

P-12-0556 (Conditional Use Permit)
P-12-0557 (Design Review)

Exhibit B

Received March 13, 2013
Planning Commission March 27, 2013

February 28, 2013

Ms Shweta Bonn
Associate Planner---City of Pleasanton
200 Old Bernal Ave
Pleasanton CA 94566

**RE: Building and Site Modification---Exiting Allowed Use
Mini-Mart Expansion (Canopy Remains as Existing)
Delong Oil Inc---4191 First Street Pleasanton CA**

Written Narrative Cases P12-0556 (CUP) & P 12-0557 (DR)

Dear Ms. Bonn,

What an exciting project planned for 4191 First Street. It has been a pleasure to discuss the planned expansion of the existing small kiosk and enhanced fueling for the facility located at 4191 First Street in Pleasanton over the past year and a half with you and staff. We wish to make this project a complete success and a welcomed enhancement to the transitional zone located in Downtown Design area. The Business owner, Mr. Delong Liu is looking forward to this improvement to the overall area and to his business objectives.

Per our pre-liminary meetings, review letters, community outreach meeting and our subsequent multiple staff follow-up meetings, I provide the written narrative as follows:

The planned addition of a Mini-Mart store consisting of approximately 1950 sq ft. with a small locally owed Coffee concession, (Jeremiahs Pick). This will allow the owner Mr. Liu to enhance his revenue while adding addition sales tax for the City of Pleasanton along with greatly improving the overall appearance of the facility. Since the facility is currently an operating fueling facility (fully allowed use under C-S zoning) operating since 1976 under Mr. Liu with a small c-store/kiosk there is no use change, just an enhancement to the existing facility appearance, size and functionality.

The hours of operation for the Mini-Mart are planned from 4am-11pm. The fueling will be 24 hour (same as existing), 7 days a week. There will be no more than 1 full time employee with a maximum of 1 part time employee in the facility at one time running the operations. We had great support for this new Mini-Mart after the Community Outreach Meeting discussions which were held on February 7th.

Page 2 of 2
Conditional Use Permit (CUP) City of Pleasanton
Owner Mr. DeLong Lie
4191 First Street
February 26, 2013

A Mini-Mart of 1950 sq. ft. requires 14 Stalls for parking per the Pecan 14 stalls have been provided. This will allow for adequate parking utilizing new parking and the potential of 12 parking areas under the canopy while patrons are fueling.

Delivery Trucks for merchandize are planned for between 6am and 10pm with fueling deliveries at 6am about twice a week.

The planned development will greatly enhance the overall appearance of the existing facility, while providing a clean and modern fueling and Mini-Mart environment along with continuing to be a vital community asset, as it has for the past 35 years.

Respectfully,

A handwritten signature in black ink, appearing to read "Terry L. Grayson", with a large, sweeping flourish extending to the right.

Terry L. Grayson
IronHorse Development
Authorized Owner Agent



Existing



Proposed

Conoco Phillips

Looking North from 1st Street

2/28/13

4191 First Street
Pleasanton, CA 94566

View #1

Applied Integration 510-514-0500



Existing



Proposed

Conoco Phillips

Looking West from 1st Street

4191 First Street
Pleasanton, CA 94566

View #2

2/28/13

Applied Imagination 510 514-0500



Existing



Proposed

Conoco Phillips

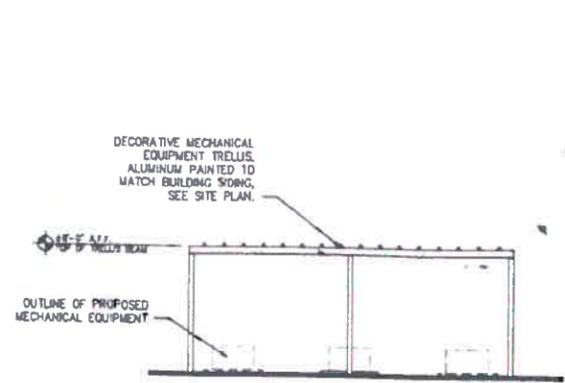
Looking Northeast from Trail

2/28/13

4191 First Street
Pleasanton, CA 94566

View #3

Applied Imagination 310 914-0500

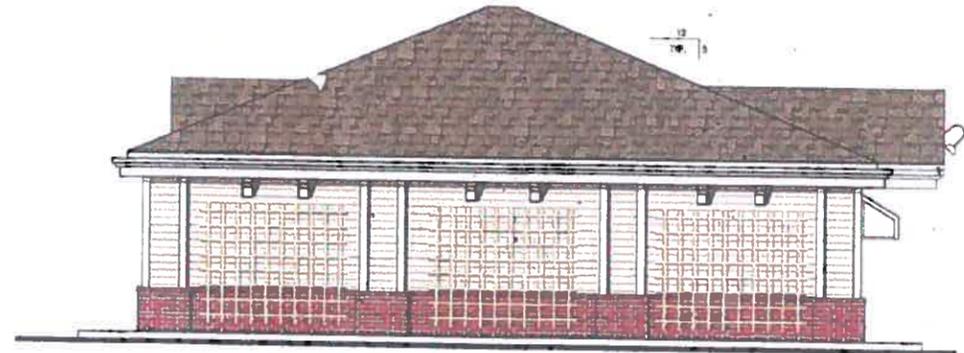


PROPOSED MECHANICAL EQUIPMENT TRELLIS
SCALE: 3/16" = 1'-0"

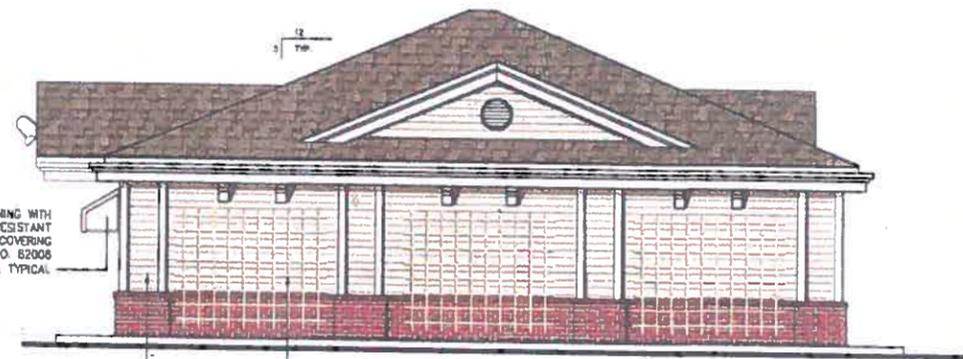


PROPOSED FRONT ELEVATION
SCALE: 3/16" = 1'-0"

- ROOF TILE: CERTAINTED ROOF TILE, PRESIDENTIAL SHAKE, COLOR: 'COUNTRY GREY', TYPICAL
- DECORATIVE AWNING WITH FIRE RESISTANT FABRIC COVERING, COLOR: FRESIST NO. B2006 'SAND', TYPICAL
- LINE OF ROOF PLATE, BEYOND
- DECORATIVE CORNICE PAINTED SHERWIN WILLIAMS 'STONE WHITE', TYPICAL
- SHIP-LAP SIDING, JAMES HARDE #JH40-10, COLOR: 'COBBLESTONE'
- DECORATIVE WALL SCONCE, 'WHITE' TO MATCH TRIM
- CORNER TRIM BOARD: PAINTED SHERWIN WILLIAMS 'STONE WHITE', TYPICAL
- BRICK ROWLOCK, TO MATCH VENEER, TYPICAL
- BRICK VENEER WAINSCOT, TYPICAL



LEFT SIDE ELEVATION
SCALE: 3/16" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 3/16" = 1'-0"

- DECORATIVE AWNING WITH OPEN ENDS, FIRE RESISTANT FABRIC COVERING, COLOR: FRESIST NO. B2006 'SAND', TYPICAL
- WALL PLASTER, RAISED 6" FROM WALL SURFACE, TYPICAL WHERE SHOWN
- DECORATIVE, WALL MOUNTED, ALUMINUM LANDSCAPE TRELLIS, TYPICAL



REAR ELEVATION
SCALE: 3/16" = 1'-0"

Jun 11, 2012 - 1:12pm by oortiz G:\CLIENTS\SP7232 Ironhorse Development\4191 First St., Pleasanton, CA\4191 first street, ELEVATIONS.dwg

EXISTING ILLUMINATED,
30" DIAMETER, '76' PLATFORM
SIGN, TYPICAL OF 2

EXISTING CONTINUOUS ALUMINUM
COMPOSITE MATERIAL (A.C.M.)
FASCIA, COLOR: "OASIS WHITE",
TYPICAL

76

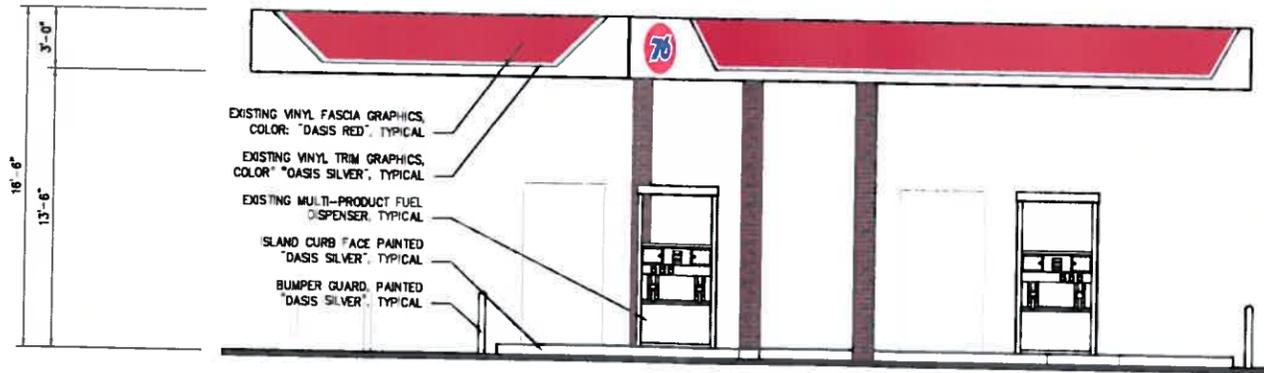
EXISTING VINYL FASCIA GRAPHICS,
COLOR: "OASIS RED", TYPICAL

EXISTING VINYL TRIM GRAPHICS,
COLOR: "OASIS SILVER", TYPICAL

NEW CANOPY COLUMN SHROUD
WITH STONE VENEER TO MATCH
BUILDING WAINSCOT, TYPICAL

CANOPY ELEVATION - FIRST STREET

SCALE: 1/4" = 1'-0"



CANOPY ELEVATION - RAY STREET

SCALE: 1/4" = 1'-0"

NO.	REV.	FOR CLIENT/PLANNING COMMENTS	DATE	BY	APPD
3	REV.	FOR CLIENT/PLANNING COMMENTS	08-11-12		
7	REV.	FOR PLANNING/CLIENT	08-11-12		
	REV.	FOR CLIENT COMMENTS	11-08-11		

11200 Stone Center Drive
Folsom, California, CA 95743
www.tait.com E: TAIT@TAIT.COM

TAIT
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Architect
Engineer
Interior Designer
Landscape Architect
Planner
Historic Preservation

TITLE: PROPOSED CANOPY ELEVATIONS
CLIENT: IRONHORSE DEVELOPMENT
P.O. BOX 7022
FOLSOM, CALIFORNIA 95673
PROJECT: ConocoPhillips WRAP PROGRAM
4191 FIRST STREET & RAY STREET
PLEASANTON, CALIFORNIA 94566

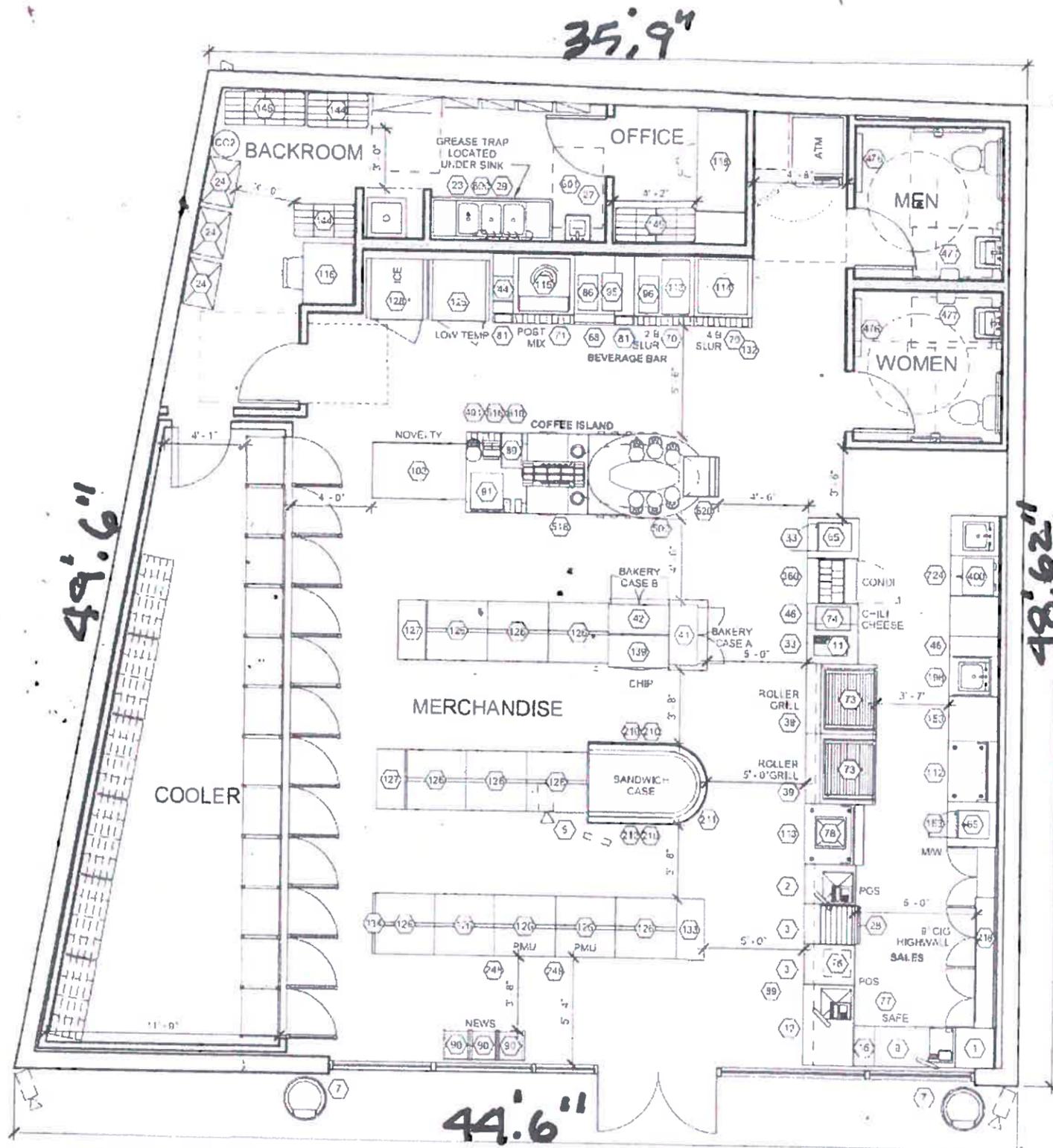
DRAWN: DC	DATE: 07-27-11
CHECKED: -	DATE: -
REV. NO: 3	DATE: 08-11-12
FILE NAME: -	JOB NO: SP7232

SEAL:

SHEET NO:
A-3

SHEET - OF -

SCALE: AS NOTED



LAYOUT INFORMATION

ROLLER GRILLS	2
SANDWICH CASE	CID
VAULT DOORS	12
LOW TEMP DOORS	1
ICE MERCHANDISER	1 DR
NOVELTY CASE	1
BAKERY CASE	2
SLURPEE BARRELS	6

GONDOLA UNITS	23
END CAPS	3
HIGHWALLS	0
TOTAL	26

TOTAL SQ FT = 1953
 SALES FLOOR AREA = 1877



EYES ONLY CONDITIONS SHOWN IN THESE PRELIMINARY DRAWINGS ARE BASED ON DRAWINGS AND INFORMATION PROVIDED TO HFA BY THE OWNER OR THE OWNER'S ONLY AUTHORIZED REPRESENTATIVE. HFA HAS NOT FIELD VERIFIED THE EXISTING CONDITIONS INFORMATION AND ASSUMES NO RESPONSIBILITY FOR THE ACCURACY AND COMPLETENESS OF THIS INFORMATION.

1

1023452 PLEASANTON, CA - EQUIPMENT LAYOUT 7

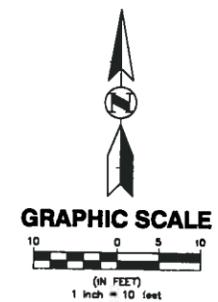
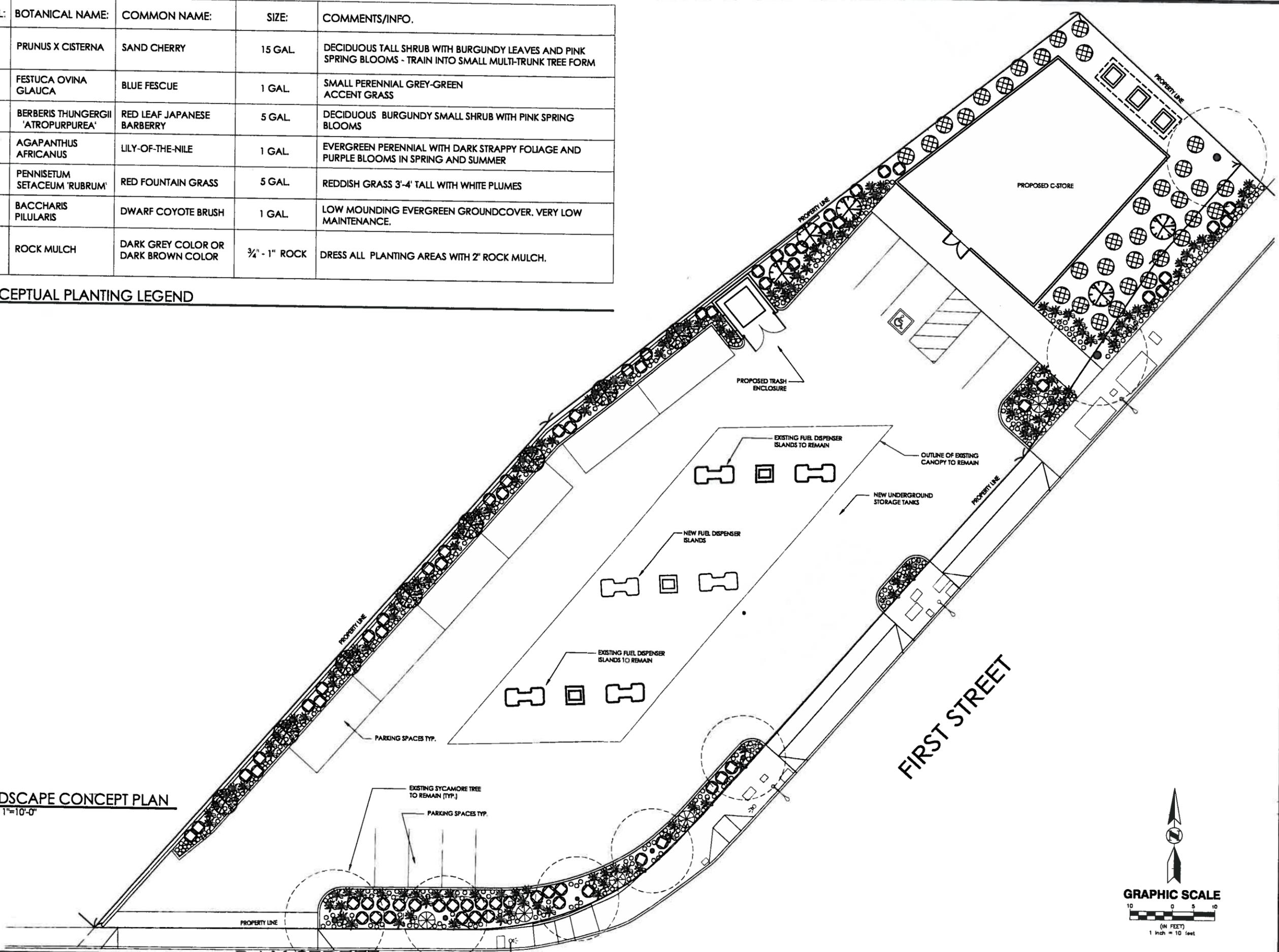
1ST @ RAY

HFA #11-00549

SYMBOL:	BOTANICAL NAME:	COMMON NAME:	SIZE:	COMMENTS/INFO.
	PRUNUS X CISTERNA	SAND CHERRY	15 GAL.	DECIDUOUS TALL SHRUB WITH BURGUNDY LEAVES AND PINK SPRING BLOOMS - TRAIN INTO SMALL MULTI-TRUNK TREE FORM
	FESTUCA OVINA GLAUCA	BLUE FESCUE	1 GAL.	SMALL PERENNIAL GREY-GREEN ACCENT GRASS
	BERBERIS THUNGERGII 'ATROPURPUREA'	RED LEAF JAPANESE BARBERRY	5 GAL.	DECIDUOUS BURGUNDY SMALL SHRUB WITH PINK SPRING BLOOMS
	AGAPANTHUS AFRICANUS	LILY-OF-THE-NILE	1 GAL.	EVERGREEN PERENNIAL WITH DARK STRAPPY FOLIAGE AND PURPLE BLOOMS IN SPRING AND SUMMER
	PENNISETUM SETACEUM 'RUBRUM'	RED FOUNTAIN GRASS	5 GAL.	REDDISH GRASS 3'-4' TALL WITH WHITE PLUMES
	BACCHARIS PILULARIS	DWARF COYOTE BRUSH	1 GAL.	LOW MOUNDING EVERGREEN GROUNDCOVER, VERY LOW MAINTENANCE.
	ROCK MULCH	DARK GREY COLOR OR DARK BROWN COLOR	3/4" - 1" ROCK	DRESS ALL PLANTING AREAS WITH 2" ROCK MULCH.

CONCEPTUAL PLANTING LEGEND

LANDSCAPE CONCEPT PLAN
SCALE: 1"=10'-0"



NO.	REVISION	DATE	BY	APP'D
4	REVISED LANDSCAPE PLAN PER SITE REVISIONS	3-7-13	CUC	
3	MODIFIED LANDSCAPE PLAN PER SITE REVISIONS	11-08-12	CUC	
2	MODIFIED LANDSCAPE PLAN PER SITE REVISIONS	2-17-12	CUC	
1	REVISED LANDSCAPE PLAN PER SITE REVISIONS	12-08-11	EVG	

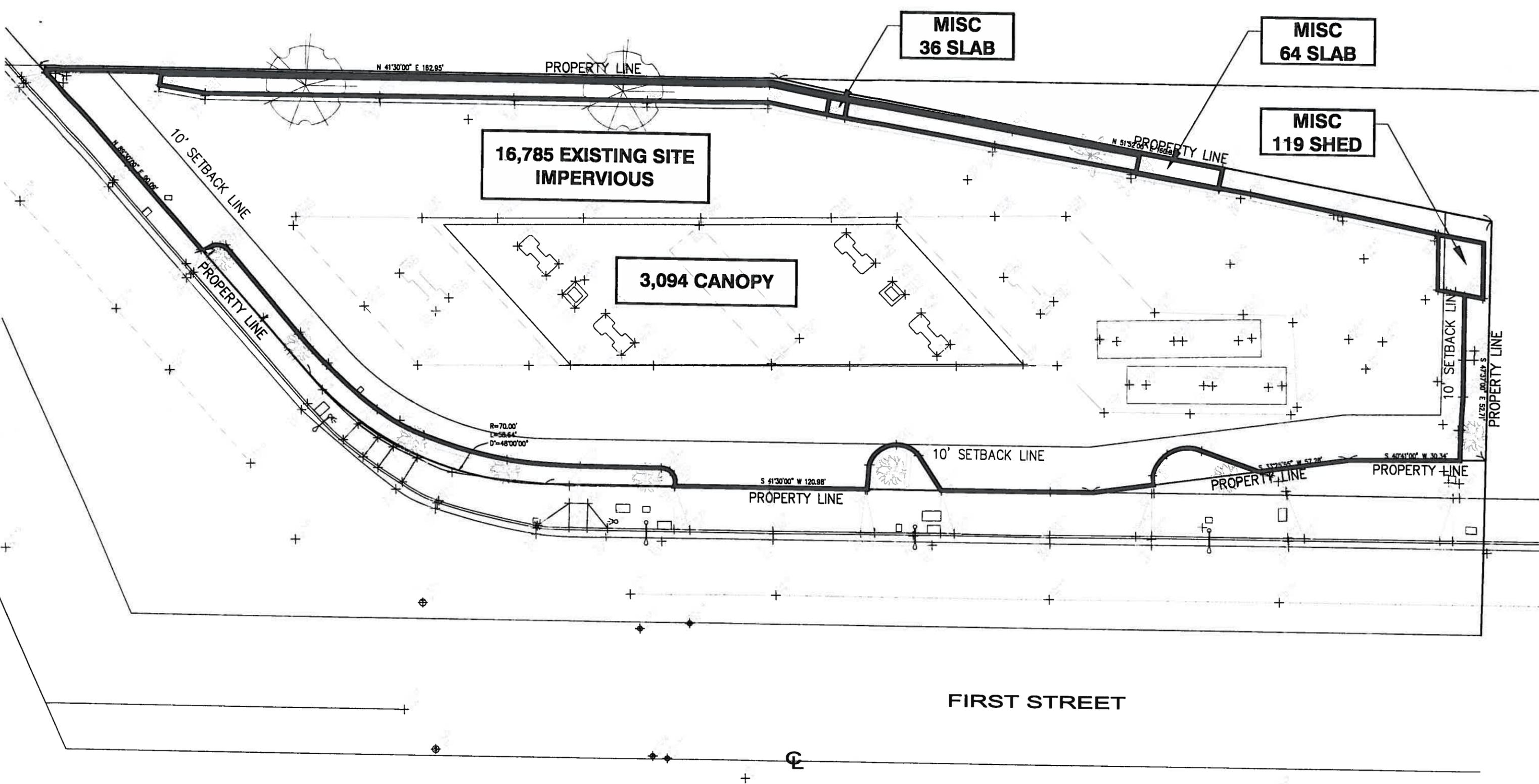
HUMANITERRA
DESIGN & LANDSCAPE ARCHITECTURE
15000 Rockwood Road, Folsom, CA 95630
916.817.2020
christina.greene@hmanterra.com

LANDSCAPE CONCEPT PLAN
IRONHORSE DEVELOPMENT
P.O. BOX 7022
FOLSOM, CALIFORNIA 95763
PROJECT: ConocoPhillips WRAP PROGRAM
4171 FIRST STREET
PLEASANTON, CALIFORNIA 94566

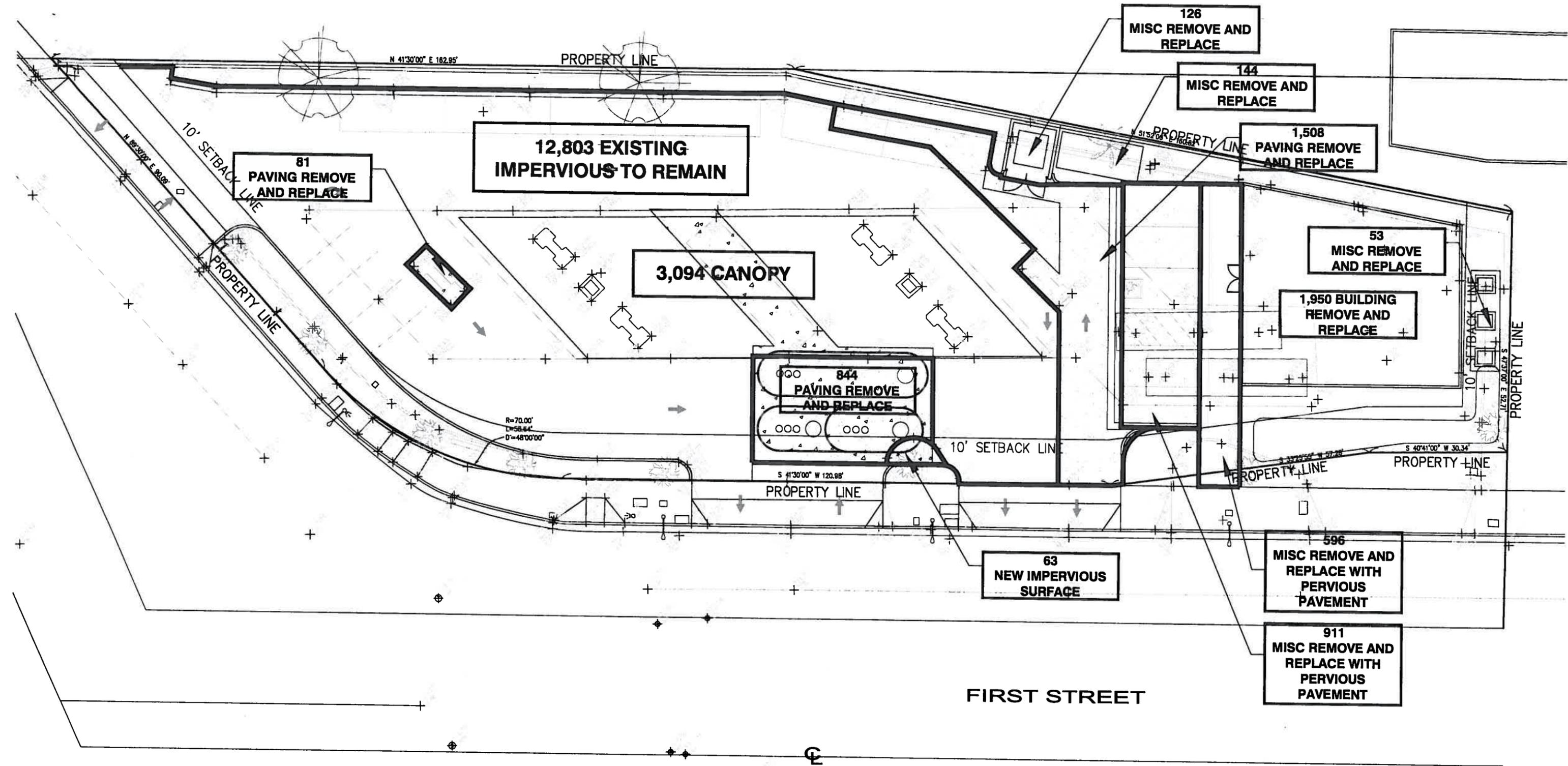
DATE	CMG	TITLE	CLIENT	PROJECT
08-15-11		LANDSCAPE CONCEPT PLAN	IRONHORSE DEVELOPMENT	CONOCO PHILLIPS WRAP PROGRAM

SEAL: _____
SHEET NO: **L-1**
SHEET OF _____
SCALE: AS NOTED

Mar 07, 2013 - 3:50pm by Chris C:\Users\Chris\Documents\9-Work\IronHorse Projects\Conoco Pleasanton\4191 First Street\ Pleasanton Landscape 4.dwg



EXISTING IMPERVIOUS SURFACE EXHIBIT
 1491 FIRST STREET, PLEASANTON, CA



IMPERVIOUS AREA REMOVE AND REPLACE EXHIBIT
 1491 FIRST STREET, PLEASANTON, CA

From: Shweta Bonn
Sent: Friday, December 14, 2012 2:21 PM
To: Tracy Quijada
Subject: RE: No 7-11

Tracy,

To answer your question, the applicant requested for the project to be continued to a future (not yet determined) Planning Commission hearing.

The minutes have yet to be drafted by the person that completes them, and would be subject to the review and approval by the Planning Commission before being finalized. They will be in draft form, at the earliest, on Friday, January 4, 2013 (they are usually posted on the City's website the Friday before the next Planning Commission meeting, which will be January 9, 2013).

In the meantime, you can listen to an audio file for the meeting by clicking on the following link:
<ftp://ftp.ci.pleasanton.ca.us/Planning/2012/December%2012,%202012.MP3>

Best regards,
Shweta Bonn
Associate Planner
City of Pleasanton
200 Old Bernal Avenue
P.O. Box 520
Pleasanton, California 94566
P: (925) 931-5611
F: (925) 931-5483
E: sbonn@cityofpleasantonca.gov

From: Tracy Quijada
Sent: Friday, December 14, 2012 2:11 PM
To: Shweta Bonn
Cc: Robin Eric Ryan Daniel Cruz
Subject: Re: No 7-11

Hello Shweta.

I was unable to attend the second half of this week's meeting. Can you please tell me where I can find the minutes? I would like to find what happened after the commission's 9:00PM break.

Thank you.
Tracy

From: Shweta Bonn
Sent: Monday, December 17, 2012 7:59 AM
To: robert cortez
Subject: RE: Preposed First Street 7-Eleven Convenience Store

Thank you for your email, Robert.
For your information, during the December 12, 2012 Planning Commission meeting, the applicant requested for the project to be continued to a future (not yet determined) Planning Commission hearing. In the event you are interested, you can listen to an audio file for the meeting by clicking on the following link:
<ftp://ftp.ci.pleasanton.ca.us/Planning/2012/December%2012,%202012.MP3>

From: robert cortez
Sent: Saturday, December 15, 2012 3:47 PM
To: Shweta Bonn
Subject: Preposed First Street 7-Eleven Convenience Store

Ms Shweta Bonn, Associated Planner
City of Pleasanton

This is Robert Cortez, I am a long term property owner on
. I wish to register my serious concern and opposition to the planned First Street 24-hour 7-Eleven convenience store. As you know, we currently have in the immediate area a well established locally owned non-franchise market and in the block adjacent, a locally-owned liquor outlet. Once established, common sense dictates, for the 7-Eleven, selling liquor would become the next step in expanding their business. Another concern, the intersection of First and Vineyard is a high traffic point, both for vehicle and pedestrians, especially during hours of school and people going to and returning from their place of work. The addition of a 7-Eleven outlet would only exacerbate traffic and in particular, safety concerns for the City. Why place a nationwide franchise in competition with our locally-owned businesses? It is a disservice and an additional burden on the City services, and a step toward destroying the unique down-town atmosphere we all share.

Thank you,

Robert Cortez

From: Shweta Bonn
Sent: Monday, December 17, 2012 1:12 PM
To: Art Gwerder
Subject: RE: P12-0556, P12-0557, and P12-1790 Terry Grayson/Ironhorse Development

Thank you for your email.

For your information, during the December 12, 2012 Planning Commission meeting, the applicant requested for the project to be continued to a future (not yet determined) Planning Commission hearing. In the event you are interested, you can listen to an audio file for the December 12th meeting by clicking on the following link:

<ftp://ftp.ci.pleasanton.ca.us/Planning/2012/December%2012,%202012.MP3>

Also for your information, the link for the December 12, 2012 Planning Commission Meeting Agenda is as follows: <http://www.cityofpleasantonca.gov/pdf/Agenda-12-12-2012.pdf>; the staff report and associated attachments can be downloaded from the links within the agenda.

From: Art Gwerder
Sent: Monday, December 17, 2012 11:57 AM
To: Shweta Bonn
Subject: P12-0556, P12-0557, and P12-1790 Terry Grayson/Ironhorse Development

Dear Ms Bonn,

I'm hopeful it's not too late to voice my opinion. We are the owners of _____ in Pleasanton, a neighbor to the proposed 7/11 project on First and Ray Street. **We are vehemently**

opposed to this proposal as it is not harmoniously consistent with the small town feel neighborhood. Will fast food be next to our dear downtown? The current Conoco 76 station provides a service, selling gas and a few emergency items up until 10pm, that is fine. Since we are asleep in the early evening just a few hundred feet away as the crow flies, I cannot imagine the noise that will be generated by this 24 hour store. As it is, we hear the audible crosswalk beeping for First Street. Please, please, do not allow this 7/11 project to be approved.

Thank you.

Art Gwerder
Susan Gwerder

From: Shweta Bonn
Sent: Thursday, December 20, 2012 7:46 AM
To: Tracy Dunne
Subject: RE: 7-Eleven??

Tracy,

Notices are sent to residents within a 1,000-foot radius around the subject site. The notices are sent at the latest "two Fridays" before a Planning Commission hearing. For example, for the January 9, 2013 Planning Commission meeting, they would be mailed out at the latest on Friday, December 28, 2012. A notice is also posted in the newspaper (The Valley Times) at least 10 days in advance of a Planning Commission meeting. Please note that any project at 4191 First Street is not scheduled for the January 9, 2013 meeting; this is just an example.

The Planning Commission typically meets twice a month, every second and fourth Wednesday in the Council Chambers, 200 Old Bernal Avenue. Sometimes meetings are canceled due to holidays or other reasons – December only had the one meeting, on December 12th. You can also refer to the community calendar on the City's website – just be sure you have clicked on "City Meetings" on the left: <http://www.ci.pleasanton.ca.us/community/calendar/>

I hope this is helpful.
Shweta.

From: Tracy Dunne
Sent: Wednesday, December 19, 2012 4:44 PM
To: Shweta Bonn
Subject: Re: 7-Eleven??

Thank you for the prompt response. By the way, how does the city determine which residents receive which public notices? And how far in advance is the notice sent.

Tracy

On Dec 19, 2012, at 4:29 PM, Shweta Bonn <sbonn@cityofpleasantonca.gov> wrote:

From: Shweta Bonn
Sent: Wednesday, December 19, 2012 4:29 PM
To: Tracy Dunne
Cc: David Nagler
Subject: RE: 7-Eleven??

Tracy,

The applicant indicated that he wanted to consider other options for development on the site, but has not yet submitted anything to the City (or indicated that he would be doing to so on January 7, 2013). If another public hearing is scheduled, you would receive a notice informing you of the hearing.

Best,
Shweta Bonn

Associate Planner
City of Pleasanton
200 Old Bernal Avenue
P.O. Box 520
Pleasanton, California 94566
P: (925) 931-5611
F: (925) 931-5483
E: sbonn@cityofpleasantonca.gov

-----Original Message-----

From: Tracy Dunne
Sent: Wednesday, December 19, 2012 4:23 PM
To: Shweta Bonn
Cc: David Nagler
Subject: 7-Eleven??

Ms. Bonn,

I just heard from a neighbor that the 7-Eleven application for first and Ray is being re-submitted for January 7, 2013? I just wanted to check to see

- a) if this was true;
- b) if there were any changes to the application;
- c) what the public notification process is.

Thank you very much.

Tracy Dunne

From: Shweta Bonn
Sent: Thursday, December 27, 2012 8:47 AM
To: Eric Everson
Subject: RE: 7-11

Thank you for your email.

For your information, during the December 12, 2012 Planning Commission meeting, the applicant requested for the project to be continued to a future (not yet determined) Planning Commission hearing. In the event you are interested, you can listen to an audio file for the December 12th meeting by clicking on the following link:

<ftp://ftp.ci.pleasanton.ca.us/Planning/2012/December%2012,%202012.MP3>

Also for your information, the link for the December 12, 2012 Planning Commission Meeting Agenda is as follows: <http://www.cityofpleasantonca.gov/pdf/Agenda-12-12-2012.pdf>; the staff report and associated attachments can be downloaded from the links within the agenda.

From: Eric Everson
Sent: Thursday, December 27, 2012 7:16 AM
To: Shweta Bonn
Subject: 7-11

I live off Vineyard and sure hope that you do not approve the 7-11. No need for an all night store like that in the area especially with Coles Market so close.

Please let me know if you need anything else from me to express my concern about this being approved.

Thanks,

Eric E. Everson

-----Original Message-----
From: Tracy Dunne [mailto:tracydunne@mac.com]
Sent: Tuesday, February 05, 2013 9:06 PM
To: Shweta Bonn
Cc: David Nagler; Robin Cruz
Subject: Union 76 Community Outreach Efforts

Ms. Bonn,

I am passing along the attached flyer, which I found posted just today on the NOT A THROUGH STREET sign at the corner of our=street, Ray and Walnut. I do not know the extent to which these flyers are=being distributed. I only saw one flyer, in addition to the one taped on the sign, on one porch on Walnut Drive, but I thought you should have it. I do hope the community outreach efforts are comprehensive enough so as to be effective at engaging the neighbors.

Phone call with Carla Graci on March 18, 2013 – Carla expressed concerns regarding the proposed project and indicated that she was against the project before and she is against the revised proposal. She also expressed concerns that there are a number of convenience markets in the immediate vicinity and doesn't feel that there should be another one.

Thank you Erica, that's great news!

From: Erica Fraser <efraser@cityofpleasantonca.gov>
To: Briana Scherer <brisch@pacbell.net>
Sent: Mon, March 18, 2013 11:13:20 AM
Subject: RE: Proposed 7-11 Convenience Store on First Street

Tom and Briana -

Thank you for your email regarding this project. A copy of your email will be given to the Planning Commission.

The project has been modified since it was reviewed by the Planning Commission on December 12, 2012.

The new proposal is for a convenience store, but it is not for a 7-11 store. The hours have been reduced (no longer 24 hours) and the applicant is requesting that they be allowed to operate from 4:00 am until 11:00 pm. Alcohol sales would be prohibited at this location.

The Staff Report for the project will be available on the City's website prior to the meeting if you would like to take a look at it.

Please let me know if you have any questions or other comments.

Erica Fraser, AICP
925-931-5621

From: Shweta Bonn
Sent: Monday, March 18, 2013 10:54 AM
To: Briana Scherer
Cc: Erica Fraser
Subject: RE: Proposed 7-11 Convenience Store on First Street

Thank you for your email. I am copying Erica Fraser, Associate Planner on this email so that she is aware of your comments and can provide them to the Planning Commission.

From: Briana Scherer [mailto:brisch@pacbell.net]
Sent: Saturday, March 16, 2013 12:20 PM
To: Shweta Bonn
Subject: Fw: Proposed 7-11 Convenience Store on First Street

To the Pleasanton Planning Commission,

We just received notice today of a public hearing regarding the proposed 7-11 convenience store at 4191 First Street.

Our concerns are listed in our email sent 12/4/12. We are **strongly against** this type of store at this location.

Why build this type of store located in a residential area and an area so close to downtown? We already have Coles Market which is open from 7am - 10pm (which would suffer financially from this proposed store).

What could we expect from a store that would be open 24 hours.... **crime, accidents, loitering, noise, parking and traffic overflow into the residential areas near this store, and depreciation of home values.**

Many families with children live in this neighborhood. Why would we want to have this unsafe environment that could potentially come from a store like this around our children who live in this area?

Doesn't Pleasanton have enough to deal with due to the increase in crime and robberies since the opening of the Stoneridge Bart station? This type of business will potentially draw more of this to our City and so close to the residential and downtown area.

As one person stated in a Yelp about the 7-11 located on 3rd Street in San Mateo:

"Rough area. There are illegal day laborers and thugs standing outside of this place at all times of the day and night. If you're a female, expect to be cat called, whistled at, and stared down.

The parking lot is extremely small and almost always completely full. It makes you nervous, because all the illegals and thugs drove there and NONE of them have insurance or a license. So if your car is hit, expect them to run.

Inside, it is a standard 7-11. The staff deserves 5 stars for being super friendly and always helpful even though they always have dirt bags in the place.

Outside, it feels like you're gonna get robbed or your car will get stolen while you're inside the store.

I'd feel just as safe as standing at a 7-11... on a corner... in Oakland..."

Again, we are requesting that the Planning Commission reconsider building this type of store in our neighborhood.

Thank you,

Tom and Briana Scherer

----- Forwarded Message -----

From: Briana Scherer <brisch@pacbell.net>
To: Shweta Bonn <sbonn@cityofpleasantonca.gov>
Sent: Tue, December 4, 2012 2:22:05 PM
Subject: RE: Proposed 7-11 Convenience Store on First Street

In addition to our concerns, I also found the following City of Pleasanton ordinance that apply to this type of business in a residential area, all of which apply. It seems that this type of business will be taxing not only on the residential community, but on the Owners of the business.

9.04.035 Noise limits—Commercial or industrial use adjacent to residential zone.

Any *business* establishment which is located within 300 feet from any residential zone and which remains open for *business* at any time between the *hours* of 10:00 p.m. and 6:00 a.m. shall adhere to the following standards of performance:

- A. The noise level produced on the *business* premises between the *hours* of 10:00 p.m. and 6:00 a.m. shall not exceed the residential noise standard at the property plane between the residential zoning district and the commercial zoning district.
- B. In the case of a *business* establishment which: (1) serves alcohol, (2) is located within 300 feet from a residential zoning district, and (3) is open for *business* between the *hours* of 10:00 p.m. and 6:00 a.m., the *business* owner and/or agent in charge shall arrange for responsible agents to patrol the parking lot and take reasonable actions necessary to inhibit loitering, shouting, fighting, revving of vehicle engines, the rapid acceleration of vehicles and other activities which would disturb the peace of a residential neighborhood.
- C. No trash shall be dumped outside of the enclosed building area between the *hours* of 10:00 p.m. and 6:00 a.m. In the alternative, a *business* which finds it necessary or convenient to dump trash between 10:00 p.m. and 6:00 a.m. may demonstrate pursuant to Section 9.04.110 of this chapter that sound levels from dumping trash are insignificant or have been adequately mitigated. This subsection does not prohibit regularly scheduled pick up of trash by commercial garbage companies.
- D. The person in charge of a *business* premises, whether that person is an owner, employee, agent or contractor, shall be responsible to assure compliance with subsections A through C of this section.
- E. The owner of each *business* subject to this section shall be responsible to inform his or her managers, employees, agents and contractors of the requirements of this section. (Ord. 1341 § 1, 1987)

--- On Tue, 12/4/12, Shweta Bonn <sbonn@cityofpleasantonca.gov> wrote:

From: Shweta Bonn <sbonn@cityofpleasantonca.gov>
 Subject: RE: Proposed 7-11 Convenience Store on First Street
 To: "Briana Scherer" <brisch@pacbell.net>
 Date: Tuesday, December 4, 2012, 1:59 PM

Thank you for your email. A copy of your correspondence will be provided to members of the

Planning Commission for their consideration.

From: Briana Scherer [<mailto:brisch@pacbell.net>]
Sent: Tuesday, December 04, 2012 1:57 PM
To: Shweta Bonn
Subject: Proposed 7-11 Convenience Store on First Street

To the Pleasanton Planning Commission:

We are strongly opposed to the proposed building of a 7-11 market on First Street. This type of 24-7 convenience store could potentially cause the following to our neighborhood:

1. Traffic / Accidents. First Street draws a lot of traffic, especially during commute hours. The majority of the traffic during peak commute hours are commuters cutting through Pleasanton to avoid clogged 580. Motorists getting in and out of this store would cause major slow-downs, back-ups, etc. on First Street. The cigarette store already has customers making "quick pull-overs" to the store on First Street, causing motorists to slam on their brakes to avoid an accident. If motorists get frustrated about getting out of that corner and depending on the outlets in/out of this store location, you do, in theory, invite the possibility of customers bleeding into neighborhood streets to avoid this corner. Kottinger Drive would be one of those streets where traffic could potentially increase. We have already seen an increase in cross-through traffic on our street (and speeders), and we are strongly concerned about this potential increase of traffic/speeders and the danger/risks it may cause to the amount of children and elderly that live on this street.
2. Crime / Noise. Since this will be a 24-7 convenient store, it will draw loiters and possible increase in crime at all hours of the night. We have enough businesses on First Street (i.e., massage parlor(s), cigarette stores) that draw "shady" customers. We also do not need the added noise and trash that this store can potentially bring to our neighborhood.
3. Location. This store would be located on a street that is in close proximity to downtown Main Street, tree-line streets and historical houses. This store will stand out like a sore thumb and will not make a good impression to people who are visiting the downtown area.

We are requesting that the Planning Commission reconsider building this type of store in our neighborhood.

Thank you,

Tom and Briana Scherer

Pleasanton

From: Robert [mailto:robert_huber@sbcglobal.net]
Sent: Monday, March 18, 2013 7:52 PM

To: Shweta Bonn

Subject: P12-0556 and P12-0557

I am opposed to the plan for property at 4191 First Street. This is very similar to the previous plan that was thankfully rejected, and I fear the proposed "convenience market" would lead to a decrease in the value of my property on Colby Court which is located almost directly behind this property. Such "convenience markets" are often accompanied by high crime and other undesirable traits that would make my neighborhood less safe and therefore less desirable a place to live. There would also be a likely negative impact the nearby market which would also adversely affect the area. Risking decreasing property values of many homes for the desire of a single property owner seems a poor trade-off for the city.

Thank you.
Robert Huber

From: cagraci@comcast.net [<mailto:cagraci@comcast.net>]

Sent: Tuesday, March 19, 2013 11:13 AM

To: Shweta Bonn

Cc: Russ Davis

Subject: 76 gas station modifications

Dear Ms. Bonn,

I am writing to oppose the proposed changes to the existing 76 gas station at 5191 First Street. I am all for property improvements, I mean, have you seen the condition of the current property? Only the fence posts of what was once a fence are standing, and yesterday I noticed one of the posts is laying in the field adjacent to the gas station; the landscaping leaves little to be desired. There is a fallen tree that has been there for years, and they have made no attempt to remove it.

Teenagers and young adults use the adjacent county land as a pass-through, and the amount of trash I pick up on a regular basis is appalling. Adding a convenience market, that is open from 4:00 AM to 11:00 PM, would only exasperate this problem. Also, with Cole's Market across the street, a liquor store one block away, and a convenience market at the gas station about a 1/2 mile down on Stanley Blvd, why on Earth would we need another market?

I have observed loitering at other so-called convenience markets, and I know this is not the kind of environment citizens of Pleasanton want to create, especially when it is so close to an elementary school and residential neighborhood.

Thank you for your consideration.

Sincerely,
Carla Graci

From: Michael Gould [<mailto:mgould@logitech.com>]
Sent: Wednesday, March 20, 2013 11:20 PM
To: Shweta Bonn
Subject: Re: P12-0556 and P12-0557 development

We can't stress enough that the proposed changes will adversely effect our neighborhood. There is evidence of this not far from the proposed site at the 7/11 in Livermore. At any given point in the day and night, one can observe that there are people milling around the store front and at the rear of the store also.

Because of the old train trestle there is already foot traffic from kids through our neighborhood. If these projects are allowed to go forward, we fear the unwanted foot traffic and crime will increase.

In addition, there is considerable automotive traffic already at this intersection and it would only increase the dangers to the kids walking home from school.

Please deny the request for permits for the 24 hour operation and the modifications to the sites in question.

Michael Gould
Logitech, Inc.
510-713-4065
Skype - logimg