

CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

ORDINANCE NO. 1084

APPROVING THE APPLICATION OF VALLEY BUSINESS ASSOCIATES FOR A MAJOR MODIFICATION TO CASE PUD-79-13, VALLEY BUSINESS PARK

WHEREAS, on January 22, 1980, Council adopted Ordinance No. 924 approving the development plan for Valley Business Park; and

WHEREAS, modifications to the conditions of approval were made in 1981 and 1982; and

WHEREAS, Valley Business Associates are requesting modifications to existing conditions 8, 9 and 14 and the addition of condition number 18; and

WHEREAS, in addition to the above conditions, staff is recommending the inclusion of condition number 19 which clarifies the obligations of Valley Business Park with regard to the extension of Valley Avenue east to Stanley Boulevard; and

WHEREAS, based on the Initial Environmental Study, a mitigated negative declaration was adopted by Council on April 26, 1983; and

WHEREAS, Council received the Planning Commission's recommendation for approval of the modification to Ordinance No. 924; and

WHEREAS, a duly noticed public hearing was held on April 26, 1983; and

WHEREAS, the City Council finds that this modification to Ordinance No. 924 is consistent with the General Plan policies of the City of Pleasanton;

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

Section 1: Ordinance No. 924 is hereby amended by inclusion of conditions 8, 9, 14, 18 and 19 as more particularly set forth in Exhibit "A" attached hereto and incorporated herein by this 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.

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 April 26, 1983.

ADOPTED at a regular meeting of the City Council of the City of Pleasanton on May 10, 1983 by the following vote:

AYES: Councilmembers - Brandes, Mercer, Mohr, Wood and Mayor Butler

NOES: None


ABSENT: None

ABSTAIN: None

ATTEST:




ROBERT E. BUTLER, MAYOR



James R. Walker, City Clerk
By Doris George, Deputy City Clerk

APPROVED AS TO FORM:



Peter D. MacDonald, City Attorney

EXHIBIT "A"

CASE PUD-79-13, VALLEY BUSINESS PARK

CONDITION AMENDMENTS

8. That trucks servicing the subject property shall not be more than 2 axles in size until construction has begun on a 9 foot high sound wall along the south side of Valley Avenue between Santa Rita Road and the Valley Business Park; said sound wall to be funded by Valley Business Park developers or in some other manner acceptable to the City Council. Once that sound wall is under construction, trucks servicing the subject property shall not exceed 40,000 pounds (gross vehicle weight) without an approved conditional use permit. Once the City has approved and opened for public use an alternative truck route(s) for the subject property, all vehicles larger than a class 5 truck, as defined by the publication "Urban Transportation Planning for Goods and Services," U.S. Department of Transportation, FHWA, Washington, D.C. June 1979, shall then be required to use said route(s).
9. That the developers shall enter into an agreement with the City, approved by the City Attorney, agreeing to participate in an assessment district for the improvement and/or purchase of El Charro Road and to agree to use El Charro Road exclusively for all truck traffic larger than Class 5 trucks (as defined in Condition No. 8 above) generated by the subject property leaving or entering the City of Pleasanton when that road becomes available for such use. This agreement shall be entered into prior to any additional building design approvals in Valley Business Park.
14. That the maximum parapet height of any building along the west side of the subject property shall be 17 ft. above finished grade and that an 8 ft. high noise attenuation wall shall be installed three feet in from the curb line along the eastern boundary of the 30' wide landscape buffer, the design of the sound wall to be approved by the Planning Division prior to installation and installation to take place prior to issuance of any building permits for any buildings along the western property line.
18. That lots 13 through 23 located along the west side of Valley Business Park are required to use only pole mounted site lighting fixtures with directional heads located in such a manner as to minimize any impact on the adjacent residential lots. No building improvements constructed on these lots shall utilize wall mounted lighting systems mounted on the rear or the rear half of the side walls of the subject property.

19. That condition No. 9 of Ordinance No. 924 and the agreement entered into as a result of that condition shall become null and void once an assessment district has been formed for the extension of Valley Avenue to Stanley Boulevard. Said assessment district shall include Valley Business Associates and Sente Associates Seven as participants. The obligation to that district by Valley Business Associates and Sente Associates Seven shall be the amount established by the spread of assessments within the district on a fair and equitable basis.

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