

**EXHIBIT A
DRAFT CONDITIONS OF APPROVAL**

**P13-2498, Conditional Use Permit
3037 Hopyard Road, Suite E
Kiddieo Mall – Consignment Boutique**

February 12, 2014

PROJECT SPECIFIC CONDITIONS

Planning Division

1. Prior to approval of a zoning certificate from the Planning Division and issuance of a business license, the applicant shall secure a secondhand dealers license from the Pleasanton Police Department. The applicant shall provide a copy of the license to the Planning Division for verification.
2. If additional hours of operation, number of staff, and/or activities beyond what is stated in the applicant's written narrative (Exhibit B), dated "Received November 22, 2013," on file with the Planning Division, are desired, prior City review and approval is required. The Director of Community Development may approve the modification or refer the matter to the Planning Commission if judged to be substantial.
3. All transactions shall be conducted within the tenant space and all exterior doors shall remain closed when not being used for ingress/egress purposes.

STANDARD CONDITIONS

Community Development Department

4. The applicant shall pay any all fees to which the use may be subject to prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
5. 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

6. The proposed use shall be in substantial conformance to Exhibit B, dated "Received November 22, 2013," on file with the Planning Division, except as modified by these conditions. Minor changes to the plans or operation may be allowed subject to the approval of the Director of Community Development.
7. If the operation of this use results in conflicts pertaining to parking, interior noise, traffic/circulation, or other factors, at the discretion of the Director of Community Development, this conditional use permit may be submitted to the Planning Commission for their subsequent review at a public hearing. If necessary, the Planning Commission may modify or add conditions of approval to mitigate such impacts, or may revoke the said conditional use permit approval. Possible mitigation measures may include, but are not limited to, modifying the hours of operation, reducing the number of massage technicians on site at the same time, or other measures deemed necessary by the Planning Commission.
8. All conditions of approval for this case shall be reprinted and included as a plan sheet(s) with the building permit plan check sets submitted for review and approval. At all times these conditions of approval shall be on all construction plans kept on the project site.
9. 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.
10. 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 a building permit is issued and construction is commenced and diligently pursued toward completion on the site which was the subject of the use permit application, or a certificate of occupancy is issued for the structure which was the subject of the use permit application, or the site is occupied if no building permit or certificate of occupancy is required, 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.
11. The applicant, employees and/or volunteer staff shall maintain the area surrounding the tenant space in a clean and orderly manner at all times.
12. This approval does not include approval of any signage for for consignment store. If signs are desired, the applicant shall submit a sign proposal to the City for review and approval prior to sign installation.
13. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.

14. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. No construction shall be allowed on State or Federal Holidays or weekends. The Director of Community Development may allow earlier “start-times” or later “stop-times” for specific construction activities (e.g., concrete pouring), if it can be demonstrated to the satisfaction of the Director of Community Development that the construction noise and construction traffic noise will not affect nearby residents or businesses. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the applicant shall post on the site the allowable hours of construction activity.

Building and Safety Division

15. Prior to issuance of a business license, the applicant shall contact the Building and Safety Division and the Fire Marshall to ensure that the proposed use of the tenant space meets Building and Fire Code requirements. If required, the applicant shall obtain all appropriate City permits.

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.

16. The business shall comply with the Chapter 9.24 of the Pleasanton Municipal Code (Smoking in Public and Work Places).
17. All building and/or structural plans must comply with all codes and ordinances in effect before the Building and Safety Division will issue permits.
18. 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 or by Section 18.116.040 of the Zoning Ordinance if approved as part of a temporary conditional use permit. At no time shall spot lighting be used in conjunction with such grand openings and/or promotional events.

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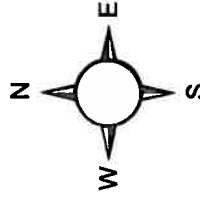
P13-2498, Kiddieo Mall

City of Pleasanton

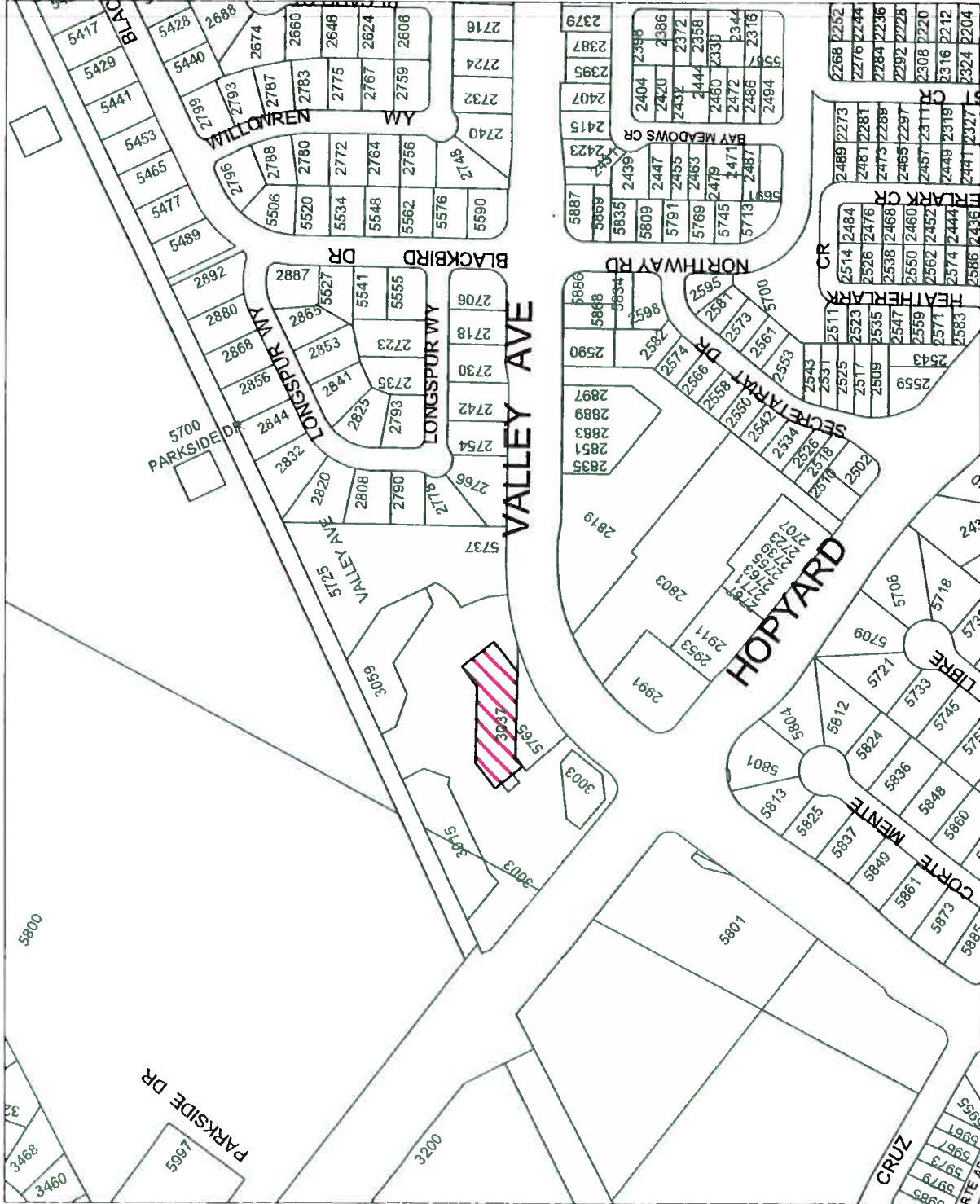
GIS

Department

Location Map



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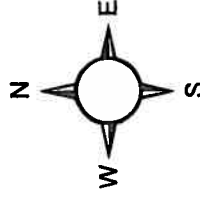
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Noticing Map



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