



DRAFT
EXHIBIT B
CONDITIONS OF APPROVAL
PDR-571
NOVEMBER 29, 2006

General

1. The proposed development shall be in substantial conformance to the development plans, Exhibit A, Site Plan and Elevation Drawings, dated “Received, November 9, 2006”, and Exhibit C, Colored Elevation Drawings and color and material board, dated “Received, September 22, 2006”, on file with the Planning Department, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Planning Director if found to be in substantial conformance to the approved exhibits, Exhibits A, B, and C, inclusive.
2. All conditions of approval for the approved Planned Unit Development (RZ-76-11) shall remain in force and are incorporated by reference.
3. The design review approval shall lapse one year from the effective date of approval unless a building permit is obtained and construction diligently pursued, or the City has approved a time extension.
4. All conditions of approval for this case shall be reprinted and included as a plan sheet(s) with the building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading and construction plans kept on the project site.

Planning

5. All window signage shall be restricted to 25 percent of each elevation of the restaurant’s window area, including that of the outdoor/patio sitting area.
6. Proposed outdoor lighting, if any, shall be of low intensity and shielded in order to minimize its visibility from off-site. Outdoor lighting shall not glare onto adjacent properties or streets. Exterior lighting shall use the lowest wattage and shall limit the number of fixtures to attain the lowest luminosity.

7. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period. 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, if any, shall be removed from the site at the end of each workday.
8. The approved building materials and colors shall be stated on the building permit plans to the satisfaction of the Planning Director. Substitutions shall not be allowed unless otherwise approved by the Planning Director.
9. Construction activities shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. The Planning Director may, upon request, modify these hours due to weather conditions.
10. All future buildings shall be subject to the Design Review process.
11. **Prior to final building permit inspection,** The existing roof-mounted equipment shall be screened from public view.
12. **Prior to final building permit inspection,** the applicant shall submit a complete sign program for the development.
13. **Prior to final building permit inspection,** the landscaping shall be installed and inspected and is to be maintained for the life of the project.
14. **Prior to final building permit inspection,** all trash receptacles and dumpsters shall be removed from the front parking lot area. All trash dumpsters shall be located in a City approved covered trash enclosure at all times.

Building

9. Obtain a building permit from the Building Department and any other applicable City permits for the project prior to the commencement of any construction.
10. All structures covered by this approval shall be constructed to:
 - a. Meet Title 24 state energy requirements, and
 - b. Comply with all codes and ordinances in effect before the Building Department will issue permits.
11. **Prior to final building permit inspection,** the Planning Department shall conduct a final inspection of the structure to ensure compliance with the plans.

12. **During Construction**, the project developer is responsible for implementing the following measures:
 - a. Portable toilets shall be kept as far as possible from existing residences and shall be emptied on a regular basis as necessary to prevent odor.
 - b. Gather all construction debris on a regular basis and place it in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water runoff pollution.
 - c. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom-sweep the street pavement adjoining the project site on a daily basis. Scrape caked-on mud and dirt from these areas before sweeping.
 - d. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing in the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.
 - e. Create a contained and covered area on the site for the storage of bags, cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system through being wind-blown or in the event of a material spill.
 - f. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
 - g. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, or storm drains.
 - h. Ensure that the project contractor is aware of, and abides by, all conditions of approval. The project developer is especially responsible for ensuring that the contractor is aware of and implements all erosion control/storm water quality measures.
 - i. Ensure that the project landscape contractor is aware of, and adheres to, the approved landscape and irrigation plans.

Engineering Conditions

13. The applicant shall apply for and receive an encroachment permit prior to the start of construction, if required.
14. The project developer shall:
 - a. Submit a waste management plan to the Building Department prior to issuance of building or demolition permits. The plan shall include the estimated composition and quantities of waste to be generated and how the project developer intends to recycle at least 50-percent of the total job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance of a final building permit. During demolition and construction, the project developer shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only". The project developer shall contact Pleasanton Garbage Service for the disposal of all waste from the site.
 - b. Submit a construction Best Management Practices (BMP's) program for review and approval by the Planning Director prior to issuance of building permits. These BMP's shall be implemented by the general contractor and all subcontractors and suppliers of materials and equipment. Construction site cleanup and control of construction debris shall also be addressed. Failure to comply with the approved construction BMP may result in the issuance of correction notices, citations, or a stop work order.
15. 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 developer. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.

Fire Conditions

16. The project developer shall meet all requirements of the Pleasanton Fire Code (Pleasanton Municipal Code, Chapter 20.24).
17. The project developer shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
18. **Prior to any construction framing**, the project developer shall provide adequate fire protection facilities, including, but not limited to a water supply and water flow in conformance to the City's Fire Department Standards, able to suppress a major fire.

{end}