

**EXHIBIT A
DRAFT CONDITIONS OF APPROVAL**

**PCUP-284 / 11533 Dublin Canyon Road
Little Flowers Montessori**

January 26, 2011

PROJECT SPECIFIC CONDITIONS

Planning Division

1. This Conditional Use Permit shall be null and void unless Case No. PUD-81-02-03m is approved by the City to allow preschools as a conditionally permitted use at 11533 Dublin Canyon Road.
2. The proposed business activities and operation shall conform substantially as shown on the plans and described in the narrative, Exhibit B, dated "Received October 1, 2010," on file with the Planning Division, except as modified by the following conditions. Minor changes to the approved activities and/or operation may be approved by the Director of Community Development if found to be in substantial conformance with the approved exhibits.
3. City review and approval shall be required if additional children (maximum 140) and/or staff (maximum 20) is desired.
4. The preschool shall adhere to the following hours of operation:

Monday through Friday: 7:00 a.m. to 6:30 p.m.
5. If additional hours of operation or activities beyond those proposed in the applicant's written narrative (Exhibit B) or as modified by these conditions are desired, prior City review and approval is required. The Director of Community Development may approve the modification or refer the matter to the Planning Commission if judged to be substantial.
6. If the operation of this use results in conflicts pertaining to parking, noise, traffic, or other impacts, at the discretion of the Director of Community Development, this conditional use permit may be referred to the Planning Commission for subsequent review at a public hearing. If necessary, the Planning Commission may modify or add conditions of approval to mitigate such impacts, or may revoke said conditional use permit.
7. The applicant shall obtain State license approval for the business prior to commencing enrollment, and provide a copy to the Planning Division upon receipt from the State. The operator/director of the business shall ensure that the State license is current and that all State licensing requirements are met at all

- times. The facility shall enroll only the number of children for which it has a State license.
8. Children shall be escorted into and out of the facility and signed in and out by a parent or supervising adult.
 9. This approval does not include approval of any signage for the preschool. If signs are desired, the applicant shall submit a sign proposal to the City for review and approval prior to the sign installation.
 10. The applicant shall pay traffic impact fees as determined by the City's Traffic Engineer. The applicant shall pay all fees at the time of issuance of the first building permit on the site.
 11. Little Flowers Montessori shall not designate "staff" and/or "visitor" parking within the shared parking spaces for 11533 and 11555 Dublin Canyon Road, located in the easement area of Exhibit A.
 12. Until such time that Little Flowers Montessori establishes a parking plan that is satisfactory to the Director of Community Development for special event parking (e.g., Halloween celebrations), such events shall not be allowed.

STANDARD CONDITIONS

Planning Division

13. No changes to the exterior of the building or site shall be made without prior approval from the Planning Division.
14. The applicant and/or employees shall maintain the area surrounding the preschool in a clean and orderly manner at all times.
15. If the applicant wishes to relocate the use to a new address, the applicant shall secure a new conditional use permit prior to occupying the new building or tenant suite.
16. This conditional use permit approval will lapse one (1) year from the effective date of approval unless the applicant receives a business license for the subject location.
17. To the extent permitted by law, the project applicant shall defend (with counsel reasonable acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized

hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

Building and Safety Division

18. Prior to issuance of a business license, the applicant shall contact the Building Division and the Fire Marshall to ensure that the proposed use of the tenant space meets Building and Fire Code requirements. If required, the applicant shall obtain all appropriate City permits.
19. The applicant and/or responsible party shall install automatic fire sprinklers in the building. The fire sprinkler system shall be shown on the tenant improvement plans, satisfactory to the Chief Building Official and Fire Marshal, submitted to the Building and Safety Division for review and approval prior to operation.
20. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval prior to operation. The applicant shall obtain a building permit prior to commencement of any work. The applicant shall pay any and all fees to which the proposed application may be subject to 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.
21. The building permit plan check materials for the proposed tenant improvements will be accepted for submittal only after completion of the 15-day appeal period, measured from the date of approval, unless the 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 and/or operation 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.
22. The applicant or responsible party shall pay for additional sewer capacity for the subject use as determined by the Director of Operations Services. The sewer fee shall be paid prior to issuance of a building permit and/or prior to operation.

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.

23. The business shall comply with the Chapter 9.24 of the Pleasanton Municipal Code (Smoking in Public and Work Places).

24. At no time shall balloons, banners, pennants, or other attention-getting devices be utilized on the site except as allowed by Section 18.96.060K of the Zoning Ordinance for grand openings or by Section 18.116.040 of the Zoning Ordinance if approved as part of a temporary conditional use permit. At no time shall spot lighting be used in conjunction with such grand openings and/or promotional events.

The permitted and conditionally permitted uses for 11533 Dublin Canyon Road:

Permitted

- a. Administrative and business offices
- b. Sales offices not including the retail sale of any commodity on the premises.
- c. Business service offices, including employment agencies, accountants, notaries, stenographic, addressing, computing, and related services.
- d. Consulting service offices
- e. Design-related offices
- f. Insurance offices
- g. Investment service offices
- h. Legal service offices
- i. Medical, dental, and related health service offices provided adequate parking is provided as determined by the Planning Director.
- j. Real estate, title company, and related service offices
- k. Research service offices, analytical and scientific, not involving the manufacture, fabrication, procession, or sale of products on the premises.
- l. Warehousing and shipping activities are allowed in conjunction with any of the above uses subject to the following conditions:
 1. Shipping/delivery by semi-trailer trucks is prohibited.
 2. There shall be no more than four in-and-out deliveries per day unless otherwise approved by the Planning Director.
 3. The warehousing and shipping must not involve significant outdoor activity.
 4. New loading docks or roll-up doors shall be adequately screened from public view as determined by the Planning Director.

Conditionally Permitted

- m. Fitness Facilities

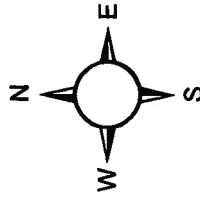
Location Map

City of Pleasanton

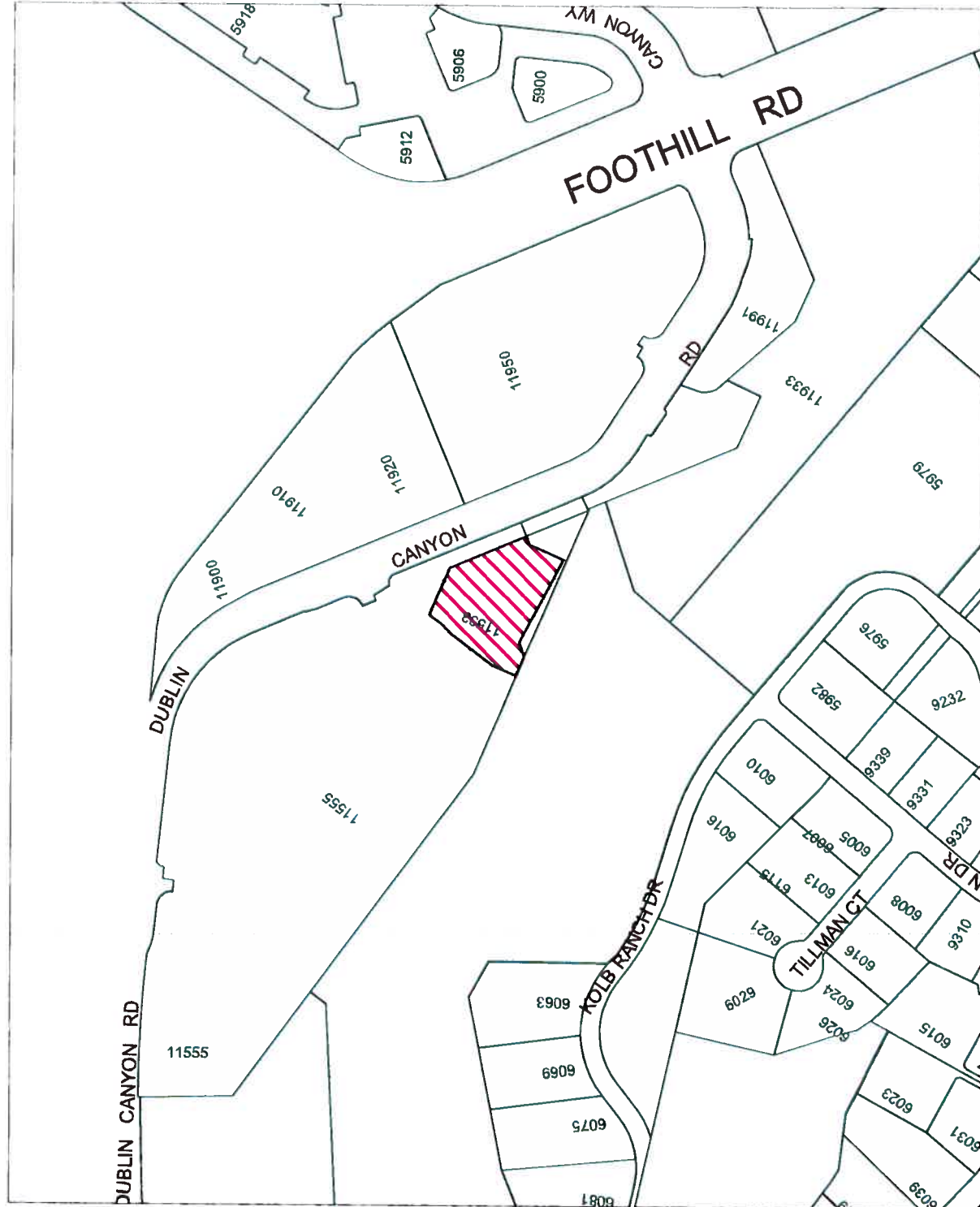
GIS

Department

11533 Dublin Canyon Rd

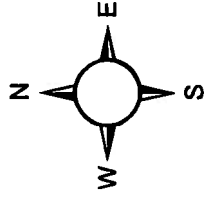


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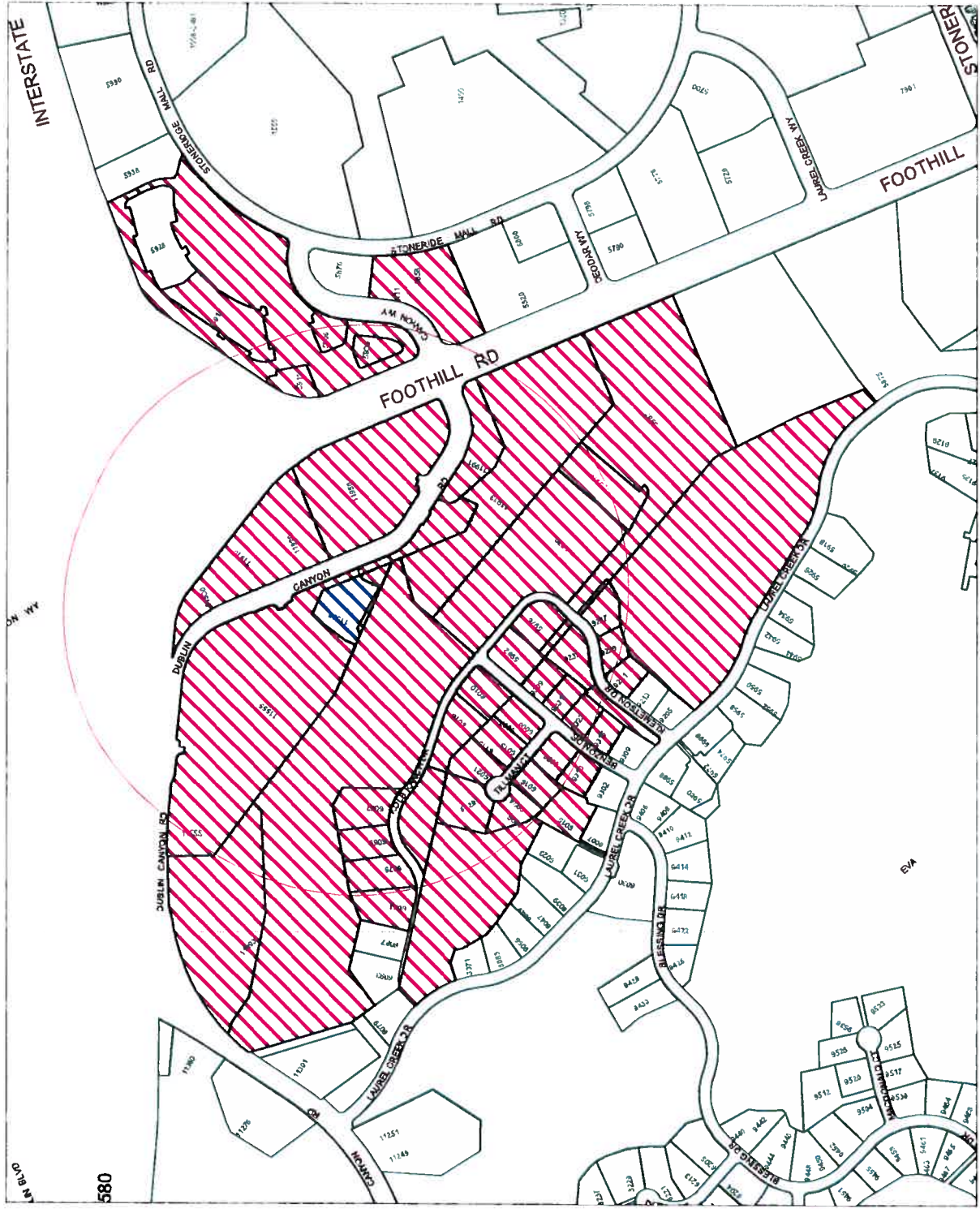


Noticing Map
City of Pleasanton

GIS
Department
PCUP-284



Printed 1/19/2011



ENVIRON

PCWP-284
RECEIVED

November 18, 2010

Mr. Rajitha Sumanasekera
Little Flowers Montessori
34735 Ardenwood Blvd
Fremont, CA 94555

NOV 18 2010
CITY OF PLEASANTON
PLANNING DIVISION

Re: Proposed Little Flowers Montessori School
11533 Dublin Canyon Rd, Pleasanton, CA

Dear Mr. Sumanasekera:

ENVIRON International Corporation (ENVIRON) has prepared a screening health risk assessment (HRA) for the proposed Little Flowers Montessori Preschool to be located at 11533 Dublin Canyon Road in Pleasanton, California ("Project"). The objective of the screening HRA was to evaluate the potential impact of vehicle emissions from the adjacent Interstate 580 (I-580) and Foothill Road on children attending the school. The remainder of this letter provides a description of the proposed school and discusses the methods used to estimate potential cancer risks, noncancer hazard indices (chronic and acute), and fine particulate (PM_{2.5}) concentrations. These estimates are then compared to the California Environmental Quality Act (CEQA) thresholds of significance established by the Bay Area Air Quality Management District (BAAQMD).

Background

The BAAQMD CEQA Guidelines recommend that when siting a new sensitive receptor (which includes schools and daycare centers) that all toxic air contaminant (TAC) and fine particulate matter (PM_{2.5}) sources located within a 1,000 foot radius of the Project be evaluated. This includes freeways and major roadways (defined as roadways with greater than 10,000 vehicles per day). However, the Guidelines indicate that the threshold for new receptors is effective January 1, 2011. In addition, BAAQMD Resolution No. 2010-06, approved by the BAAQMD Board of Directors on June 2, 2010, clarifies that this analysis is only required of projects whose notices of preparation are issued and environmental analyses begun after January 1, 2011. We understand the City of Pleasanton has asked Little Flowers to complete this analysis as part of their conditional use permit application in advance of the BAAQMD implementation date.

It is our understanding that you are proposing to locate the Little Flowers Montessori School in an existing building located at 11533 Dublin Canyon Road. The School will operate up to 10.5 hours per day, 5 days per week for approximately 49 weeks of the year (i.e., 245 days per year) for children aged

18 months through 6 years old, for a maximum of 4.5 years. The school area will include installation of playground facilities at the South-East corner of the Project boundary.¹

Approach

This evaluation was conducted in accordance with the BAAQMD CEQA Air Quality Guidelines which recommends identification of all TAC and PM_{2.5} sources located within a 1,000 foot radius of the Project. No permitted stationary sources were identified within a 1,000 foot radius based on a review of the available BAAQMD listing of permitted sources.² Therefore, it is our understanding that the only emission sources to be evaluated in this screening HRA are the adjacent I-580 and Foothill Road, which both meet the definition of a major roadway under the BAAQMD CEQA Air Quality Guidelines.

ENVIRON completed this screening HRA using the Alameda County (for I-580) and Surface Streets (for Foothill Road) Screening Tables compiled by BAAQMD.³ These tables provide the estimated cancer risks, noncancer hazard indices (chronic and acute), and PM_{2.5} concentrations from roadways within the County for distances of 100 to 1,000 feet from I-580 and surface streets. The screening values were developed by the BAAQMD using conservative approaches and assumptions. The methods used in this screening HRA do not attempt to account for all of the BAAQMD's conservative assumptions. Therefore, the estimates presented in this screening HRA are reflective of the conservative approaches and assumptions used by the BAAQMD. More refined approaches (e.g., evaluation of emissions and air dispersion modeling) using site-specific assumptions would likely result in much lower estimates of cancer risk, noncancer hazard indices (acute and chronic) and PM_{2.5} concentrations than those presented in the BAAQMD screening tables.

As shown in Figure 1, the proposed Project is approximately 700 feet from I-580 and approximately 500 feet from Foothill Road. The boundary line from I-580 extends beyond the Project boundary. The area of the Project within 700 feet of I-580 is designated a parking area, where children are not expected to be present for extended periods of time; however, as a conservative measure, this analysis assumes the entire project is 700 feet from I-580.

To obtain Project-specific screening values, the screening values provided by BAAQMD were scaled to take into account actual traffic volumes on the closest stretch of each roadway for I-580 and Foothill Road, as well as a less frequent exposure time, frequency, duration, and breathing rate assumptions which might be expected for a school child. The screening values for acute and chronic hazard indices were zero at the distance of 700 feet from I-580 and 500 feet for surface streets, so no further analysis was completed for these metrics.

¹ School operating information and site plan provided by Little Flowers Montessori Preschool in an email dated November 16, 2010.

² BAAQMD. 2010. Stationary Source Risk and Hazard Analysis Tool. May 3. Available online:

. Accessed: November 2010.

³ BAAQMD. 2010. Roadway and Highway Screening Tables, Alameda County. October 26. Available online:

. Accessed: November 2010.

Traffic volumes for I-580 were obtained from the Traffic Volumes report for California State Highways generated by CalTrans Traffic Data Branch⁴ and volumes for Foothill Road were obtained from the City of Pleasanton's Traffic Counts Map⁵. Traffic volumes for both roads were for 2009, the most recent available year. These volumes were scaled to traffic volumes for year 2011 (the build-out year) using the ratio of vehicle miles traveled in Alameda county for 2011 and 2009 generated by EMFAC,⁶ which is approximately a 2% increase in traffic. The cancer risk screening levels, hazard index and PM_{2.5} concentrations for Interstate 580 provided by the BAAQMD were scaled using this traffic volume ratio. The risk, hazard index and PM_{2.5} concentrations for Foothill Road were obtained using the Surface Streets Screening Tables and the scaled traffic volume.

As the BAAQMD Screening Tables were developed for a residential lifetime exposure (assuming exposure 24 hours/day, 350 days/year, for 70 years), the estimated cancer risk levels were also scaled to develop Project-specific screening values (assuming exposure 10.5 hours/day, 245 days/year, for 4.5 years). Differences in breathing rate and cancer risk adjustment factors were also accounted for using default assumptions provided in BAAQMD guidelines.⁷

Results

As summarized in Table 1, the maximum estimated cancer risk for a school child would be less than the single source threshold of 10 in a million (10×10^{-6}) and the maximum estimated annual PM_{2.5} concentration in air would be less than 0.3 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). In addition, the maximum estimated cancer risk for a school child would be less than the cumulative source threshold of 100 in a million (10×10^{-6}) and the maximum estimated PM_{2.5} concentration in air would be less than 0.8 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). As previously noted, the noncancer chronic and acute hazard indices were assigned values of zero in the BAAQMD screening tables and are less than the threshold of less than 1.0.

⁴ CalTrans Traffic Data Branch. Traffic Volumes. Available online:
. Accessed November 2010.

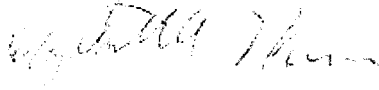
⁵ City of Pleasanton. Traffic Counts Map, Available online:

⁶ Vehicle miles traveled (VMT) calculated for each hour of the day for Alameda County in 2009 and 2011. Scaling factor calculated by summing VMT for all vehicle types and hours for 2011 and dividing by the VMT in 2009. VMT data were obtained from EMFAC2007. California Air Resources Board (ARB). 2007. Emission FACTors (EMFAC) model, the 2007 version. Available at

⁷ BAAQMD. 2010. Air Toxics NSR Program Health Risk Screening Analysis (HRSA) Guidelines. January.

Please feel free to contact us if you have any questions or need further information. Thank you for the opportunity to assist you with this matter.

Sincerely,



Elizabeth A. Miesner
Principal



Michael Keinath
Senior Manager

Attachments:

- | | |
|----------|---|
| Table 1 | Interstate 580 and Foothill Road Screening Levels for School Children |
| Figure 1 | Site Location and Distance from Roadways |

Table 1. Interstate 580 and Foothill Road Screening Levels for School Children¹
Little Flowers Montessori School
11533 Dublin Canyon Rd, Pleasanton, CA

| Roadway | Approximate Distance from Project Site Boundary ^{2,3} (ft) | Reported Average Daily Traffic (ADT) ^{4,5} (vehicles/day) | BAAQMD ADT or ADT Range ¹ | Cancer Risk ^{6,7,8} (per million) | PM _{2.5} Concentration ^{7,8} (ug/m ³) |
|-----------------------------|---|--|--------------------------------------|--|---|
| Interstate 580 | 700 | 180,253 | 218,000 | 6 | 0.18 |
| Foothill Road | 500 | 39,123 | 30000-40000 | 0.001 | 0.07 |
| Single Source Threshold | | | | 10 | 0.30 |
| Total ⁹ | | | | 6 | 0.25 |
| Cumulative Source Threshold | | | | 100 | 0.80 |

Notes

- Screening values and BAAQMD ADT values used in this analysis are obtained from "Alameda County Screening Tables: Cancer Risk and Noncancer Hazards Generated from Roadways" and "Surface Streets Screening Tables." Available online at: <http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/Roadway_Screening_Tables_Oct_2010.ashx>. Accessed November 11, 2010. Screening values were scaled to 2011 ADT estimates and to account for differences in exposure for a site specific school child, as noted below.
- The shortest distance between the project and Interstate 580 is approximately 750 feet; 700 feet is used as a conservative estimate from the BAAQMD Screening Tables to calculate risk, HI, and PM_{2.5} concentration.
- The shortest distance between the project and Foothill Road is approximately 635 feet; 500 feet is used as a conservative estimate from the BAAQMD Screening Tables to calculate risk, HI, and PM_{2.5} concentration.
- Average daily traffic at the major Interstate 580 intersection closest to the project was obtained from Caltrans Traffic Data Branch. Available online at: <<http://traffic-counts.dot.ca.gov/index.htm>>. Accessed November 2010. 2009 values of ADT were scaled using EMFAC VMT to ADT in 2011.
- Traffic volume as measured by the City of Pleasanton Traffic Department on Foothill Rd in proximity to the project was used to estimate ADT. Available online at <<http://www.ci.pleasanton.ca.us/services/traffic/traffic-counts-map.html>>. Accessed November 11, 2010. 2009 values of ADT were scaled using EMFAC VMT to ADT in 2011.
- The scaled cancer risk estimates were adjusted from the lifetime excess cancer risk values provided by BAAQMD to account for reduced exposures incurred by school children, age 18 months to 6 years and present 10.5 hours a day, 5 days a week for 49 weeks based on site specific information provided by Little Flowers Montessori Preschool in an email dated November 16, 2010. Additional adjustments to account for differences in breathing rate and cancer risk adjustment factors using BAAQMD default assumptions was also made (BAAQMD 2010).
- Interstate 580 estimate was scaled by the ratio of reported ADT to ADT used by BAAQMD to generate screening values according to BAAQMD guidance.
- Foothill Road ADT-interpolated estimate completed according to BAAQMD guidance.
- Total represent the cumulative cancer risk and PM_{2.5} impacts from I-580 and Foothill Road.

Abbreviations:

- ADT = average daily traffic
- BAAQMD = Bay Area Air Quality Management District
- ft = feet
- HI = Hazard Index
- PM_{2.5} = Fine particulate matter
- ug/m³ = micrograms per cubic meter

Abbreviations:

BAAQMD. 2010. Air Toxics NSR Program Health Risk Screening Analysis (HRS) Guidelines. January.



I-580 Reference Line

700 feet from I-580

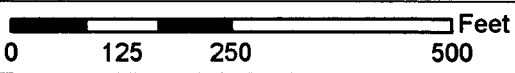
500 feet from Foothill Road

Foothill Road Reference Line

Legend

School Building

Approximate Property Boundary



ENVIRON

6001 Shellmound St., Suite 700, Emeryville, CA 94608

Site Location and Screening Level Distances
Little Flowers Montessori School
Pleasanton, CA

Figure
1

Drafter: SK Date: 11/12/2010