

P14-1295
Exhibit A, Draft Conditions of Approval
4430 Willow Road, Suite I
December 12, 2014

PROJECT SPECIFIC CONDITIONS OF APPROVAL

Planning Division

1. The proposed art school activities and operations approved by this Conditional Use Permit shall conform substantially to the narrative and project plans, Exhibit B, marked "Received November 24, 2014," on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Zoning Administrator if found to be in substantial conformance to the approved exhibits.
2. If additional hours of operation, number of students or staff, or activities beyond that proposed in the applicant's narrative, Exhibit B, dated "Received November 24, 2014," 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.
3. The art school capacity shall be limited to a maximum of 19 students and staff present at any one time.
4. If operation of this use results in conflicts pertaining to parking, interior or exterior noise, traffic/circulation, or other factors, at the discretion on the Community Development Director, this conditional use permit may be submitted to the Planning Commission for their subsequent review at a public hearing. If necessary, the Commission may modify or add conditions of approval to mitigate such impacts, 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.
5. The applicant shall inform all patrons that the facility is located in an industrial district and may be subject to noise, odors, etc.
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 buildings before or after instruction.

8. Students 12 years and younger shall be escorted to and from and signed in and out of the facility by a parent and/or legal guardian at all times.
9. Parents and employees shall park in designated parking stalls when dropping off or picking up students. No double parking or parking in non-designated stalls shall be permitted.
10. 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.

STANDARD CONDITIONS

Community Development Department

11. The applicant shall pay all fees to which the use may be subject prior to operation.
12. 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

13. 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.
14. 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.
15. The applicant and/or employees shall maintain the area surrounding the subject building in a clean and orderly manner at all times.
16. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.

17. 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.

18. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.
19. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval.
20. 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



November 3, 2014

Mr. Adam Weinstein
Planning Manager
City of Pleasanton
200 Bernal Avenue
Pleasanton, CA 94566

RECEIVED
NOV 11
PLANNING DIVISION
P14-1295

Re: **Conditional Use Permit**
Ichen Art Academy
Site 31D, Pleasanton One

Dear Adam:

This letter is being provided in accordance with the Declaration of Covenants, Conditions and Restrictions for Hacienda, Article III, Section 3.2, Paragraph 3.2.3, Plan Changes and Plans for Changes to Improvements. The Design Review Committee for the Hacienda Owners Association has reviewed the application for a conditional use permit. This application was submitted by Ichen Art Academy, on behalf of 4430 Willow Road, A Commercial Condominium Project, Site 31D, dated October 29, 2014. This modification is in substantial compliance with the guidelines set forth in the Design Guidelines and Covenants, Conditions and Restrictions.

The proposed conditional use permit will allow Ichen Art Academy to operate a Chinese-Western art education program at 4430 Willow Road, Suite I. The school will be open Tuesday through Friday from 3:45 pm to 7:00 pm, Tuesday mornings from 10:00 am to 12:00 pm and Saturday and Sunday from 11:00 am to 6:30 pm. The proposed program contemplates a maximum occupancy of 19 people, 15 students and four staff members, at any given time. In consideration of the conditional use permit, the applicant has reviewed site parameters of concern including parking, traffic and noise. Based on a comprehensive review of space allocation and business practice, the applicant has demonstrated that their use is compatible with currently approved uses at the site. The description of the use proposal for this modification is attached.

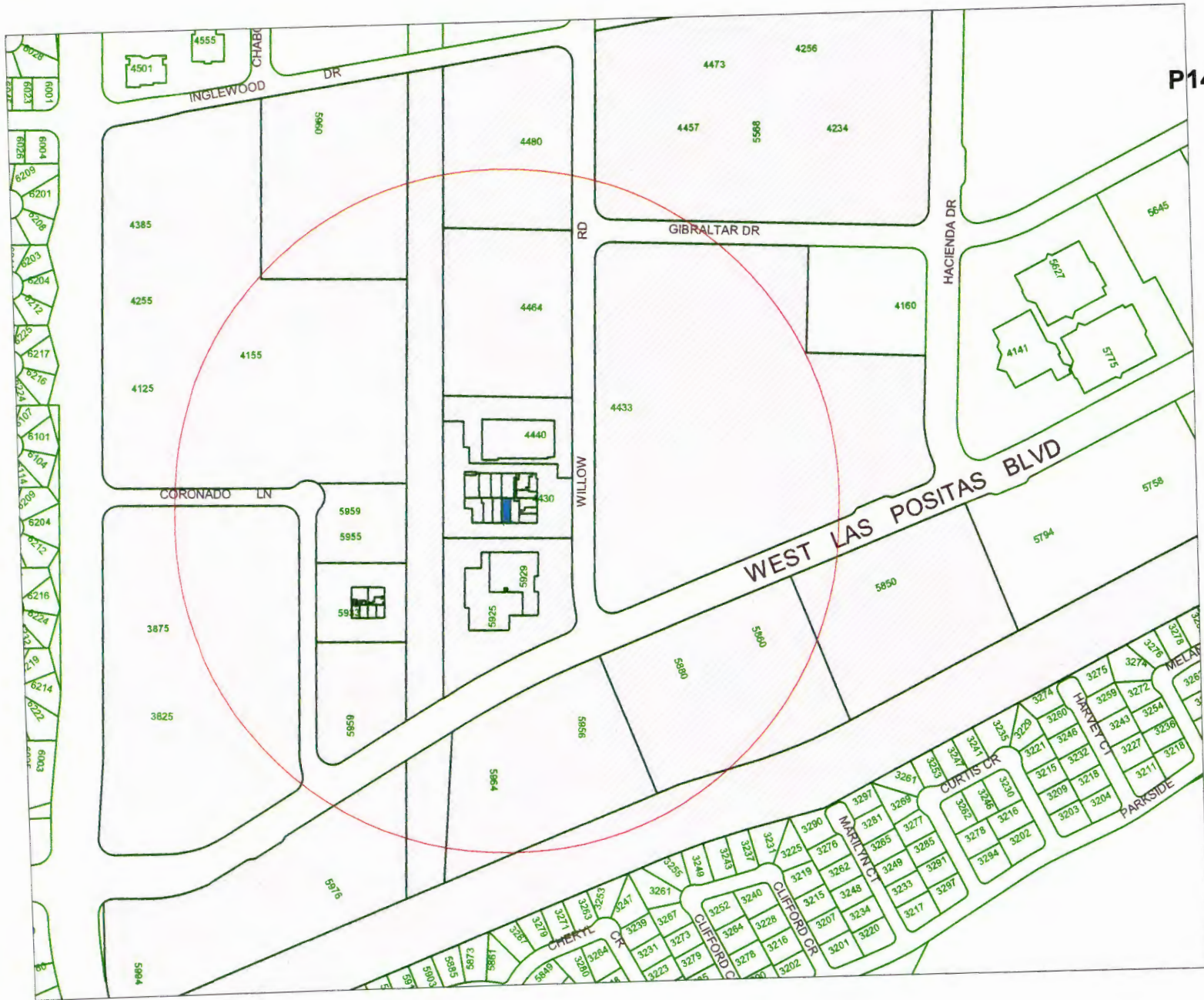
This application is hereby approved by the Hacienda Owners Association and may be processed for necessary approvals by the City of Pleasanton. Please feel free to contact me at the Association's office if I can be of any assistance in this matter.

Sincerely,

James Paxson
General Manager, HBPOA

cc: Stacy Milligan
Ichen Jiany

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d: DFV\DES\APP\MOD



P14-1295, Ichen Art Acade

City of Pleasanton

GIS

Department

4430 Willow Rd, Ste I

