

Exhibit A

PUD-80-16-13M Draft Conditions of Approval

**Franklin Drive Research and Development
Southeast Corner of Franklin Drive and Franklin Drive
September 15, 2010**

SPECIAL CONDITIONS OF APPROVAL Planning

1. The expiration date of this entitlement including the PUD development plan and conditions shall lapse within two years from the effective date of this 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.
2. All conditions of Case PUD-80-16-03M through PUD-80-16-12M shall remain in full force and effect unless superseded by this approval.
3. The building permit plan check package will be accepted for submittal only after the PUD development plan modification becomes effective, measured 30 days from the date of the City Council's adoption, unless the project applicant or developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the approval is overturned on appeal, or that the design is significantly changed as a result of the appeal. In no case will a building permit be issued prior to the effective date of the ordinance.
4. The project applicant or developer shall effectively screen from view all ducts, meters, emergency power generators, fire sprinkler risers, and any other mechanical equipment, whether on the structure or on the ground, 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 Division. All required screening shall be provided prior to occupancy.
5. The project applicant or developer shall install water conservation devices in the building and landscape areas for Building F to the satisfaction of the Director of Community Development. The water conservation devices shall be stated on the building plans and the landscape plans submitted with the building permit. These measures shall be applied to the proposed building with its construction and to the existing buildings where feasible – for example, in conjunction with remodeling and/or interior changes. This measure shall be applied to Buildings A through E where feasible in conjunction with remodeling and/or interior changes. (Pleasanton General Plan, Program 1.7).

6. This modification of the development plan will accommodate the proposed building at 64,474 square feet in a first floor/second level mezzanine configuration. Future requests to add floor area, such as a seventh building or to convert this building from the first floor/second level mezzanine to two complete floors will require a new major modification of the development plan.
7. The maximum building height shall be 55 feet, measured from grade to the building parapet or the roof screens, for the entire 26.15-acre development.
8. In lieu of a PUD Development Plan modification, the Director of Community Development may authorize the design review process for minor building additions, site and landscape plan modifications, and/or grading/engineering modifications, master sign programs and modification(s) to a master sign program, and/or individual business/tenant signs.

Building Design

9. All HVAC equipment, antennas, satellite receiving stations, etc., shall be located within the buildings' roof-equipment wells, and shall project no higher than a horizontal plane defined by the top-edge of the parapet wall or equipment screens. All HVAC equipment shall be constructed and operated in such a manner that noise emanating from it will not be perceptible beyond the property plane of the overall project site.
10. The project applicant or developer shall install Energy Star appliances and/or systems, such as HVAC equipment, refrigerators and freezers, food preparation equipment, and water heaters in the building. The appliances and/or systems and how they adhere to the Energy Star standards shall be stated on the building plans submitted for the issuance of a building permit and shall be subject to review by the Planning Division. This measure shall be applied to Buildings A through E where feasible in conjunction with remodeling and/or interior changes. (Pleasanton General Plan, Program 6.3, Best management Practice #2).
11. The building shall have white cool roofs which are designed to reflect the heat of the sun away from the building, thus reducing its cooling load. This measure shall be applied to Buildings A through E where feasible in conjunction with remodeling and/or interior changes. (Pleasanton General Plan, Program 6.3, Best management Practice #9).
12. The project applicant or developer shall prepare a waste diversion plan that includes a discussion of the waste diversion strategies and measures. The plan shall include a description of disposal and recycling, composting, and a discussion of any pre-waste stream conservation appropriate to the use within this building. The waste diversion plans shall be submitted to the Planning Division with the building permit and shall be subject to the review and approval of the Director of Community Development. This measure shall be applied to Buildings A through E

where feasible in conjunction with remodeling and/or interior changes. (Pleasanton General Plan, Program 26.18).

Construction Phasing and Management

13. The project applicant or developer shall prepare a Construction Best Management Plan for review and approval by the Planning Division before issuance of a building permit. The Construction Best Management Plan shall include, but is not limited to, the following:
- a) All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall occur between the hours of 7:00 a.m. to 8:00 p.m., Monday through Sunday. No construction shall be allowed on State or Federal Holidays. The Director of Community Development may allow earlier construction "start times" for specific construction activities (e.g., concrete foundation/slab pours) if it can be demonstrated to the satisfaction of the Director of Community Development that the construction and construction traffic noise will not affect nearby residents.
 - b) A construction staging plan shall be designated for all materials, equipment, and vehicles including parking for construction works and personnel.
 - c) A construction truck route shall be designated to keep all construction traffic away from nearby residential streets. No construction traffic may use Stoneridge Drive at any time. Prior to construction, the construction traffic route, construction hours, and contact names and telephone numbers shall be posted on the driveway entrances, throughout the construction site, and in any construction trailer(s).
 - d) Comprehensive traffic control measures shall be implemented, including scheduling of major truck trips and deliveries, to avoid peak travel hours.
 - e) 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, and shall include the provision to monitor the street surfaces used for the haul route so that any damage and debris attributable to the haul trucks is identified and corrected at the expense of the project applicant or developer.
 - f) All internal combustion engines on grading or construction equipment used shall be equipped with a muffler equal to or better than that supplied by the vehicle manufacturer. All equipment shall be maintained in good mechanical condition so as to minimize noise and air pollution from faulty engine, drive train, and other components. No muffler or exhaust system shall be equipped with cutout, bypass, or similar device intended to thwart quieting.
 - g) Dust control best management practices, as approved by the City Engineer, shall be followed at all times during grading and construction operations. Such measures may include watering of exposed surfaces twice a day, and more

frequent watering when wind speeds exceed 15 mph; covering of stockpiled earth; covering of trucks hauling dirt if windy conditions prevail. Failure to keep dust under control may result in the stoppage of all work until a modified plan acceptable to the City Engineer is approved and implemented.

- h) Except for security trailers staffed by licensed security personnel, 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. Construction trailers shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
- i) All Urban Storm Water Construction Requirements listed further in these conditions of approval shall be implemented.

Green Building

- 14. The project applicant//developer shall implement the measures identified in the U.S. Green Building Council's (USGBC), "Leadership in Energy and Environmental Design (LEED)" 3.0 rating system to achieve a "certified level" in the design, construction, and operation of the proposed building including all future tenant improvements. 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 determined by the Planning Division. The State of California's Green Building Standards Code, "CALGreen", shall apply if applicable.
- 15. In conjunction with the building permit application, the project applicant or developer shall determine the building's "LEED Green Building Rating", using the USGBC evaluating methodology, and shall report the rating to the Planning Division. Prior to building permit issuance, the green building provisions that are proposed to be included in the development and the LEED scorecard shall be submitted to the Planning Division for review and comment. 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 or developer shall provide written verification by the project engineer, architect, landscape architect, or designer.
- 16. The project applicant or developer shall extend electrical conduits and pull strings to the parking spaces closest to the main entrance of the building for electrically powered commute vehicles. (Pleasanton General Plan, Program 6.3, Best Management Practice #6). This measure shall be applied to Buildings A through E where feasible in conjunction with remodeling and/or interior changes. Upon demand by the Planning Division, the owner(s) of these buildings shall have 30-days to install the charging equipment for some or all of the spaces, and shall provide evidence to the Planning Division that the installation is complete. The

project applicant or developer shall install signs for the subject parking spaces stating, "Electrical Vehicle Chargers Shall Be Provided Upon Request of the Pleasanton Planning Division." When the charging facilities are installed, the signs shall be changed to state, "Parking for Electrical Vehicles Only, Contact Building Owner for More Information". These changes shall be shown on the building permit set submitted for review and approval by the Planning Division before issuance of a building permit.

17. The building shall be constructed to allow for the future installation of a photovoltaic system. (Pleasanton General Plan, Program 6.3, Best Management Practice #3). The project applicant or developer shall comply with the following requirements for making these buildings photovoltaic ready:
 - a) Electrical conduit and cable pull strings shall be installed from the roof area to the buildings' main electrical panels;
 - b) An area shall be provided near the electrical panel for the installation of an "inverter" required to convert the direct current output from the photovoltaic panels to alternating current; and,
 - c. The roof structure shall be designed to handle an additional load of five-pounds per square foot beyond that anticipated for the roofing materials.
 - d. A bi-directional electrical meter shall be installed upon approval of the public utility.

These measures shall be shown on the building permit plan set submitted to the Planning Director for review and approval before issuance of the building permit(s).

18. The project applicant or developer shall provide to the Planning Division with the building permit for Building F an estimate of the energy savings from the installation of solar roofs or other alternative energy measures with a goal of meeting 12.5 percent of the buildings' annual energy use. This measure shall be applied to Buildings A through E where feasible in conjunction with remodeling and/or interior changes. (Pleasanton General Plan, Program 6.3, Best Management Practice #3).
19. The project applicant or developer shall submit a final lighting plan with drawings and/or manufacture's specification sheets showing the size and types of light fixtures proposed for the building exteriors and for the site and parking areas. The light fixtures and their locations shall be subject to the review and approval of the Planning Division.

Hazardous Materials Use, Storage, and Waste Treatment:

20. The project applicant or developer shall submit a hazardous materials management plan with a complete list of all hazardous and combustible materials. The Livermore-Pleasanton Fire Department is a Certified Unified Program Agency (CUPA) which includes regulation of hazardous wastes, underground tanks, storage of petroleum above ground, hazardous materials inventory reporting and emergency

preparedness, and the California Accidental Release Prevention Program. This project will be subject to the Unified Program requirements.

21. A hazardous materials management plan shall be prepared pursuant to the City's Hazardous Materials Ordinance and the California Fire Code. The plan shall be submitted to the Livermore-Pleasanton Fire Department at least two weeks prior to submitting the building permit plan set.
22. NFPA placards indicating the relative hazard of the facility shall be posted at all times at the entrances to this building and at the access to exterior storage yard. The placards shall be posted in a location that is clearly visible and placed by direction of the Livermore-Pleasanton Fire Department Operations Division.
23. Hazardous materials shipments and deliveries are limited to using I-580 and Hopyard Road only.

Landscape Design

24. The project applicant or developer shall comply with the State of California's Model Water Efficient Landscape Ordinance. A licensed landscape architect shall work with the City's Landscape Architect to verify the compliance with the ordinance prior to the issuance of a building permit, and then prior to the final inspection conducted by the Planning Division. The verifications shall be provided to the Planning Division.
25. Before the building and project final, all landscaping shall be installed, reviewed, and approved by the Planning Division.
26. The applicant shall arrange the plantings along the Franklin Drive project frontages in clusters and groupings that achieve a varied appearance in terms of heights and density, and to frame and enhance the building's appearance to Franklin Drive and screen the service yard from the view of streets and adjoining developments. The landscape plan shall include additional evergreen shrubs that will screen the service yard and driveway areas from Franklin Drive five years after planting. The landscape materials and locations shall be shown on the plans submitted for the issuance of a building permit.
27. The applicant shall preserve the existing landscaping in Franklin Drive and will augment the landscaping with new plantings including trees and shrubs. The landscape materials and locations shall be shown on the plans submitted for the issuance of a building permit.

Signage

28. Site and building signage shall be subject to review and approval by the Planning Division under a separate application.

Site Design

29. All trash and recycling refuse shall be contained completely within the approved trash and recycling enclosure. The materials and colors of the enclosures shall match the buildings and the gates shall be constructed of corrugated metal or solid wood. The design of the enclosure on all four sides shall be shown on the plans submitted for issuance of building permits. The design and location of the trash and recycling enclosure shall be subject to the approval of the Director of Community Development, the Chief Building Official, and the Fire Chief. Trash and recycling containers shall be stored within the designated enclosure at all times, except when being unloaded. A recycling container(s) shall be provided within the enclosure. The recycling containers and enclosures shall be designed in a manner consistent with Pleasanton Garbage Service's recycling program in effect at the time of building permit issuance. The recycling containers shall be shown on the plans submitted for the issuance of a building permit.
30. All backflow prevention devices, above ground irrigation controls, and above ground irrigation meters shall be located and screened to minimize their visual impacts. These devices with their proposed screening shall be shown on the landscaping and utility plans submitted with the building permit plans, clearly marked "above ground" or "below ground" on the plans, and shall be subject to the review and approval of the Planning Division prior to their installation. If above-ground, they shall be painted forest green or an equivalent dark-green color. 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 Division 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.
31. All equipment including storage containers that may be visible above the service yard fence shall be painted to match the building.

Transportation System Management (TSM)

32. The project applicant or developer or property owner for the entire six building development shall prepare a program of alternative transportation measures including, but not limited to, rideshare matching and subsidies/rewards, preferential parking, alternative work hours, BART shuttle, and carpooling/vanpooling, the means by which these measures will be marketed to the business employees, and the provision of reports to the City of Pleasanton of the performance of the trip reduction program. (Pleasanton General Plan, Program 6.3, Best Management Practice #5).

The TSM program shall be administered by a property manager for the entire six-building development. The trip reduction goal shall be a 15 percent reduction within

five years of opening for business and then a 25 percent reduction within 10 years compared to "business as usual". The project applicant or developer shall work out the details of the program with the Planning Division and the City's TSM Coordinator. The program shall be submitted to the Planning Division and the TSM Coordinator with the building permit application for review and approval before issuance of the first occupancy permit. (Pleasanton General Plan, Program 6.3, Best Management Practice #5).

Uses

33. The permitted and conditionally permitted uses shall be as follows:
- a) The industrial uses, activities, and processes allowed by right in the I-P (Industrial Park) District of the Pleasanton Municipal Code, Section 18.48.140, including the ancillary use and indoor/outdoor storage of hazardous materials with a hazardous materials use and storage permit issued by the Livermore-Pleasanton Fire Department.
 - b) Industrial support and service facilities limited to the activities serving the primary uses allowed on this site including, but not limited to, repair and maintenance of equipment, appliances, and components and component parts, tooling, and testing.
 - c) Manufacturing of prototypes and process development.
 - d) Warehousing and distribution type uses not including the storage and distribution of radioactive materials, fuel and flammable liquids, and hazardous materials as the primary use/operation.
 - e) Administrative headquarters and executive offices.
 - f) Audio and video recording studios and post-production services.
 - g) Business consulting service offices
 - h) Business service offices including employment agencies, accountants, notaries, stenographic, addressing, computing, and related services
 - i) Design, engineering, and research profession offices
 - j) Emergency standby electricity generator, fuel cell, and battery facilities per Table 18.44.090 of the Pleasanton Municipal Code.
 - k) Financial institutions, including banks, saving and loan offices, financial companies, credit unions, and related services.
 - l) Gymnasiums and health clubs including massage services according for 20 or fewer participants at any single time, conducted entirely within a completely enclosed building which complies with specifications for sound-mitigated construction prescribed by the Chief Building Official.

- m) Insurance offices.
- n) Investment service offices.
- o) Legal service offices.
- p) Medical laboratories, research and development.
- q) Real estate offices including sales, leasing services, and property management services.
- r) Research and development offices, analytic and scientific, with prototype fabrication, process development, and manufacturing.

**SPECIAL CONDITIONS OF APPROVAL
Engineering**

- 34. The project applicant or developer shall reconstruct the curb return ramps at the driveway entrances on the south side of Franklin Drive and the east side of Franklin Drive closest, to the building covered by this approval, to comply with current ADA accessibility standards.
- 35. The project applicant or developer shall design the service yard on the south side of the proposed building so that no hazardous or toxic material enters the storm drain system as determined by the City Engineer. The project applicant or developer shall submit detailed drawings with the building permit to the City Engineer showing the quantities of materials anticipated to be stored in the service yard and the methodology for treating or diverting storm water runoff from the service yard to prevent hazardous or toxic materials from entering the City's storm drain system.
- 36. The project applicant or developer shall pay with the issuance of a building permit the City's Traffic Impact Fee.
- 37. The building's water service and the irrigation water service shall be served with a separate water service from the City's water main in the street, including backflow device. The exaction locations of the water services shall be shown on the improvement plans and to be approved by the City Engineer.
- 38. The design of the on-site sanitary sewer system shall be designed so that the size and slope of the sanitary sewer main will maintain a minimum velocity of two-feet per second unless otherwise approved by the City Engineer. A sanitary sewer lateral with sampling manhole shall be provided to the building from the City sanitary sewer main unless otherwise approved by the City Engineer.
- 39. A detailed grading and drainage plan prepared by a licensed Civil Engineer including all supporting information and design criteria, storm drain treatment calculations, and hydromodification worksheets, etc., shall be submitted with the construction plans. Prior to the first plan check, the project applicant or developer's engineer shall submit the storm drain drawings to the City Engineer for review.

40. The project applicant or developer shall provide calculations to show the stormwater treatment facilities are in conformance with the California Regional Water Quality Control Board, San Francisco Region, Municipal Regional Stormwater NPDES Permit, Order R2-2009-0074, NPDES Permit No. CAS612008, October 14, 2009. Said treatment facilities shall include the provisions for trash removal device(s) within the storm drain system.
41. The fire protection water main shall be private beyond the backflow prevention device. The private on-site fire water system shall be approved by the Fire Marshall after reviewing the layout and calculations submitted by the project applicant or developer with the improvement plans.
42. The project applicant or developer shall provide for cross easements in perpetuity for storm water (drainage), access, emergency vehicles, water, sewer, landscaping, and parking if the development is parceled or subdivided. These easements shall be shown on the first parcel or subdivision map submitted for subdividing the property and shall be recorded concurrently with the sale of the property affected by these easements.
43. The project applicant or developer shall be responsible for paying applicable Zone 7 drainage fees minus all previous payments and credits.

SPECIAL CONDITIONS OF APPROVAL

Fire

(Project applicant or 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.)

44. All construction shall conform to the requirements of the 2007 California Fire Code, City of Pleasanton Ordinance 1965. The project applicant or developer shall obtain all required permits from the Fire Department before construction begins.
45. The buildings shall provide exterior access to the roof level in compliance with the Fire Code. Circulation shall be provided for the building in accordance to the Livermore-Pleasanton Fire Department Standard Operating Procedures for exterior access and operations. Minimum clear width of 20 foot free and clear drive aisle placed a minimum of 15 feet away from building to allow access to the roof level shall be provided.
46. Automatic fire sprinklers shall be installed in the building in accordance with City of Pleasanton Ordinance 1965. Design and installations shall conform to NFPA Pamphlet 13 Occupancy Hazard Approach for commercial uses, processes, and hazards.

47. City of Pleasanton Ordinance 1965 requires that all new and existing occupancies be provided with an approved key box or vault from the Knox Company as specified by the Fire Department. The project applicant or developer is responsible for obtaining approval for the location and the number of boxes from the Fire Prevention Bureau. Information and application for the Knox Box is available through their website or the Fire Prevention Bureau. The property owner or the business tenant shall be responsible for providing tenant space building access keys and special hazard identification and location information for insertion into the Knox Box or vault prior to final inspection by the Fire Department. Keys shall have permanent marked tags identifying address and/or specific doors/areas accessible with said key.
48. Underground fire mains, fire hydrants and control valves shall be installed in conformance with the most recently adopted edition of NFPA Pamphlet 24, "Outside Protection." The fire line, hydrants and fire department connections (FDC's) shown on sheets C-8 through C-13 shall be revised with the final layout determined with the review of the construction plans. The fire flow shall be provided as per 2007 California Fire Code Appendix B, Table B105.1 and hydrant number and distribution per Appendix C, Table C105.1.
- a) The underground pipeline contractor shall submit a minimum of three (3) sets of installation drawings to the Fire Department, Fire Prevention Bureau. The plans shall have the contractor's wet stamp indicating the California contractor license type, license number and must be signed. No underground pipeline inspections will be conducted prior to issuance of approved plans.
 - b) All underground fire protection work shall require a California contractor's license type C-16, C-34, C-36 or A.
 - c) All field-testing and inspection of underground or covered piping joints shall be conducted prior to covering the pipeline.
49. Dead-end fire service water mains shall not exceed 500 feet in length and may have a maximum five Fire Department appliances (fire sprinkler system risers, fire hydrants, and/or standpipes) and shall be looped around the site or building with a minimum of two points of water supply or street connection. Sectional/zone valves shall be installed as recommended under NFPA, Pamphlet 24 and required by the Fire Marshal.
50. The design of the fire alarm system for the building tenants may be deferred to the review of the Tenant Improvement Plans after the building shell is approved. The building and/or tenant fire alarm and fire monitoring system shall be capable of supporting notification appliances for the individual tenant spaces for the purpose of notifying the occupant of the system alarm.

STANDARD CONDITIONS OF APPROVAL
Community Development Department

51. The project applicant or developer shall submit a refundable cash bond for hazard and erosion control. The amount of this bond will be determined by the Director of Community Development. The cash bond will be retained by the City until all the permanent landscaping is installed for the development, including individual lots, unless otherwise approved by the department.
52. The permit plan check package will be accepted for submittal only after the ordinance approving the PUD development plan becomes effective, unless the project applicant/ developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the ordinance is overturned or that the design is significantly changed. In no case will a permit be issued prior to the effective date of the ordinance.
53. The project applicant or developer shall pay any and all fees to which the property may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.

STANDARD CONDITIONS OF APPROVAL
Planning

54. The proposed development shall be in substantial conformance to Exhibit B, dated "Received, August 23, 2010," on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development.
55. To the extent permitted by law, the project applicant or developer shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorney's fees), action, or proceeding brought by a third party against the indemnified parties and the project applicant or developer 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.
56. 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.
57. Planning Division approval is required before any changes are implemented in site design, grading, building materials and colors, green building measures, and landscape material.

58. The approved building materials and colors shall be stated on the plans submitted for issuance of building permits.
59. Prior to the issuance of the first occupancy permit, 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.

STANDARD CONDITIONS OF APPROVAL
Landscaping

60. The project applicant or developer shall enter into an agreement with the City, approved by the City Attorney, which guarantees that all landscaping and open space areas included in this project will be maintained at all times in a manner consistent with the approved landscape plan for this development. Said agreement shall run with the land for the duration of the existence of the structures located on the subject property.
61. Six-inch vertical concrete curbs shall be installed between all paved and landscaped areas.
62. The project applicant or developer shall provide root control barriers and four inch perforated pipes for parking lot trees, street trees, and trees in planting areas less than ten feet in width, as determined necessary by the Director of Community Development at the time of review of the final landscape plans.

STANDARD CONDITIONS OF APPROVAL
Building

63. 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.
64. Prior to issuance of a business license, the business tenant 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 business tenant shall obtain all appropriate City permits.
65. Prior to issuance of building or demolition permits, the project applicant or developer 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 or developer intends to recycle at least 75 percent of the total job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior

to the issuance of a final building permit. During demolition and construction, the project applicant or developer shall mark all trash disposal bins "trash materials only" and all recycle bins "recycling materials only." The project applicant or developer shall contact Pleasanton Garbage Service for the disposal of all waste from the site.

STANDARD CONDITIONS OF APPROVAL Engineering

66. A "Conditions of Approval" checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.
67. The project applicant or developer shall comply with the recommendations of the project's geotechnical consultant. The project applicant or developer's geotechnical consultant shall review and approve all foundation, retaining wall, and drainage geotechnical aspects of the final development plans to ensure that the recommendations have been properly incorporated into the development. The consultant shall certify by writing on the plans or as otherwise acceptable to the City Engineer that the final development plan is in conformance with the geotechnical report approved with the project.
68. The project applicant or developer shall arrange and pay for the geotechnical consultant to inspect and approve all foundation, retaining, and wall and drainage geotechnical aspects of project construction. The consultant shall be present on site during grading and excavation operations. The results of the inspections and the as-built conditions of the project shall be certified in writing by the geotechnical consultant for conformance to the approved plans and geotechnical report and submitted to the City Engineer for review and approval prior to occupancy.
69. The project applicant or developer shall grant an easement to the City over those parcels needed for public service easements (P.S.E.) and which are approved by the City Engineer, or other easements, which may be designated by the City Engineer.
70. The project applicant or developer shall construct vertical P.C.C. curbs and gutters within this development unless otherwise approved by the City Engineer. When the sidewalk is adjacent to the curb and gutter, they shall be poured monolithically.
71. All dry utilities (electric power distribution, gas distribution, communication service, Cable television, street lights and any required alarm systems) required to serve existing or new development shall be installed underground in conduit or in a joint utility trench.
72. Any damage to existing street improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the project applicant or developer. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.

73. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve the project.
74. There shall be no direct roof leaders connected to the street gutter or storm drain system, unless otherwise approved by the City Engineer.
75. The project applicant or developer and/or the project applicant's/developer's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.
76. The project applicant or developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and drainage control measures, including concrete-lined V-ditches, to protect all cut and fill slopes from surface water overflow. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of a subdivision grading permit.
77. The project applicant or developer shall include erosion control measures on the final grading plan, subject to the approval of the City Engineer. The project applicant or developer is responsible for ensuring that the contractor is aware of such measures. All cut and fill slopes shall be revegetated and stabilized as soon as possible after completion of grading, in no case later than October 15. No grading shall occur between October 15 and April 15 unless approved erosion control measures are in place, subject to the approval of the City Engineer. Such measures shall be maintained until such time as a permanent landscaping is in place.
78. Storm drainage swales, gutters, inlets, outfalls, and channels not within the area of a dedicated public street or public service easement approved by the City Engineer shall be privately maintained by the property owners or through an association approved by the City.
79. The project applicant or developer shall be responsible for the installation of the lighting system serving the development. The lights shall be LED units. The lighting system design shall conform to the Illuminating Engineering Society (IES). Approval for the number, location, and type of electroliers shall be subject to the review and approval of the City Engineer Director of Community Development. .
80. The project applicant or developer shall submit detailed landscape and irrigation plans as part of the improvement plans. The irrigation plan shall provide for automatic controls.
81. All retaining walls and monument signs along the street shall be placed behind the Public Service Easement (PSE), unless otherwise approved by the City Engineer.
82. Prior to approval of the improvement plans, the project applicant or developer shall comply with all applicable conditions of outside agencies having jurisdiction.

83. The improvement plans for this development shall contain signage and striping plans that are subject to the approval of the City Traffic Engineer.

STANDARD URBAN STORMWATER CONDITIONS OF APPROVAL

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

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

and:

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

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

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

Design Requirements

84. The Permit design requirements include, but are not limited to, the following:
- a) Source control, sight design measures, and design and implementation of stormwater treatment measures are required when commercial, industrial or residential development creates and replaces 10,000 square feet or more of impervious surface, including roof area, streets and sidewalk.
 - b) Hydro-modification standards are required when a new development or redevelopment project creates and replaces total impervious area of one acre or more.
 - c) The Permit requires a proactive Diazinon pollutant reduction plan (aka Pesticide Plan) to reduce or substitute pesticide use with less toxic alternatives.
 - d) The Permit requires complying with the Copper Pollutant Reduction Plan and the Mercury Pollutant Reduction Plan.
85. The following requirements shall be incorporated into the project:
- a) The project applicant or developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures including bio-swales. Irrigated bio-swales shall be redesigned as needed to the satisfaction of the City Engineer to optimize the amount of the stormwater running off the paved surface that enters the bio-

swale at its most upstream end. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of any building permits.

- b) In addition to natural controls the project applicant or developer shall install a structural control, such as an oil/water separator, sand filter, or an approved equal in the parking lot to intercept and pre-treat stormwater prior to reaching the storm drain. The design, locations, and a schedule for maintaining the separator shall be submitted to the City Engineer/Chief Building Official for review and approval prior to issuance of building permits. The structural control shall be cleaned at least twice a year: once immediately prior to October 15 and once in January.
- c) The project applicant or developer shall submit sizing design criteria to treat stormwater runoff and for hydromodification at the time of improvement plan submittal and an updated detailed copy of calculations with subsequent submittals.
- d) Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate and acceptable to the project soils engineer, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution.
 - Structures shall be designed to prohibit the occurrence and entry of pests into buildings, thus minimizing the need for pesticides.
 - Where feasible, landscaping shall be designed and operated to treat stormwater runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified. Soil shall be amended as required. (See planting 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.
- e) Trash areas, trash compactors, 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 ridge or a berm shall be constructed 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 applicant or 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.

- f) All paved outdoor storage areas shall be designed to minimize pollutant runoff. Bulk materials stored outdoors that may contribute to the pollution of stormwater runoff must be covered as deemed appropriate by the City Engineer/Chief Building Official and as required by the State Water Board.
 - g) All metal roofs, if used, shall be finished with rust-inhibitive paint.
 - h) 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.
86. The loading area shall be covered. No other area shall drain into the loading area; a containment berm shall be constructed to prevent such drainage if found necessary by the City Engineer/Chief Building Official. The loading area may be required to drain to the sanitary sewer if required by the City Engineer/Chief Building Official, subject to approval by the DSRSD. If connected to the sanitary sewer, a structural control such as an oil/water separator or sand filter shall be used, and a sign shall be posted prohibiting the dumping of hazardous materials.
87. A regular program of inspecting vehicles for leaks and spills, and of sweeping/vacuuming, litter control, and spill cleanup shall be implemented. Such program shall be submitted to the Director of Community Development for review and approval prior to issuance of building permits.

Construction Requirements

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

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

http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/finalconstp/permit.pdf

Stormwater

88. The project applicant or developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review by the City Engineer/Chief Building Official prior to issuance of building or engineering permits. A reviewed copy of the SWPPP shall be available at the project site until engineering and building permits have been signed off by the inspection departments and all work is complete. A site specific SWPPP

must be combined with proper and timely installation of the BMPs, thorough and frequent inspections, maintenance, and documentation. Failure to comply with the reviewed construction SWPPP may result in the issuance of correction notices, citations or stop work orders.

89. 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.
90. The project applicant or developer is responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measure, shall be included in the SWPPP and implemented as approved by the City.
 - a) The project applicant or developer shall include erosion control/stormwater quality measures on the final grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and are subject to the review and approval of the City Engineer/Chief Building Official. If no grading plan is required, necessary erosion control/stormwater quality measures shall be shown on the site plan submitted for an on-site permit, subject to the review and approval of the Building and Safety Division. The project applicant/ developer is responsible for ensuring that the contractor is aware of and implements such measures.
 - b) All graded areas shall be 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/stormwater quality measures are in place, subject to the approval of City Engineer/Chief Building Official. Such measures shall be maintained until such time as permanent landscaping is in place.
 - c) Gather all sorted construction debris on a regular basis and place it in the appropriate container for recycling; to be emptied at least on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater runoff pollution.
 - d) Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement adjoining the project site on a daily basis. Scrape caked-on mud and dirt from these areas before sweeping.
 - e) Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any

debris or dirt flowing in the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.

- f) Create a contained and covered area on the site for the storage of cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system through being windblown or in the event of a material spill.
- g) Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
- h) Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, or storm drains.
- i) Equipment fueling area: Use off-site fueling stations as much as possible. Where on-site fueling occurs, use designated areas away from the storm drainage facility, use secondary containment and spill rags when fueling, discourage "topping off" of fuel tanks, place a stockpile of absorbent material where it will be readily accessible, and check vehicles and equipment regularly for leaking oils and fuels. Dispose rags and absorbent materials promptly and properly.
- j) Concrete wash area: Locate wash out areas away from the storm drains and open ditches, construct a temporary pit large enough to store the liquid and solid waste, clean pit by allowing concrete to set, breaking up the concrete, then recycling or disposing of properly.
- k) Equipment and vehicle maintenance area: Use off-site repair shop as much as possible. For on-site maintenance, use designated areas away from the storm drainage facility. Always use secondary containment and keep stockpile of cleanup materials nearby. Regularly inspect vehicles and equipment for leaks and repair quickly or remove from the project site. Train employees on spill cleanup procedures.

Operation Requirements

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

- 91. All projects, unless otherwise determined by the City Engineer or Chief Building Official, shall enter into a recorded Stormwater Treatment Measures Inspection and Maintenance Agreement for ongoing maintenance and reporting of required stormwater measures. These measures may include, but are not limited to:
 - a) A mechanism shall be created, such as a property owners' association, to be responsible for maintaining all private streets, private utilities and other

privately owned common areas and facilities on the site including stormwater treatment measures. These maintenance responsibilities shall include implementing the maintenance plan, which is attached to the Stormwater Treatment Measures Inspection and Maintenance Agreement. This document shall be reviewed by the City Attorney's Office and recorded with the final map.

- b) On-site storm drain inlets clearly marked and maintained with the words "No Dumping – Drains to Bay."
- c) Proper maintenance of landscaping, with minimal pesticide and fertilizer use.
- d) Ensure wastewater from vehicle and equipment washing operations is not discharged to the storm drain system.
- e) Ensure that no person shall dispose of, nor permit the disposal, directly or indirectly, of vehicle fluids, hazardous materials or rinse water from cleaning tools, equipment or parts into storm drains.
- f) Clean all on-site storm drains at least twice a year with one cleaning immediately prior to the rainy season. The City may require additional cleanings.
- g) Regularly but not less than once a month, sweep driveways, sidewalks and paved areas to minimize the accumulation of litter and debris. Corners and hard to reach areas shall be swept manually. Debris from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Wastewater containing any soap, cleaning agent or degreaser shall not be discharged into the storm drain.
- h) Vegetated swales with grasses shall be mowed and clippings removed on a regular basis.

STANDARD CONDITIONS OF APPROVAL

Fire

- 92. The project applicant or developer shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
- 93. The proposed building(s) may have additional Fire Department requirements that can only be addressed by knowing the details of occupancy. These occupancy details shall be submitted to the Fire Department prior to submittal of construction plans to the Building Department. Details shall include but not be limited to the following:
 - a) Type of storage
 - b) Height of storage
 - c) Aisle spacing
 - d) Rack of bulk storage
 - e) Palletized storage
 - f) Type of occupancies within areas of the building(s)

Based on the information received, there may be additional requirements such as: smoke and heat venting, in-rack sprinklers, increases in sprinkler design criteria, draft curtains, etc.

94. 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.
95. Fire hydrants shall be installed at spacing not to exceed 300 feet.
96. Where Fire Department vehicle access through or around a site involves changes in direction or curves, minimum-turning radius shall be as follows. Inside radius of 45 feet and outside radius of 55 feet shall be provided to facilitate fire truck turning radius for entry and exit from the site.
97. Address numbers shall be installed on the front or primary entrance for all buildings. Minimum building address character size shall be 12" high by 1" stroke. If a building is located greater than 50 feet from street frontage, character size shall be 16" high by 1 ½" stroke minimum. Where multiple accesses are provided, address or tenant space number shall be provided on each access and/or warehouse door and character size shall be no less than 4" high by ¾" stroke. In all cases address numerals shall be of contrasting background and clearly visible in accordance with the Livermore-Pleasanton Fire Department Premises Identification Standards. This may warrant field verification and adjustments based upon topography, landscaping or other obstructions. Conditions of approval checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.

CODE REQUIREMENTS

Building

(Project applicant or 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.)

98. The project applicant or developer shall submit a building survey and/or record of survey and a site development plan in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton. These plans shall be approved by the Chief Building 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.
99. The project applicant or developer shall post address numerals on the building so as to be plainly visible from all adjoining streets or driveways during both daylight and night time hours.

100. The building covered by this approval shall be designed and constructed to meet Title 24 state energy requirements.
101. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.
102. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval.

CODE REQUIREMENTS

Fire

(Project applicant or 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.)

103. 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.
104. 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.
105. Portable fire extinguisher(s) shall be provided and installed in accordance with the 2007 California Fire Code and Fire Code Standard #10-1. Minimum approved size for all portable fire extinguishers shall be 2A 10B:C.
106. All buildings undergoing construction, alteration or demolition shall comply with Chapter 14 (2007 California Fire Code) pertaining to the use of any hazardous materials, flame-producing devices, asphalt/tar kettles, etc.
107. The building (s) 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 >

**CITY OF PLEASANTON
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR
PUD-80-16-13M**

September 1, 2010

An Initial Study has been prepared under the direction of the Planning Division of the City of Pleasanton Department of Community Development regarding an application submitted by LBA Reality for a 65,000 square-foot, two-story research building with an enclosed service yard. The Initial Study covers the modification to the PUD development plan to update the development plan's entitlements and requirements for the proposal including the building and site design.

The proposed project consists of a sixth building added to a five-building development – 4900, 4920, 4940, 5020, and 5040 Johnson Drive – on a 26.15-acre site, zoned PUD – I/C-O (Planned Unit Development – Industrial/Commercial-Office) District and generally defined by Franklin Drive and Johnson Drive (Assessor Parcel Nos. 941-1301-079-00 and 941-1301-080-00).

Based upon the following Initial Study that evaluated the environmental effects of the proposed project, the City of Pleasanton has found that the proposed project (including any mitigation measures that would be incorporated into the project) would not have a significant effect on the environment. The City of Pleasanton has concluded, therefore, that it is not necessary to prepare an Environmental Impact Report for this project.

ENVIRONMENTAL CHECKLIST

I. BACKGROUND

1. **Project Title:** **Franklin Drive Building
(PUD-80-16-13M)**
2. **Lead Agency:** City of Pleasanton
Planning and Community Development
200 Old Bernal Avenue
Pleasanton, CA 94566
3. **Contact Person:** Marion Pavan
Phone: (925) 931-5610
Fax: (925) 931-5483
mpavan@ci.pleasanton.ca.us
4. **Project Location:** Northwest Corner of Franklin Drive and
Franklin Drive, adjoining 5020 and 5040
Johnson Drive.
5. **Project Sponsor's Name and
Address:** LBA Reality (Paul Thometz)
17901 Von Karman Avenue, Suite 950
Irvine, California 92614
Phone: (949) 833-0400
6. **Pleasanton General Plan
Designation:** Business Park (Industrial/Commercial and
Office).
7. **Zoning:** PUD – I/C-O (Planned Unit Development –
Industrial/Commercial and Office) District.
8. **Description of Project:** See Project Description
9. **Surrounding Land Uses and
Setting:** See Project Description

II. PROJECT DESCRIPTION

Introduction

This Initial Study (IS) with the Mitigated Negative Declaration (MND) and the Mitigation Monitoring and Implementation Program (MMIP) provide the California Environmental Quality Act (CEQA) environmental analysis for PUD-80-16-13M, the proposal to construct an approximately 64,474-square-foot research and development building on the southeast corner of Franklin Drive and Franklin Drive near the buildings at 5020 and 5040 Johnson Drive.

The proposal will modify the development plan for this site from a parking lot to a 64,474-square-foot, two-story tall research and development building including the use and storage of hazardous materials in an enclosed outdoor service yard. The following City application constitutes the CEQA “project” evaluated in the Initial Study and covered by the Mitigated Negative Declaration: PUD-80-16-13M – modification of the PUD development plan to change the development plan’s entitlements including uses, development standards, and the building and site design.

The City may use this Initial Study and Mitigated Negative Declaration at its discretion to cover future land use applications for this site including design review requests, modifications, or subdivision. California State and Federal jurisdictions may also use the Initial Study at their discretion for their review.

Environmental Analysis

The environmental analysis for the proposed project uses current and historical documented information for the site and surrounding area; from the plans, technical reports and analyses prepared for the proposed development application of this site by the applicant’s consultants; and by the analyses prepared for the proposed development by City-retained consultants. In accordance with CEQA Section 15070, the City conducted Initial Study resulted in mitigation programs for the project that reduced the effects of the proposed development including mitigation measures to a less-than-significant level. This reduction was achieved by a combination of the following:

- The revisions made to the project plans and/or agreed to as conditions of approval by the applicant resulting from the analyses, implemented with subsequent City approvals and/or project construction, will avoid or mitigate the effects of development, and,
- There is no substantial evidence in light of the entire record before the City of Pleasanton including CEQA that the project as now revised and proposed would have a significant effect on the environment.

The mitigation measures are put into effect by the revised project plans and/or by the enforcement of permit conditions, agreements, or other instruments. The measures are described in the Initial Study and summarized in the attached Mitigation Monitoring and Implementation Program (MMIP). In the case for this application, the mitigation measures and implementation mechanisms will mitigate the impacts of the entire proposal to a less-than-significant-impact or to a less-than-significant-impact-with-mitigation-incorporated, meaning that the proposal will not have a significant environmental impact. The Initial Study also identified some effects of the proposal project as no-impact.

Mitigation Monitoring and Implementation Program (MMIP)

The lead agency is required by California law (Public Resources Code Section 21081.6) to adopt a reporting or monitoring program to ensure that the mitigation measures are implemented. Monitoring provides for ongoing project oversight to ensure that project compliance is checked on a regular basis during (and, if necessary, continuing after)

compliance. (CEQA Guidelines Section 15097(c)). The MMIP for the Franklin Drive development is attached.

II. PROJECT DESCRIPTION

Project Location

The proposed project will be constructed on developed property located in the former 26.15-acre Washington Mutual development defined by Franklin Drive and Johnson Drive. The Washington Mutual Development is part of the former Signature Center Business Park located on the northwest corner of Hopyard Road and Stoneridge Drive. Figure 1, below, is the location map/aerial photograph showing the business park.



Figure 1, Location Map and Aerial Photograph

The project site is an approximately 3.0-acre (131,200 square feet) portion of a 26.15-acre property generally defined by Franklin Drive to the north and west and Johnson Drive to the south and east (Assessor Parcel Nos. 941-1301-079-00 and 941-1301-080-00). The proposal will be the sixth building to this existing five building office research and development campus. Figure 2, below, is the developed five-building site with the proposed project.

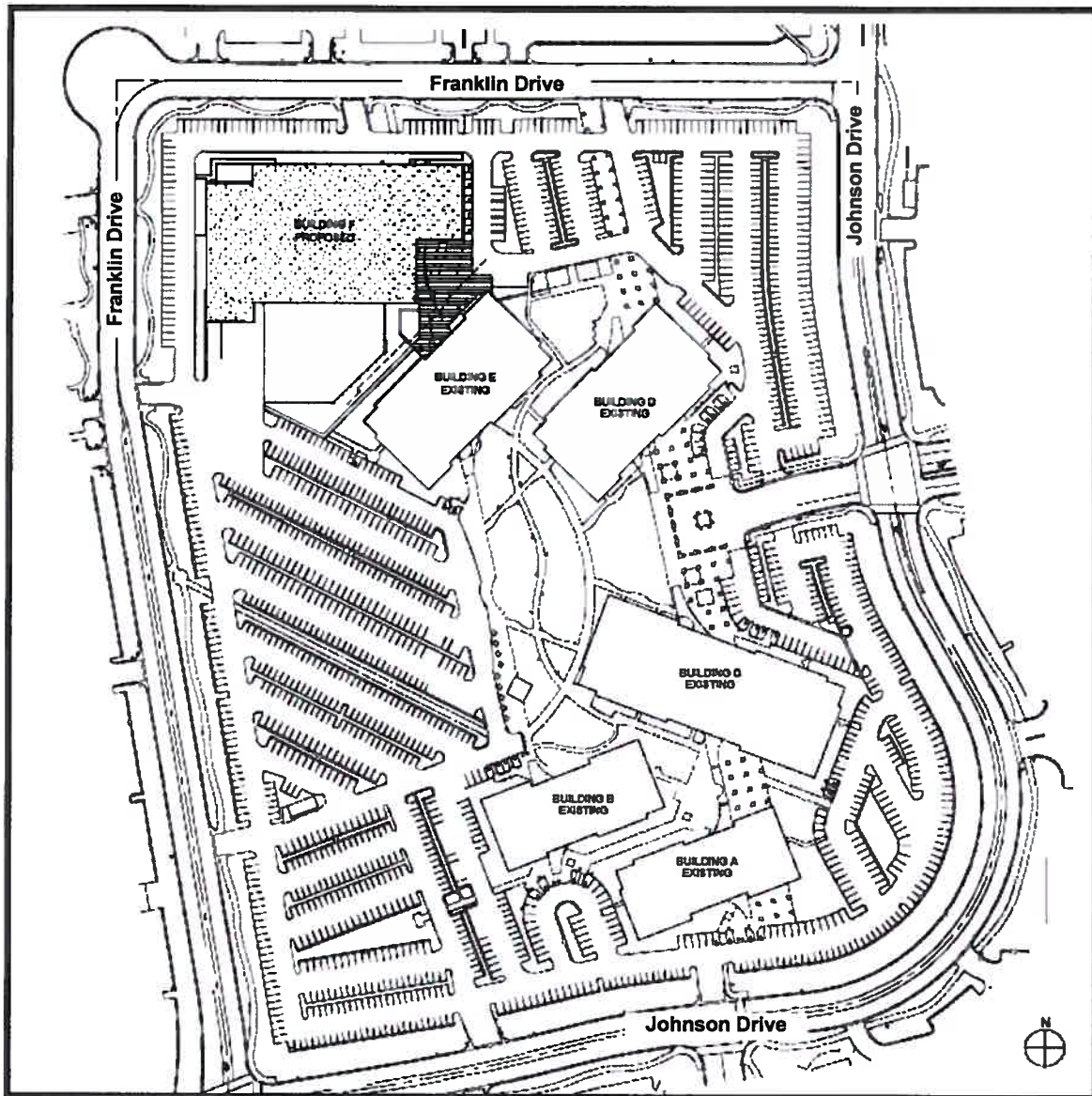


Figure 2, Five-Building Campus with Proposal

Surrounding Land Uses and Setting

The project site is a relatively flat site, developed with parking and landscaping, with its primary frontage and orientation towards Franklin Drive. It is surrounded on all four sides by office, industrial, and research and development uses. Primary public street access is from south and east sides of Franklin Drive and indirectly from Johnson Drive. Johnson Drive in turn connects the site to Hopyard Road and West Las Positas Boulevard major City arterial streets to, respectively, the I-680 and I-580 freeways. Figure 3 and Figure 4, on the following page are photographs of the project site.



Figure 3, Westerly View of Project Site with Franklin Drive in Background.



Figure 4, Southwest View of Project Site with Franklin Drive in Background.

Pleasanton General Plan¹

The 2005 – 2025 General Plan Land Map of the Pleasanton General Plan¹ designates the Franklin Drive property for Business Park (Industrial/Commercial and Office) with a maximum and midpoint Floor Area Ratio (FAR) of 60 percent and 32 percent, respectively. With construction of the proposed project, the total floor area for the 26.15-acre campus will be increased from 287,967 square feet to 352,441 square feet with equal increase of the overall campus FAR from 25.3 percent to an overall FAR of 30.9 percent, respectively.

Zoning

The project site is zoned PUD – I/C-O (Planned Unit Development – Industrial/Commercial and Office) District in conjunction with the Signature Center PUD development plan approval. In July 1990, the City Council approved PUD-80-16-03M, the PUD development plan and Initial Study for the Signature Center Business Park – Pactel Properties, the applicant – that including 885,170 square feet of office, industrial, and research and development uses, generally located on the northwest corner of Hopyard Road and Stoneridge Drive. The entire Signature Center was then divided in separate sites and developed by successive owners over the following ten-year time period.

The existing five-building campus was approved under PUD-80-16-07M. The proposed project requires a development plan modification to change the allowed uses for the site from a parking area to research and development and office uses, and to allow a maximum building height of 55 feet matching the building height of the four- and five story office buildings on Hopyard Road. Approximately 70,631 square feet of building floor area of the previous PUD approval was not built and can, therefore, be used to accommodate the floor area of the proposed building.

Project Description

The proposal will include one, 64,474-square-foot building constructed on a three-acre portion of a five-building research and development and office development. The project site is presently developed with parking and driveways and parking area landscaping for the five-building development. The modification of the PUD development plan will allow research and development and similar uses, including the use and storage of hazardous materials and waste products, on the 26.15-acre site and to allow a maximum building height of 55 feet. The modification will also permit the building and site design.

The proposed building height will be 39 feet from grade to the building parapet wall and, as measured by staff, 50 feet from grade to the roof-mounted equipment screens. The proposed building's interior area will include a second-floor mezzanine. The applicant anticipates an employee occupancy of 40 employees equaling an employee density varying from 1/1,611 square feet. Stormwater will be pre-treated on site by a combination of vegetative filter swales and artificial filter devices before entering the City's stormdrain systems.

The proposed building is designed to complement the surrounding architecture with a combination of curvilinear building elements matching the "bowed" building elements of the five-building campus, building wall trim detailing comparable to the detailing used

Franklin Drive Development – Environmental Checklist

throughout the Signature Center Business Park and on surrounding buildings, and the wall and trim colors. A fence will screen the service yard from view. Figure 5, below, are the proposed building elevations.

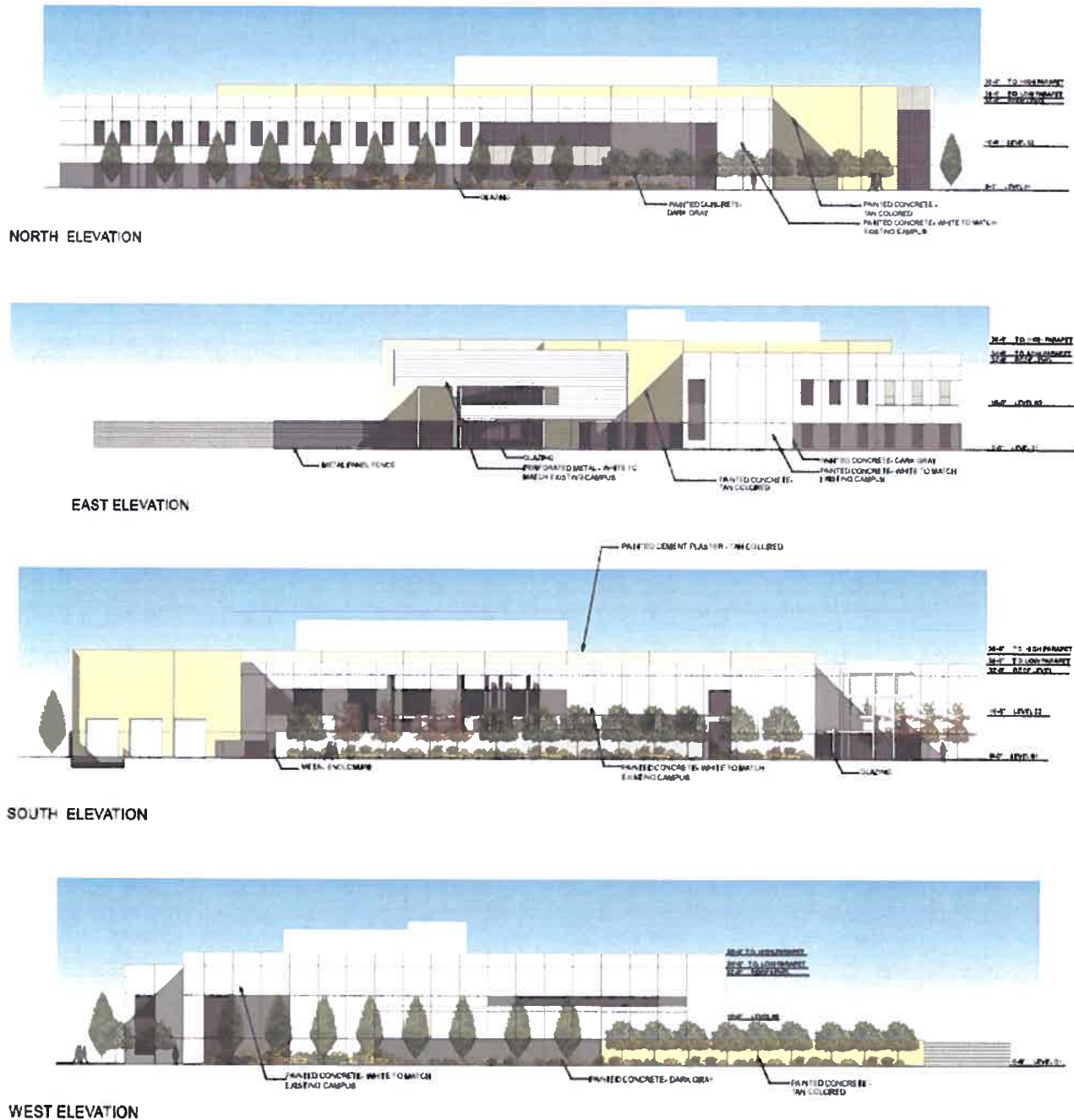


Figure 5, Proposed Building Elevations.

Figure 6, on the following page, is the building perspective from Franklin Drive.



Figure 6, Building Perspective from Franklin Drives.

Figure 7, below, is the aerial photograph of the existing five-building campus with the proposed building.



Figure 7, Aerial Photograph/Rendering of the Project Site and Proposal.

Construction of the proposed project on this 26.15-acre site will increase the total building floor area from 287,967 square feet to 352,441 square feet and the project's floor area ratio from 25.3 percent to 30.9 percent. After this sixth building is constructed, the total

parking for the six-building facility will be 1,477 parking spaces for an overall parking ratio of one parking space per 238 square feet of floor area.

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below will be potentially affected by this project and could result in at least one impact that is a "Potentially Significant Impact" unless mitigated as described in the checklist on the following pages.

- | | | |
|--|--|--|
| <input type="checkbox"/> Aesthetics/Views | <input type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Air Quality/Greenhouse Gas Emissions |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/ Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance | <input type="checkbox"/> Previous Mitigation Measures |

IV. DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent and a MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Marion Pavan

Marion Pavan

September 1, 2010

Date

V. ENVIRONMENTAL CHECKLIST

The following checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the Proposed Project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project specific mitigations, which have been incorporated into the project design as a part of the Proposed Project. For this project, the following designations are used:

- **Potentially Significant Impact:** An impact that could be significant and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.
- **Less Than Significant With Mitigation Incorporated:** An impact that requires mitigation to reduce the impact to a less-than-significant level.
- **Less Than Significant:** Any impact that would not be considered significant under CEQA relative to existing standards.
- **No Impact:** Any impact that does not apply to the project.

1. AESTHETICS/IEWS

Environmental Setting

The proposal will introduce a sixth building to a developed, five-building development surrounded on all sides by a combination of two- to four-story research and development, manufacturing, and office developments. The site itself is presently developed with an unused portion of the parking area constructed in conjunction with the five-building campus. Surrounding uses include a variety of office, research and development, and manufacturing uses. Farther to the west of the site and the area's business parks are the wastewater settling/treatment ponds of the Dublin San Ramon Services District.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Substantially alter or degrade the existing visual character or quality of the project site;
- Have a substantial effect on a scenic resource; or,
- Substantially increase light or glare in the project site or vicinity, which would adversely affect day or nighttime views.

Franklin Drive Development – Environmental Checklist

Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>Aesthetics</u>				
<i>Would the project:</i>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a) The proposed project is compatible with in height, scale, and materials and colors to the adjoining office/industrial/office developments of the nearby area. Proposed perimeter and interior landscape treatments will frame and enhance the building's appearance to Franklin Drive and will screen the service yard from the view of streets and adjoining developments. The loading area facing Franklin Drive will be buffered/screened by a combination of screen walls and landscaping. Therefore, this would be considered ***no-impact***.

- b-c) The project site is developed with parking and driveway areas and ornamental landscaping. It is not a designated scenic resource. Therefore, this would be considered ***no-impact***.

- d) Building and exterior site lighting will be designed and controlled to be low wattage and luminosity so as not to add to "night sky pollution. The interior building lighting will be controlled by timers so that the buildings will be "dark" at night. Building and landscaping up-lighting will be prohibited. Therefore, this would be considered ***no-impact***.

2. AGRICULTURAL RESOURCES

Environmental Setting

The project site is presently developed with an unused section of parking constructed with the five-building campus. It is designated as "Urban and Built-up Land" by the California Department of Conservation² (CDC). Common examples of uses considered by the CDC to be consistent with the "Urban and Built-up Land" category include residential, industrial,

commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses;
- Conflict with or result in the cancellation of a Williamson Act contract;
- Adversely affect agricultural production.

Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Agricultural Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-b) The proposed project is an infill development in a built-up area of the City of Pleasanton. The site is developed and is classified as “Urban and Built-up Land” by the California Department of Conservation². All necessary infrastructure is in place and available to serve the proposed development. Therefore, this would be considered **no-impact**.
- c) The proposed project will not result in the conversion of any other producing farmland in the general vicinity of the site. Therefore, this would be considered **no-impact**.

3. AIR QUALITY

Environmental Setting

The project site is within the San Francisco Bay Area Air Basin and, therefore, under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The Livermore-Amador Valley forms a smaller sub-regional air basin that is distinct from the larger Bay Area Air Basin, surrounded by terrain that influences both the local climate and air pollution potential.

BAAQMD

The Bay Area Air Quality Management District (BAAQMD) is the main permitting agency for air pollutant sources and regulates air quality in the Bay Area Region through its permit authority over most stationary emission sources and through its planning and review activities. The BAAQMD document, “*California Environmental Quality Act Air Quality Guidelines*” (CEQA Air Quality Guidelines), provides a guide for lead agencies and consultants on evaluating the air quality impacts of development projects for CEQA review, determining whether an impact is significant and, if significant, mitigated. On June 2, 2010, BAAQMD adopted new thresholds of significance for analyzing air quality and greenhouse gas emission impacts and published a June 2010 version of the Guidelines consistent with these adopted thresholds, which recommends screening levels and methods of analysis.

ABAG Growth Assumptions

A project is determined to conflict with or obstruct implementation of the regional air quality plan if it would be inconsistent with the growth assumptions derived from the Association of Bay Area Governments assumptions for population, employment, or regional growth in Vehicle Miles Traveled. These ABAG assumptions utilize the information provided in City and County General Plans.

Ozone/Bay Area 2000 Clean Air Plan

The San Francisco air basin is currently non-attainment for ozone (state and federal ambient standards) and particulates (PM₁₀, state ambient standards). While air quality plans exist for ozone, none exists or is currently required for PM₁₀. The “*2005 Bay Area Ozone Strategy*” is the current ozone air quality plan required under the Federal “*Clean Air Act*”. The state-mandated regional air quality plan is the “*Bay Area 2000 Clean Air Plan*”. These plans contain mobile source controls, stationary source controls, and transportation control measures to be implemented in the region to attain the state and federal ozone standards with the San Francisco Bay Area Basin.

Greenhouse Gas Emissions

In 2006, the Governor of California signed AB 32, the “Global Warming Solutions Act”, into law that requires California cap its Greenhouse Gas (GHG) emissions at 1990 levels by the year 2020. On December 11, 2008, the California Environmental Protection Agency Air Resources Board (ARB) adopted the, “*Climate Change Scoping Plan*” to achieve the GHG reductions required by AB 32. The Scoping Plan contains the main strategies California will implement to reduce GHG emissions by 174 million metric tons (MMT), or

approximately 30 percent, from the state’s projected 2020 emissions level of 596 MMT of CO₂e under a business-as-usual scenario.

The Scoping Plan also breaks down the GHG emissions reductions for each emission. While the ARB has identified a GHG reduction target of 15 percent for local governments, it has not as yet determined its recommended GHG emissions from local government land use decisions. However, the Scoping Plan does rely on local governments’ land use planning and urban growth decision-making for the successful implementation of the Scoping Plan. The measures approved by ARB must be enacted by 2012. The BAAQMD’s June 2010 Guidelines⁴ include screening levels, thresholds of significance, and methods of analysis for GHG emissions.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Result in pollution emission levels above those established by BAAQMD⁴ in either short term (construction related) or long term (traffic);
- Expose sensitive receptors to substantial pollutant concentrations;
- Create objectionable odors affecting a substantial number of people; and,
- Exceed the BAAQMD⁴ GHG emissions standard of 1,100 metric tons per year of CO² or 4.6 metric tons CO² per service population per year.

The California Natural Resources Agency, pursuant to Senate Bill 97, amended the CEQA Guidelines on December 30, 2009, which became effective on March 18, 2010, that included the addition of Green House Gas emissions topics and checklist items that are incorporated into the Initial Study Checklist for this project.

Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Air Quality

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

a, g) A project is determined to be consistent with the implementation of the regional air quality plan if it is consistent with the growth assumptions derived from the Association of Bay Area Governments (ABAG) assumptions for population, employment, or regional growth in Vehicle Miles Traveled. The Pleasanton General Plan¹ calculates the City’s holding capacity based on the mid-point floor area ratio for commercial/industrial properties – 32 percent for this site or 364,451 square feet for this 26.15-acre business park. The holding capacities are incorporated in the Base Line land use assumptions and analyses that the City then uses to prepare its Baseline Traffic Model, estimate its needs for utilities, and to project population growth. The City’s growth assumptions are used in the assumptions of the “Bay Area 2000 Clean Air Plan”, the California state mandated regional air quality plan.

With construction of the proposed project, the six-building development will then total 352,441 square feet within the 32-percent holding capacity for the site. Therefore, the proposed project would be considered **no-impact** related to consistency with the regional air quality plan.

b,c) At 64,474 square feet, the proposed project is less than the Industrial Park screening criteria identified in Table 3-1 of the BAAQMD⁴ Guidelines dated June, 2010. Therefore, this would be a **less-than-significant-impact**.

d) The closest source of potential air pollutants that may affect public health is the nearby wastewater settlement/treatment ponds operated by the Dublin San Ramon Services District. A commercial/office land use is not considered to be a sensitive receptor to poor air quality because the commercial/office tenants and visitors are primarily indoors and, therefore, are not exposed to pollutants for

extended periods of time. Therefore, the project would not expose residents to substantial pollutant concentrations and this would be considered **no-impact**.

- e) There proposed project will result in the construction of an office, industrial, and research and development use that is not expected to produce post construction objectionable odors. Therefore, this would be considered **no-impact**.
- f) The proposed building is less than the 65,000 square-foot significance criteria of the BAAQMD⁴. Therefore, this will be considered **no-impact**.

4. BIOLOGICAL RESOURCES

Environmental Setting

Wetlands are regulated under federal, state and local laws, regulations and policies. Primary wetland regulatory compliance is under the federal Clean Water Act, the California Department of Fish and Game (CDFG), United States Fish and Wildlife Service (USFWS) and California Environmental Quality Act (CEQA).

The Clean Water Act requires avoidance of wetlands whenever a practicable alternative exists. For unavoidable impacts, the regulatory agencies have policies calling for mitigation to provide “no net loss” of acreage or habitat value. Under Section 404 of the Clean Water Act, a permit must be obtained for the discharge of dredged or fill material into waters of the United States.

Under the CDFG code, Sections 1601-1607 regulate projects with divert, obstruct, or change the natural flow, bed, channel, or bank of a river, stream, or lake. Proponents of such projects must notify DFG and enter into a streambed alteration agreement. DFG normally exerts jurisdiction over natural streams and artificial channels that have habitat value for wildlife species. The jurisdiction extends to the bank top.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Adversely affect, either directly or through habitat modification, any endangered, threatened or rare species, as listed in Title 14 of the California Code of Regulations (Sections 670.5) or in Title 50, Code of Regulations (Sections 17.11 or 17.12 or their habitats (including but not limited to plants, fish, insects, animals, and birds);
- Have a substantial adverse impact, either directly or through habitat modification, on any species identified as a candidate, sensitive or special-status species in local or regional plans, policies, or regulations or by the CDFG or USFWS;
- Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFG or USFWS;
- Adversely affect federally protected wetlands (including but not limited to marsh, vernal pool, coastal, etc) either individually or in combination with the known or

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probable impacts of other activities through direct removal, filling, hydrological interruption, or other means;

- Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites; or,
- Conflict with any local or regional policies or ordinances designed to protect or enhance biological resources, such as a tree preservation policy or ordinance.

Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Biological Resources

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-c) The subject site is level property developed with parking and driveways and ornamental landscaping. There are no wetland and/or riparian habitat areas on the project site. Stormwater runoff from buildings and parking areas of this development will be required as a condition of approval to be pretreated on the site by a system of bio-swales and/or similar measures before being discharged into the City's storm drain systems. As required by a condition of approval, only organic herbicides and pesticides will be used on the development's landscape areas. Therefore, this would be considered **no-impact**.

- d-f) There is no known wildlife corridors on the project or an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan applicable to this project. Therefore, this would be considered **no-impact**.

5. CULTURAL RESOURCES

Environmental Setting

The subject site is not located in an area identified as having any site-specific historical or geologic features or resources.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Cause a substantial change in the significance of a historical or archeological resource as defined in the CEQA Guidelines Section 15064.5; or,
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Cultural Resources

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique Paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- d) Disturb any human remains, including those interred outside of formal cemeteries?

Discussion

- a-d) There are no known historical sites identified on the subject property. The subject property was graded with the construction of the parking area. Therefore, this would be considered **no-impact**.

6. GEOLOGY AND SOILS

Environmental Setting

The subject site lies within the Alquist-Priolo Fault Zone¹⁰, Seismic Zone 8. The approval of a project by a city or county must be in accordance with policies and criteria established by the State Mining and Geology Board. Cities and counties shall require, prior to the approval of a project, a geologic report defining and delineating any hazard of surface fault rupture. If the city or county finds that no undue hazard of that kind exists, the geologic report on the hazard may be waived, with the approval of the State Geologist. After a report has been approved or a waiver granted, subsequent geologic reports shall not be required, provided that new geologic data warranting further investigations is not recorded.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in a project being built that will either introduce geologic, soils, or seismic hazard by allowing the construction of the project on such a site without protection against those hazards.

Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Geology and Soils

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

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- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a) The subject site is located in the Alquist-Priolo Earthquake Fault Zone as delineated by the California Division of Mines and Geology³. The project will be subject to the issuance of a building permit review and will be constructed according to the standards of the California Building Code that includes seismic structural standards. Therefore, this would be a **less-than-significant-impact**.
- a-i) There are no Alquist-Priolo earthquake faults on the site. Therefore, this would be considered **no-impact**.
- a-ii) The State of California provides minimum standards for building design through the California Building Standards Code (California Code of Regulations (CCR), Title 24). The California Building Code is based on the UBC and has been modified for California conditions with numerous more detailed and/or stringent regulations. Specific seismic safety requirements are set forth in Chapter 23 of the UBC. The State earthquake protection law requires that buildings be designed to resist stresses produced by lateral forces caused by earthquakes. The City implements the requirements of the California Code through its building permit process. The proposed project will be required to comply with the applicable codes and standards to provide earthquake resistant design to meet or exceed the current seismic Zone 8 requirements. Therefore, this would be a **less-than-significant-impact**.

- a-iii-iv) A site specific soils analysis will be submitted with the building permit to determine foundation designs subject to the standards of the California Building Code and, therefore, is not anticipated to fail during a seismic event. This site is also flat and, therefore, will not be subject to landslides. Therefore, this would be considered **no-impact**.
- b) Natural erosion is frequently accelerated by human activities such as site preparation for construction. Grading and excavation and trenching for on-site utility lines, will disturb soils, which could increase the rate of erosion if controls or best management practices are not in place. The City requires that all projects meet the requirements for stormwater control measures during design, construction and implementation phases of the project. Grading is prohibited from October 15 to April 1 to reduce Citywide impacts. Therefore, this would be a **less-than-significant-impact**.
- c) A site specific soils analysis will be submitted to verify soil stability subject to the standards of the California Building Code. If required, the site will be graded and compacted to ensure a stable building pad. Therefore, this would be considered **no-impact**.
- e) The project will be connected to the sanitary sewer system. Therefore, this would be considered **no-impact**.

7. HAZARDS AND HAZARDOUS MATERIALS

Environmental Setting

The project site is a flat property situated entirely within an established business park in the City. It can be considered an infill property.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in exposing people to existing contaminated soil during construction activities;
- Result in exposing people to asbestos containing materials;
- Result in exposing people to contaminated groundwater if dewatering activities take place.

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Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>Hazards And Hazardous Materials</u>				
<i>Would the project:</i>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a-b) The use, handling, storage, and transport of hazardous materials are highly regulated by the City of Pleasanton, the Federal Occupational Safety and Health Administration (Fed/OSHA), the California Occupational Safety and Health Administration (Cal/OSHA), and by the Federal Department of Transportation (DOT). The use, handling, and storage of hazardous materials will be subject to the City's review and approval of a Hazardous Materials Use and Storage Permit

and a Hazardous Materials Management Plan administered by the Livermore-Pleasanton Fire Department. This will occur prior to issuance of a building permit.

During construction potentially hazardous liquid materials such as oil, diesel fuel, gasoline, and hydraulic fluid would be used at the site. If spilled, these substances could pose a risk to the environment and to human health. In the event of a spill, the Livermore-Pleasanton Fire Department is responsible for responding to non-emergency hazardous materials reports.

The City has in place an Emergency Response Plan to meet the needs should a spill or a hazardous event take place. Routine transport, use and disposal of hazardous materials are already regulated by federal, state and local regulations. This project will require disclosure of any hazardous materials, the amounts anticipated and where those materials will be stored or used. Therefore, this would be a **less-than-significant-impact**.

- c) The proposed project does not pose a risk to any existing or proposed school within one-quarter mile of this project. Therefore, this would be considered **no-impact**.
- d) The site is not included on the list of hazardous materials sites compiled pursuant to Government Code 65962.5 (Cortese List). Therefore, this would be considered **no-impact**.
- e-f) The site is located approximately seven miles from the Livermore Airport and is not likely to result in a safety hazard for the future tenants and business visitors of this development. Therefore, this would be considered **no-impact**.
- g) The proposed access driveways are sized for the fire apparatus and emergency service vehicles used by the Livermore-Pleasanton Fire Department. Fire hydrants will be added as required by the Fire Chief and the structures on these lots will include automatic fire sprinkler systems. The proposed project will not result in interference with an emergency plan or evacuation plan. Therefore, this would be considered **no-impact**.
- h) Wildlands do not exist within or adjacent to the subject site. Therefore, this would be considered **no-impact**.

8. HYDROLOGY AND WATER QUALITY

Environmental Setting

The subject property is relatively flat across its north/south and its east/west axis. Surrounding properties and uses include a variety of commercial, office and residential developments, and City park land. At its closest point, the Arroyo de la Laguna is approximately 1,200 feet (0.23 miles) from the site, and is separated from the site by the development and the I-680 freeway corridor.

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The National Pollutant Discharge Elimination System (NPDES) was established in the Clean Water Act to regulate municipal and industrial discharges to surface waters of the U.S. Non-point sourced diffuse and originate over a wide area rather than from a definable point. Two types of non-point source discharges are controlled by the NPDES program; discharges caused by general construction activities and general quality of stormwater in municipal stormwater systems.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in substantially degrading water quality or violate any water quality objectives set by the State Water Resources Control Board due to increased sediments or other contaminants generated by consumption and/or operation activities;
- Result in exposing people or property to the risk of injury and damage in the event of a 100-year flood.

Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Hydrology and Water Quality

Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

a,e,f) The project’s drainage systems will be reviewed by the City Engineer to ensure that the velocity of the runoff is slowed. The landscape areas on the north and south sides of the building are required, by a project condition of approval, to be designed and graded to function as vegetative filter swales. The swales will be augmented with “filterra” control systems in compliance with the RWQCB/NPDES standards. The service yard will be designed and graded so as not to drain to the swales and City storm lines.

The project will be required through the building permit and construction process to incorporate best management practices for discharges resulting from this development. The proposed project shall be subject to the most recent requirements of the San Francisco Bay Area Regional Water Quality Control Board (RWQCB) and to the requirements of the Alameda County NPDES Permit. Therefore, this would be a **less-than-significant-impact**.

b) The project will not use ground water for this project. All existing wells have been abandoned pursuant to the Alameda County Department of Environmental Health. The development of this project does not anticipate a loss of groundwater recharge potential. Therefore, this would be considered **no-impact**.

c-d) The proposed development will not alter the alignment or stability existing drainage pattern of the Arroyo de la Laguna from its existing condition. Therefore, this would be considered **no-impact**.

g, h, i) The site’s elevation and topography is well-above the 100-year flood elevation ensuring that people and structures will not be exposed to a significant risk of loss, injury or death involving flooding. Therefore, this would be considered **no-impact**.

- j) The City of Pleasanton is not at risk from seiche or tsunami. There are no identified mudflows or potential mudflows on the site. The site will support the proposed development with the proper engineering practices used in the design and construction of building sites and infrastructure. Therefore, this would be considered **no-impact**.

9. LAND USE PLANNING

Environmental Setting

The project site is 3.0-acre portion of an existing parking area designated by the 2005 – 2025 Pleasanton General Plan¹ for Business Park – Industrial, Commercial, and Office – land uses.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Substantially alter an approved land use plan that would result in physical change to the environment.

Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Land Use Planning

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-c) The subject property is an infill site consistent with the Land Use Element of the Pleasanton General Plan¹ that designates the property for Business Park – industrial, commercial, and office – land uses; will contribute to a strong employment base compatible with the environmental constraints in Pleasanton; is consistent with the maximum/midpoint floor area ratio of this land use designation of 60 percent and 32 percent, respectively; and will not conflict with any applicable

habitat conservation plan or natural community conservation plan. Therefore, this would be considered **no-impact**.

10. MINERAL RESOURCES

Environmental Setting

The subject site has not been identified to have mineral resource deposits.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in the depletion of a mineral resource.

Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Mineral Resources

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

a-b) The proposed project site is not included or delineated as a Mineral Resource Zone. Mining has not occurred on the project site, and implementation of the project would not affect the availability of any mineral resource. Therefore, this would be categorized as **no-impact**.

11. NOISE

Environmental Setting

External noise sources that could affect the site include traffic noise from Hopyard Road and Stoneridge Drive. Noise emanating from the proposed building is expected to fall within the levels identified in the City’s noise ordinance⁷ for commercial/industrial uses – not to exceed 70 dBA until 10:00 p.m. and not to exceed 60 dBA after 10:00 p.m.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in exterior noise levels above the acceptable level of 70 dBA;

Franklin Drive Development – Environmental Checklist

- Result in interior noise levels exceeding 45 dBA;
- Result in construction noise levels that do not meet the City of Pleasanton Noise Ordinance.

Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Noise

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

- a-b) The ambient noise level for the site varies from 65 dBA L_{dn} to 70 dBA L_{dn} . This ambient noise level is considered to be “Normally Acceptable” for “Office Buildings, Business Commercial, and Professional” land uses – up to 70 dBA L_{dn} – by the 2005 – 2025 Pleasanton General Plan¹. Standard commercial/office building construction can achieve a 15 dB to 20 dB reduction in interior noise levels, thereby achieving the 60 dBA L_{dn} interior noise standard of the Pleasanton General Plan¹. Therefore, this would be a **less-than-significant-impact**.
- c) All operations will take place entirely within the enclosed building with some loading/unloading activity taking place in the service area compatible with the loading/unloading activities taking place on other industrial sites in the immediate vicinity of the site. Therefore, this would be a **less-than-significant-impact**.

- d) As a result of project construction, there will be a temporary increase in noise due to construction activities that, however, will not adversely impact to surrounding land uses. Therefore, this would be a **less-than-significant-impact**.
- e-f) The subject site is not located within the Livermore Airport Master Plan and the subject development will not expose people to excessive noise levels. Therefore, this would be categorized as **no-impact**.

12. POPULATION AND HOUSING

Environmental Setting

The project site is located entirely within an existing business park area of Pleasanton. The site, therefore, is an infill site within the City and its construction does not constitute direct or indirect growth inducing impacts for the City of Pleasanton

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Induce substantial growth that is inconsistent with the approved land use plans in place; and,
- Displace affordable housing.

Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Population and Housing

Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a) The site is an infill site in a built-out area of the City and is considered as a desired location for the proposed development. Its population is transient in nature and would not constitute direct or indirect growth inducing impacts for the City of Pleasanton. Therefore, this would be considered **no-impact**.

- b-c) The proposed project will not displace substantial numbers of people or requiring replacement housing be provided. Therefore, this would be considered **no-impact**.

13. PUBLIC SERVICES

Environmental Setting

The City of Pleasanton has public services and infrastructure planned to meet the build out of the 2005 – 2025 Pleasanton General Plan¹.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Create an increase in demand for police protection services which could substantially interfere with the ability of the Police Department to provide adequate response time to the project site;
- Create an increased demand for fire protection services that would substantially interfere with the ability of the Fire Department to provide adequate response time to the project site;
- Create an increased demand for schools that would exceed existing school capacity; or,
- Create an increased demand for parks and other public facilities that would exceed existing capacity.

Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Public Services

Would the project:

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

iv) Parks?

v) Other public facilities?

Discussion

a-i-v) The project developer will contribute to the construction of schools/school facilities through the payment of school impact fees. Police, Fire, Public Park, and related service capacities exist to adequately serve the project. Therefore, this would be considered **no-impact**.

14. RECREATION

Environmental Setting

The project site will not be providing on-site parkland. However, there will be on-site and public amenities including pedestrian pathways and linkages to the Bernal Community Park to the south.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in the failure to meet City standards for the provision of parkland.

Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Recreation

Would the project:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

Discussion

a-b) The proposed development will have a negligible impact on the demand on the City's park and recreational facilities. Therefore, this would be considered **no-impact**.

15. TRANSPORTATION AND TRAFFIC

Environmental Setting

Program 1.1 of the Circulation Element of the 2005 – 2025 Pleasanton General Plan¹ states, “Require new developments to pay their fair share of planned roadway improvement costs.” Program 2.7 of the Circulation Element of the 2005 – 2025 Pleasanton General Plan¹ states, “Require feasible mitigation measures to keep intersections impacted by development to acceptable service levels, in the extent that LOS D is exceeded. If there are no feasible mitigation measures and if the intersections are otherwise not exempt from the LOS D standard, withhold development approvals, including building permits, until the intersections exceeding LOS D are at an acceptable level of service.”

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in reducing the Level of Service from “D” to “E” or worse.

Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Transportation and Traffic

Would the project:

a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Discussion

- a-b) The development will contribute its share of traffic impact fees that will pay for the construction of City-wide street and intersection improvements to ensure conformance to Pleasanton General Plan¹ LOS D standards. Therefore, this will be considered **no-impact**.
- c) Traffic patterns to this site are consistent with the traffic patterns to the area's commercial/industrial developments. Therefore, this would be considered **no-impact**.
- d-e) Public street access is provided directly from Franklin Drive. All access driveways and internal circulation areas will be designed to City standards. The project site is accessible to the sidewalk on Franklin Drive and to the five existing buildings of this development. Therefore, this would be considered **no-impact**.
- f) With construction of the proposed project, totaling six buildings or 352,441 square feet for the 26.15-acre industrial/office development, 1,477 parking spaces will be provided for a parking ratio of one parking space per 238 square feet. For the overall office/industrial development on this property, the Pleasanton Municipal Code requires 1,174 parking spaces. Therefore, this would be considered **no-impact**.
- g) Bicycle racks will be conditioned to be provided with this development. Therefore, this would be considered **no-impact**.

16. UTILITIES AND SERVICE SYSTEMS

Environmental Setting

The City of Pleasanton has public services and infrastructure planned to meet the build out of the 2005 – 2025 Pleasanton General Plan¹, implemented by the Growth Management Plan.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in the construction of new water facilities or expansion of existing facilities;
- Result in exceeding the wastewater treatment requirements of the Regional Water Quality Control Board;
- Result in or require the construction or expansion of existing wastewater treatment facilities; and,
- Be served by a landfill that has inadequate permitted capacity.

Franklin Drive Development – Environmental Checklist

Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
Utilities and Service Systems				
<i>Would the project:</i>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a,b,d) The proposed project consisting of an office/industrial building on an infill site will not exceed projected wastewater treatment requirements or the demand for potable water. Therefore, this would be a ***less-than-significant-impact***.
- c) New stormwater drainage facilities will be constructed on the project site as part of the project. Stormwater pre-treatment will be implemented on the project site through a combination of bio-swales and artificial treatment devices. Therefore, this would be a ***less-than-significant-impact***.

17. MANDATORY FINDINGS OF SIGNIFICANCE

Issues	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Mandatory Findings of Significance

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion

The proposed project is an infill industrial proposal in a developed area of the. The project will not include any activities or uses causing substantial adverse effects on human beings either directly or indirectly or on the environment. The project has been designed to meet the general development standards required by the City of Pleasanton, and will incorporate conditions of approval to meet local codes and regulations. The project design and conditions of approval reduce potential impacts to a ***less-than-significant-impact*** or ***no-impact***.

Endnotes

- ¹ The 2010 – 2025 City of Pleasanton General Plan, adopted July 21, 2010.
- ² California Department of Conservation, Division of Land Resource Protection, Alameda County, Pleasanton, Important farmland, 2003.
- ³ California Division of Mines and Geology, Alquist-Priolo Hazard Mapping, www.conserv.ca.gov.

Franklin Drive Development – Environmental Checklist

- ⁴ California Environmental Quality Act Air Quality Guidelines, Bay Area Air Quality Management District, June 2010.

MITIGATION MONITORING AND IMPLEMENTATION PLAN

PUD-80-16-13M – FRANKLIN DRIVE RESEARCH AND DEVELOPMENT BUILDING

September 1, 2010

INTRODUCTION

The Franklin Drive Research and Development Building (PUD-80-16-13M) is a single research and development building on a five-building 26.15-acre site located in the City of Pleasanton. The City is the lead agency under the California Environmental Quality Act (CEQA) and has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for this project.

The project addressed by the IS/MND will consist of one building with an outdoor storage area. The total floor area will be 64,474 square feet. The uses will include research and development, offices, and manufacturing matching the permitted uses of the surrounding properties.

When a lead agency approves a project that it has found to have the potential to result in one or more significant impacts, it adopts mitigation measures in the form of changes or alterations incorporated into the project that would avoid or substantially lessen those impacts. Generally, the mitigation measures are put into effect by enforcement of permit conditions, agreements, or other instruments. In the case of the Franklin Drive proposal, the mitigation measures and implementation mechanisms generally parallel those of the original project and that these impacts will be mitigated to a less-than-significant-impact.

The lead agency is required by California law (Public Resources Code Section 21081.6) to adopt a reporting or monitoring program to ensure that the mitigation measures are implemented. Monitoring provides for ongoing project oversight to ensure that project compliance is checked on a regular basis during (and, if necessary, continuing after) compliance. (CEQA Guidelines Section 15097(c)).

The Mitigation Monitoring and Implementation Plan (MMIP) presented in the following table addresses the specific topic areas discussed in the environmental impact report for this project. Each mitigation measure is identified and the location of the full discussion of the measure in the IS/MND documents is provided. The MMIP sets forth the mitigation measure, the party responsible for implementing the mitigation measure, the timing of implementation, and the monitoring agency and action required for each mitigation measure incorporated into the proposal.

MITIGATION MONITORING AND IMPLEMENTATION PLAN

Mitigation Measure	Party Responsible for Implementation	Implementation Timing	Monitoring Agency/Action
1. Air Quality			
a. Appropriate BAAQMD dust control measures shall be incorporated in construction contracts for grading and site preparation and for site grading.	The project developer shall prepare and implement a dust control plan for all site grading.	The dust control plan shall be submitted to the Planning Division for review and approval prior to the first building permit approval.	The Planning Division for ensuring that the dust control plan is attached to the approved building plans, and the Building Divisions for ensuring that the dust control plan is implemented with the site grading.
b. Appropriate BAAQMD permits shall be obtained before occupancy.	The project developer shall initiate permit proceedings with BAAQMD before occupancy.	Prior to building occupancy.	The Planning Division and Building Divisions for ensuring that the BAAQMD permits are obtained and that the measures are implemented.
2. Geology			
a. The project developer shall design the building, site, and utility plans to conform to current seismic design standards in the most recently adopted California Building Code Seismic Zone 8.	The project developer for designing the grading, building, and utility design plans in conformance to the applicable state and local codes and ordinances.	Review of the improvement plans for public improvements and site design and/or review of the building permit plans for the structures.	The building division for building and site design and inspections and the City Engineer for improvement plans and inspections.
3. Hazards and Hazardous Materials			
a. The project developer shall prepare and implement a Stormwater Pollution Prevention Plan for the development, with a Best Management Practices plan and monitoring provisions, designed to reduce potential impacts on surface water quality through the construction period of the project.	The project developer for preparing the Stormwater Pollution Prevention Plan.	The Stormwater Prevention Plan shall be reviewed and approved prior to the issuance of the first grading permit.	The Planning Division and the City Engineer and/or the Building Division shall review and approve the Stormwater Pollution Prevention Plan SWPPP and monitor its implementation during grading and construction.
b. The project developer shall prepare and implement a Hazardous Materials Storage and use permit in compliance with hazardous materials ordinance.	The project developer for preparing the hazardous materials permit and then submitting the permit to the City's hazardous materials ordinance.	The hazardous materials and storage permit application shall be reviewed and approved prior to occupancy.	The Livermore-Pleasanton Fire Department shall review the hazardous materials storage and use permit and shall coordinate

Franklin Drive Building – Mitigation Monitoring/Implementation Plan

Mitigation Measure	Party Responsible for Implementation	Implementation Timing	Monitoring Agency/Action
<p>4. Hydrology and Water Quality</p>	<p>Livermore-Pleasanton Fire Department for review.</p>	<p>Same as 6.a.</p>	<p>with the Building and Planning Divisions.</p>
<p>a. Same as 6.a.</p>	<p>Same as 6.a.</p>	<p>Same as 6.a.</p>	<p>Same as 6.a.</p>
<p>b. The proposed project shall fully comply with the specific requirements and intent of the County NPDES C.3 permit requirements with respect to runoff water treatment. The final drainage plan shall include measures designed to mitigate potential water quality degradation of runoff from all portions of the completed development.</p>	<p>The project developer shall design the grading and drainage plans in compliance with the NPDES requirements.</p>	<p>Time of the grading plan approvals and during project construction.</p>	<p>The City Engineer shall review the grading and drainage plans and shall verify their compliance with NPDES requirements.</p>
<p>c. Collect regional drainage fees on behalf of the Zone 7 Water Agency.</p>	<p>The project developer for the payment of fees.</p>	<p>At time of grading/building plan review.</p>	<p>The Building and Safety Division for the collection of fees and transfer to Zone 7.</p>
<p>d. The landscape areas adjoining the building shall be designed and graded to function as vegetative filter swales. The paved areas of the site will be designed and graded to drain to the swales for treatment before being discharged to the Arroyo de la Laguna.</p>	<p>The project developer for the designing the landscape plans as bio-swales in compliance with the PUD development plan and conditions.</p>	<p>The Planning Division shall review the building, grading, and landscape plans for compliance with this requirement.</p>	<p>The Planning Division shall verify the design compliance of the building and grading plans, the Building Division shall monitor the construction in compliance with the approved plans, and the Planning Division shall monitor the landscape installation in compliance with the approved plans.</p>
<p>5. Transportation and Circulation</p>			
<p>a. Payment of applicable traffic fees.</p>	<p>The project developer for the payment of City and regional traffic fees to the construction of improvements.</p>	<p>Time of the first building permit.</p>	<p>Chief Building and Safety Official for the payment of the fees.</p>

Franklin Drive Building – Mitigation Monitoring/Implementation Plan

Mitigation Measure	Party Responsible for Implementation	Implementation Timing	Monitoring Agency/Action
<p>b. All access driveways and internal circulation areas will be designed to City standards.</p>	<p>The project developer for the site plan and circulation plan in compliance with the PUD development plan and conditions.</p>	<p>The Planning Division shall review the site plan and circulation plan for compliance with this requirement.</p>	<p>The Planning Division shall verify the design compliance of the site plan and circulation plan, and the Building Division shall monitor the construction in compliance with the approved plans.</p>
<p>c. Bicycle racks shall be provided.</p>	<p>The project developer for the building plans in compliance with the development plan and conditions.</p>	<p>The Planning Division shall review the building plans for compliance with this requirement.</p>	<p>The Planning Division shall verify the compliance of the building plans, and the Building Division shall monitor the construction in compliance with the approved plans.</p>

CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

ORDINANCE NO. 1685

**AN ORDINANCE APPROVING THE APPLICATION
OF PROVIDIAN BANCORP FOR A MAJOR
MODIFICATION TO AN APPROVED PLANNED UNIT
DEVELOPMENT, AS FILED UNDER CASE
PUD-80-16-7M**

WHEREAS, Providian Bancorp has applied for a Planned Unit Development major modification and development plan approval to allow the construction of two (2) new, two-story office buildings totaling approximately 100,000 square feet of building floor area located on an approximately 11.15 acre site located at the southwest corner of Franklin Drive and Johnson Drive; and

WHEREAS, the proposal also includes the abandonment of the section of Morse Drive located between Franklin Drive and Johnson Drive; and

WHEREAS, zoning for the property is PUD (Planned Unit Development) - I/C-O (Industrial/ Commercial and Office) District; and

WHEREAS, the proposed project is covered by the negative declaration approved under PUD-80-16-3M; therefore no additional environmental document was prepared for this application; and

WHEREAS, Council received the Planning Commission's recommendation for approval of the proposed major modification and development plan approval; and

WHEREAS, a duly noticed public hearing was held on May 21, 1996; and

WHEREAS, the City Council finds that the proposed development plan modification is appropriate for the site and is consistent with the General Plan policies of the City; and

WHEREAS, the City Council finds that the section of Morse Drive located between Franklin Drive and Johnson Drive is no longer needed to provide vehicular and pedestrian access to the site and to other sites located in the business park.

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

Ordinance No. 1685

Page Two

Section 1: Approves Case PUD-80-16-7M, the application of Providian Bancorp for a Planned Unit Development major modification to allow the construction of two (2) new, two-story office buildings totaling approximately 100,000 square feet of building floor area located on an approximately 11.15 acre site located at the southwest corner of Franklin Drive and Johnson Drive, subject to the conditions on Exhibit "B", attached hereto and incorporated herein by this reference.

Section 2: Approves the abandonment of the section of Morse Drive located between Franklin Drive and Johnson Drive.


Section 3: 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 4: This ordinance shall be effective thirty (30) days after the date of its final passage and adoption.

INTRODUCED at a regular meeting of the City Council of the City of Pleasanton on May 21, 1996.

ADOPTED at a regular meeting of the City Council of the City of Pleasanton on June 4, 1996 by the following vote:

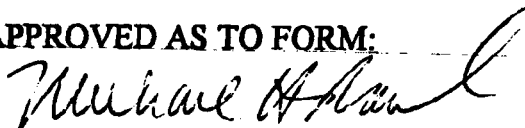
AYES: Councilmembers - Dennis, Michelotti, Mohr, Pico, and Mayor Tarver
NOES: None
ABSENT: None
ABSTAIN: None


BEN C. TARVER, MAYOR

ATTEST:


Peggy L. Ezidro, City Clerk

APPROVED AS TO FORM:


Michael H. Roush, City Attorney

ORDINANCE NO. 1685

PUD-80-16-7M

PUD Major Modification/Conditions of Approval

May 21, 1996

1. This PUD major modification will lapse within two (2) years from the 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.
2. All conditions of Case PUD-80-16-3M and Case PUD-80-16-4M shall remain in full force and effect except as follows:
 - a. The permitted uses for Area "F" of PUD-80-16-3M is changed from office/ industrial uses located in two, single-story buildings totaling 77,200 sq. ft., to surface parking for the adjacent complex.
 - b. PUD-80-16-6D (Resolution No. 90-140) for a two-building, 58,770 sq. ft. office/ industrial project on Area "F" is superseded by this PUD Development Plan.
 - c. The section of Morse Drive located between Franklin Drive and Johnson Drive is deleted as a public street.

EXHIBIT B

CLIENT



PROJECT

**PLEASANTON
CAMPUS**
**PROVIDIAN
CAMPUS
EXPANSION**

PLEASANTON, CA

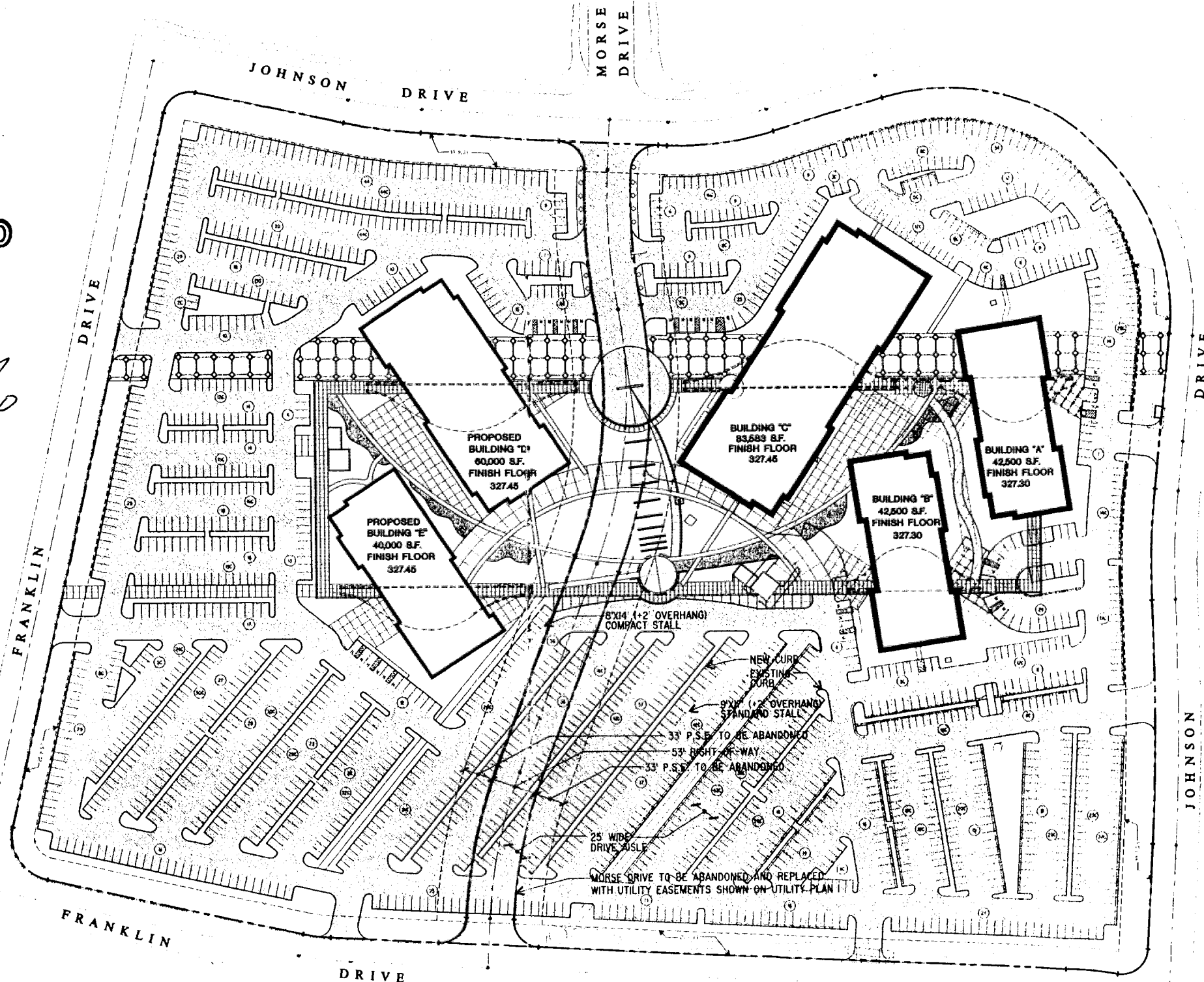
SHEET NAME
**SCHEMATIC
SITE PLAN**

REVISIONS

DATE **APRIL 9, 1996**
CONTACT **SDM/CTI**
JOB NUMBER **7638.1**

SHEET NO. **A1.1**
OF SHEET

EXHIBIT A
RECEIVED
MAY 02 1996
CITY OF PLEASANTON
PLANNING DEPT.
PUD-80-16-7M
PUD-80-16-11D



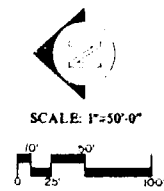
SCHEMATIC SITE PLAN

SITE DATA

TOTAL LANDSCAPE:	419,617 S.F.
TOTAL BUILDING FOOTPRINT:	134,292 S.F.
TOTAL A.C. PAVING AREA:	585,621 S.F.
TOTAL AREA:	1,139,530 S.F.

	EXISTING	PROPOSED	TOTAL
LAND AREA	13.85 AC	12.31 AC	26.16 ACRES OR 1,139,530 SF
BUILDING	188,583 SF	100,000 SF	288,583 SF
LAND TO BUILDING RATIO			23.67%
PARKING			
STANDARD	386	483	849 (48% OF TOTAL)
COMPACT	526	416	942 (52% OF TOTAL)*
ACCESSIBLE	19	11	30 (2% OF TOTAL)*
TOTAL	931	890	1821 1072 REQ'D

* NOTE: OF THE 749 PARKING SPACES THAT THE OWNER HAS PROVIDED IN ADDITION TO THE REQUIRED 1072 PARKING SPACES, THE OWNER HAS SELECTED TO MAKE A GREATER PERCENTAGE FOR COMPACT CARS. THE HIGH NUMBER OF ACCESSIBLE SPACES IS BASED ON THE TOTAL NUMBER OF PARKING SPACES PROVIDED.



CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

ORDINANCE NO. 1477

AN ORDINANCE APPROVING THE APPLICATION OF PACTEL PROPERTIES FOR A MAJOR MODIFICATION TO AN APPROVED PUD AS FILED UNDER CASE PUD-80-16-3M

WHEREAS, PacTel Properties has applied for a major modification to an approved Planned Unit Development for approximately 1,250,170 sq ft to relocate approved commercial, office and industrial uses located on an approximately 82.0 acre site located generally in the northwest quadrant of Hopyard Road and Stoneridge Drive; and

WHEREAS, zoning for the property is PUD (Planned Unit Development) - Service Commercial District; and

WHEREAS, at their duly noticed public hearing of July 17, 1990 the City Council after considering all public testimony, relevant exhibits, and recommendations of the City staff approved a negative declaration for this project; and

WHEREAS, Council received the Planning Commission's recommendations for approval of the proposed modifications; and

WHEREAS, the City Council finds that this proposal is in conformance with the approved PUD zoning and General Plan designation of the subject site.

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

Section 1. Approves the application of PacTel Properties for a major modification to an approved Planned Unit Development for approximately 1,250,170 sq. ft. to relocate approved commercial, office and industrial uses located on an approximately 82.0 acre site located generally in the northwest quadrant of Hopyard Road and Stoneridge Drive subject to the conditions shown on Exhibit "A" attached hereto and made part of this case by reference.

Section 2. The City staff is directed to cause a Notice of Determination to be filed pursuant to Section 5.4(g) of Resolution No. 77-66.

Ordinance No. 1477
Page Two

Section 3. 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.

Section 4. This ordinance shall be effective thirty (30) days after the date of its final passage and adoption.

INTRODUCED at a regular meeting of the City Council of the City of Pleasanton on 17th day of July 1990.


ADOPTED at a regular meeting of the City Council of the City of Pleasanton on the 21st day of August 1990 by the following vote:

AYES: Councilmembers - Butler, Mohr, and Tarver
NOES: Councilmember Brandes
ABSENT: None
ABSTAIN: Mayor Mercer



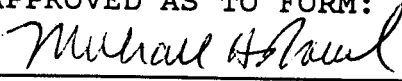
KENNETH R. MERCER, MAYOR

ATTEST:



Peggy L. Ezidro, City Clerk

APPROVED AS TO FORM:



Michael H. Roush, City Attorney

EXHIBIT "A"

**Conditions of Approval
PUD-80-16-3M
August 7, 1990**

1. The development shall be substantially as shown on the development plan titled "Schematic Master Plan/Signature Center" dated July 12, 1990 on file with the Planning Department, except as modified by the following conditions of approval.
2. Parcel specific building and individual site, landscape, and parking designs shall be approved by the Design Review Board, Planning Commission, and City Council.
3. The applicant shall submit site specific soils studies to the Building Official prior to issuance of building permits.
4. The applicant shall retain an archaeologist during excavation of the subject property. Said archaeologist shall be called to examine any artifacts unearthed during excavation.
5. Building floor area(s) shall be in accordance with the "Schematic Master Plan/Signature Center Summary of Land Use" table, as amended with the following conditions:
 - a. All floor area ratios shall be based on the building floor areas shown on the table.
 - b. Maximum floor area for any use shall be based either on the building floor area or floor area ratio, whichever is least.
 - c. The applicant is restricted to the specific floor area groupings as specified under the respective land use or land use alternative.
 - d. Primary and alternative uses and building floor areas for Parcel C shall be revised and shown as follows:
 - o Primary Land Use
Office - 65,700 sq. ft.; or
 - o Alternative Land Use
Office - 45,000 sq. ft.
Restaurant - 10,000 sq. ft.
Financial - 5,000 sq. ft.

Office - 52,000 sq. ft.
Financial - 10,000 sq. ft.

Office - 45,000 sq. ft.
Restaurant - 15,000 sq. ft.

6. Approval for the "Center Park" properties (APN 941-1301-67 through 72) for uses, 365,000 sq. ft. of floor area, a maximum 50% floor area ratio, restrictions, and requirements described under Ordinance Nos. 1046 and 1106, shall continue with full force and effect.
7. All permitted and conditionally permitted uses shall be as follows:
 - a. Research, Development, and Light Industrial Uses
 - 1) All industrial uses, activities and processes allowed by right in the I-P District, Section 18.48.140 of the Pleasanton Municipal Code. (No minimum required office floor area.)
 - 2) Industrial support and service facilities limited to the activities serving the primary uses allowed under this section, including, but not limited to, repair and maintenance of appliances or component parts, tooling, testing, etc.
 - 3) Warehousing and distribution type uses not including the storage of radioactive materials, fuel, or flammable liquids.
 - 4) Sales at wholesale, or sales to the ultimate consumer of products made to the customers orders.
 - 5) Engineering, drafting, and design facilities.
 - 6) Manufacture of prototypes.
 - 7) Research and development is allowed in conjunction with the primary industrial uses operated on the site.
 - b. Office Uses
 - 1) Administrative headquarters and executive offices,
 - 2) Business offices, including wholesaling establishments without stock, and not including the retail sale of any commodity on the premises,
 - 3) Business service offices, including employment agencies, accountants, notaries, stenographic, addressing, computing, and related services,

- 4) Business and professional consulting service offices,
- 5) Design professions offices not including retail sales on the premises,
- 6) Insurance offices,
- 7) Investment service offices,
- 8) Legal service offices,
- 9) Medical, dental, and related health service offices, including laboratories rendering services only and involving the manufacture, fabrication or sale of any article or commodity other than those incidental to the services provided.
- 10) Public utility consumer service offices,
- 11) Real estate, title company, and related offices,
- 12) Research and development offices not involving the manufacture, fabrication, or sale of products on the premises.
- 13) Travel agencies.
- 14) Day care centers, gymnasiums, and health clubs serving the primary office tenant with approval of a Conditional Use Permit. The day care center, gymnasium, and health club floor area shall be counted as part of the allowed office floor area.

c. Retail Uses

All permitted uses allowed by right in the CN District, Section 18.44.020, Table 18.44.090 of the Pleasanton Municipal Code.

d. Financial Institutions

Financial institutions allowed in the CN District, Section 18.44.020, Table 18.44.090 of the Pleasanton Municipal Code, only with a Conditional Use Permit.

e. Restaurants

Sit-down restaurants, delicatessens, espresso/coffee bars, ice cream parlors, etc. No drive-through restaurants are permitted.

f. Hotel

As specified under Section 18.08.240 of the Pleasanton Municipal Code, except that no guest room and/or suite may have a kitchen or cooking facility.

g. Miscellaneous

Day care centers, gymnasiums, and health clubs for the general public may be allowed on any parcel covered by this development plan with approval of a Conditional Use Permit. The day care center, gymnasium, and health club floor area shall be counted as retail floor area for square footage computation.

8. The following standards shall apply to all new development to occur on the properties covered by this development plan.

- a. Minimum building and parking setbacks shall match the perimeter Public Service Easements (PSE).**
- b. Attention shall be paid to the aesthetic relationship of new building siting and design to adjacent development.**
- c. HVAC equipment shall be screened from view by integral building walls, including parapet walls and/or extension of any roof slope elements as part of the overall design.**
- d. Exterior building design and finishes shall complement the design of adjacent buildings.**
- e. Building design shall reflect a variety of forms and not just the addition of finishes to uncreative building boxes.**
- f. Final driveway entrance locations and design will be reviewed and approved at the project application phase.**
- g. Building design shall minimize the appearance of mass in the horizontal and vertical planes.**
- h. Buildings shall be surrounded by heavy landscaping, except for those sides of the structure directly adjacent to the parking areas of the project site.**
- i. Buildings shall be designed as four-sided structures with respect to building form, materials, design, and detailing and shall be architecturally compatible with the design of the surrounding area. No theme or franchise building design will be allowed.**
- j. No materials, supplies, or equipment, excluding company**

owned or operated motor vehicles, shall be stored in any area on a site except inside or behind a solid visual barrier which screens such areas from public streets.

- k. Building elements and landscaping shall be used to screen truck loading areas from public streets.
 - l. All parking lot trees shall be installed with root boxes and deep watering pipes.
 - m. Minimum parking requirements for the uses covered by this development plan shall be as specified under Section 18.88.030, "Schedule of Off-Street Parking Space Requirements" of the Pleasanton Municipal Code. Final parking requirements shall be determined on a case by case basis at the time of design review.
 - n. Off-street loading facilities shall be reviewed and required on a case by case basis at the time of design review.
 - o. Development is subject to the following Standard Conditions of Approval including Nos. 1 through 11, 13 through 21, 24 through 27, 31, 38, 40 through 44, 52, 53, 55, and 56.
9. In addition to the above mentioned design standards, parcel-specific developments shall conform to the following design and development standards:
- a. 4900 and 5000 Hopyard Road
Maximum building height, floor area, and floor area ratio shall be as approved under PUD-80-16-1M and 2M, respectively.
 - b. Parcel A
 - 1) Maximum building height for the hotel shall be two stories or 40 feet measured from grade to the building parapet or ridge.
 - 2) Maximum height for the restaurant/financial building shall be 25' measured from grade to the building parapet or ridge.
 - 3) Maximum height for the retail building shall be 40' measured from grade to the building parapet or ridge.
 - 4) Maximum hotel floor area shall be specified at 40,000 sq. ft.

- 5) Parcel A shall be designed to provide driveway access to the restaurant site located on the Parcel's north side if determined to be appropriate by the City Engineer and Director of Planning.

c. Parcel B

- 1) Maximum building height shall be 22'.
- 2) Buildings located near Stoneridge Drive and Hopyard Road shall be one-story and shall generally be limited to a maximum height of 18 feet, measured from the parking lot grade to the top-of-roof or parapet wall. Additional height, for building design which minimizes the appearance of mass, may be allowed to provide architectural flexibility subject to the approval of the Design Review Board, Planning Commission, and City Council.

d. Parcel C

- 1) Restaurant/financial building size and location shall not preclude a large, single tenant use on the remainder of the site.
- 2) Maximum height for the restaurant/financial buildings shall be 22' measured from grade to the building parapet or ridge.
- 3) The height for office buildings shall be two-stories or 40' measured from grade to the building parapet or ridge. Office buildings taller than 18' shall be located towards the north side of Parcel C
- 4) Any building located near Stoneridge Drive shall be one-story and shall generally be limited to a maximum height of 18 feet, measured from the parking lot grade to the building parapet or roof ridge. Additional height, for building design which minimizes the appearance of mass, may be allowed to provide architectural flexibility subject to the review and approval of the Design Review Board, Planning Commission, and City Council.

e. Parcel D

- 1) Maximum building height shall be three stories or 55 feet measured from grade to the building parapet or ridge.

- 2) Joint access easements shall be recorded on Parcels D and E. These easements shall grant to the present and/or future property owners and their agents a non-exclusive right of ingress, egress, and circulation over the respective properties. A copy of the easement shall be furnished to the City Attorney for review of form and content and shall be recorded prior to issuance of a building permit.

f. Parcel E

- 1) Building height shall be two stories or 40 feet measured from the parking lot grade to the building parapet or roof ridge.
- 2) Joint access easements shall be recorded on Parcels D and E. These easements shall grant to the present and/or future property owners and their agents a non-exclusive right of ingress, egress, and circulation over the respective properties. A copy of the easement shall be furnished to the City Attorney for review of form and content and shall be recorded prior to issuance of a building permit.

g. Parcel F

- 1) Building height shall be 25 feet measured from the parking lot grade to the building parapet or roof ridge.
- 2) Joint access easements shall be recorded on Parcels G and F. These easements shall grant to the present and/or future property owners and their agents a non-exclusive right of ingress, egress, and circulation over the respective properties. A copy of the easement shall be furnished to the City Attorney for review of form and content and shall be recorded prior to issuance of a building permit.
- 3) A public sidewalk shall be installed in the Public Service Easement (PSE) at the time of development. Location and design shall be to the satisfaction of the Director of Planning and City Engineer.

h. Parcel G

- 1) Offices shall be limited to a maximum floor area of 60,000 sq. ft.; industrial uses shall be limited to a maximum floor area of 40,000 sq. ft. Industrial buildings shall be located facing the northwest

corner of Parcel G. Offices shall be designed with their buildings directly facing the westerly and southerly sides of Parcel G. A landscaped visitor parking/plaza area shall be located facing the southeast corner of Parcel G. Parking and truck loading areas shall be located in the central area of the project site. Truck docks/loading areas shall be screened from view. Final location, design, and screening of truck loading areas shall be determined at the project application phase.

- 2) The height of the office and industrial buildings shall be two stories or 40 feet measured from the parking lot grade to the building parapet or roof ridge.
 - 3) Joint access easements shall be recorded on Parcels G and F. These easements shall grant to the present and/or future property owners and their agents a non-exclusive right of ingress, egress, and circulation over the respective properties. A copy of the easement shall be furnished to the City Attorney for review of form and content and shall be recorded prior to issuance of a building permit.
 - 4) A public sidewalk shall be installed in the Public Service Easement (PSE) at the time of development. Location and design shall be to the satisfaction of the Director of Planning and City Engineer.
10. When Level of Service reaches actual LOS D (equal to or greater than 81% of capacity), at any affected intersection or intersections, the Developer shall begin to implement feasible mitigation measures. Affected intersections shall be the following:
- a. Stoneridge Drive/Hopyard Road,
 - b. Stoneridge Drive/Denker Drive,
 - c. Stoneridge Drive/Johnson Drive,
 - d. Stoneridge Drive/I-680 northbound and southbound off-ramps,
 - e. Hopyard Road/Morse Drive
 - f. Hopyard Road/Owens Drive, and
 - g. Hopyard Road/I-580 eastbound and westbound off-ramps.

Mitigation measures may include, but are not limited to, the following:

- a. Addition of a right turn lane southbound on Hopyard Road at Owens Drive.
- b. Widen eastbound Owens Drive approach to Hopyard Road to

accommodate another left-turn lane (this is the obligation of Reynolds and Brown).

- c. Addition of a fourth northbound through lane on Hopyard Road from the Sheraton Inn to Owens Drive.

Feasible traffic mitigation measures shall begin to be implemented on a priority basis, to be determined by the City Engineer and the Director of Planning (appealable to the City Council) beginning with the least stringent and the least costly. Increasingly more stringent mitigation measures will be required and implemented by the Developer in order to maintain traffic levels at better than LOS E (91% of capacity).

11. Each site specific project submitted to the City for approval shall be accompanied by a traffic study, prepared to the satisfaction of the Director of Planning and City Engineer, projecting future short-term levels of service at the following intersections:

If the traffic study analysis shows that any affected intersection, or intersections, would exceed LOS D (equal to or greater than 91% of capacity) but can be mitigated so as to be no greater than mid-LOS D (86% of capacity) after mitigations, the City shall condition approval upon implementation of this mitigation measures. No building permit may be issued until the mitigation measures are either under construction or the implementation programs are established.

If the traffic study analysis shows any affected intersection, or intersections, would exceed LOS D (equal to or greater than 91% of capacity), and indicates that there are no mitigation measures the Developer can implement to improve the intersections to mid LOS D (86% of capacity), then the City shall not approve the project application. No building permit may be issued until the mitigation measures are either under construction or the implementation programs are established.

12. All trucks serving the properties covered by this development plan approval shall use Hopyard Road, to and from I-580, to the maximum extent possible.
13. All items described in Conditions No. 2 through 12 shall be shown on the face of the Development Plan titled, "Schematic Master Plan/Signature Center" to the satisfaction of the Director of Planning prior to issuance of building permits.
14. The Signature Center owners shall notify future tenants and/or buyers of the location, use, and impacts of the Dublin San Ramon Services District (DSRSD) "Facultative Sludge

Lagoons". Staff and the applicant shall work with DSRSD to secure a mutually satisfactory notification statement prior to issuance of building permits for any project covered by this development plan.

15. The ordinance approving Case PUD-80-16-3M shall be recorded by the applicant in the office of the Alameda County Recorder so that it shall be clear to all existing and future property owners that all conditions of approval of this case shall run with the land.

(pactel.rc)/1/mp

PUD-80-16-13M

City of Pleasanton

GIS

Department

LBA Realty (Paul Thome)

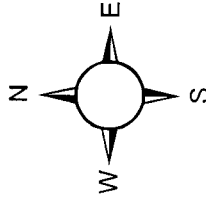


EXHIBIT F

Printed 9/9/2010



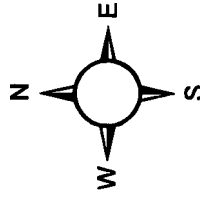
PUD-80-16-13M

City of Pleasanton

GIS

Department

Noticing Area



Printed 6/5/2010

