

**EXHIBIT A
DRAFT CONDITIONS OF APPROVAL**

**P16-1115
6640-6642 Owens Drive, Red Dragonfly Learning Center
August 24, 2016**

PROJECT SPECIFIC CONDITIONS OF APPROVAL

Planning Division

1. The proposed Heritage School activities and operations approved by this Conditional Use Permit shall conform substantially to the narrative and project plans, Exhibit B, marked "Received June 14, 2016," on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans or operation may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance to the approved exhibits.
2. Prior to issuance of a business license, the applicant shall provide documentation to the Director of Community Development that shows a modification to its Heritage School registration to include both 6640 and 6642 Owens Drive as well as an increase to the total enrollment to a maximum of 40 students. The proposed Heritage School shall maintain its Heritage School registration with the California Department of Education during its operation. Failure to maintain the Heritage School registration with the California Department of Education may result in this application being reviewed by the Director of Community Development for possible future action by the Planning Commission.
3. If additional hours of operation, number of students or staff, or activities beyond that proposed in the applicant's narrative, Exhibit B, dated "Received June 14, 2016," on file with the Planning Division, are desired, prior City review and approval is required. The Community Development Director may approve the modification or refer the matter to the Planning Commission if judged to be substantial.
4. The Heritage School (which is replacing the tutoring use) shall be limited to a maximum of 40 students and seven staff present on-site at any one time.
5. If operation of this use results in conflicts pertaining to parking, interior or exterior noise, traffic/circulation, or other factors, at the discretion of the Community Development Director, this conditional use permit may be submitted to the Planning Commission for its subsequent review at a public hearing. If necessary, the Commission may modify or add conditions of approval to mitigate such impacts, including imposing traffic impact fees, or may revoke said conditional use permit. Possible mitigation measures can include, but are not limited to: modifying the hours of operation, reducing the number of persons inside the subject building, or other measures deemed necessary by the Planning Commission.

6. The exterior doors of the building shall remain closed when not being used for ingress/egress purposes.
7. The applicant shall inform all students/parents/staff not to loiter or make loud noises outside the subject building before or after instruction.
8. Prior to an individual working and/or providing services at the facility, said person shall complete and pass a criminal background check. The applicant shall submit a letter to the Planning Division stating that all persons at the facility have satisfied this condition.
9. Prior to an individual working and/or providing services at the facility, said person shall undergo first-aid and CPR training. The applicant shall submit a letter to the Planning Division stating that all persons at the facility have satisfied this condition. The applicant shall ensure that these certifications are current at all times.
10. Prior to issuance of a business license, the applicant shall prepare and submit a disaster plan to the Planning Division and shall ensure it is in place for the facility/patrons.
11. Students 12 years and younger shall be signed in and out of the facility by a parent and/or legal guardian, except that students 12 years and younger transported by the facility van shall be escorted and signed in by a designated staff member and signed out by a parent and/or legal guardian.
12. All facility vehicles used to pick up students shall have access to a means of communication so that the driver can be in direct contact with staff at the facility when needed in case of emergency.
13. Drivers for the facility shall have a student roster to verify students' names and grades.
14. Parents and employees shall park in designated parking stalls when dropping off or picking up students. No double parking, parking in non-designated stalls or curbside drop-off or pick-up shall be permitted.
15. All facility vehicles shall be parked and stored behind the building and within an existing striped parking space when not in use.

STANDARD CONDITIONS

Community Development Department

16. The applicant shall pay all fees to which the use may be subject prior to operation. The type and amount of the fees shall be those in effect at the time the permit is issued.
17. 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 (including claims for attorneys' fees), 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.

Planning Division

18. If the applicant wishes to relocate the use to a new address and/or suite, the applicant shall secure a new conditional use permit prior to occupying the new building or tenant suite.
19. This Conditional Use Permit approval will lapse and shall become void one year following the date on which the use permit became effective, unless prior to the expiration of one year, the applicant initiates the use, or the applicant or his or her successor has filed a request for extension with the Zoning Administrator pursuant to the provisions of the Pleasanton Municipal Code Section 18.12.030.
20. The applicant and/or employees shall maintain the area surrounding the subject tenant space in a clean and orderly manner at all times.
21. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.
22. This approval does not include approval of any signage. If signs are desired, the applicant shall submit a sign proposal to the City for review and approval prior to sign installation.

CODE REQUIREMENTS

Applicants/Developers are responsible for complying with all applicable Federal, State, and City codes and regulations regardless of whether or not the requirements are part of this list. The following items are provided for the purpose of highlighting key requirements.

Planning Division

23. At no time shall balloons, banners, pennants, or other attention-getting devices be utilized on the site except as allowed by Section 18.96.060K of the Zoning Ordinance for grand openings.

Building Division

24. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.

25. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval.
26. Prior to occupancy, the applicant shall contact the Building and Safety Division and Fire Marshal to ensure that the proposed use of the subject building/structures meet Building and Safety and Fire Code requirements. If required, the applicant shall obtain all appropriate City permits.

END

