**EXHIBIT C**

CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

ORDINANCE NO. 928

AN ORDINANCE APPROVING A DEVELOPMENT PLAN FOR JOHN AND JOAN CAROLINE FOR A BUSINESS PARK TO BE LOCATED ON A 69 ACRE PARCEL ON THE SOUTH SIDE OF VALLEY AVENUE AND IMMEDIATELY EASTERLY OF THE RESIDENCES ALONG KOLLN STREET (PUD-80-1)

WHEREAS, the City Council of the City of Pleasanton on January 22, 1980, adopted Ordinance No. 923 which rezoned an approximately 69-acre parcel of land located on the south side of Valley Avenue and immediately easterly of the residences along Kolln Street from the I-P (Public and Institutional) District to the PUD-Industrial (Planned Unit Development-Industrial) District; and

WHEREAS, the applicant, pursuant to rezoning established by Ordinance No. 923, has prepared a development plan; and

WHEREAS, the Planning Commission, at its February 13, 1980, meeting considered and approved case PUD-80-1, the application of John and Joan Caroline for approval of a development plan for a business park to be located on the 69-acre parcel described above; and

WHEREAS, the Planning Commission at the meeting of February 13, 1980, took public testimony and reviewed all reports and exhibits regarding this application, and thereafter adopted Resolution No. 1848, recommending approval of the development plan;

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

Section 1. The development plan as shown in PUD-80-1 for a business park to be located on a 69 acre site on the south side of Valley Avenue and immediately easterly of the residences along Kolln Street is hereby approved subject to the conditions attached hereto as Exhibit A and made a part hereof by reference. A copy of the development plan map and conditions are available for inspection at the office of the Planning Department of the City of Pleasanton.

Section 2. This ordinance shall become effective thirty (30) days after the date of its final passage and adoption.

Section 3. This ordinance shall be published once within fifteen (15) days after its adoption in "THE TIMES" a newspaper of general circulation, published in the City of Pleasanton.

INTRODUCED at a regular meeting of the City Council of the City of Pleasanton on February 26, 1980.

ADOPTED at a regular meeting of the City Council of the City of Pleasanton on March 11, 1980, by the following vote:

AYES: Councilmembers Butler, Kephart, Mercer, Wood and Mayor Brandes

NOES: None
ABSENT: None

ATTEST:

FRANK C. BRANDES, JR., MAYOR

Doris George, Deputy City Clerk

APPROVED AS TO FORM:

Harvey E. Levine, City Attorney

PUD-80-1
CONDITIONS OF APPROVAL OF DEVELOPMENT PLAN

1. That the development shall be constructed substantially as indicated on the development plan, Exhibit A, on file with the Planning Division. Said plan consists of 7 sheets as follows:

   1) Master Site Plan;
   2) Landscape Master Plan;
   3) Landscape Details;
   4) Site Development Standards;
   5) Signing Program;
   6) Paving Details; and
   7) Building Design and Architectural Details.

2. That since the development plan does not show the specific design of the buildings to be constructed on the property, all buildings and individual site landscaping and parking shall require approval by the Design Review Board prior to issuance of building permits.

3. That the developer provide the appropriate traffic control device (stop or yield sign or traffic signal) at the Valley Avenue/"A" Drive intersection in conjunction with construction of street improvements in the development.

4. That adequate visual and accoustical screening shall be provided for the trash and loading areas for all buildings on Lots 8 through 13, 21 through 25 and 41, and screening measures shall be considered during design review of these structures.

5. That there shall be some type of unimpeded vehicular access between E Court and the northwestern portion of D Circle, said access to be wide enough to accommodate emergency vehicles.

6. That there be access to the subject site for public safety vehicles via "City Street" at all times.

7. That parking requirements shall be determined on a case by case basis at the time of design review.

8. That permitted and conditionally allowed uses on the subject property shall be as follows:

   <u>Light Industrial Uses</u>

   A. All industrial uses, activities and processes allowed in Section 2-7.20(1) (permitted uses, I-P District), Article 9, Chapter 2, Title II of the Ordinance Code of the City of Pleasanton.

EXHIBIT A

B. Industrial support and service facilities to include activities limited to the servicing of businesses in the C & S Business Park or servicing of products produced on the site, such as: repair and maintenance of appliances or component parts; tooling; printers; testing shops; small machine shops; etc.

C. Accessory uses and structures when related to and incidental to a permitted use.

D. The following conditionally allowed uses:

1. Warehousing (not including the storage of radioactive materials or fuel or flammable liquid).

2. Industries engaged in construction and building trades.

3. Accessory structures and uses located on the same site as a conditional use.

Neighborhood and Support Commercial Uses

A. Coffee shop, restaurant, delicatessen, cafe.

B. Diaper supply service.

C. Laundry plants.

D. Wholesale dry cleaner.

E. Branch bank and/or savings and loan.

F. Glass replacement and repair shop.

G. Scientific instrument shops.

H. Locksmiths.

I. Travel agencies.

J. Barber shops.

K. Veterinary hospitals or veterinarians offices.

L. Blue printing, photostating, photo engraving, publishing and bookbinding.

M. Office supply and business machine stores.

N. The following conditionally allowed uses:

1. Day care centers.
2. Gymnasiums and health clubs.
3. Recreation and Sports facilities indoors.
4. Trade schools.
5. Recreational vehicle storage.
6. Private non-commercial clubs and lodges.

Office Uses

A. Administrative headquarters and executive offices.

B. Business offices including wholesaleing establishments without stock and not including the retail sale of any commodity on the premises.

C. Business service offices including employment agencies, accountants, notaries, stenographic, addressing, computing and related services.

D. Business consulting service offices.

E. Design profession offices.

F. Research service offices, analytical and scientific, not involving the manufacture, fabrication, processing or sale of products on the premises.

9. No materials, supplies or equipment, excluding company owned or operated trucks and motor vehicles, shall be stored in any area on a site except inside or behind a solid visual barrier which screens such areas from adjoining properties or public streets, which barrier shall be at least 6 ft. in height.

10. That prior to filing a final map on the subject property, CC&Rs shall be approved by the City Attorney. The CC&Rs shall provide for a property owners association with sufficient power to manage all commonly owned areas. The City shall be named as beneficiary of said CC&Rs and shall be granted the power to enforce its provisions if the property owners association fails to do so.

11. That all street paving, curbs and gutters shown on the development plan shall be constructed prior to or in conjunction with construction of the first building on the subject property.

12. That the developer be aware that this project will be subject to additional requirements under the Fire Code. The Fire Marshal should be contacted for further information.

13. That the street number of all buildings be posted so as to be easily seen from the street at all times, day and night.

14. That all ducts, meters, air conditioning equipment, and any other mechanical equipment, whether on the structure, on the ground, or elsewhere, be effectively screened from view with materials architecturally compatible with the main structure.

15. That all mechanical equipment be constructed in such a manner that noise emanating from it will not be perceptible at or beyond the property plane of the subject property in a normal environment for that zoning district.

16. That all lighting be constructed in such a manner that glare is directed away from surrounding properties and rights-of-way.

17. That all trash and refuse be contained completely within enclosures architecturally compatible with the main structure.

18. That all trees used in landscaping be a minimum of 15 gallons in size and all shrubs a minimum of 5 gallons.

19. That 6" vertical concrete curbs be installed between all paved and landscaped areas.

20. That all parking spaces be striped and provided with wheel stops unless they are fronted by concrete curbs, in which case sufficient areas shall be provided beyond the ends of all parking spaces to accommodate the overhang of automobiles.

21. That all utilities required to serve the development be installed underground.

22. That the applicant enter into an agreement with the City approved by the City Attorney which guarantees that all landscaping included in this project will be maintained in a healthful, attractive and weedfree manner. Said agreement shall run with the land for the duration of the existence of the structures located on the subject property.

23. That the developer install street trees as required per ordinance.

24. That any damage to street improvements now existing or done during construction on the subject property be repaired at full expense to the developer.

25. That lighting approved by the Police Department shall be provided around the perimeters of all buildings on the subject property.

26. That if required by the Police Department, buildings shall be equipped with alarm systems, the type to be approved by the Police Department and that these systems shall be installed prior to final building inspection.

27. That the site be kept free of fire hazards from the start of construction to final inspection and that the Fire Department emergency number be provided adjacent to all telephones on the site.

28. That the following water conserving plumbing fixtures be installed: a) low flush water closets; b) shower flow control heads; c) aerators in interior faucets; and d) insulation of hot water lines.

29. That the developer's contractor obtain an encroachment permit from the City prior to the beginning of construction.

30. That the developer pay any and all fees that the property may be subject to.

31. That approvaal of the design for line, grade and structural sections for the streets serving this development be withheld pending final design.

32. That the median in Valley Avenue be 16 feet wide curb to curb.

33. That the developer's engineer submit preliminary design calculations, criteria, and assumptions in bound, 8-1/2" x 11" or 8-1/2" x 14" format which set forth the basis for design for the sewer, water, and storm drain systems as well as relevant information concerning soils, traffic, etc.

34. That approval of the water distribution system be withheld pending final design and subsequent approval by the City Engineer.

35. That the developer install the 20" water line from the existing termination on Valley Avenue to Kolln Street.

36. That approval of the sanitary sewer collection system be withheld pending final design and subsequent approval by the City Engineer.

37. That the developer design and install the off-site sanitary sewer line to the Jensen lift station and make whatever revisions may be required to the Jensen station and the outfall system. These plans shall be approved by the City Engineer.

38. That the sanitary sewer system be designed and sized to adequately serve the drainage area tributary to it.

39. That approval of the storm drainage system be withheld pending final design and subsequent approval by the City Engineer.

40. That the storm drainage system be designed and sized to adequately serve the drainage area tributary to it.

41. That all applicable requirements of the Alameda County Flood Control District be met.

42. That the 30 ft. wide landscape buffer along the western boundary be put in completely adjacent to lots 8 and 9 at the beginning of the project and that the remainder of this buffer shall be mounded and all trees planted at the same time; that the 30' western buffer, the 20 ft. strip along Valley Avenue and at least the front and exterior side 25 ft. of all lots facing and/or siding interior streets shall be maintained at all times by the property owners association. (Per sheet #2 of the Development Plan.)

43. That the height of any building not exceed 32 ft. unless otherwise approved by the Design Review Board.

44. That approval of this project does not guarantee sewer capacity for the subject property.

45. That the hours of operation of all non-office activities on Lots 8 through 13 and 21 through 25 and 41 be Monday through Friday, 7:00 A.M. to 7:00 P.M.

46. That vertical curbs shall be installed on all interior streets in the development.

47. That all interior streets in the development shall be private but that water, sewer and storm facilities in them shall be owned, maintained and operated by the City.