



June 13, 2014

Leo Scrivner
The Adelante Group dba Hand & Stone Facial Spa
672 Varese Court
Pleasanton, CA 94566

Subject: PUD-02-12M, Minor Modification to amend the list of conditionally permitted uses of the Pleasanton Gateway Shopping Center only for the building located at 6786 Bernal Avenue
Effective Date: July 7, 2014

Dear Mr. Scrivner:

The City has completed its review of your application for a Planned Unit Development (PUD) Minor Modification to an approved Development Plan (PUD-02) governing the permitted and conditional uses of the **Pleasanton Gateway Shopping Center to designate massage establishments as conditionally permitted uses only within the building located at 6786 Bernal Avenue.**

In accordance with City Council policy, notice of the proposed PUD minor modification was sent to the surrounding property owners on **May 30, 2014**. No request was made for a formal hearing.

Based upon the information submitted, it is my determination that the above changes are not substantial in nature since the overall plan for the site will remain the same. Therefore, in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton, I am granting a minor modification, Case PUD-02-12M, subject to the following conditions:

1. Condition 48.a. of PUD-02-07M (Ordinance 2014) is amended to include the following conditionally permitted use:
 - b) Conditionally Permitted Uses
 - 1) Massage establishment only within the building located at 6786 Bernal Avenue.

COMMUNITY DEVELOPMENT

P. O. BOX 520, Pleasanton, CA 94566-0802

Planning	Building & Safety	Engineering	Traffic	Inspection
200 Old Bernal Ave. (925) 931-5600 Fax: 931-5484	200 Old Bernal Ave. (925) 931-5300 Fax: 931-5478	200 Old Bernal Ave. (925) 931-5650 Fax: 931-5479	200 Old Bernal Ave. (925) 931-5650 Fax: 931-5479	157 Main Street (925) 931-5680 Fax: 931-5484

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2. To the extent permitted by law, the project applicant 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, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.
3. Except, as modified by Conditions 1 and 2 above, all conditions of Cases PUD-02-07M through PUD-02-11M shall remain in full force and effect.

In accordance with the PUD ordinance, the Planning Commission and City Council are being notified of this approval. **Any Planning Commission or City Council member has twenty (20) calendar days from the date of approval of this letter to appeal this decision if they so desire.** Such an appeal would be subject to a public hearing before the Planning Commission and City Council.

The conditional use permit application for the massage establishment will be reviewed by the Planning Commission only after completion of the 20-day appeal period for this PUD development plan modification, measured from the date of the approval letter.

If you have any questions with regard to this matter, please do not hesitate to give me a call.

Sincerely,



Steve Otto

Acting Planning Manager

c: Kevin H. Johnson, Pleasanton Retail Owner, Inc., 500 Three Galleria Tower, Dallas, TX 75420