



May 21, 2024

DNS Investment II, LLC  
1159 Willow Ave.  
Sunnyvale CA 94086

Re: Minor Subdivision and Site Approval Nos. PA-2300280 and PA-2300281 by DNS Investment II, LLC  
(APN: 256-500-05)

Dear Owners:

**ACTION:** On May 21, 2024, the San Joaquin County Community Development Department approved Minor Subdivision No. PA-2300280, and Minor Subdivision No. PA-2300280 and PA-2300281, based on the following findings as defined by Chapter 9-818.6M, and Chapter 9-860.4M, of the County Development code and subject to the attached Conditions of Approval.

**FINDINGS (Site Approval):**

(a) **Consistency.** The proposed use is consistent with the goals, policies, standards and maps of the General Plan, the Mountain House Master Plan, Specific Plan II, the Public Financing Plan and any other applicable plan adopted by the County;

(b) **Improvements.** Adequate utilities, roadway improvements, sanitation, water supply, drainage and other necessary facilities have been provided, and the proposed improvements are properly related to existing and proposed roadways;

(c) **Site Suitability.** The site is physically suitable for the type of development and for the intensity of development;

(d) **Issuance Not Detrimental.** Issuance of the permit will not be significantly detrimental to the public health, safety or welfare, or be injurious to the property or improvements of adjacent properties;

(e) **Compatibility.** The use is compatible with adjoining land uses; and,

(f) **Development Agreement.** All applicable provisions of the Mountain House Development Agreement have been met.

**FINDINGS (Minor Subdivision):**

(a) **Plan Consistency.** The proposed subdivision is consistent with the General Plan, the Master Plan, any applicable Specific Plan, any applicable Special Purpose Plan, the Public Financing Plan and any other applicable plan adopted by the County;

(b) **Design or Improvement.** The design or improvement of the proposed subdivision is consistent with the General Plan, the Master Plan, any applicable Specific Plan and any applicable Special Purpose Plan;

(c) **Type of Improvement.** The site is physically suitable for the type of development proposed;

- (d) **Density of Development.** The site is physically suitable for the proposed density of development;
- (e) **Fish or Wildlife.** Neither the design of the subdivision nor any proposed improvements are likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
- (f) **Public Health.** The design of the subdivision or type of improvement is not likely to cause significant public health problems;
- (g) **Access.** The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision;
- (h) **Dedications.** Any land or improvement to be dedicated to a public agency is consistent with the General Plan, the Master Plan, any applicable Specific Plan, any applicable Special Purpose Plan and any other applicable plan adopted by the County;
- (i) **Energy.** The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision, as required by Government Code Section 66473.1; and
- (j) **Development Agreement.** All applicable provisions of the Mountain House Development Agreement have been met.

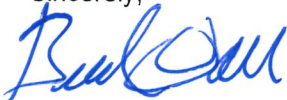
**APPEAL PERIOD:** This action can be appealed to the Planning Commission by any interested party. Appeals must be filed with this Department within ten (10) days of the action with an appeal fee of \$711.85. The ten-day appeal period ends at 4:30 p.m. on May 30, 2024. If this date falls on a weekend or holiday, the appeal period will expire on the next regular business day at 4:30 p.m.

**EXPIRATION:** This action requires you to comply with all Conditions of Approval within the next 36 months (by May 31, 2027). If you have not complied with the Conditions of Approval by that date, this approval will expire, and the project cannot proceed.

**NEXT STEP:** Prior to the expiration date, you must comply with all Conditions of Approval, including the securing of building permits and any other permits specified in the Conditions of Approval.

Please contact me if you have questions regarding the Community Development Department Conditions (Phone: [209] 468-3160 or via email at [mountainhouseplanning@sjgov.org](mailto:mountainhouseplanning@sjgov.org)). Questions regarding the building permit process should be directed to the counter staff (Phone: [209] 468-2098).

Sincerely,



Brad Wall  
Mountain House Contract Planner

BW/aa

Enclosures: Conditions, Site Plan, Subdivision Map, Notice of Exemption

c: Mountain House Community Services District  
San Joaquin County Building Inspection Division  
San Joaquin County Environmental Health  
San Joaquin County Public Works  
Robert Chen, O'Dell Engineering

## CONDITIONS OF APPROVAL

### PA-2300280 AND PA-2300281 DNS INVESTMENT II, LLC

Minor Subdivision Application No. PA-2300280, and Site Approval Application No. PA-2300281, were approved by the Community Development Department on May 21, 2024. The effective date of approval is May 31, 2024. This approval will expire on May 31, 2027, which is 36 months from the effective date of approval, unless (1) all Conditions of Approval have been complied with, (2) all necessary building permits have been issued and remain in force, and (3) all necessary permits from other agencies have been issued and remain in force.

Unless otherwise specified, all Conditions of Approval and ordinance requirements shall be fulfilled prior to the establishment of the use and the issuance of any building permits. Those Conditions followed by a Section Number have been identified as ordinance requirements pertinent to this application. Ordinance requirements cannot be modified, and other ordinance requirements may apply.

1. COMMUNITY DEVELOPMENT DEPARTMENT (CDD) (Staff Contact: Brad Wall, 468-3160)
  - a. **TENTATIVE MAP:** The Parcel Map shall substantially conform with the approved tentative map dated October 5, 2023.
  - b. **RIGHT TO FARM:** Pursuant to San Joaquin County Section 6-9004(b), the following note shall be placed on the Parcel Map and recorded as a separate instrument:
    - i. All persons purchasing parcels within the boundaries of this approved map should be prepared to accept the inconveniences or discomforts associated with agricultural operations or activities, such as noise, odors, insects, dust or fumes. San Joaquin County has determined that such inconveniences or discomforts shall not be considered a nuisance.
  - c. **CONSISTENCY:** Improvement plans and all subsequent development and building applications within the boundaries of this project approval shall be reviewed by the Community Development Department and Design Consistency Review Committee (DCRC) and found consistent with the Mountain House Master Plan, Specific Plan II, Mountain House Development Title, Development Agreement, and other applicable plans, standards and requirements prior to issuance of any discretionary approvals or ministerial permits. (Development Title Section 9-205M)
  - d. **BUILDING PERMIT:** Submit an "APPLICATION-BUILDING PERMIT". The Site Plan required as a part of the building permit must be prepared by a registered civil engineer or licensed architect. This Plan must show drainage, driveway access details including gates, on-site parking, landscaping, signs, existing and proposed utility services, and grading (refer to the "SITE PLAN CHECK LIST" for details). A fee is required for the Site Plan review.
  - e. **APPROVED USE:** This approval is for a neighborhood commercial development comprised of a 3,460 square-foot single-story building for retail uses and a 7,350 square-foot daycare center. The project architecture follows the Italianate Architectural style that has been chosen for Neighborhood H of the Mountain House Specific Plan II area. The proposed project includes sufficient parking for the intended uses and the site design criteria meets the Mountain House Design Manual for Commercial development. These are the same general architectural plans the Mountain House Developers reviewed through the DRC review and approved on January 1, 2024. The project site is located within Specific Plan II area.
  - f. **SUBSEQUENT APPROVALS:** All subsequent discretionary and ministerial approvals for the project shall be subject to Design Consistency Review and shall be consistent with the Mountain House Commercial, Office and Industrial Development Design Manual. (Development Title 9-205M)

- g. **COMMON ARCHITECTURAL THEME:** A consistent architectural theme shall be used throughout the project area and implemented through Design Manuals. Buildings shall be compatible with the common architectural theme designated for Neighborhood H, and shall utilize common forms, details, materials and colors. The common theme has been established by Trimark Communities, LLC (Sunchaser Holdings, LLC) and the theme is Italianate. Building details such as entries, columns, articulation of windows, overhangs, trellises, gates, fences, and furnishings, shall be emphasized as shown on the approved plans prepared by O'Dell Engineering and dated December 11, 2023. (Mountain House Commercial, Office & Industrial Design Manual, Chapter 5, Page 21)
- h. **LANDSCAPING:** Landscaping shall be provided as designed by O'Dell Engineering and dated September 20, 2023, and comply with the following:
- i) Site Planning and Landscaping shall be provided and comply with the Mountain House Commercial, Office & Industrial Design Manual. Landscape plans prepared by a Landscape Architect shall be submitted with the Improvement Plans.
  - ii) A hedge or decorative security fence may be located within the landscaped setback. Fences, if used, shall be consistent with Chapter 3 of the Mountain House Commercial, Office & Industrial Design Manual.

**Timing: Improvement Plans, Building Permits.**

- i. **FENCING:** Fencing shall be provided and comply with the following:
- i) Site perimeter and recreation area fencing shall be decorative steel view fencing. (Mountain House Commercial, Office & Industrial Design Manual, Chapter 3-33)

**Timing: Improvement Plans, Building Permits.**

- j. **SERVICE AREAS:** Service Areas shall be provided and comply with the following:
- i) All service, trash, storage areas, and utility equipment shall be screened from public view utilizing a combination of planting and architectural elements that are consistent with the project architecture. (Mountain House Commercial, Office & Industrial Design Manual)

**Timing: Improvement Plans, Building Permits.**

- k. **PARKING:** Off-street parking shall be provided and comply with the following:
- i) All parking spaces, driveways, and maneuvering areas shall be surfaced and permanently maintained with asphalt concrete or Portland cement concrete to provide a durable, dust-free surface. Bumper guards shall be provided when necessary to protect adjacent structures or properties. (Development Title Section 9-1015.5[e])
  - ii) 34 parking spaces have been illustrated on the site plan. A minimum of 3.0 spaces are required for each 1,000 square feet of interior building space. (Development Title Section 9-1015.3M)
  - iii) Parking spaces for persons with disability shall be provided as required by Chapters 11A and 11B of the California Building Code.
  - iv) The Director may approve a reduction in standard parking stall dimensions for all parking spaces. Said parking stalls shall not be less than eight and one-half (8½) feet by 18 feet. (Development Title Section 9-1015.5M(c))

- v) Compact parking spaces shall be a minimum seven and one-half (7½) feet wide and 16 feet long, be individually designated as a compact space, and make up no more than twenty-five percent (25%) of the required spaces. (Development Title Section 9-1015.5[c])
- vi) All parking stalls and directional arrows must be delineated with paint. (Development Title Section 9-1015.5[d])

**Timing: Improvement Plans, Building Permits.**

**I. ACCESS AND CIRCULATION:** The following requirements apply and shall be shown on the Site Plan:

- i) Access driveways shall have a width of no less than 24 feet for two-way aisles and 16 feet for one-way aisles. (Development Title Section 9-1015.5M [g])
- ii) Parking lot drive aisles shall be 24 feet wide. (Mountain House Commercial, Office & Industrial Design Manual)
- iii) The design of the driveway and traffic circulation plan for the project site shall be incorporated into the construction plans.
- iv) Consistent with Mountain House Community Services District condition No. 5.s., a reciprocal access, maintenance and parking agreement shall be provided for the two lots and recorded concurrently with any mapping activity.

**Timing: Improvement Plans, Building Permits, Final Map.**

**m. LIGHTING:** Lighting shall be provided and comply with the following:

- i) If the parking area is to be used at night, parking lot and security lighting shall be installed. (Development Title Section 9-1015.5[g])
- ii) Any lighting shall be designed to confine direct rays to the premises. No spillover beyond the property lines shall be permitted except onto public thoroughfares, provided, however, that such light shall not cause a hazard to motorists. (Development Title Section 9-1015.5[g][4])
- iii) Developer shall be responsible to develop an updated Photometrics evaluation of the proposed project prior to Building Permit Issuance. The Photometrics evaluation shall demonstrate compliance with the light and glare concerns.

**Timing: Improvement Plans, Building Permits.**

**n. CONSTRUCTION NOISE:** The following measures shall be implemented during construction:

- i) Construction shall be restricted to the hours of 7:00 AM to 6:00 PM on weekdays. Extended hours which may include Saturdays and Sundays may be allowed through prior notice to adjacent residents and landowners, and prior approval of the MHCSO for infrastructure construction and CDD for building permits.
- ii) All internal combustion engines shall be equipped with exhaust mufflers that are in good condition and appropriate for the equipment.
- iii) Arrange all construction equipment and truck routes to minimize travel adjacent to occupied residences.

- iv) Locate stationary construction equipment and staging areas as far as possible from sensitive receptors. Temporary acoustic barriers may be installed around stationary equipment, if necessary.

**Timing: Inclusion of the above measures as notes on Improvement Plans approved by CDD and MHCSD.**

- o. **FEES:** The developer(s) shall comply with the following:
  - i. **GENERAL:** Development within the project shall be subject to the payment of all applicable and lawfully enacted County fees, subject to the provisions of the Master Plan Development Agreement (i.e., the *Amended and Restated Master Plan Development Agreement By and Between County of San Joaquin and Trimark Communities Relative to the Development of Certain Property Within the Mountain House Community* {"Development Agreement"}) {"SPI Development Agreement"}}. [Development Agreement Section 2.5.3]
  - ii. **CAPITAL FACILITY FEE:** This project may be subject to the Capital Facility Fee. If the Capital Facility Fee is applicable, the County shall collect the fees before the issuance of any building permits. (Development Title Section 9-1245.2)
- p. **BUILDING CODE REQUIREMENTS:** The following California Building Code and San Joaquin County Ordinance requirements will be applicable and shall be incorporated in the construction plans before submittal to the Building Inspection Division:
  - i) A building permit for each separate structure or building is required, including carports. Submit plans, Specifications and supporting calculations, prepared by a Registered Design Professional (architect or engineer) for each structure or building, showing compliance with the 2016 California Building, Mechanical, Plumbing, Electrical, Energy and Fire Codes as may be applicable. Plans for the different buildings or structures may be combined into a single set of construction documents.
  - ii) A grading permit will be required for this project. Submit plans and grading calculations, including a statement of the estimated quantities of excavation and fill, prepared by a Registered Design Professional. The grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of the code. The plans shall show the existing grade on adjoining properties insufficient detail to identify how grade changes will conform to the requirements of the code.
  - iii) The required plans must be complete at the time of submittal for a building permit. Plans must address building design and construction, fire and life safety requirements, accessibility and show compliance with the current California codes and San Joaquin County ordinances. A complete set of plans must include fire sprinkler plans, truss design submittals, metal building shop drawings, structural plans and calculations, plumbing, electrical and mechanical drawings and energy report.
  - iv) A soils report is required pursuant to CBC § 1803 for foundations and CBC appendix § J104 for foundations. All recommendations of the Soils Report shall be incorporated into the construction drawings.
  - v) For each proposed new building, provide the following information on the plans:
    - (1) Description of proposed use
    - (2) Existing and proposed occupancy Groups
    - (3) Type of construction

- (4) Sprinklers
  - (5) Number of stories
  - (6) Building height
  - (7) Allowable floor area
  - (8) Proposed floor area
  - (9) Occupant load based on the CBC
  - (10) Occupant load based on the CPC
- vi) The apartment buildings shall be fire sprinkled in accordance with CBC chapter 9, and NFPA 13R
  - vii) Accessible routes shall be provided per CBC § 11B-206. At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve. Where more than one route is provided, all routes must be accessible. §11B-206.2.1
  - viii) At least one accessible route shall connect accessible buildings, accessible facilities, accessible elements and accessible spaces that are on the same site. §11B-206.2.2
  - ix) Note that accessible parking spaces are required for each phase of the project. These parking space(s) shall be located as close as possible to the primary entrance to the building.
  - x) Adequate sanitary facilities shall be provided for the multi-recreational building, per the requirements of Chapter 4 of the California Plumbing Code.
  - xi) This project will be required to comply with the Model Water Efficient Landscape Ordinance requirements of the California Code of Regulations, title 22, Division 2, Chapter 2.7

## 2. COUNTY COUNSEL

- a. Pursuant to Section 66474.9 of the Government Code, the subdivider shall defend, indemnify, and hold harmless the local agency or its agents, officers, and employees from any claim, action, or proceeding against the local agency or its agents, officers, or employees to attack, set aside, void, or annul an approval of the local agency, advisory agency, appeal board, or legislative body concerning a subdivision, which action is brought within the time provided for in Section 66499.37 of the Government Code.

## 3. ENVIRONMENTAL HEALTH DEPARTMENT (Staff Contact, Aldara Salinas: 209-616-3019, letter response dated February 6, 2024.)

- a. A qualified environmental professional shall prepare a surface and subsurface contamination report (SSCR), identifying any potential source of surface or subsurface contamination caused by past or current land uses. This report shall serve as an addendum to the Limited Environmental Site Assessment prepared by Condor Earth Technologies dated April 20, 2004 that was previously submitted with subdivision application PA-0400566 (SU).

The report shall include evaluation of non-point source of hazardous materials, including agricultural chemical residues, as well as potential point sources, such as fuel storage tanks, septic systems, or chemical storage areas. If the report indicates there is contamination, corrective action shall be taken, as recommended in the report and concurred with by Environmental Health prior to recordation of Final Map (San Joaquin County Development Title, Section 9-502.070(a)(c)).

The fee will be based on the current schedule at the time of payment.

- b. The applicant shall provide written confirmation from the water providers that improvements have been constructed or financial arrangements have been made for any improvements required by the agency and that the agency has or will have the capacity to serve the proposed development. Said written confirmation shall be submitted prior to the issuance of a building permit (San Joaquin County Development Title, Section 9-602.010).
- c. Written Confirmation is required from the Public Works Department that improvements have been constructed or financial arrangements have been made for any improvements for public sewer required by the agency. In addition, written confirmation from the Public Works Department that the agency has or will have the sewer capacity to serve the development is also required (San Joaquin County Development Title, Section 9-600.020).
- d. Submit two (2) hardcopy sets, or one (1) electronic version, of food facility plans to the Environmental Health Department for review and approval prior to issuance of building permit(s) (California Retail Food Code, Article 1, 114380). The fee will be based on the current schedule at the time of payment.
- e. A valid permit from EHD is required prior to operating food facility (California Retail Food Code, Chapter 13, Article 1, Section 14381).
- f. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-601.010(b) and 9-601.020(i)).
- g. Any existing wells or septic systems to be abandoned shall be destroyed under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-605.010 & 9-601.020).
- h. Before any hazardous materials/waste can be stored or used onsite, the owner/operator must report the use or storage of these hazardous materials to the California Environmental Reporting System (CERS) at [cers.calepa.ca.gov/](http://cers.calepa.ca.gov/) and comply with the laws and regulations for the programs listed below (based on quantity of hazardous material in some cases). The applicant may contact the Program Coordinator of the CUPA program, Elena Manzo (209) 953-7699, with any questions.
  - i. Any amount but not limited to the following hazardous waste; hazardous material spills, used oil, used oil filters, used oil-contaminated absorbent/debris, waste antifreeze, used batteries or other universal waste, etc. — **Hazardous Waste Program** (Health & Safety Code (HSC) Sections 25404 & 25180 et sec.)
  - ii. Onsite treatment of hazardous waste — **Hazardous Waste Treatment Tiered Permitting Program** (HSC Sections 25404 & 25200 et sec. & California Code of Regulations (CCR), Title 22, Section 67450.1 et sec.)
  - iii. Reportable quantities of hazardous materials-reportable quantities are 55 gallons or more of liquids, 500 pounds for solids, or 200 cubic feet for compressed gases, with some exceptions. Carbon dioxide is a regulated substance and is required to be reported as a hazardous material if storing 1,200 cubic feet (137 pounds) or more onsite in San Joaquin County — **Hazardous Materials Business Plan Program** (HSC Sections 25508 & 25500 et sec.)
  - iv. Any amount of hazardous material stored in an Underground Storage Tank — **Underground Storage Tank Program** (HSC Sections 25286 & 25280 et sec.)
    - If an underground storage tank (UST) system will be installed, a permit is required to be submitted to, and approved by, the San Joaquin County Environmental Health Department (EHD) before any UST installation work can begin.
    - Additionally, an EHD UST permit to operate is required once the approved UST system is installed.

- v. Storage of at least 1,320 gallons of petroleum aboveground or any amount of petroleum stored below grade in a vault — **Aboveground Petroleum Storage Program** (HSC Sections 25270.6 & 25270 et sec.)
    - **Spill Prevention, Countermeasures and Control (SPCC) Plan requirement**
  - vi. Threshold quantities of regulated substances stored onsite - **California Accidental Release Prevention (CalARP) Program** (Title 19, Section 2735.4 & HSC Section 25531 et sec.)
    - **Risk Management Plan requirement for covered processes**
4. DEPARTMENT OF PUBLIC WORKS - comment letter of February 16, 2024 (Staff Contact: Christopher Heylin, 468-3000)
- a. The Traffic Impact Mitigation Fee shall be required for this application. The fee is due and payable at the time of grading permit application. The fee will be based on the current schedule at the time of payment. The fee shall be automatically adjusted July 1 of each year by the Engineering Construction Cost Index as published by the Engineering News Record. (Resolutions R-00-433)
  - b. This project is subject to the NPDES Region-Wide Permit requirements and shall comply with the following conditions. Prior to release of the building permit, plans and calculations shall be submitted and approved by the Public Works Department – Water Resources Division (209-468-3605):
    - i. Treatment: A registered professional engineer shall design the site to treat the 85th percentile storm as defined in the County’s 2023 Storm Water Quality Control Criteria Plan (SWQCCP).
    - ii. Hydromodification: A registered professional engineer shall design the site to comply with the volume reduction requirement outlined in the County’s 2023 SWQCCP.
    - iii. Trash: A registered professional engineer shall design the site to comply with the trash control requirement outlined in the County’s 2023 SWQCCP.
  - c. Prior to release of the building permit, the owner shall enter into an agreement with San Joaquin County for post-construction maintenance of stormwater quality facilities.
  - d. Prior to release of the building permit the applicant shall submit the Storm Water Pollution Prevention Plan (SWPPP) to Public Works. A copy of the approved SWPPP and all required records, updates, test results and inspection reports shall be maintained on the construction site and be available for review upon request.
  - e. Applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and comply with the State “General Permit for Storm Water Discharges Associated with Construction Activity”. The Waste Discharge Identification Number (WDID), issued by SWRCB, shall be submitted to Public Works prior to release of the building permit. Contact the SWRCB at (916) 341-5537 for further information.
  - f. A copy of the final Site Plan shall be submitted prior to release of the building permit.
  - g. Wastewater shall not be allowed into the storm drainage system.
5. MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT (Staff Contact: Rochelle Henson or David James, 209-831-2300).

#### General Requirements

- a. Improvement Standards: All improvements, including but not limited to improvement plans,

specifications, and master utility plans, shall be in conformance with Community Approvals, including but not limited to the Improvement Standards and Specifications of the Mountain House Community Services District (MHCS D), the MHCS D Design Manual, master utility plans, and other standards and plans adopted by the MHCS D. These improvement plans and specifications must be approved by MHCS D. The plan check fees and the field inspection services costs, shall be paid to the MHCS D monthly as billed by the CSD. The Developer shall pay the balance within 30 days upon receiving an Invoice from the MHCS D.

- b. Funding of MHCS D Development-related Services: All development-related services performed by the MHCS D not already funded by other applicable MHCS D funding mechanisms, including special taxes on any development project, will be paid by the Developer at the full cost, including overhead as determined by the MHCS D General Manager, subject to compliance with all applicable nexus laws and existing agreements between the MHCS D and Developer. All Costs incurred by the MHCS D for any development project shall be paid by the Developer in accordance with the MHCS D Development Project Fees for Deposit and Reimbursement Agreement with the Developer
- c. The developer shall comply with all Local, County, State and Federal requirements relative to air quality, storm water discharge, waste disposal and hazardous waste and the mitigation measures contained in the EIR for the Tentative Map.
- d. All easements and dedications shown on Tentative Parcel Map shall be dedicated to the MHCS D or offer of dedication to the MHCS D shall be recorded on the Final Map.
- e. Restricted access shall be shown on the Final Map and shall be in accordance with the Master Plan, the Design Manual, and the MHCS D's Specifications and as directed by the General Manager.
- f. When public utilities are to be located outside public rights-of-way but within the Tentative Map boundary, the developer shall provide public utility easements for these utilities. The easements shall be shown on all Final Maps and parcel maps.
- g. All conditions on the "Will Serve" letter from the Mountain House Community Services District shall be met prior to approval of Final Map. The MHCS D General Manager may defer the installation of a facility if bonding is provided and it can be demonstrated to the satisfaction of the MHCS D General Manager that it is not required for a specific phase of development.
- h. Commercial CC&Rs to be recorded on all commercial properties. All commercial buildings shall comply with the CC&R requirements.
- i. Final Map Digital File: A digital file of the Final Map shall be submitted to the MHCS D and to the Community Development Department. The digital file format shall be consistent with requirements of the County Assessor and Community Development Department GIS division and the MHCS D digital file format. Condition shall be met prior to approval of Final Map.
- j. Digital Files: A PDF and AutoCAD file of:
  - The approved Improvement Plans shall be submitted to the MHCS D prior to issuance of encroachment permit.
  - The record drawings for the approved Improvement Plans shall be submitted to the MHCS D prior to the acceptance of the improvements.
- k. Environmental Hazards: Comply with all applicable recommendations of the Environmental Site Assessment prepared for the project. The condition shall be met prior to beginning any construction on the related improvement plans.

- l. Geotechnical Report: All infrastructure designs shall be shown on the grading and improvement plans and shall comply with and incorporate the recommendations of the Geotechnical Engineering Studies. The conditions shall be met before approval of the Improvement Plans.
- m. Grading: Except where allowed otherwise by the MHCS D, the grading of the project shall be such that all storm water runoff shall drain to public streets, public alleys, Mountain House Creek, Old River, or drainage facilities within easements for storm-drainage purposes.
- n. Truck Management Plan: Traffic shall comply with the Construction Truck Management Plan administered by the MHCS D. Project construction plans shall include specifications to the contractor outlining compliance requirements. A traffic control plan showing construction traffic routes within the MHCS D's boundary shall be provided for approval by the MHCS D prior to the commencement of any construction. This plan is required from the Developer, the builders, and all contractors- and subcontracts working within MHCS D's boundary. The Developer shall pay all review fees prior to the approval of the plan.
- o. U.S.A. Requirement: U.S.A. shall be contacted 48-hours prior to any construction within the right-of-way.
- p. Hold Harmless Provision: The Developer shall defend, indemnify, and hold harmless the MHCS D, its agents, officers, and employees, from any claim, action, or proceeding against the MHCS D, its agents, officers, or employees, to attack, set aside, void, or annul an approval of MHCS D concerning any MHCS D condition, which action is brought within the time provided for in Section 66499.37 of the Government Code.
- q. Complete, replace or install any missing or damaged frontage improvements on all sides along the edges of the development.
- r. Any damage done to MHCS D facilities during construction shall be repaired at the applicant's expense to MHCS D satisfaction.
- s. A reciprocal access, maintenance and parking agreement shall be provided for the two lots and recorded concurrently with any mapping activity.

#### Roadway

- t. Roadway, streetscape, and landscaping shall be designed consistent with all Community Approvals including applicable provisions of the MHCS D Design Manual. Timing: the design plans associated with each phase of the development shall be completed and approved by the MHCS D General Manager prior to the approval of the Final Map for that phase.
- u. All street cross sections shall meet all applicable State Fire Code requirements as determined by the MHCS D general Manager. Timing: Prior to improvement plan approval.
- v. All roadways, which in this project shall be private, must meet the minimum 20' Paved width and be designed and constructed per the MHCS D acceptable-standards and specifications.
- w. A sidewalk connectivity plan shall be shown and submitted for the entire project area and with the surrounding adjacent areas. This plan shall also address pedestrian access off roadway scenarios.
- x. "No parking" signs or red curb shall be installed in all areas where there is to be no parking allowed. Timing: Prior to acceptance.

- y. Show all handicap ramps and associated crosswalk and signage in all pertinent plan sheets prior to plan approval.
- z. Show all alleyways/driveways details to address pedestrian and parking. Alleyways shall comply with ADA requirements. Timing: Prior to improvement plan approval.

#### Lighting

- aa. All street lighting and street light photometrics shall meet MHCSD Standard Specifications and Details and Supplemental Specifications and Details: Street Lighting, Electrical and Traffic Control Devices. Timing: Prior to improvement plan approval.

#### Community Walls

- bb. Masonry walls shall be installed at the property line between residential properties and all public or private parcels. Plans to be consistent with all Community Approvals including applicable provisions of the MHCSD Design Manual, MHCSD Standards, and any applicable Special Purpose Plan. Timing: Prior to first building permit.
- cc. The developer shall install a standard MHCSD community masonry wall between the commercial project and the adjacent residential properties. The soundwall shall be at least 7 feet in height. Timing: Soundwall shall be installed prior to issuance of certificate of occupancy.

#### Utilities

- dd. The Developer and its contractors shall comply with Ordinance No. 4162 "Street Opening and Pavement Restoration Regulations."
- ee. Unused storm drain stubs and sewer stubs shall be cut and capped at the property line.
- ff. Unused water stubs shall be cut at the property line and blow-off installed.
- gg. Per MHCSD's ordinance, on-site utilities shall be privately maintained.
- hh. Electrical transformers within residential Neighborhoods shall be in underground vaults, subject to MHCSD and Modesto Irrigation District (MID) requirements. The developer shall pay for any incremental costs relating to undergrounding transformers not paid for by MID. Transformers located in the downtown area, commercial and industrial areas may be placed above ground provided they are aesthetically designed and/or shielded by landscaping subject to MHCSD and MID requirements.
- ii. The applicant shall provide the following water meters to the site:
  - The meters shall have "low flow" capability to the property.
  - The applicant shall provide individual meters to each tenant if leased separately. Each meter shall be tied to the APN.
  - If there are common use areas, like landscaping or fire, the meters shall be tied to the APN.
  - Each water service point shall have a backflow prevention device meeting MHCSD standards.

#### Best Management Practices

- jj. The Developer shall comply with MHSWMP policies, MHSWMP mitigation measures, and Phase I and II NPDES permit requirements, including the preparation and implementation of an SWPPP that outlines B.M.P.s to be followed to minimize erosion and sedimentation during

project construction and operation.

- kk. The Developer shall install catch basin filters, Water Decontaminator per MHCSD Standard Specification and Details, and/or other source control Best Management Practices (B.M.P.s) for runoff from the project prior to issuance of the building permit.
- ll. Project Developer shall develop and submit a Project Stormwater Plan that identifies the methods to be employed to reduce or eliminate stormwater pollutant discharges through the construction, operation, and maintenance of source control measures, low impact development design, site design measures, stormwater treatment control measures, and hydromodification control measures. Timing: Prior to issuance of an encroachment permit.
- mm. Runoff from non-residential areas shall be pretreated on-site before discharge into the MHCSD public stormwater collection system.
- nn. Catch basin inserts-(Decontaminators) shall be installed in each storm drain. The decontaminator shall comply with MHCSD Detail SD-22. The type of decontaminators has to be pre-approved by MHCSD."
- oo. "A 'No Dumping' marker shall be installed at each catch basin after the catch basin is installed per Detail SD-04."
- pp. Grates and Inlets shall be protected with geo-fabric material during any nearby construction.
- qq. The contractor will be responsible for purchasing, installing, maintaining all the catch basins and other storm drain inlets and decontaminators until project is accepted.
- rr. Recyclable Construction Waste: Recycling of construction wastes, such as wood and metal, shall be made part of the improvement plans and construction specifications for contractors in compliance with MHCSD requirements.
- ss. Designated Waste Hauler Provider: The MHCSD's designated waste hauler, West Valley Disposal, shall be used for disposal of waste material and recycling of recyclable materials. No other waste haulers are allowed. Requirement shall be noted on improvement plans.
- tt. Construction Water Usage: An encroachment/hydrant permit is required prior to using water for construction purposes from a hydrant or any other potable water source.

#### Landscape and Architecture

- uu. The parkway strip landscaping shall be consistent with the approved NH H Landscape Guidelines. Timing: Prior to plan approval.
- vv. Landscape slopes within street right of way, pedestrian access connections, and parks shall not exceed 3:1 unless approved otherwise by the MHCSD General Manager.
- ww. The applicant shall repair and complete any unfinished landscaping in the planter strip along all frontages to the property.
- xx. Street trees in the parkway strip shall be installed per MHCSD standard Details LC-04, LC-06, LC-09, LC-12, LC-13 and LI-09. Timing: Prior to plan approval.
- yy. Turf in the landscape strip shall have subsurface irrigation system like eco-mat or approved equivalent. Prior to plan approval.
- zz. Each street tree shall be planted in a street tree planter. On collector roads the planter

shall be 5 feet in width. On local roads the planter shall be 4 feet in width. The sides of the planter shall have a metal header per MHCSD LC-01. There shall be two one gallon Myoprum Parvifolium planted inside each planter and the remainder of each planter shall have bark mulch. Timing: Prior to plan approval.

#### Fire Code Compliance

- aaa. Prior to the beginning of the final design of the facility, the Developer shall consult with Mountain House Fire regarding emergency access to the proposed development. Any requirements for emergency access shall be approved by MHCSD. Install fire hydrants per MHCSD Standards and State Fire Code. The project shall include on-site fire hydrants.
- bbb. Install fire hydrants per MHCSD Standards and State Fire Code. The project shall include on-site fire hydrants.
- ccc. All street standards shall comply with the State of California Fire Code provisions, as interpreted and implemented by the San Joaquin County Fire Marshall and Mountain House Fire Department.

#### Other Obligations and Agreements

- ddd. Stormwater Management Agreement: Prior to the issuance of the first building permit, the Developer shall enter into a Stormwater Management Agreement with MHCSD and pay all fees associated with NPDES.
- eee. MHCSD Impact Fees (CFF and TIF): Prior to issuance of each building permit, the Developer shall comply with the applicable requirements of the most current MHCSD adopted CFF and TIF Ordinances and Fees in effect at the time the building permit is issued.
- fff. The Developer shall pay all other permitting fees as applicable at the time of issuance of building permits.
- ggg. O & M Vehicles: Prior to the issuance of the first building permit developers will deposit in a MHCSD Maintained Vehicle Capital Fund an amount equal to their prorata share (based on the CFF Plan Fee formula as determined by the MHCSD) of the total cost of O&M Vehicles as that cost is specified in the latest update of the CFF Plan Fees.
- hhh. Police and Fire Vehicles: Prior to issuance of the first building permit developers will deposit in a CSD Maintained Vehicle Capital Fund an amount equal to their prorata share (based on the CFF Plan Fee formula as determined by the MHCSD) of the total cost of Police and Fire Vehicles as that cost is specified in the latest update of the CFF Plan Fees.
- iii. Mountain House CSD is evaluating the feasibility of forming a Community Facilities District (CFD) as an alternative mechanism by which to fund parks and infrastructure throughout the Mountain House Master Plan in conjunction with a Maintenance CFD towards funding the cost of maintaining the parks and landscape features. The applicant or successors in interest agree to participate in the infrastructure CFD and Maintenance CFD should the formation of said district or districts come to fruition.

#### Public Works

- jjj. On the O'Dell plans there are reference to MHCSD standards that are incorrect, such as note 6 on page C5 of C12 detail SD-10 should be SC-10; and on page C6 of C12 under notes, D-22 and D-22A should be SD-22 and SD-22A.

kkk. The trash enclosure should have a concrete area for truck turning and pickup. Also, it should comply with SB-1383 requirement.

lll. All ADA ramps and access should have the detectable surface. (note says they should not).

mmm. The minimum height of signs in circulation areas should be 7 feet above finished surface.

nnn. Tubular steel fencing shall be in compliance with MHCSD Standards and MHCSD Design Manual.

ooo. The improvement design for Landscape strips on three sides shall be submitted to MHCSD for review and approval.

ppp. The owner shall repair damages to sidewalks, curb and gutter, and pavements caused by the construction traffic near the project site.

qqq. All driveways shall meet the MHCSD Standard Specifications and Detail SC-11 (Type 2 Commercial Driveway).

rrr. The plans for the Point of Connections to MHCSD utilities (Sewer, Water and Stormwater) shall be reviewed and approved by MHCSD.

sss. A masonry wall shall be constructed per MHCSD Standards between the Commercial development and the residential properties.

ttt. All improvements within MHCSD right of way shall be reviewed and approved by MHCSD.

uuu. The owner shall sign and execute an agreement for MS4 compliance with MHCSD (Stormwater Maintenance Agreement).

vvv. Install stormwater treatment system (BMP's) to provide comprehensive onsite stormwater filtering/treatment and trash capturing system.

www. All onsite facilities and utility improvements to be privately maintained in accordance with MHCSD and State Requirements.

#### **Notes and Information Only:**

See SJCOG letter dated January 25, 2024. The neighborhood commercial project (PA-2300281) is subject to the SJMSCP. The project site has paid the HCP mitigation fees at the time the existing parcel was created though the Final Map process and therefore additional HCP fees are not due. **Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements: Schedule a SJMSCP Biologist to perform a pre-construction survey prior to any ground disturbance.**

See PG&E letters dated January 25, 2024, and February 25, 2024.

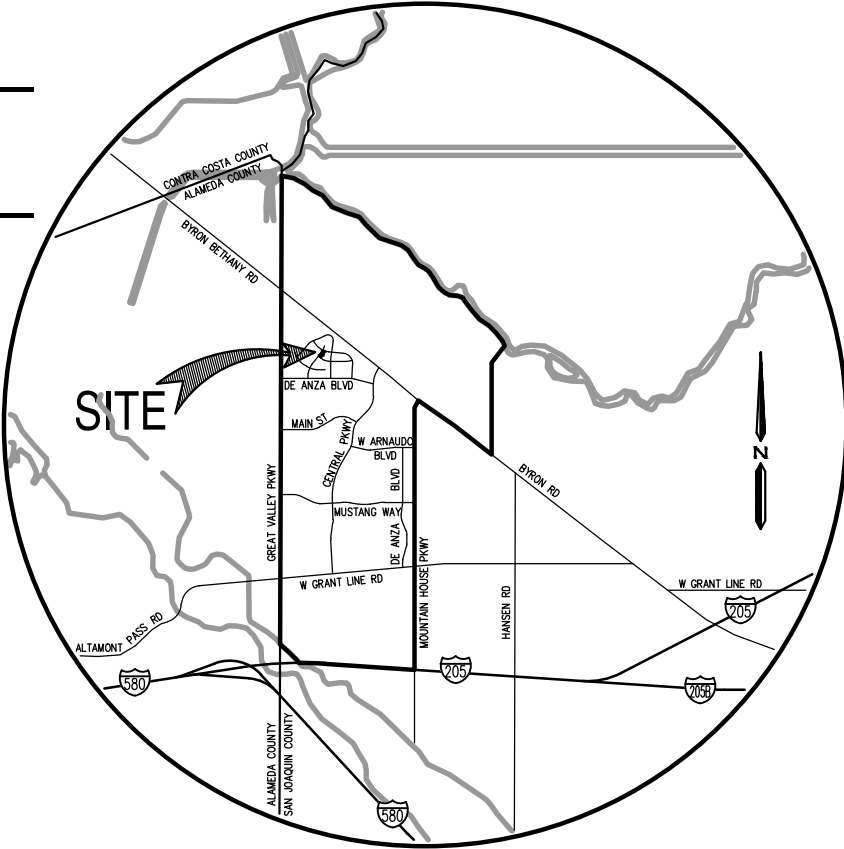
See San Joaquin Valley Air Pollution Control District letter dated February 14, 2024.

See undated plan review comments from French Camp McKinley Fire Protection District.

SITE PLAN

Application # [PA-2300280](#)

Received By [SHJ](#) On [10/11/2023](#)



VICINITY MAP  
NOT TO SCALE

LEGEND

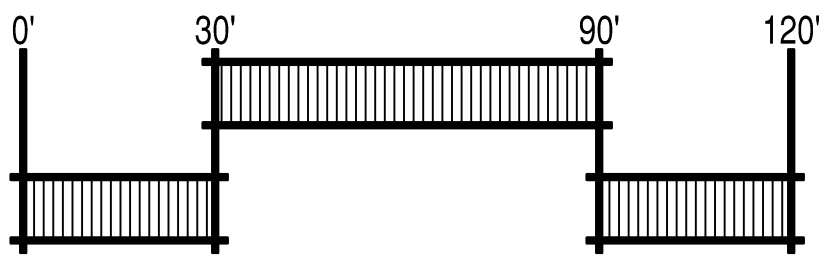
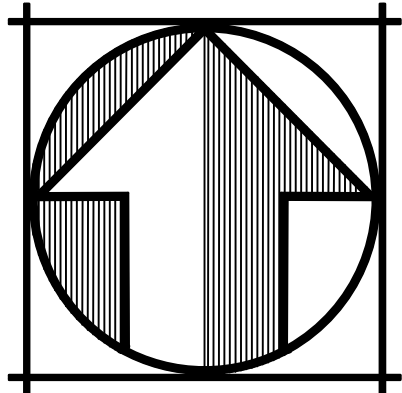
- P 55.3 PAD ELEVATION
- PROPERTY BOUNDARY
- PROPOSED LOT LINE

GENERAL NOTES

- OWNER: DNS INVESTMENT II LLC  
1159 WILLOW AVENUE  
SUNNYVALE, CA 94086  
(408) 431-2098
- DEVELOPER: DNS INVESTMENT II LLC  
1159 WILLOW AVENUE  
SUNNYVALE, CA 94086  
(408) 431-2098
- CIVIL ENGINEER: O'DELL ENGINEERING  
6200 STONERIDGE MALL RD, SUITE. 330  
PLEASANTON, CA 94588  
(925) 223-8340
- ASSESSOR'S PARCEL NUMBERS: 256-500-050
- SITE AREA: 1.05 AC
- EXISTING LAND USE: PUBLIC
- MASTER PLAN DESIGNATION: NEIGHBORHOOD COMMERCIAL (C-N)
- ZONING: NEIGHBORHOOD COMMERCIAL (C-N)
- PROPOSED LAND USE: NEIGHBORHOOD COMMERCIAL (C-N)
- NUMBER OF LOTS: 2
- UTILITIES:
  - SANITARY SEWER: MHCS
  - WATER: MHCS
  - STORM DRAIN: MHCS
  - TELEPHONE: AT&T
  - GAS: PG&E
  - ELECTRIC: PG&E

TENTATIVE MAP  
MOUNTAIN HOUSE

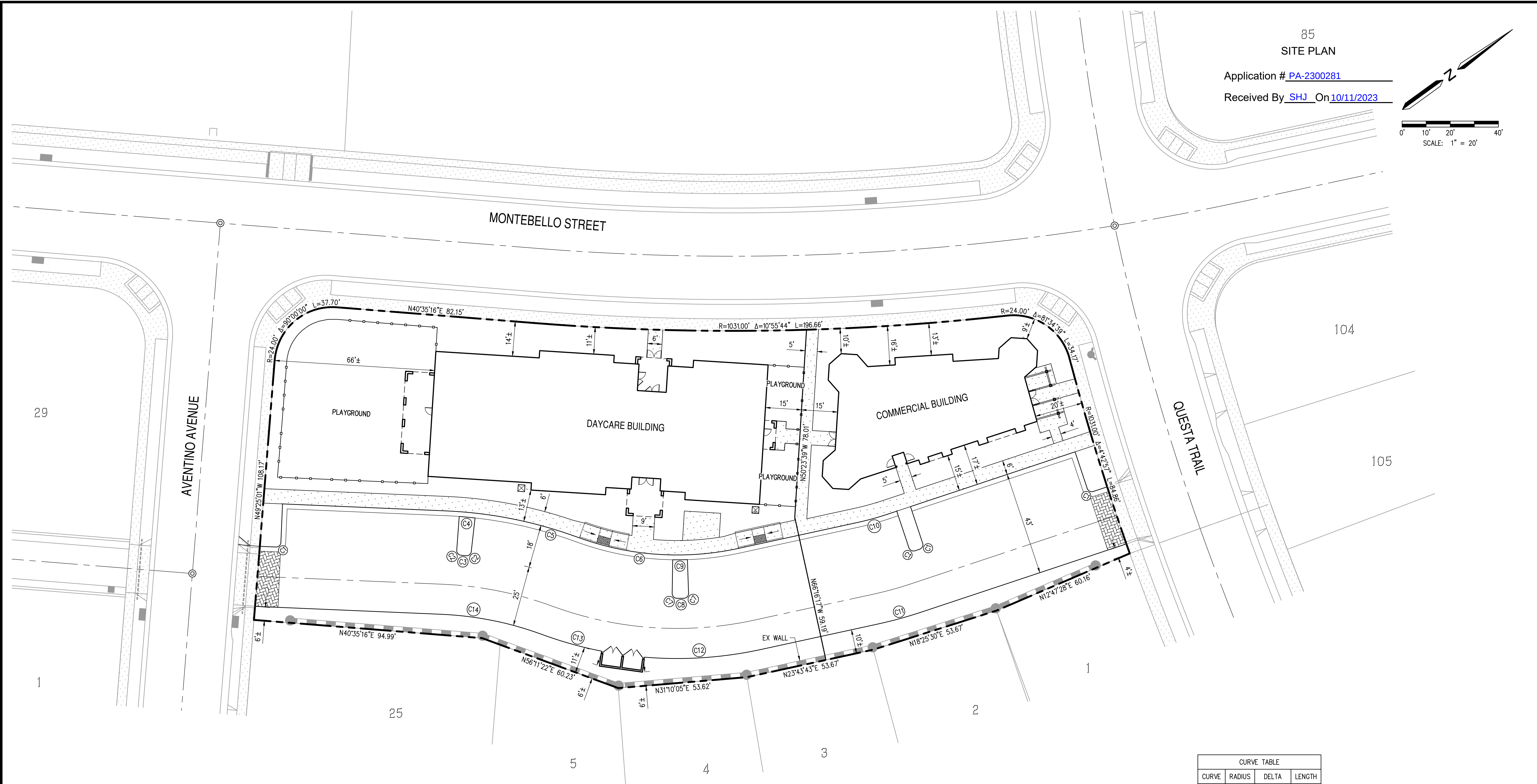
NEIGHBORHOOD H TULIP KIDS ACADEMY - DAYCARE  
MOUNTAIN HOUSE, CALIFORNIA



SCALE: 1" = 30'  
DATE: OCTOBER 5, 2023

**O'DELL**  
ENGINEERING  
Modesto Fresno Pleasanton  
6200 Stoneridge Mall Road, Suite 330  
Pleasanton, CA 94588  
Ph 925.223.8340 odellengineering.com

T:\1470 Neighborhood H Tulip Kids - Mountain House\ACAD\GPHORIZONTAL.dwg Sep 22, 2023 - 9:08 am zwerich



| CURVE TABLE |        |           |        |
|-------------|--------|-----------|--------|
| CURVE       | RADIUS | DELTA     | LENGTH |
| C1          | 2.00   | 90°00'00" | 3.14'  |
| C2          | 2.00   | 89°18'12" | 3.12'  |
| C3          | 162.50 | 0°43'21"  | 2.05'  |
| C4          | 178.50 | 2°06'56"  | 6.59'  |
| C5          | 180.50 | 17°47'05" | 56.03' |
| C6          | 119.50 | 32°31'12" | 67.83' |
| C7          | 2.00   | 90°50'45" | 3.17'  |
| C8          | 137.50 | 1°11'08"  | 2.85'  |
| C9          | 121.50 | 2°52'37"  | 6.10'  |
| C10         | 119.50 | 6°06'33"  | 12.74' |
| C11         | 162.50 | 6°06'33"  | 17.33' |
| C12         | 162.50 | 17°05'15" | 48.46' |
| C13         | 162.50 | 9°04'57"  | 25.76' |
| C14         | 137.50 | 17°47'05" | 42.68' |

85  
SITE PLAN  
Application # [PA-2300281](#)  
Received By [SHJ](#) On [10/11/2023](#)

SCALE: 1" = 20'

| REVISIONS |              |      |      |
|-----------|--------------|------|------|
| No.       | Descriptions | Date | App. |
|           |              |      |      |
|           |              |      |      |
|           |              |      |      |
|           |              |      |      |
|           |              |      |      |

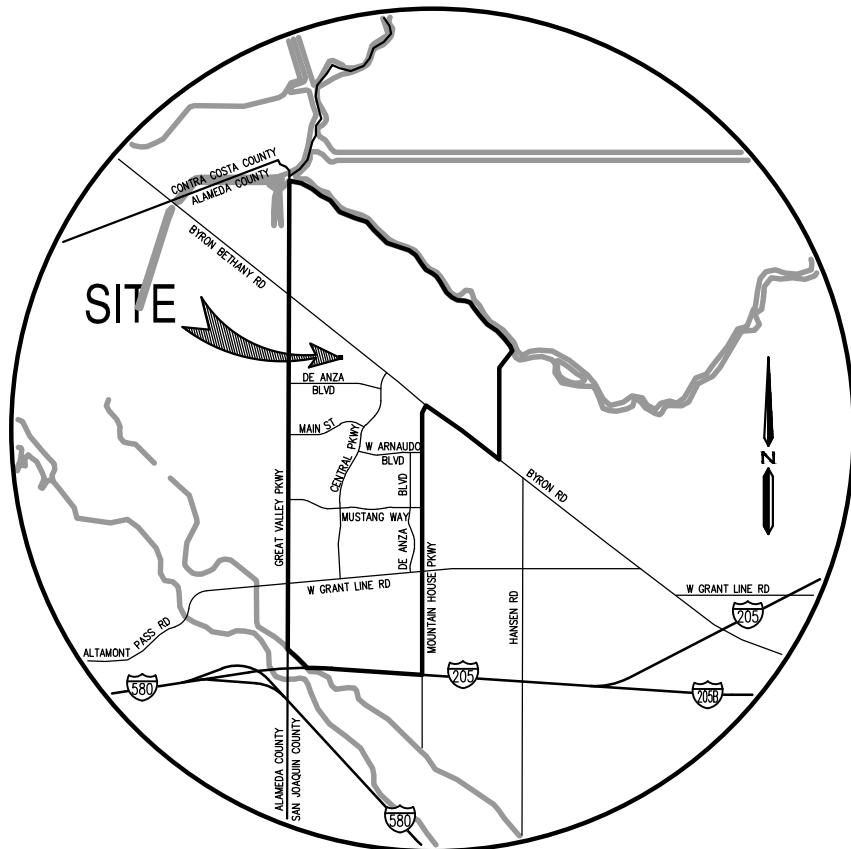
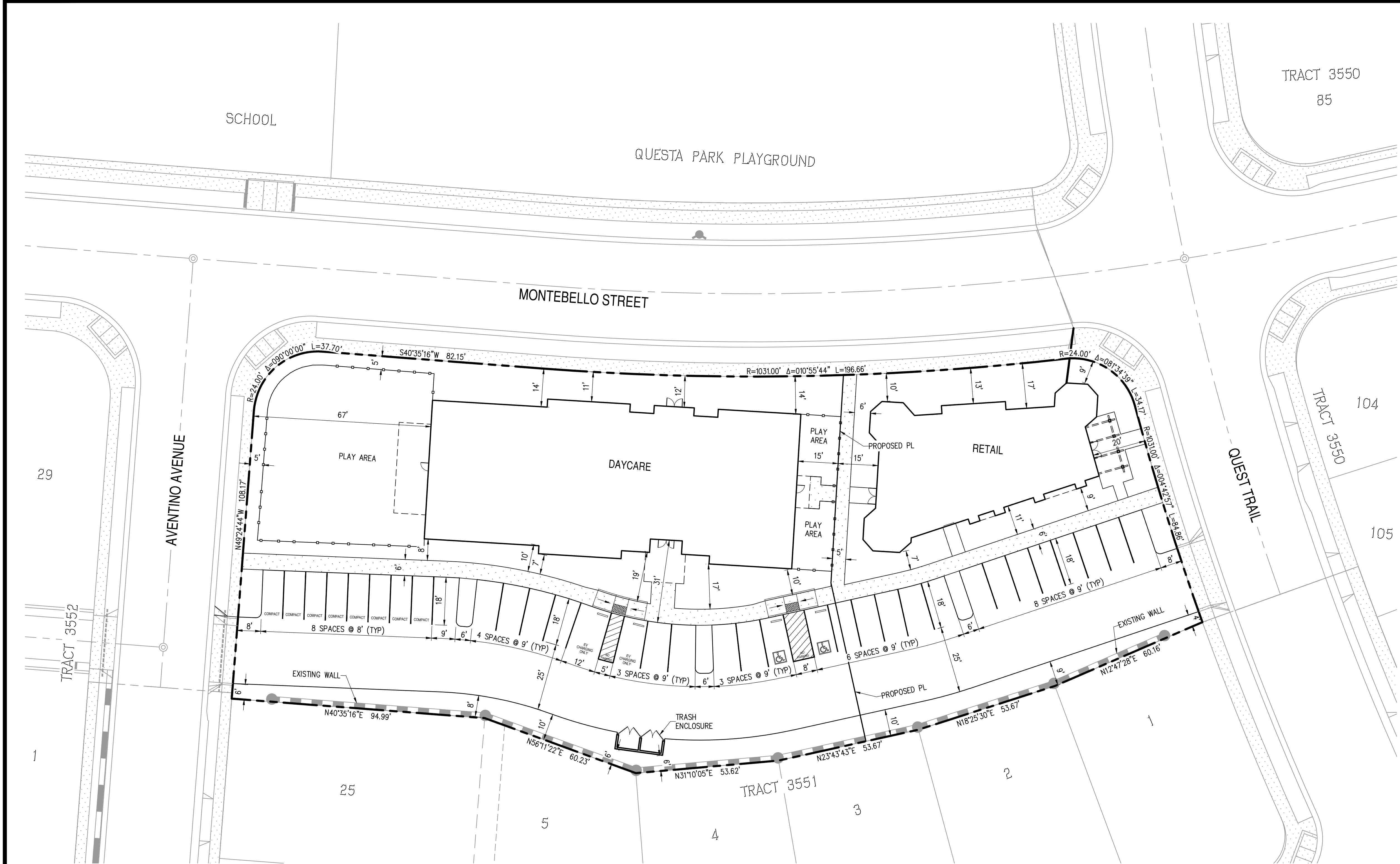
DATE:  
9/20/2023  
DRAWN BY:  
JPJ  
PROJ. ENGR:  
CZW  
PROJ. MGR:  
RIC

**O'DELL  
ENGINEERING**

6200 Stoneridge Mall Road, Suite 330  
Pleasanton, CA 94568  
Ph 925-223-8340  
odellengineering.com

|                                               |                                                         |
|-----------------------------------------------|---------------------------------------------------------|
| MOUNTAIN HOUSE<br>COMMUNITY SERVICES DISTRICT | TULIP KIDS ACADEMY - DAYCARE<br>HORIZONTAL CONTROL PLAN |
|                                               |                                                         |

Comp. File No. HORIZONTAL  
Plan File No. 41470  
SHEET: C-4 OF: C-14



VICINITY MAP  
NOT TO SCALE

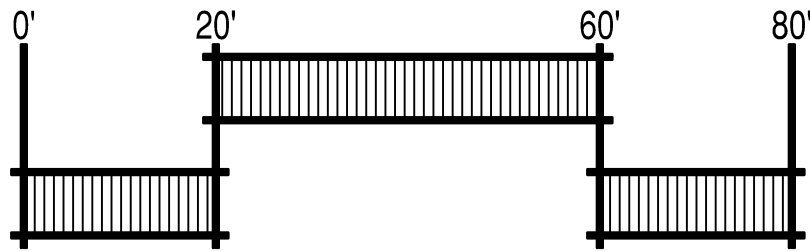
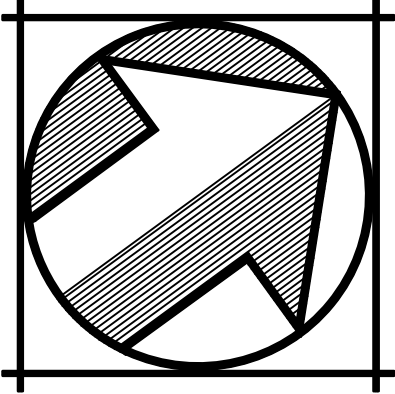
| SITE SUMMARY               |                                                                                   |
|----------------------------|-----------------------------------------------------------------------------------|
| ZONING:                    | C-N                                                                               |
| APN:                       | 25650005                                                                          |
| AREA:                      | 1.05±                                                                             |
| SETBACKS:                  | ARTERIAL STREET - 0'<br>COLLECTOR & LOCAL STREET - 0'<br>SIDE - N/A<br>REAR - N/A |
| BUILDING SEPARATION:       | 20'                                                                               |
| MAXIMUM HEIGHT:            | 2 STORIES                                                                         |
| MAXIMUM BUILDING COVERAGE: | 60%                                                                               |

| PARKING SUMMARY            |           |
|----------------------------|-----------|
| DAYCARE (REQ) <sup>1</sup> | 23 SPACES |
| RETAIL (REQ) <sup>2</sup>  | 11 SPACES |
| TOTAL (REQ)                | 34 SPACES |
| STANDARD:                  | 22 SPACES |
| STANDARD ADA:              | 2 SPACES  |
| COMPACT:                   | 8 SPACES  |
| EVCS:                      | 1 SPACE   |
| EVCS ADA:                  | 1 SPACE   |
| EV CAPABLE (FUT):          | 6 SPACES  |
| TOTAL:                     | 34 SPACES |

- NOTES:
- 1) DAYCARE PARKING PER SAN JOAQUIN COUNTY DEVELOPMENT CODE TABLE 9-406.040
  - 2) RETAIL PARKING PER MOUNTAIN HOUSE DEVELOPMENT CODE TABLE 9-1015.3M

PRELIMINARY SET - SITE LAYOUT  
TULLIP KIDS ACADEMY - DAYCARE

768 N MONTEBELLO STREET  
MOUNTAIN HOUSE, CALIFORNIA



SCALE: 1" = 20'  
DATE: JULY 31, 2023

**O'DELL**  
ENGINEERING  
Modesto Fresno Pleasanton  
6200 Stoneridge Mall Road, Suite 330  
Pleasanton, CA 94588  
Ph 925.223.8340 odellengineering.com



**Jennifer Jolley**, Director

**Eric Merlo**, Assistant Director

**Tim Burns**, Code Enforcement Chief

**Corinne King**, Deputy Director of Planning

**Jeff Niemeyer**, Deputy Director of Building Inspection

**NOTICE OF EXEMPTION**

TO: ☒ Office of Planning & Research  
P. O. Box 3044, Room 212  
Sacramento, California 95812-3044

☒ County Clerk, County of San Joaquin

FROM: San Joaquin County  
Community Development Department  
1810 East Hazelton Avenue  
Stockton, California 95205

**Project Title:** Minor Subdivision and Site Approval No. PA-2300280 and PA-2300281

**Project Location - Specific:** The project site is located within neighborhood H of the Mountain House Specific Plan II area, at the southeast corner of N. Montebello St. and W. Questa Trail. 768 N. Montebello St. / APN 256-500-05 (Supervisory District: 5)

**Project Location – City:** Mountain House

**Project Location – County:** San Joaquin County

**Project Description:** Minor subdivision to create two (2) parcels from the existing parcel, to facilitate a 3,460 square-foot single-story building for retail uses and a 7,350 square-foot daycare center.

**Project Proponent(s):** DNS Investment II LLC, 1159 Willow Ave, Sunnyvale CA 94806

**Name of Public Agency Approving Project:** San Joaquin County Community Development Department

**Name of Person or Agency Carrying Out Project:** Brad Wall, Mountain House Contract Planner  
San Joaquin County Community Development Department

**Exemption Status:**  
Categorical Exemption (15315 Minor Land Divisions and 15332 In-Fill Development)

**Exemption Reason:**

The California Environmental Quality Act (CEQA) Guidelines Section 15315 states that division of property into four or fewer parcels, when the division is consistent with the General Plan and zoning, located in an urbanized area, and all services and access is available, among certain other applicable criteria, is exempt from CEQA. Guidelines Section 15332 exempts from CEQA infill development in urbanized areas of less than five acres, and that generally meets similar criteria to those applicable to Section 15315, among certain other applicable criteria.

**Lead Agency Contact Person:**

Brad Wall Phone: (209) 468-3160 Fax: (209) 468-3163 Email: mountainhouseplanning@sjgov.org

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

5/21/24

Name: Allen Asio

Title: Deputy County Clerk

Signed by Lead Agency

Date Received for filing at OPR: \_\_\_\_\_