide adequate fire protection facilities, including, but not limited to a water supply and water flow in conformance to the City's Fire Department Standards able to suppress a major fire.
- 45. Electrical conduit shall be provided to each fire protection system control valve including all valve(s) at the water connections. The Livermore-Pleasanton Fire Department requires electronic supervision of all valves for automatic sprinkler systems and fire protection systems.

URBAN STORMWATER CONDITIONS OF APPROVAL

46. The project shall comply with the "Alameda Countywide NPDES Permit #CAS0029831 and amendments to this permit" issued the by California Regional Water Quality Control Board, San Francisco Bay Region, a copy of which is available at the Community Development Department, Public Works/Engineering section at City offices, Alameda County Clean Water Program and at State Water Board.

(http://www.waterboards.ca.gov/sanfranciscobay/board_info/agenda s/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)

A. Design Requirements

- 1. 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. The Permit requires a proactive Diazinon pollutant reduction plan (aka Pesticide Plan) to reduce or substitute pesticide use with less toxic alternatives.
- 2. The following requirements shall be incorporated into the project:
 - a. The project applicant shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures 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. 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 guide line 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.
- a. 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.

B. 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/finalconstpermit.pdf

- 1. The project applicant 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.
- 2. 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.
- 3. The project applicant 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 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 is responsible for ensuring that the contractor is aware of and implements such measures.
- b. Gather all sorted construction debris on a regular basis and place it in the appropriate container for recycling; to be emptied at least on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater runoff pollution.
- c. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement adjoining the project site on a daily basis. Scrape caked-on mud and dirt from these areas before sweeping.
- d. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing in the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.
- e. Create a contained and covered area on the site for the storage of cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system through being windblown or in the event of a material spill.
- f. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.

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

C. 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., requires completing, signing and recording an agreement with Alameda County recorder's office in a format approved by the State and Alameda County.

CODE REQUIREMENTS

(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.)

Planning

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

Building

- 48. The project applicant shall submit a building survey and/or record of survey and a site development plan in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton. These plans shall be approved by the Chief Building and Safety Official prior to the issuance of a building permit. The site development plan shall include all required information to design and construct site, grading, paving, drainage, and utilities.
- 49. The project applicant shall post address numerals on the building so as to be plainly visible from all adjoining streets or driveways during both daylight and night time hours.
- 50. The building covered by this approval shall be designed and constructed to meet Title 24 state energy requirements.

51. 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

- 52. All construction shall conform to the requirements of the 2007 California Fire Code, City of Livermore Building Department and City of Pleasanton Ordinance 1965. All required permits shall be obtained.
- 53. Automatic fire sprinklers shall be installed in all occupancies in accordance with City of Pleasanton Ordinance 1965. Installations shall conform to NFPA Pamphlet 13 for commercial occupancies NFPA 13D for residential occupancies and NFPA 13R for multifamily residential occupancies.
- 54. Fire alarm system shall be provided and installed in accordance with the 2007 CFC, the City of Pleasanton Ordinance 1965 and 2002 NFPA 72 National Fire Alarm Code. Notification appliances and manual fire alarm boxes shall be provided in all areas consistent with the definition of a notification zone (notification zones coincide with the smoke and fire zones of a building). Shop drawings shall be submitted for permit issuance in compliance with 2007 CFC.
- 55. The building covered by this approval shall conform to the requirements of the 2007 California Building Code, 2007 California Fire Code and the City of Pleasanton Ordinance #1965. If required plans and specifications for the automatic fire sprinkler system shall be submitted to the Livermore-Pleasanton Fire Department for review and approval prior to installation. The fire alarm system, including water flow and valve tamper, shall have plans and specifications submitted to Fire Prevention for review and approval prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building(s).

{end}

Exhibit A-2

Draft Conditions of Approval PTR 7534 Modification (Roselyn Estates on Cindy Way)

1. Condition of Approval No. 24 of PTR 7534 shall be revised to read as follows (new text is **bold underline**):

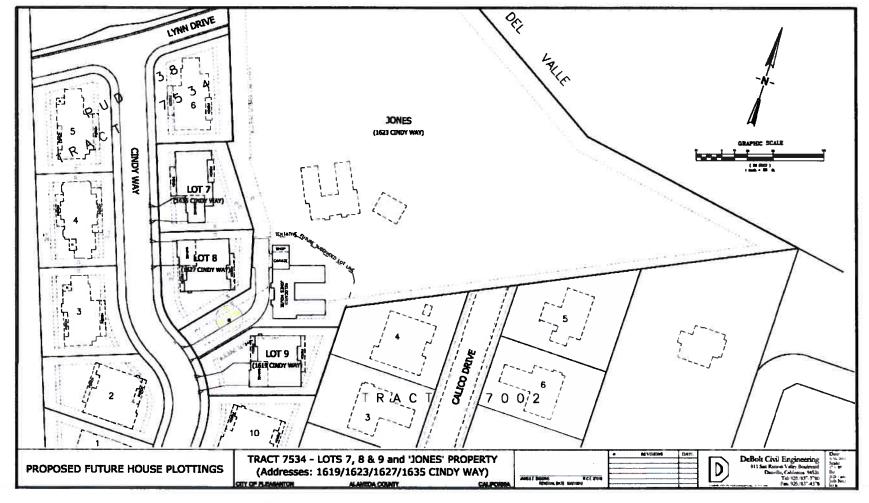
The existing 20-foot easement located on the westerly boundary of APN 946-3477-002 shall be extinguished, unless otherwise agreed to by the City Attorney and City Engineer, and shall also establish a new 20-foot easement between Lots 8 and 9 located contiguous to the northerly boundary of Lot 9 for the benefit of the Jones property for access to that property, prior to final map recordation. This easement shall be an exclusive easement for the purposes of ingress and egress for the benefit of the existing Jones residence and provide for a non-exclusive easement for the purposes of underground utilities, including, but not limited to, storm drainage, sanitary sewer, water, cable TV, telephone, etc. or as approved by the City Engineer and City Attorney. In the event that the Jones property is developed, the exclusive access easement will be required to be extinguished unless it is allowed to remain by the City Attorney and City Engineer.

Except, as modified above, all conditions of Case PTR-7534 shall remain in full force and effect.

DESIGN REVIEW PLANS - 1619 Cindy Way (aka Lot 9, Roselyn Estates, Tract 7534, PUD 38

SITE INFORMATION:					BUILDING INFORMATION:					
ADDRESS	COLOR SCHEME	LOT SIZE (ef)	LIV'G AREA (af)	F.A.R.	PORCH (ef)	GARAGE (ef)	CAR GAR	BEDROOMS	BATH	ROOMS
1619 Cindy Way	IV	10,659	2,720	26%	483	580	2	4	2.5	13

COLOR SCHEME	SIDING COLORS	SIDING BODY	GARAGE DOOR	FRONT DOOR	TRIM	ROOF	PRODUCT	DESCRIPTION
I	Kelly Moore Paints on HardiPlank 8" Siding	231 Spanish Sand	36 Navajo White	196 Villita	Swiss Coffee	Eagle Lite	901 Oakwood	Brown/Brown Streaks
11	Kelly Moore Paints on HardiPlank 8" Siding	KM3852-2 Constance	KM3850-1 Dancing Bubbles	73 Cortex	Swiss Coffee	Ragle Lite	999 Charcoal Range	Gray Range
ш	Kelly Moore Paints on HardiPlank 8" Siding	186 Kestone	KM3941-1 Wishing Star	407 Carbon	Swiss Coffee	Ragle Lite	903 Charcoal	Gray/ Black Streaks
IV	Kelly Moore Paints on HardiPlank 8" Siding	KM3531-1 Home & Hearth	KM3530-1 Shredded Wheat	160 Bravado	Swiss Coffee	Ragle Lite	904 New Cedar	Tan/ Brown Streaks



1623 Cindy Way Color Scheme II



PDR-945

Aerial Picture (Existing)

RECEIVED

MAY 24 2011 A1

CITY OF PLEASANTON PLANNING DIVISION

Plan A Floor Plan, **Plan A Elevations**

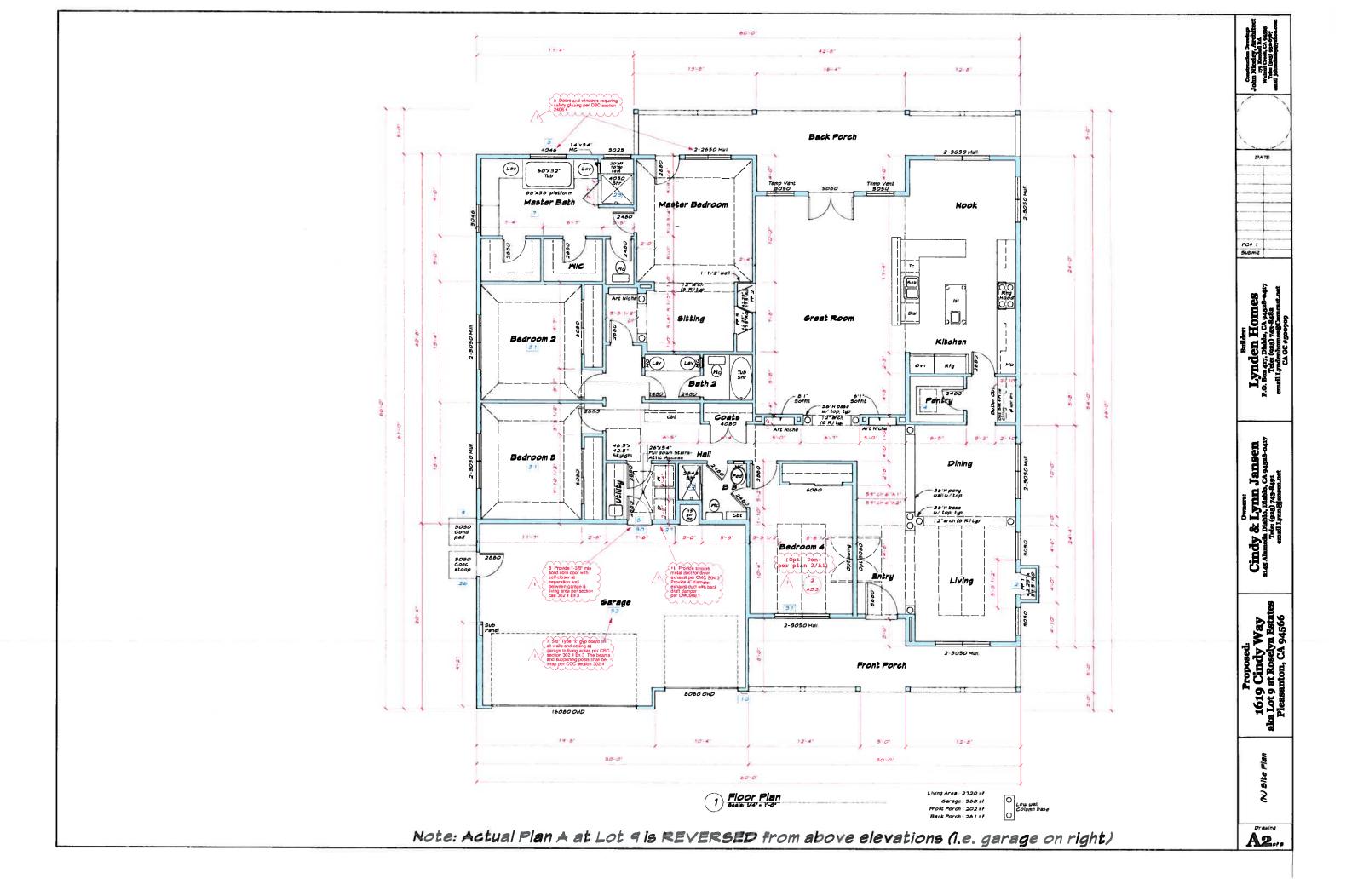
EXHIBIT B

Drawing Index

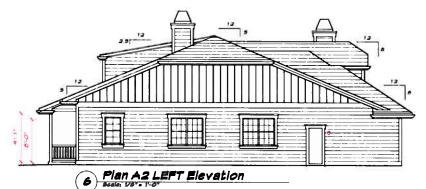


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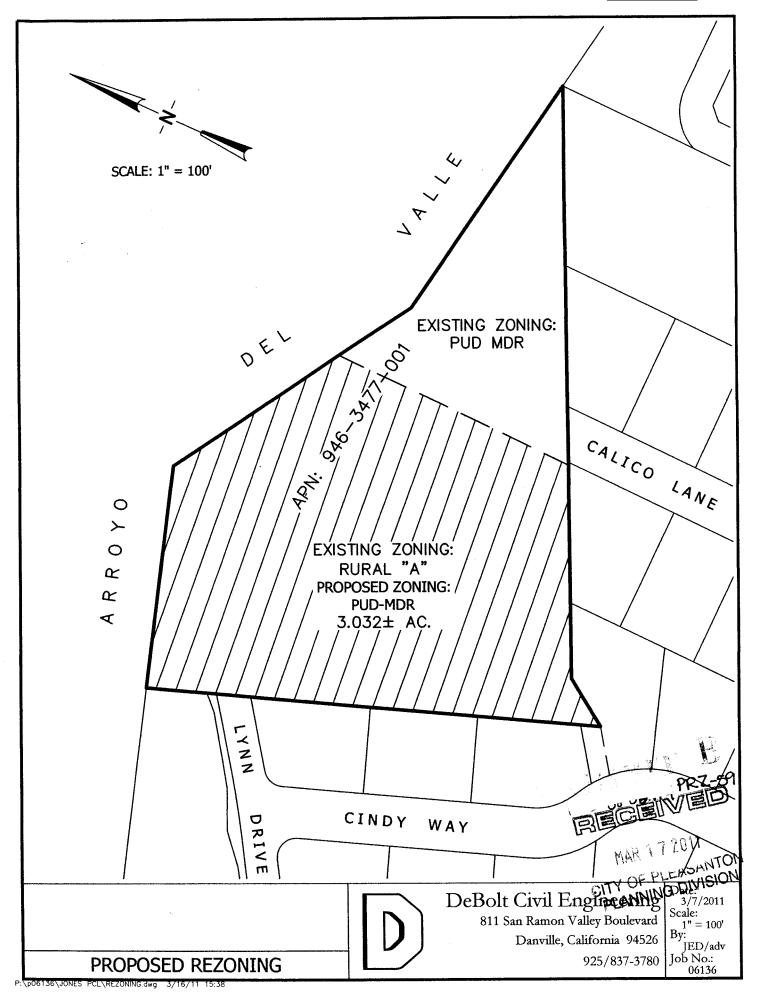
Proposed: 1619 Cindy Way ka Lot 9 at Roselyn Estat

Cindy & Lynn Jansen and Almeda Diahle, Diahle, CA 94528-0417
Teles (948) 745-8491
email lynnéjunen ned

DATE

PC# 1 Submit

ian A Elevations





CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

ORDINANCE NO. 1932

AN ORDINANCE APPROVING THE APPLICATION OF LYNDEN HOMES FOR REZONING, PUD DEVELOPMENT PLAN APPROVAL, AND DEVELOPMENT DESIGN GUIDELINES, AS FILED UNDER CASE PUD-38

- WHEREAS, Lynden Homes has applied for rezoning of two existing parcels totaling approximately 4.19 acres from Planned Unit Development (PUD) and Agriculture (A) District to Planned Unit Development Medium Density Residential (PUD-MDR) District; for PUD development plan approval for 11 buildable parcels and two remainder parcels ranging from 10,000 square feet to 13,000 square feet; and for development design guidelines for a single-family detached residential development at 1635 and 1777 Rose Avenue; and
- WHEREAS, based on the Initial Environmental Study, a Negative Declaration was adopted by the Council on January 17, 2006; and
- WHEREAS, at its meeting of January 17, 2006, the City Council received the Planning Commission's positive recommendations for approval of the rezoning, PUD development plan, and development design guidelines for the project; and
- WHEREAS, a duly noticed public hearing was held on January 17, 2006; and
- WHEREAS, after a review of the materials presented, the City Council determined that the proposed rezoning is appropriate for the site; and
- WHEREAS, the City Council finds that the PUD development plan and development design guidelines are consistent with the General Plan and the purposes of the PUD ordinance.

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

- Section 1. Approves the rezoning of the project site from Planned Unit Development (PUD) and Agriculture (A) District to Planned Unit Development Medium Density Residential (PUD-MDR) 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 by Zoning Unit Map No. 463, attached hereto as Exhibit A, dated January 17, 2006, and incorporated herein by this reference.
- Approves Case PUD-38, the application of Lynden Homes for Planned Unit Development (PUD) development plan for 11 buildable parcels and two remainder parcels ranging from 10,000 square feet to 13,000 square feet, and for development design guidelines for a single-family detached residential development at 1635 and 1777 Rose Avenue, subject to the conditions shown on Exhibit B, attached hereto and incorporated herein by this reference.
- Section 4. A summary of this ordinance shall be published once within fifteen (15) days after its adoption in "The Valley Times," a newspaper of general circulation published in the City of Pleasanton, and the complete ordinance shall be posted for fifteen (15) days in the City Clerk's office within fifteen (15) days after its adoption.
- Section 5. This ordinance shall be effective thirty (30) days after its passage and adoption.

INTRODUCED at a regular meeting of the City Council of the City of Pleasanton on January 17, 2006.

ADOPTED at a regular meeting of the City Council of the City of Pleasanton on February 7, 2006, by the following vote:

AYES:

Councilmembers - Brozosky, McGovern, Thorne, and

Mayor Hosterman

NOES:

Councilmember Sullivan

ABSENT:

None

ABSTAIN:

None

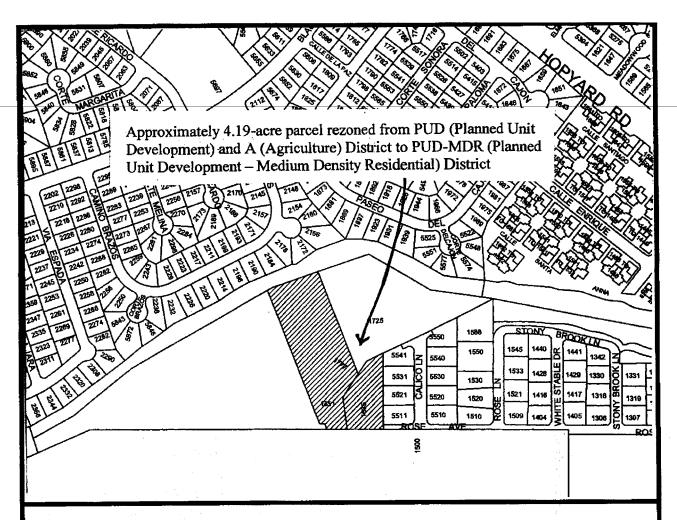
Jennifer Hosterman, Mayor

ATTEST:

Dawn G. Abrahamson, City Clerk

APPROVED AS TO FORM:

Michael H. Roush, City Attorney



CITY OF PLEASANTON PLANNING DEPARTMENT

Ordinance No. 1932 Zoning Unit Map No. 463

DRAWN BY: T. Snyder	APPROVED BY: Jeurs	DATE: 01/17/2006		
SCALE: 1" = 300'	PLANNING DIRECTOR	SEC. NO.: PUD-38		

EXHIBIT B CONDITIONS OF APPROVAL

PUD-38, Lynn Jansen, Roselyn Lane January 17, 2006

PLANNING DEPARTMENT

1. The development plan shall be as shown on the following exhibits, collectively described as Exhibit A, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Planning Director if found to be in substantial conformance to this development plan.

Exhibit A-PUD Development Plans dated July 27, 2005

- Site Plan, Elevations, Project Summary
- Plans A1 and A2, Elevations and Floor Plan
- Plan B, Elevations and Floor Plan
- Plan C, Elevations and Floor Plan
- Site Plan, Demolition Plan and Cross Section, Grading and Utility Plan,
 Sheets 1-3 (Alexander & Associates, Inc., dated September 23, 2004)
- Street Tree and Fencing Plan, Front Yard Planting Plan, Planting Details and Notes, Sheets L-1, 2, and 3, dated September 14, 2004
- Ernest Jones Home: New Grading, Landscaping, and Hardscape Plan Detail
- Roselyn Lane Project Color Schemes
- Roselyn Lane Design Guidelines
- 2. The custom home on Lot 9 shall conform to the approved design guidelines, and the design shall attempt to mitigate neighbor concerns; the home shall be processed as a design review application and shall be subject to review and approval by the Planning Commission.
- 3. The applicant shall create CC&Rs for the development. The CC&Rs shall include disclosures related to Lot 9, the road extensions, and the neighboring Fairground use.
- 4. The applicant/developer shall include all recommendations provided for tree protection, preservation and/or removal in accordance with the HortScience Tree Report, dated "Received September 23, 2004." No tree trimming or pruning other than that specified in the tree report shall occur. The applicant shall arrange for the horticultural consultant to conduct a field inspection prior to issuance of demolition and grading permits to ensure that all recommendations have been properly implemented. The consultant shall certify in writing that such

recommendations have been followed for trees on the property at 1725 Rose Avenue, the trees in and north of the Arroyo Del Valle, and tree No. 59.

- 5. The applicant/developer shall include all recommendations in accordance with the Noise Study conducted by Illingworth & Rodkin, Inc., July 5, 1998, dated "Received September 23, 2004"
- 6. The applicant/developer shall include all recommendations in accordance with the Geotechnical Report, Hydraulic Evaluation and Bank Erosion Analysis of Arroyo del Valle, prepared by Engeo, Inc., March 10, 2005, excepting the recommendation for the 2:1 line of projection noted on Page 10 of the recommendations. The site plan(s) shall be revised to reflect the requirements of Zone 7, 2.5:1 line of projection to non-habitable improvements and shall be reviewed and approved by the Planning Director and Public Works Director.
- 7. The applicant shall obtain all outside agency permits and have them posted at the construction site at all time. No permit shall be allowed to expire and all conditions of each permit are adopted within these conditions of approval, including:
 - a. CRWQCB SF Bay Region, Permit 2198.11
 - b. US Army Corps of Engineers, Permit 404 #29279S
 - c. CA Dept of Fish & Game, Permit 401 Streambed Alteration Agreement, #1600-2004-0872-3
- 8. PUD development plan approval for the project will lapse within two (2) years from the effective date of approval unless a building permit is issued and construction has commenced and is diligently pursued toward completion or an extension has been approved by the City pursuant to Section 18.20.070 of the Pleasanton Municipal Code.
- 9. All conditions of approval for this case shall be reprinted and included as a plan sheet(s) with the building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading, landscaping, and construction plans kept on the project site. It is the responsibility of the applicant to ensure that the project contractor is aware of, and abides by, all conditions of approval. It is the responsibility of the applicant to ensure that the project landscape contractor is aware of, and adheres to, the approved landscape and irrigation plans. Prior approval from the Planning Department must be received before any changes are constituted in site design, grading, building design, building colors or materials, landscape material, etc.

10. The project as shown on Exhibit A shall be subject to the use and site development standards for the PUD as follows:

Table 4: Site Development Standards

	Proposed Standard (in feet)
Front Setback	
Living Area/House	20
Covered Porch	15
Garage (Front Facing)	20
Garage – Lot 8	15
Rear Yard Setback	
Living Area	20
Porches	15
Side Yard Setback	10 minimum/20 combined
At Rose Avenue	15
<u>Height</u>	Single Story-24; Two Story-32 ¹
FAR	40 percent ²

Notes: 1 Height is measured from finished building pad grade, natural or constructed, to the peak of the roof.

² Excluding up to 600 square feet of garage area.

- A Final Map shall be recorded for the project prior to the issuance of any building 11. and grading permits. A demolition permit shall be obtained and the site cleared of all structures prior to Final Map recordation.
- 12. Fencing and retaining walls shall be as shown on Exhibit A or as approved by the Planning Director.
- 13. Any proposed fencing near the Arroyo Del Valle shall be subject to the review and approval of the Planning Director prior to installation.
- The building walls or the window frames shall be designed such that the windows 14. are recessed a minimum of two inches into the building wall. All window glass shall be clear with no tint. The windows shall have decorative mullions/grilles, approximately one inch wide, unless otherwise approved by the Planning Director. All windows shall have a sill. With the plans submitted for the issuance of a building permit, the applicant shall provide a detailed window section which shall be subject to the review and approval of the Planning Director.

- 15. On Lot 7, no second story windows shall face the property at 1725 Rose Avenue, unless they are clerestory windows. The applicant shall revise the plans to address this condition of approval prior to the issuance of a building permit.
- 16. All exterior lighting shall be designed or shielded so as to not shine on neighboring properties. The applicant 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 and parking areas. The light fixtures and their locations shall be subject to the review and approval of the Planning Director

Homeowners Association

17. The project shall have a homeowners association created for the project.

Landscaping

- 18. The width of the bioswales and the bioswale planting materials shall be subject to the review and approval of the Public Works and Planning Departments prior to the issuance of a building permit.
- 19. The applicant shall provide root-control barriers and four-inch (4") perforated pipes for street trees and trees in planting areas less than ten feet (10'0") in width.
- 20. All trees used in landscaping shall be a minimum of fifteen (15) gallons in size, and all shrubs shall be a minimum of five (5) gallons unless otherwise specified on the approved landscape plans.
- 21. The applicant's final landscape and irrigation plan shall be submitted to and approved by the Planning Director as part of the building permit plan set prior to the issuance of an on-site permit. Said landscaping plan shall be consistent with the approved landscape plan, as shown in Exhibit A, plus any conditions of approval, and shall be detailed in terms of species, location, size quantities, and spacing.
- 22. All landscaping between a sidewalk and a street shall be maintained by the homeowners association for the project or by the nearest homeowner. Whether the landscaping shall be maintained by the homeowners association or the nearest homeowner shall be determined by the homeowners association and shall be defined within the CC&Rs as approved by the City Attorney and prior to recordation of the Final Map.

- 23. All landscaping by the Arroyo Del Valle shall be maintained by the homeowners association for the project, unless otherwise determined by the Planning Director, and shall be memorialized by an appropriate document to the satisfaction of the City Attorney.
- 24. The landscaping species, locations, and quantities in the landscaping strip by the Alameda County Fairgrounds shall generally match that of the adjacent landscaping strip to the east. The landscaping strip by the Alameda County Fairgrounds shall be installed by the developer but maintained by the City. The proposed irrigation system shall meet all City standards and shall be subject to the review and approval of the City's Parks Superintendent prior to the issuance of a building permit.
- 25. The landscaping adjoining the Jones property shall be designed to screen new houses and shall be subject to the approval of the Planning Director.

BUILDING AND SAFETY DIVISION

- 26. The soil shall be tested where a recent explosion occurred for hazardous and environmentally damaging materials and a report prepared and submitted for the review of the Planning Director.
- 27. Prior to the issuance of a building permit, a list of green-building measures to be used in the design of the homes covered by this approval shall be provided to the Planning Department for the review and approval by the Planning Director. Each home covered by this approval shall be designed to achieve a minimum of 50 points using the Alameda County Waste Management's Green Points rating system. Each of the proposed dwelling units shall be a "green home" with a minimum of ten points in each category (Resources, Energy, and Indoor Air Quality/Health).
- 28. The proposed green building measures shall be shown on one of the first two pages of the plans submitted for the issuance of a building permit.
- 29. The applicant shall implement the following measures with the construction of the structures covered by this approval so that the owners can install roof-mounted photovoltaic systems in the future:
- 30. Electrical conduit and cable shall be installed from the roof/attic areas to the buildings' main electrical panels.

- a. Roof trusses shall be "engineered" 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.
- b. An area shall be provided near the electrical panel for the "inverter" required to convert the direct current output from the photovoltaic panels to alternating current.
- c. A bi-directional electrical meter shall be installed.
- d. These measures shall be shown on the building permit plan sets. The applicant shall provide to the future homebuyers the necessary information delineating the means by which photovoltaic panels can be applied to the roofs of the structures covered by this approval. This information shall be submitted to the Director of Planning for review and approval prior to occupancy of the first unit, if required.
- 31. All plans submitted for the issuance of a building permit must include a bar scale.
- 32. Prior approval from the Planning Department must be received before any changes are constituted in site design, grading, building design, building colors, or materials, landscape material, etc.
- 33. Approved building materials and colors shall be stated on the plans submitted for issuance of building permits.
- 34. No permanent signage or development monumentation shall be allowed for this subdivision.
- 35. The applicant shall effectively screen from view all ducts, vents, meters, air conditioning equipment, and any other mechanical equipment, whether on the structure, on the ground, or on the roof, with materials architecturally compatible with the main structure. Screening details shall be shown on the plans submitted for issuance of building permits, the adequacy of which shall be determined by the Planning Director.
- 36. All backflow prevention devices installed with the development shall be painted forest green (Pantone Color System Number 357) and shall be screened from view from public/private streets. Screens shall consist of berms, walls, or landscaping satisfactorily integrated into the landscape plan. Landscape screens shall include shrubbery designed by species and planting density to establish a complete screen within one year from the date of planting. Weather protection devices such as measures to protect pipes from freezing shall require approval by the Planning

Director prior to use; at no time shall fabric or other material not designed and/or intended for this purpose be wrapped around or otherwise placed on these devices. All backflow prevention devices shall be shown on the plans submitted for issuance of building permits together with screening mechanism and/or weather protection devices. Proposed screening and weather protection devices shall be reviewed for conformity to these requirements and approved by the Planning Director prior to issuance of a building permit.

- 37. Final inspection by the Planning Department is required prior to occupancy.
- 38. The applicant shall receive a demolition permit from the Building and Safety Division prior to the demolition of the existing residences on site.
- 39. Prior to the issuance of demolition and building 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 applicant intends to recycle at least 50 percent of the total job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance of a final building permit. During demolition and construction, the applicant shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only." The applicant shall contact Pleasanton Garbage Service for the disposal of all waste from the site.
- 40. The homes covered by this approval shall be constructed to encourage telecommuting by providing as an option telecommunications infrastructure consistent with state-of-the-art methods, e.g., cabling for DSL service, wiring for total room access, etc. The applicant shall submit with the first building permit application those measures included in the home construction for review and approval by the Building and Safety Division before issuance of the first building permit.
- 41. Only natural gas burning fireplaces or USEPA-approved wood/pellet burning stoves shall be permitted in the proposed houses.
- 42. The applicant acknowledges that the City of Pleasanton does not guarantee the availability of sufficient sewer capacity to serve this development by the approval of this case and that the applicant agrees and acknowledges that building permit approval may be withheld if sewer capacity is found by the City not to be available.
- 43. This approval does not guarantee the availability of sufficient water to serve the project. The City shall withhold building permits for the project if at the time

building permits are applied for, mandatory water rationing is in effect, unless the City has adopted a water offset program and unless the applicant is participating in the program. Notwithstanding the applicant's participation in such a program, the City may withhold building permits if the City determines that sufficient water is not available at the time of application of building permits.

- 44. The applicant shall pay any and all fees to which the property may be subject prior to issuance of building permits. The type and amount of the fees shall be those in effect at the time the building permit is issued.
- 45. Prior to issuance of a building permit, the applicant shall pay the applicable Zone 7 and City connection fees and water meter cost for any water meters, including irrigation meters. Additionally, the applicant shall pay any applicable Dublin San Ramon Services District (DSRSD) sewer permit fee.
- 46. All dwelling units in the development shall be constructed to meet Title 24 State energy conservation requirements.
- 47. All building and/or structural plans must comply with all codes and ordinances in effect before the Building and Safety Division will issue permits.
- 48. The applicant shall submit plot plans for each of the residential lots showing building setbacks and a topographic plan showing grading and drainage. Pad elevations, finish floor elevations, retaining walls, easements, maximum height of the highest structure, and the front, rear, and side yards are to be indicated on the plan. Plans for all lots are to be signed by a registered civil engineer. All residential plot plans shall show compliance with Sections 2907(d) and 70012(d) of the Uniform Building Code.
- 49. The applicant shall submit a site soils report to the Chief Building Official, with as many copies as required by the Chief Building Official, prior to issuance of a grading permit, for third party peer review and shall pay for such review at the time specified.
- 50. The record-grading plan is to be submitted to the Chief Building Official before issuance of a building permit.
- 51. The soils engineer shall certify the pad compactions of all lots containing fill to the satisfaction of the Chief Building Official prior to the issuance of building permits.
- 52. Building and situs plans are to be submitted to the Building and Safety Division on computer disk in a format approved by the Chief Building Official. Digitized information shall be submitted before requesting a final inspection and should

reflect as-built situs and architectural information as approved by the Chief Building Official.

- 53. All site improvements and house construction activities shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. No construction shall be allowed on Federal holidays.
- 54. A temporary construction trailer shall be allowed on site during construction for use during the allowed hours of operation. At no time shall campers, trailers, motor homes, or any other vehicle be used as living or sleeping quarters on the construction site. All such vehicles shall be removed from the site at the end of each workday.
- If any prehistoric or historic artifacts or other indications of cultural resources are 55. 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 ground-breaking 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.
- 56. 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.
- 57. The applicant shall obtain all building, encroachment, and other applicable City permits for the project prior to the commencement of construction.

POLICE DEPARTMENT

58. The area of the development shall be tested for strength and clarity of signal to and from the area for City emergency services communications including, but not

limited to, City eight-hundred megahertz (800 MH_z) trunked radio, Livermore-Pleasanton Fire Services radio, Alameda County eight-hundred megahertz (800 MH_z) trunked radio, CLEMAR/Police Dispatch, and the current police mobile data system, unless waived by the Police Department, City of Pleasanton. Expert opinions may be required in anticipation of communications difficulties inside or around large structures. Mitigation plans of less than acceptable communications shall be submitted to the satisfaction of the Police Department prior to approval and shall be financed by the applicant immediately upon approval.

FIRE DEPARTMENT

- 59. The buildings shall be equipped with automatic fire suppression systems (sprinklers) as required by the Fire Department.
- 60. The applicant shall post address numerals on the building so as to be plainly visible from all adjoining streets or driveways during both daylight and night-time hours.
- 61. The applicant shall meet all requirements of the Pleasanton Fire Code (Pleasanton Municipal Code, Chapter 20.24).
- 62. The applicant shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
- 63. Prior to any construction framing, the applicant shall provide adequate fire protection facilities, including, but not limited to, surface roads, fire hydrants, and a water supply and water flow in conformance to the City's Fire Department Standards able to suppress a major fire. When alternate methods of fire protection are approved by the Fire Chief, this requirement may be waived or modified. Proposed alternative methods of fire protection shall be submitted in writing to the Fire Chief prior to any framing construction. Work on the alternative fire protection methods shall not begin until approved by the Fire Chief.
- 64. The Fire Chief and the City Engineer shall approve the number, type, and location of all public fire hydrants.
- 65. Blue street "hydrant markers" shall be installed for all fire hydrants per City of Pleasanton Standard Specifications.
- 66. At the time of sale, the applicant shall give homeowners notice of the availability of the City's Fire Safety Inspection Program and shall encourage their participation in this program.

- 67. As required by the Fire Chief, all sprinkler and back-flow prevention Fire

 Department connections (FDC) shall be placarded with the address(es) they serve.

 The placard shall be submitted with the signage package for the site and shall have numerals on a contrasting background. All placards are subject to the review of the Fire Chief.
- 68. The development shall meet all requirements of the Pleasanton Fire Code (Chapter 20.24 of the Pleasanton Municipal Code).
- 69. The site shall be kept free of fire hazards from the start of construction to final inspection.
- 70. Approval for the number, type, and location of fire hydrants shall be subject to the approval of the Fire Chief and the City Engineer.
- 71. The applicant shall ensure that fire protection facilities are installed and serviceable prior to and during the time of construction.

PUBLIC WORKS AND ENGINEERING

- 72. The water line in Rose Avenue shall be 16 inches in diameter or as approved by the Director of Public Works.
- 73. A sign shall be posted at the end of Rose Avenue and Street B indicating that the streets may be extended for future development, to the satisfaction of the Director of Public Works. This information shall be disclosed in the CC&Rs.
- 74. Prior to approval of the Final Map, the applicant shall post with the City an additional performance bond for all subdivision improvements that are not accepted by the City of Pleasanton.
- 75. The perimeter of all building foundations shall be designed with subdrains. Said drains shall be connected to the street gutter or other means acceptable to the City Engineer.
- 76. Roof leaders shall not be directly connected into the storm drain system.
- 77. The applicant shall install all new and existing utilities (PG&E, Pacific Bell, Cable TV, etc.) underground for each parcel unless waived by the City Engineer.
- 78. Unless otherwise approved by the City Engineer, all fill and cut slopes shall be 3:1 horizontal to vertical or less.

- 79. The applicant shall install street frontage improvements per Chapter 19.40.010 of the Pleasanton Municipal Code and to the satisfaction of the City Engineer. These improvements may include, but are not necessarily limited to, grading, curb and gutter, sidewalk, paving, storm drain, sanitary sewer, water facilities, street lighting, underground utilities, traffic control devices, landscaping, and automatic irrigation systems.
- 80. The applicant shall dedicate the necessary right-of-way for the Rose Avenue extension to the westerly boundary of the proposed development and make the improvements to the width(s) and street sections to the satisfaction of the City Engineer.
- 81. The applicant shall submit a refundable cash bond for hazard and erosion control prior to issuance of an engineering or building permit. The amount of this bond will be determined by the City Engineer.
- 82. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of an encroachment permit.
- 83. The applicant shall include erosion control measures on the final grading plan, subject to the approval of the City Engineer. The applicant is responsible for ensuring that the contractor is aware of such measures. All cut-and-fill slopes shall be revegetated and stabilized as soon as possible after completion of grading, in no case later than October 15. No grading shall occur between October 15 and April 15 unless approved erosion control measures are in place, subject to the approval of the Building and Safety Division. Such measures shall be maintained until such time as permanent landscaping is in place.
- 84. The applicant shall submit a dust control plan or procedure as part of the improvement plans.
- 85. The design of the water supply and sanitary sewer systems shall be subject to the review and approval of the City Engineer.
- 86. Any damage to existing street improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at the full expense to the applicant. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer. Peters Avenue or the development side of the street from St. John Street to St. Mary Street shall be overlaid or slurry sealed at the City Engineer's discretion.
- 87. The applicant's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.

- 88. Bulk construction materials stored outdoors that may contribute to the pollution of storm water runoff shall be covered as required by the City Engineer and/or the Chief Building Official.
- 89. Unless waived by the City Engineer, prior to the issuance of a building permit and recordation of a Final Map, the applicant shall complete impervious surface Form A of the storm water control requirements and submit this to the Public Works and Engineering Department.
- 90. The applicant shall pay a pro-rata share of the future sewer and water main extensions along the Fairgrounds property to Valley Avenue as determined by the City Engineer. A cost estimate and pro-rata share payment shall be approved by the City Engineer prior to approval of the Final Map.
- 91. Prior to Final Map approval, the final design and height of the visual screen along the south side of Rose Avenue adjacent to the Fairgrounds shall be determined to the satisfaction of the Planning Director in consultation with Alameda Fairgrounds staff. In general, the wall shall be similar to that as submitted on Exhibit A and to that already constructed.
- 92. The applicant may be required to install a flow meter at the sewer main connection from Rose Avenue to the sewer lateral crossing the Fairgrounds. The location, size, and type of meter shall be approved by the City Engineer, if required, prior to Final Map approval.
- 93. The project developer shall fund school facilities necessary to off-set this project's reasonably related impacts on the long-term needs for expanded school facilities to serve new development in Pleasanton. Determination of the method and manner of the provision of the funds and/or facilities shall be made by the Pleasanton Unified School District and the City, and it may be in addition to the school impact fees required by State law and local ordinance. The applicant/developer shall be required to participate in executing a "Cooperation Agreement" identifying the project's obligation to fund its share of all future schools, to be submitted to the City Attorney for review prior to building permit issuance.
- 94. The developer shall offer to dedicate to Zone 7 the area of the Arroyo Del Valle adjacent to the development to be clearly demarcated on the Tentative and Final Map to the satisfaction of the City Engineer.
 - If Zone 7 should fail to accept dedication of the Arroyo Del Valle at the time the Final Map is recorded, the property shall be owned and maintained by the homeowners association unless and until Zone 7 accepts the open offer of

dedication. In such event the CC&Rs for the homeowners association shall include provisions acceptable to the City Engineer regarding maintenance, repair, and reconstruction of the Arroyo which may include, but not be limited to, requiring annual inspections and maintenance and requiring the homeowners association to maintain a minimum reserve fund amount dedicated solely for maintenance and repair of the Arroyo Del Valle

- 95. Prior to the recording of the Final Map, the applicant shall pursue acquisition of the approximate 20-foot by 20-foot parcel at the western end of the project. Regardless of the status of the ownership of the remnant parcel, the applicant shall construct, install, and improve all street improvements including infrastructure, off-site, landscaping, and irrigation up to the most westerly boundary of the remnant parcel.
- 96. With the Final Map, the developer shall dedicate a public trail easement over the property to the north of Street B to be maintained by the homeowners association including landscaping, irrigation, and fencing.

Stormwater Design Requirements

- 97. The project shall comply with the Alameda Countywide NPDES Permit #CA50029831, a copy of which is available at the City offices.
- 98. The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures including bio-swales. Irrigated bio-swales shall be redesigned as needed to the satisfaction of the City Engineer to optimize the amount of the storm water 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.
- 99. In addition to natural controls, the project developer may be required to install a structural control, such as an oil/water separator, sand filter, or approved equal (in the parking lot) (on the site) to intercept and pre-treat storm water prior to reaching the storm drain. The design, locations, and a schedule for maintaining the separator shall be submitted to the City Engineer/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. The project developer shall enter into a maintenance agreement for the oil/water separator.
- 100. The project developer shall submit sizing designs criteria to treat stormwater runoff at the time of plan submittal.

- 101. Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution.
 - a. Structures shall be designed to discourage the occurrence and entry of pests into buildings, thus minimizing the need for pesticides.
 - b. 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.
 - c. 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.
 - d. Landscaping shall also comply with City of Pleasanton ordinances and policies regarding water conservation.
- 102. Trash areas, dumpsters, and recycling containers shall be enclosed and roofed to prevent water run-on to the area and runoff from the area and to contain litter and trash, so that it is not dispersed by the wind or runoff during waste removal. These areas shall not drain to the storm drain system but to the sanitary sewer system, and an area drain shall be installed in the enclosure area, providing a structural control such as an oil/water separator or sand filter. No other area shall drain into the trash enclosure; a berm shall be installed to prevent such drainage if found necessary by the City Engineer/Chief Building Official. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer. The project developer shall notify the Dublin-San Ramon Services District (DSRSD) upon installation of the sanitary connection; a copy of this notification shall be provided to the Planning Department.
- 103. All paved outdoor storage areas shall be designed to minimize pollutant runoff. Bulk materials stored outdoors that may contribute to the pollution of storm water runoff must be covered as deemed appropriate by the City Engineer/Chief Building Official.
- 104. Prior to grading permit issuance, the project developer shall submit a copy of the State Water Resources Control Board Notice of Intent (NOI) for coverage under the State Construction Storm Water General Permit for projects with clearing, grading, and excavation exceeding the current standards.

- 105. All metal roofs shall be finished with rust-inhibitive paint.
- 106. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever practicable.

Stormwater Construction Requirements

- 107. The project development shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review and approval by the City Engineer prior to issuance of building or grading permits. Failure to comply with the approved construction SWPPP may result in the issuance of correction notices, citations, or stop work order. The following construction Best Management Practices (BMPs), as well as any other applicable measure, shall be included in the SWPPP and implemented as approved by the City.
- 108. The project developer is responsible for implementing the following measures during all construction phases of the project:
 - a. The project developer shall include erosion control/storm water 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/storm water quality measures shall be shown on the site plan submitted for an on-site permit, subject to the review and approval of the Chief Building Official. The project developer is responsible for ensuring that the contractor is aware of and implements such measures.
 - b. All cut and fill slopes shall be revegetated and stabilized after completion of grading, but in no case later than October 15. Hydroseeding shall be accomplished before September 15 and irrigated with a temporary irrigation system to ensure that the grasses are established before October 15. No grading shall occur between October 15 and April 15 unless approved erosion control/storm water 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 place.

- c. Gather all construction debris on a regular basis and place it in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water runoff pollution.
- 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 bags, cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system through being windblown or in the event of a material spill.
- 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.

Stormwater Operation Requirements

- 109. 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.
- 110. 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.

- 111. On-site storm drain inlets clearly marked and maintained with the words "No Dumping Drains to Bay."
- 112. Landscaping shall be properly maintained, with minimal pesticide and fertilizer use.
- 113. Ensure wastewater from vehicle and equipment washing operations is not discharged to the storm drain system.
- 114. Ensure that no person shall dispose of, nor permit the disposal, directly or indirectly, of vehicle fluids, hazardous materials or rinsewater from cleaning tools, equipment, or parts into storm drains.
- 115. 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.
- 116. 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.
- 117. Vegetated swales with grasses shall be moved and clippings removed on a regular basis.
- 118. Final inspection by the Planning Department is required prior to occupancy of all homes.

(Conditions related to the Jones Family Agreement, dated February 4, 2005:)

- 119. The applicant shall place and re-grade infill material in the low area in the southern corner of the Jones' property (west of the entrance gate), to the approximate levels of the property's other surrounding grades and the future grades of the project Lots 8 and 9. This area and the required elevations are indicated on the attached "New Grading, Landscaping, and Hardscape Plan Detail" plan, dated January 11, 2005.
- 120. The applicant shall replace, repair, and/or adjust, with equal or better, all current improvements on the Jones' property which are removed, damaged, covered, or otherwise disturbed by the above-stated fill and regrading; including, but not limited to, all landscaping, irrigation, vegetation, hardscaping, driveway, walls, and fences.

- 121. The applicant shall supply and provide a welded installation of 24-inch extensions or equal to raise the existing vehicle entry gate to the new grade. This shall also include the raising of its electrical and remote facilities and shall include any repainting required thereby.
- 122. The applicant shall install new asphalt driveway sections to replace the driveway areas covered, removed, or otherwise damaged by the herein-described work on the attached "New Grading, Landscaping, and Hardscape Plan Detail" plan, dated January 11, 2005. All said AC driveway work shall be performed to accepted industry standards for said work.
- 123. The applicant shall install new drainage inlets, and drainage piping shall be installed to properly and sufficiently collect and convey all surface drainage which has historically flowed to and off the southern corner of the Jones' property. Said drainage and piping shall be connected to the new storm drainage system of the project, and suitable drainage easements may be required. All said work shall be as indicated on the attached "New Grading, Landscaping, and Hardscape Plan Detail" plan, dated January 11, 2005.
- 124. The applicant shall grant a 20-foot wide by (approximately) 50-foot long exclusive access easement from the project interior Street A to the Jones' property line at the Jones' existing entry location upon the new Lot 9. This new easement, to be recorded with the project Final Map, shall be equal in content and rights to the Jones' current similar easement and shall thereby replace it.
- 125. Upon said 20-foot wide access easement, applicant shall install a 16-foot wide AC driveway with two-foot wide landscaped strips and separation fencing on each side, along with any other public infrastructure, such as drainage inlets, as may be required by the Director of Public Works and as is indicated in the project plans described herein.
- 126. The applicant shall install a temporary gate at the north terminus of Calico Lane and a temporary aggregate rock driveway surface from the north terminus of Calico Lane to the east side of the Jones' existing circular driveway, as indicated on the attached "New Grading, Landscaping, and Hardscape Plan Detail" plan, dated January 11, 2005. This driveway shall be a temporary access, to be used during the project site improvement until the completion and availability of the standard entrance in the southern corner of the Jones' property.
- 127. The applicant shall design and grade the southern edge of the Jones' property (i.e., the rears of the new Lots 7, 8, and 9) such that the maximum new grade heights shall not exceed the 336-foot elevation and so there is no greater than a

14-inch maximum variance in grade elevation from the project's new grade levels to the existing grade levels on the Jones' property. The resulting grade differentials from the Jones' existing grade to the project's new grades shall be accommodated by retaining walls, placed upon the subject property at the common property lines (not to exceed 14 inches in depth). Additionally, the low elevation point along the Jones' southern property edge shall be properly drained by a new drainage inlet and new drain piping connected to the Jones' new drainage piping and ultimately to the project's new storm drain system, as described in Condition No. 125 above, and as shown on the attached "New Grading, Landscaping, and Hardscape Plan Detail" plan, dated January 11, 2005.

- 128. The applicant shall reimburse incurred costs caused by any change from the Jones' current legal address (1725 Rose Avenue) resulting from the project (not to exceed \$1,000).
- 129. The existing 'Western Sycamore' tree on the subject property and other prominent existing trees on the Jones' property, all located adjacent to the common property line immediately northeast of the Jones' entry gate, shall be protected and saved from damage or destruction by the project improvements by the applicant.
- 130. At the discretion of the Planning Director, further finish grading touchup by the applicant on the Jones' property northeast of the fill area between Calico Lane and the Arroyo Del Valle may be required to reshape the existing grades to slope better towards the Arroyo. Said work shall not require or include any import or export of fill, and the Jones shall be responsible to remove or relocate any obstacles in the area to be regraded, as needed.

(Conditions related to the Alteri Family agreements via letter:)

- 131. The applicant shall place clean, engineered fill material to the same standards as the project at the boundary of the property located at 1851 Rose Avenue (APN 946-3479-001) in order to meet existing grades. The grade differential between the properties shall be accommodated by tapering a 2:1-sloped fill not to exceed three feet (3'0") in height nor exceed six feet (6'0") in length.
- 132. The applicant shall be required to repair or replace in kind any damages to the adjacent property or its existing conditions resulting from the fill material placed between 1851 Rose Avenue (APN 946-3479-001) the project.

{end}

ROSELYN LANE PROJECT DESIGN GUIDELINES

(City of Pleasanton PUD 38)

Building setbacks shall be as shown on the site development plan, which generally conform to the following guidelines:

Front Yard to Living Area	20 feet
Front Yard to Porches	15 feet
Garage Minimum Setback	15 feet
Rear Yard to Porches	15 feet
Rear Yard to Living Area	20 feet
Side Yards (standard)	10 feet
Side Yard (at Rose Avenue)	15 feet

G. FLOOR AREA RATIO

The maximum Floor Area Ratio (FAR) for standard plans shall no greater than 40 percent.

H. PLACEMENT

No garage doors shall face towards, nor shall driveways open onto, Rose Avenue. All homes shall be oriented with front elevations facing the proposed new public street (Street 'A').

I. ACCESSORY BUILDINGS AND SECONDARY BUILDINGS

Accessory buildings or structures such as gazebos, trellises, equipment sheds, cabanas, etc., shall not be located in any front yard areas. No structure shall be erected within five feet of any property line or within fifteen feet from the public street.

Secondary dwellings shall be designed so as to maintain the appearance of a single family dwelling. Secondary dwellings shall contain no more than one bedroom, one kitchen, and one bath. Living and dining areas are permitted. Secondary dwellings are subject to use permit review and approval by the City of Pleasanton.

J. VEHICLE STORAGE

Recreational vehicles, boats, campers, etc., shall be screened from view from all public streets and shall be parked in accordance with Chapter 18.84.270 of the Pleasanton Municipal Code.

K. LANDSCAPING

Front yard landscaping shall be installed prior to the issuance of an occupancy permit for each dwelling, and is subject to design review. Completed landscaping shall consist of plant

Page 2 of 4 Dated: 9/23/04

ROSELYN LANE PROJECT DESIGN GUIDELINES

(City of Pleasanton PUD 38)

material selected to be harmonious with the existing plants and shall generally be drought resistant. A water conserving irrigation system shall be provided for each lot's landscaping.

Rose Avenue's Southern side shall receive irrigated landscaping and an 8' concrete wall, in similar treatment to the prior Nolan and Trumark subdivisions to the East of this project, This work shall be maintained by the City of Pleasanton.

A creekside trail and landscaped area of varying width, averaging approx. 20 ft. wide, shall be provided along the Northern side of the new creekside street (Street 'B'). Maintenance of this landscaping and trail, shall be the responsibility of the City of Pleasanton, in a manner to be determined.

L. EXISTING AND PERIMETER PLANTING

A tree report has been submitted to assess the health and vigor of each of the site's trees. The tree report contains specific recommendations on the preservation strategies in order to preserve the trees, and healthy, substantial existing trees not in location of buildings or street r.o.w. shall be saved if feasible. In all cases: existing trees on the property shall not be removed except as noted on the Site Development Plan and/or as approved by the City of Pleasanton.

Two existing or new 24" box (minimum) street trees are required per lot, with an additional two for each public street corner lot. A total of (38) 24 gallon box trees have been currently designed into the project. Two additional existing or new 24" box (minimum) front yard trees are required per lot, with an additional two for each public street corner lot. A total of (26) 24' box front yard rees have been currently designed into the project.

M. FENCING

All fencing shall be in keeping with a rural 'farmhouse' nature and shall be in accordance with the approved master fence design and Chapter 18.84 of the Pleasanton Municipal Code,

N. DESIGN REVIEW

All house plans shall be reviewed and approved pursuant to the City of Pleasanton's design review process pursuant to Chapter 18.20 of the Pleasanton Municipal Code.

O. GRADING AND DRAINAGE

The proposed grading collects and conveys all drainage onsite and directs it into a storm drainage system which releases into the Arroyo Del Valle. The existing drainage from the

Page 3 of 4 Dated: 9/23/04

ROSELYN LANE PROJECT DESIGN GUIDELINES

(City of Pleasanton PUD 38)

Jones property previously flowing across the project property shall be received by field inlet (s) and conveyed to the new storm drainage system. The objective of the final accepted grading plan shall be to emulate the existing grades and match up with the existing neighboring grades whenever feasible, and shall keep unavoidable grade differentials to a minimum. Grade differentials shall be accommodated by either tapered grading fill or cuts on the neighboring property if acceptable to the adjacent property owner, or in the alternate, use of wood retaining walls (not to exceed 24" in height). The grading plan shall be reviewed and approved by the Planning Director prior to the subdivision approval.

P. EXISTING E. JONES PROPERTY ACCESS EASEMENT

To the extent that the prior E. Jones property access easement is not replaced by the new public street (Street 'A'), the existing 20' wide access easement to the E. Jones property (APN 946-3477-001) shall be maintained with a new, slightly relocated, 20' wide easement across the front side portion of Lot 9. Special fill, grading, drainage, paving, landscaping, and hardscaping shall be provided in this area in accordance with the submitted plans); and, all work shall be in full accordance with the agreements reached between E. Jones and the developer as specified within written agreement(s) between the two parties.

Q. INFRASTRUCTURE IMPROVEMENTS

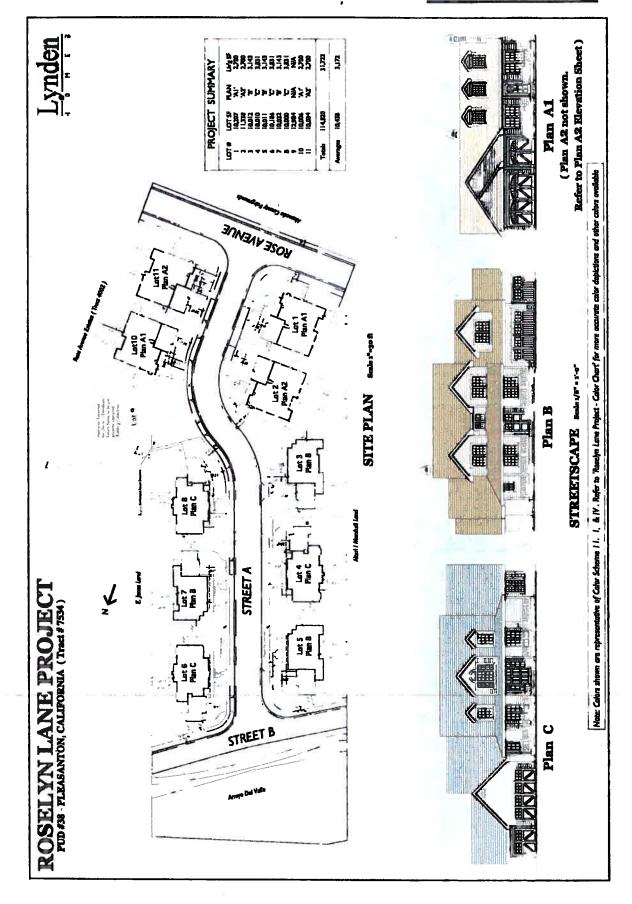
All required improvements for a 50' r.o.w. on Rose Avenue along the frontage of this site shall be included with the requirements of this development.

Water and sanitary sewer shall be connected to the existing services at the Eastern edge of the project on Rose Avenue, and shall be extended therefrom as indicated on the submitted PUD plans. The costs of all improvements required of this development beyond it's Rose Avenue frontage shall be designated for pro-rata reimbursement to the developer as has been previously established by the City of Pleasanton.

The location and elevation of the creekside roadway and sidewalk shall be established at a 2:1 slope setback from the toe of the creek slope, as required by Zone 7 Water. The storm drainage release into the creek shall be per Zone 7 and the Fish and Game requirements and the SF Regional Water Quality Board.

All public streets and right of way and infrastructure improvements shall be in duplication of the prior Nolan Farms and Richmond America project design standards (Tracts 7143 and 7002, respectively), and to City of Pleasanton standards and specifications.

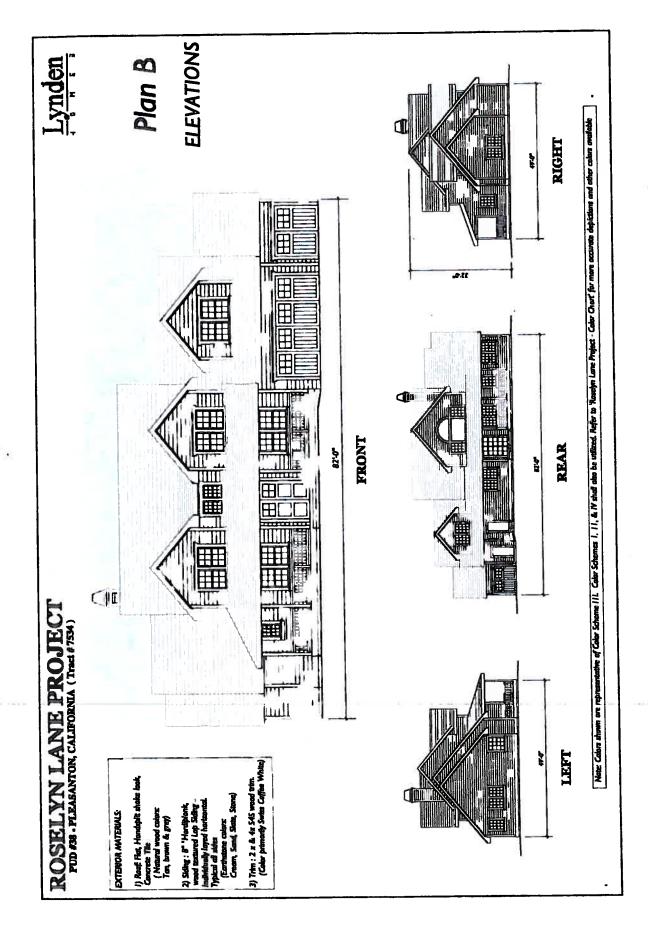
Page 4 of 4 Dated: 9/23/04

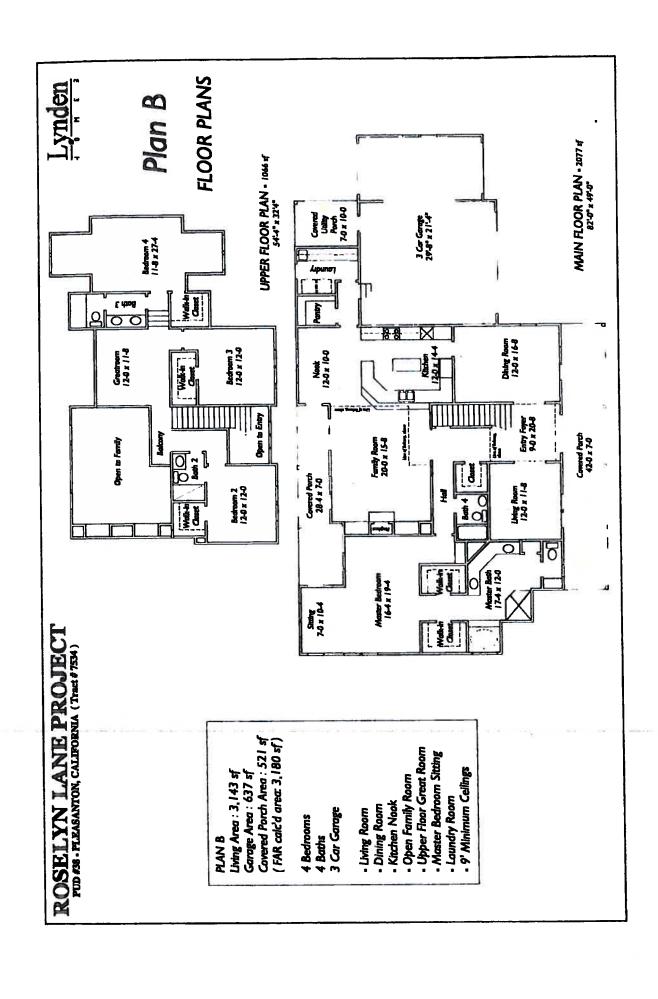


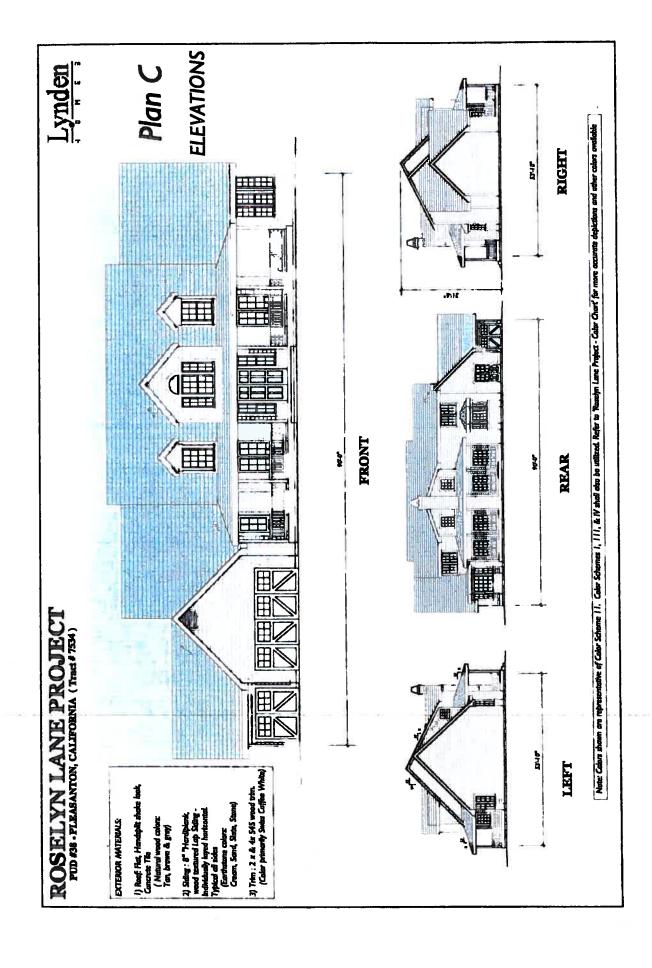
ELEVATIONS Plan A I Note Colors shown are representative of Color Scheme IV. Color Schemes I, II, & III shall also be utilized. Refer to Roselyn Lone Project - Color Chart for many accurate depictions and other colors available RIGHT 0.99 J4:0. 34:0. 圃 .O.09 FRONT REAR 0.09 OF: 1111111111 ROSELYN LANE PROJECT FUD 538 - PLEASANTON, CALIFORNIA (Tract #7594) 2) Siding : 8" "Hardiplank, wood textured Lap Sk. Individually layed harksomal. Typical of sides (Eardinaone colors. Cream, Sand, Slate, Stane) 1) Roof, Rot, Handspill shake lask, Concrete (Natural wood colors, Ton, brown & grey) 3) Trim: 2 x & 4x S4S wood trim. (Color primority Swits Coffee White) . 0.99 LEFT EXTERIOR MATERALS:

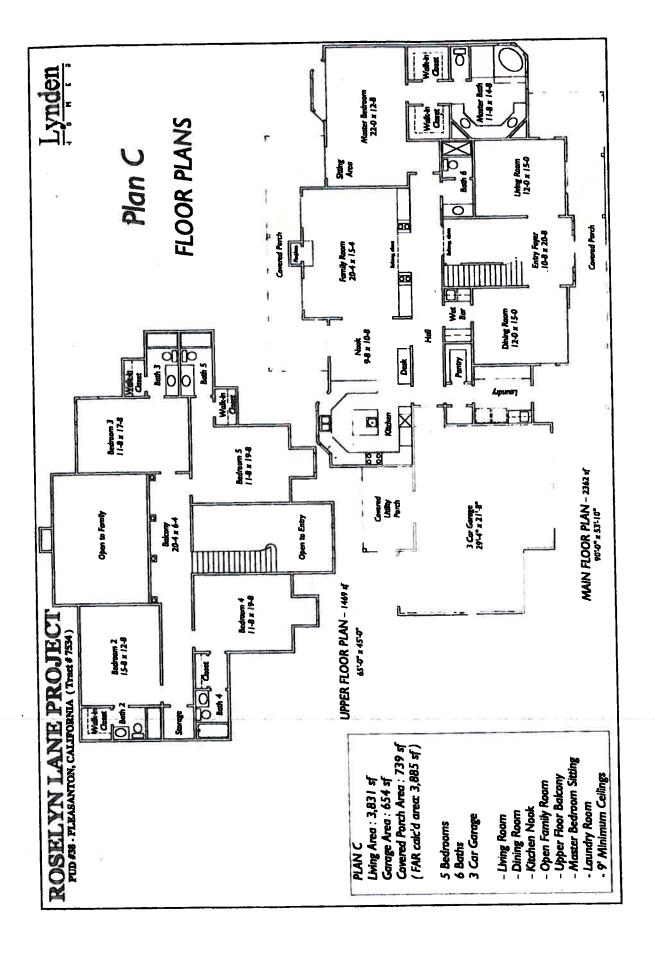
Lynden ELEVATIONS Plan A2 Note: Colors shown are representative of Calor Schemes II. III. & IV shall also be utilized. Refer to Roselyn Lane Project - Calor Char' for mans occurate depictions and other caloss and address. RIGHT 1 0.99 34:O. 圖 **III** 1 圃 3¢0. 囲 曲 1 0.09 FRONT REAR III III .0.09 **I** 圃 腫 ROSELYN LANE PROJECT PUD 538 - FLEASANTON, CALIFORNIA (True 5754) 1 Seling: 8" "Handiplank, wood teatured Lap Skill Individually layed harkental. Typical oil ades (Eurbissone colors. Cream, Sorid, State, State) Roof: Rat, Handapile shake look, Canarete Tile (Natural wood calans Tan, brown & gray) Trim: 2 x & 4z S4S wood trim. (Color primarly Swits Coffee White) 9.9 LEFT 1 EXTERIOR MATERIALS:

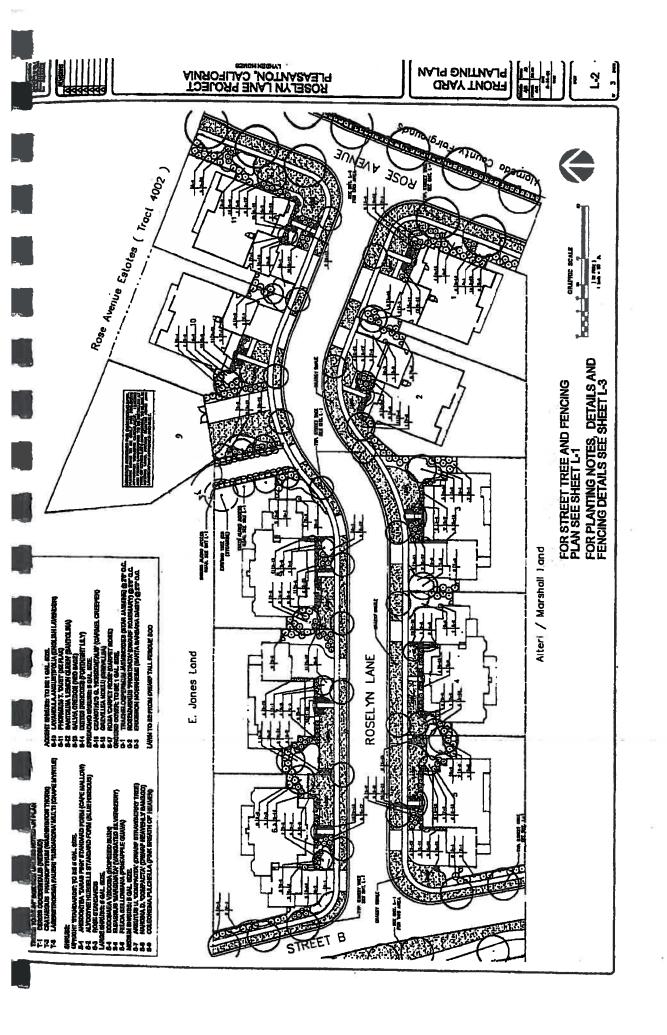
Lynden FLOOR PLAN Plan A 9 0 FLOOR PLAN E 3 1 2 1 Nest 12-0 x 9-4 Dhihig Room 12-0 x 10-8 Living Room 12-0 x 15-4 Pentry (C) Covered Parch 30-0 x 8-0 5 Family Room 160 x 23-0 Covered Parch 48-6 x 10-0 1980D Bedroom 4 Den Option 12-0 x 10-0 0 Ī <u>800</u> Master Bedroom 190 x 134 Xot is Pat 7 29'4 x 20-0 No. ID. Monter Both 11-0 x 13-4 Bedroom 2 12-0 x 13-0 Bedroom 3 12-0 x 13-0 ROSELYN LANE PROJECT PUD #38 - FLEASANTON, CALIFORNIA (Treet # 7534) Covered Porch Area: 522 sf (FAR calc'd area: 2,700 sf) Master Bedroom Sitting Living Area: 2,700 sf Garage Area: 600 sf Loundry Room
 9' Minimum Ceilings Open Family Room Living Room
 Dining Room · Kitchen Nook 3 Car Garage 4 Bedrooms 3 Baths











PLANNING COMMISSION CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. PC-2006-08

RESOLUTION APPROVING VESTING TENTATIVE TRACT MAP 7534, THE APPLICATION OF LYNN JANSEN, ROSELYN LANE

- WHEREAS, Lynn Jansen, Roselyn Lane, has applied for Vesting Tentative Tract Map approval to subdivide one parcel into 13 parcels located at 1635 and 1777 Rose Avenue; and
- WHEREAS. zoning for the property is PUD-MDR (Planned Unit Development Medium Density Residential) District; and
- WHEREAS, at its duly noticed public hearing of February 8, 2006, the Planning Commission considered all public testimony, relevant exhibits, and recommendations of the City staff concerning this application; and
- WHEREAS, on January 17, 2006, the City Council adopted a Negative Declaration for the Planned Unit Development (PUD-38) proposal and made a finding of a de minimus impact on wild life; and
- WHEREAS, the Planning Commission made the following findings:
 - 1. The proposed map substantially conforms to the zoning regulations/ development plan.

The tentative map's design and improvements closely follow the development plans and conditions of PUD-38. The required modifications have been made as addressed in the conditions of approval. Therefore, this finding can be made.

2. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

The site is long and relatively narrow, limiting how the homes can be situated. The first step in passive solar heating is insulating buildings. The PUD addressed energy conservation in a comprehensive manner, incorporating green building conditions of approval which require the applicant to incorporate energy saving measures into the project. The applicant may chose to incorporate passive or natural cooling or heating opportunities or other energy saving measures. The applicant will build the units such that they are "photovoltaic ready." This includes engineering roof trusses to handle the additional load of photovoltaic panels and installing a bi-directional meter. Therefore, this finding can be made.

3. The subdivision, together with its design and improvement, is consistent with the General Plan.

The PUD was found to be consistent with the General Plan, and this subdivision is consistent with the development plan. As proposed, the subdivision is compatible with the objectives, policies, land uses, and programs specified in the General Plan. Therefore, this finding can be made.

4. The subdivision site is physically suitable for the type and density of development.

The site is relatively flat and has an existing residence on it. The lot is an infill lot close to the Downtown area. Therefore, this finding can be made.

5. The design of the subdivision and improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife in their habitat.

The design of the subdivision and improvements will not cause substantial environmental damage nor substantially and avoidably injure fish or wildlife in their habitat, as evidence by the adoption by the City Council on January 17, 2006 of the Negative Declaration and finding a *de minimus* impact to fish and wildlife. Therefore, this finding can be made.

6. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

The subdivision is designed to be served by all City utilities and services at established service levels. Full water and sewer service is included. No earthquake, flooding, or other natural hazards exist at this site at a level deemed "unacceptable" in the General Plan. Therefore, this finding can be made.

7. The design of the subdivision or the type of improvements does not conflict with easements for access through or use of the property.

The applicant will be required to abandon an existing access easement for the benefit of the Jones family parcel. A new access easement shall be established between Lots 8 and 9 located at Street A to the Jones parcel. The abandonment is required prior to final map recordation. Therefore, this finding can be made.

8. The restriction on approving a tentative subdivision map on land covered by a contract entered into pursuant to the California Land Conservation Act of 1965 is not applicable.

The site is not covered by such a contract. Therefore, this finding can be made.

9. The discharge of waste from the proposed subdivision would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board (CRWQCB).

Discharge would not be in violation. Capacity is availably for this subdivision. The project would not discharge any waste other than domestic sewage. Therefore, this finding can be made.

WHEREAS, the Planning Commission has determined that the proposed subdivision is in keeping with the requirements of the previously approved PUD development plan.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF PLEASANTON RESOLVES THE FOLLOWING:

Section 1. Approves Vesting Tentative Tract Map 7534, the application of Lynn Janson, Roselyn Lane, for Vesting Tentative Tract Map approval to subdivide one parcel into 13 parcels located at 1635 and 1777 Rose Avenue, subject to the conditions shown in Exhibit "B," attached hereto and made part of this case by reference.

Section 2. This resolution shall become effective 15 days after its passage and adoption unless appealed prior to that time.

THIS RESOLUTION ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF PLEASANTON ON THE 8TH DAY OF FEBRUARY 2006 BY THE FOLLOWING VOTE:

AYES:

Commissioners Arkin, Blank, Fox, Pearce, and Roberts.

NOES:

Nonc.

ABSTAIN:

None.

RECUSED:

None.

ABSENT:

Commissioner Maas.

ATTEST:

Dawn G. Abrahamson

City Clerk

Brian Arkin

Chairperson

APPROVED AS TO FORM:

Michael II. Roush City Attorney

EXHIBIT B CONDITIONS OF APPROVAL

Tract 7534, Lynn Jansen, Roselyn Lane 1635 and 1777 Rose Avenue February 8, 2006

- 1. Tract 7534 shall be as shown on Exhibit A, Tentative Tract Map 7534, dated August 5, 2005, and related exhibits on file at the Planning Department, except as modified by the following conditions.
- All conditions of PUD-38 shall remain in full force and effect; final approval of all utility systems, grading, streets, drainage, and other improvements shall be subject to final review and approval of the Department of Public Works.
- The applicant shall have a Phase II analysis of the site prepared to verify there are no hazardous materials/chemical on the site. Said analysis shall be submitted to the City Engineer for review and approval prior to approval of the final map. The applicant shall install a sign at both ends of Street B and the west end of Rose Avenue indicating that the road may be extended in the future. The sign detail and size shall be submitted and approved by the City Engineer. The applicant shall disclose this information to potential buyers; the exact language of the disclosure shall be reviewed and approved by the City Attorney.
- 4. The following typical street sections shall be revised as follows:
 - a. "Rose Avenue"
 - 1) On the project side of the street there shall be a standard vertical curb and gutter at the edge of pavement with an opening in the face of curb every 20 feet similar to the detail on shown on the PUD development plans.
 - 2) The ditch shall have a subdrian installed below grade and shall be connected to the storm drain system.
 - The bioswale behind the curb shall be planted with turf and irrigated. Maintenance of these areas shall be the responsibility of the homeowners association (HOA).
 - b. "Streets A and B"
 - 1) On the bioswale side of the street behind the vertical curb there shall be a two-foot wide area of pavers (or other material acceptable to the City Engineer) monolithic to the back of curb to allow a passenger to step out of the vehicle without stepping into the bioswale. The bioswale may be reduced in width to eight feet. Unless otherwise approved by the City Engineer, there shall be drain inlet upstream of each driveway.

- The bioswale behind the curb shall be planted with turf and irrigated. Maintenance of these areas shall be the responsibility of the (HOA).
- c. "Jones driveway"
 - 1) The structural section of the paved area shall be designed to support the weight of the City Fire apparatus.
- 5. The applicant shall install streetlights similar in design and appearance to those installed within the Vineyard Corridor unless otherwise approved by the City Engineer and Planning Director.
- 6. The water and gravity sanitary sewer mains shall be public and maintained by the City. There shall be a two-way cleanout on the sanitary sewer lateral and water meter box on the water lateral located at the back of the sidewalk in the PSE on the bioswale side of the street and at the back of curb on the non-bioswale side of the street.
- 7. The City-maintained storm drain system shall be installed in the street area. There shall be a storm drain line in Street B to the Jones Property. This storm drain line shall be design to drain the Jones property in a developed condition. The storm drain line shall be capped as approved by the City Engineer. The applicant may enter into a reimbursement agreement with the City for the cost of the additional storm drain line.
- 8. Any existing septic tanks and leach fields shall be abandoned per Alameda County Health Department regulations. Any existing wells shall also be abandoned per Zone 7 standards, unless otherwise approved by the City Engineer.
- 9. The proposed water line in Rose Avenue shall be enlarged to a 16-inch water line unless otherwise approved by the City Engineer, and the developer shall assume the full cost thereof. The applicant shall also be responsible for a pro-rata share of the future extension of this line to Valley Avenue as determined by the City Engineer. Payment of the pro rata share shall be made prior to the approval of the final map by City Council. The developer's engineer shall prepare a cost estimate for the design and installation of this 16-inch waterline for the review and approval of the City Engineer. The applicant shall be responsible for the pro-rata share of cost based on the nominal size required.
- 10. The developer shall give notice to any prospective owners of the maintenance of the bioswale and subdrain under the swale. The City Attorney and City Engineer shall approve the exact language of the notice.
- 11. All agency environmental permits shall be obtained prior to the recordation of the final map.

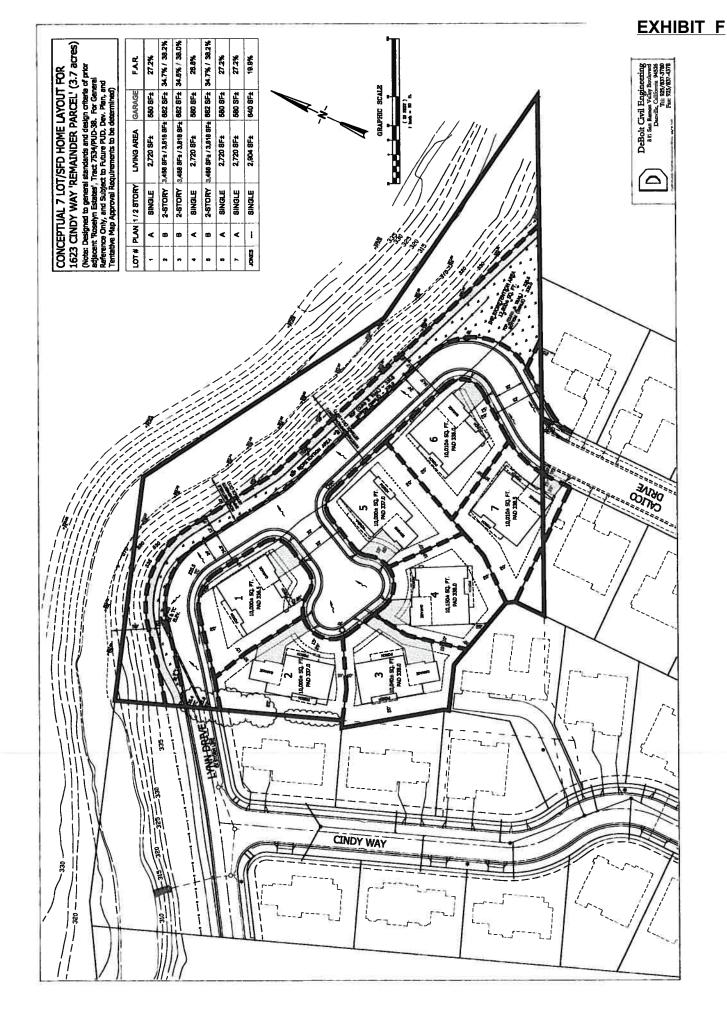
- 12. The developer shall be responsible for the undergrounding of the overhead utility lines on Rose Avenue across the project frontage including the service to the Jones property. All utility lines shall be installed in conduit. Only PG&E switch enclosures or capacity banks can be installed above ground provided the units are screened with landscaping to the satisfaction of the Planning Director.
- 13. The applicant shall extend an eight-inch sanitary sewer line from Street A to the Jones Property within the new 20-foot wide access easement, unless otherwise approved by the City Engineer. The applicant shall not be responsible for connecting the Jones home to the lateral or paying connection fees for extensions to the existing Jones home. The applicant may enter into a reimbursement agreement with the City for the cost to install the additional sanitary sewer line.
- 14. The storm drain outfall to the Arroyo Del Valle shall have sufficient capacity in the pipe to carry the storm drain run-off from this proposed development and the Jones property in a developed condition. The outfall shall be constructed of '4-ton rock unless otherwise approved by the City Engineer.
- 15. The sound wall proposed along the Alameda County Fairgrounds side of Rose Avenue shall match the existing wall installed along the Nolan Farms development and shall be a pier and grade beam design to eliminate the impact on existing tree roots. The grade beam shall be an intrigue color to match the sound wall.
- 16. The eight-inch water line in Street A shall be extended the entire length of the street. There shall be an eight-inch water line in Street B extending the entire length of the street.
- 17. The applicant shall install a concrete lined V-ditch along the common property line with the Jones property to pick—up any drainage being blocked by this development. This V-ditch shall be connected to the storm drain system in the street. If the Joneses are willing to allow the V-ditch on their property, the ditch shall be the responsibility of the Joneses; however, if the Joneses do not agree to the installation of the V-ditch on their property, the ditch shall be placed on the developer's property and maintained by the individual property owners. If the ditch is placed on the developer's property, the developer shall give notice to any prospective owners of the existence of the V-ditch and the maintenance obligations regarding the V-ditch. The City Attorney shall approve the exact language of this notice, and the maintenance responsibilities, if on the individual homeowners, shall also be placed within the Covenants, Conditions, and Restrictions (CC&R's).
- 18. Ultimately, the sewer flow on Rose Avenue will flow westerly to Valley Avenue. To avoid having to excavate Rose Avenue in the future, the applicant shall install that portion of this future eight-inch sanitary sewer line on Rose Avenue flowing westerly, with this development. This line shall connect to the existing sewer line

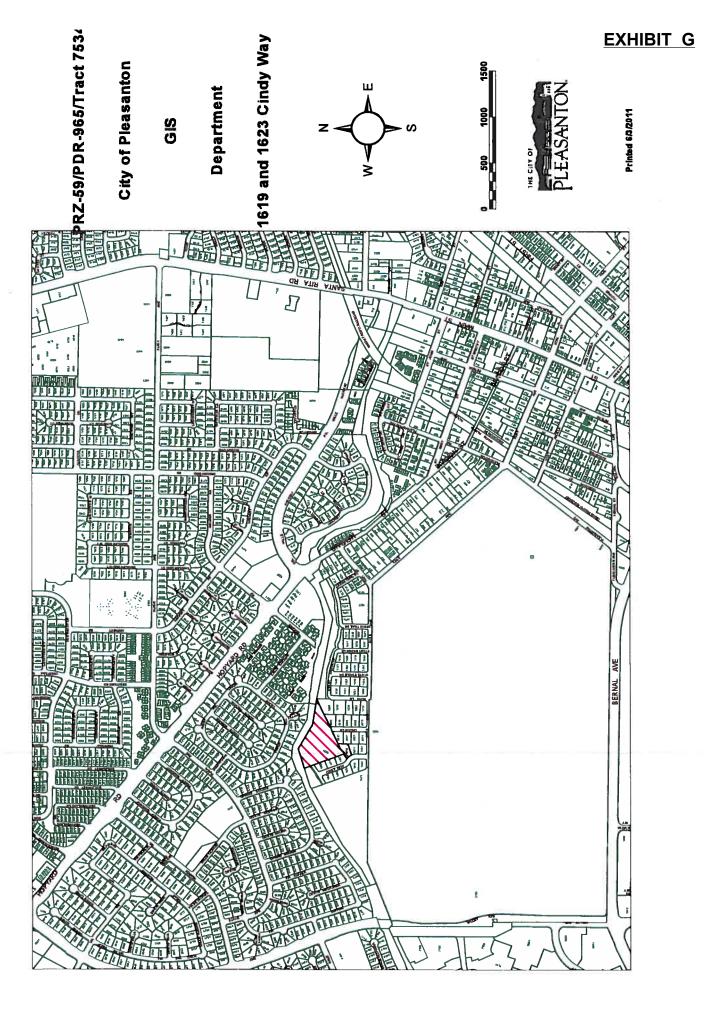
on Rose Avenuc. located near the common boundary line of Tract 7002, Rose Avenue Estates (Calico Lane), and extend across the frontage of development. The westerly end of the pipe shall be plugged at this time. The City Engineer shall approve the detailed design of this line. The applicant shall also be responsible for a pro-rata share of the future extension of this line to Valley Avenue as determined by the City Engineer. Said payment shall be made prior to the approval of the final map by City Council.

- Prior to the recording of the final map, the applicant shall pursue acquisition of the approximately 20-foot by 20-foot parcel at the western end of the project. The applicant shall provide a title report to the City verifying ownership. The applicant's engineer shall prepare the necessary plats and legal descriptions for the City to take the action required to transfer ownership of this parcel prior to the recording of the final map after the applicant has signed the subdivision improvement agreement that will obligate the applicant to install the 16-inch water line in Rose Avenue. The final map is to assume the parcel will include the remnant parcel as a part of Lot 1 accordingly.
- 20. The applicant shall submit an irrevocable offer of dedication for the strip of land located within the Arroyo del Valle channel area and shall be described to a limit at the most southerly side from the toe of bank at a projection of 2.5:1 to the top of bank and shall be reviewed and approved by the City Engineer. The final map shall reflect the limits of Parcel A/B configuration and shall clearly identify the limits set forth as a part of the irrevocable offer of dedication to Zone 7.
- 21. If the offer of dedication is not accepted and maintenance and ownership of the channel is not accepted by Zone 7, ownership shall be held by an HOA. The HOA shall deposit funds in an amount agreed by the City Engineer and City Attorney based on an engineering estimate for catastrophic embankment failure and ongoing maintenance or other alternative acceptable to the City Engineer and the City Attorney. Maintenance will include brush clearing, miscellaneous pruning, and annual inspection verifying slope stability of the Arroyo. Annual inspection reports shall be submitted to the City Engineer. The deposit of funds shall be increased annually to reflect industry cost increases for labor and material based on the most current construction cost index for the San Francisco Bay Area. The HOA shall annually submit verification of funds to the City. This requirement shall be included in the CC&R's.
- 22. The developer shall give notice to any prospective owners of the existence of the arroyo trail and public use of the trail and the maintenance obligations regarding the trail and banks of the arroyo. The City Attorney shall approve the exact language of this notice.
- 23. The CC&R's shall include all easement descriptions and plats delineating the same.

- 24. The existing 20-foot easement located on the westerly boundary of APN 946-3477-002 shall be extinguished, unless otherwise agreed to by the City Attorney and City Engineer, and shall also establish a new 20-foot easement between Lots 8 and 9 located contiguous to the northerly boundary of Lot 9 for the benefit of the Jones property for access to that property, prior to final map recordation. This easement shall be an exclusive easement for the purposes of ingress and egress for the benefit of the existing Jones residence and provide for a non-exclusive easement for the purposes of underground utilities including, but not limited to, storm drainage, sanitary sewer, water, cable TV, telephone, etc. or as approved by the City Engineer and City Attorney. In the event that the Jones property is developed, the exclusive access easement will be required to be extinguished.
- 25. Final improvement plans are subject to the review and approval of the Department of Public Works.
- 26. The applicant shall form a homeowners association (HOA) and develop Covenants; Conditions, and Restrictions (CC&R's) which shall be reviewed and approved by the City Attorney prior to recordation.

{end}





City of Pleasanton **Department**

Notification Plot

Scale 1 in = 1100 ft

