

Exhibit A

Draft Conditions of Approval P13-0051 1241 Quarry Lane, Ste. 110

PROJECT SPECIFIC CONDITIONS OF APPROVAL

Planning Division

1. If additional hours of operation or activities beyond that stated in the applicant's written narrative, site plan and floor plan dated, "Received February 22, 2013," on file in 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.
2. Should parking or on- or off-site traffic/circulation problems occur during student pick-up times as determined by the Director of Community Development, the applicant shall revise the tutorial schedule to resolve the problem(s) to the satisfaction of the Director of Community Development. If necessary, the Director of Community Development may refer the Conditional Use Permit application to the Planning Commission for review and possible modification.
3. The exterior doors of the tutorial facility shall remain closed during tutorial sessions when not being used for ingress/egress purposes.
4. The applicant shall inform all patrons that the facility is located in an industrial district and may be subject to noise, odors, etc.
5. Children 12 years and younger shall be signed in/out of the subject tutorial facility by a parent and/or legal guardian.
6. 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.
7. 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 Pleasanton Municipal Code for a grand opening.
8. The operation of this use shall comply with Chapter 9.04 of the Pleasanton Municipal Code (Noise Regulations).

STANDARD CONDITIONS OF APPROVAL

Community Development Department

9. The applicant shall pay any and all fees to which the use may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
10. 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

11. The proposed use shall be in substantial conformance to Exhibit B, dated "Received May 20, 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.
12. If the operation of this use results in conflicts pertaining to parking, 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.
13. This Conditional Use Permit approval will lapse one year from the effective date of approval unless Education Enrichment Center receives a business license within that time.
14. Education Enrichment Center shall maintain the area surrounding the building in a clean and orderly manner at all times.
15. This approval does not include approval of any signage for Education Enrichment Center. If signs are desired, Education Enrichment Center shall submit a sign proposal to the City for review and approval prior to sign installation.
16. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.
17. If the applicant wishes to relocate the use to a new address or tenant suite, the applicant shall secure a new conditional use permit prior to occupying the new building or tenant suite.

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.)

Building

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

Fire Department:

21. Portable fire extinguisher(s) shall be provided and installed in accordance with the 2007 California Fire Code and Fire Code Standard #10-1. Minimum approved size for all portable fire extinguishers shall be 2A 10B:C.

[end]

From: Bryce Despain
Sent: Monday, June 17, 2013 9:42 AM
To: Jenny Soo
Subject: P13-0051, Brian O'Toole

Hi Jenny,

I am writing to express some concerns I have with the application for a conditional use permit to operate a tutorial facility for students in grades K-12. Unfortunately I am going to be out of town on June 26, 2013 and will be unable to attend the hearing and express my concerns there, so I am addressing them to you now, if you could please include them in your report, it would be greatly appreciated.

My biggest concern lies with the actual safety of students, given the industrial nature of the area and the accompanying truck traffic associated with the neighborhood I don't feel that any facility catering to children is a good fit for the area. I personally I would never enroll my children in any program in this type of area given safety concerns, I have 3 children one who is 18 months old a 5 year old going to kindergarten and an 8 year old going into 3rd grade, so my concern comes from personal experience.

Additionally, I have concerns about the impact that the traffic will create, a school like facility especially catering primarily to students too young too drive creates double the traffic with drop off and pick up. The Quarry Lane Preschool in the immediate area already creates a negative impact on the surrounding businesses as they do not have enough parking available both off and on the street to accommodate the traffic they create, and I feel the Quarry Lane Preschool is already a danger to the area, I can't count the number of near accidents that I have seen as a result of Quarry Lane Preschool.

If a conditional use permit is to be issued, I would like to see conditions attached to it that they must have sufficient off street parking to accommodate drop off and pick up of students without traffic overflowing onto the street and limit hours of operation so that student drop off and pick up will not occur at the same time as the Quarry Lane Preschool which could be an absolute nightmare to the surrounding businesses.

Thank you for time in hearing my concern.

Sincerely,

Bryce Despain

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City of Pleasanton

GIS

Department

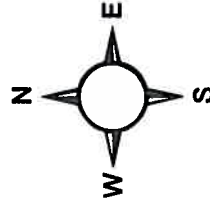
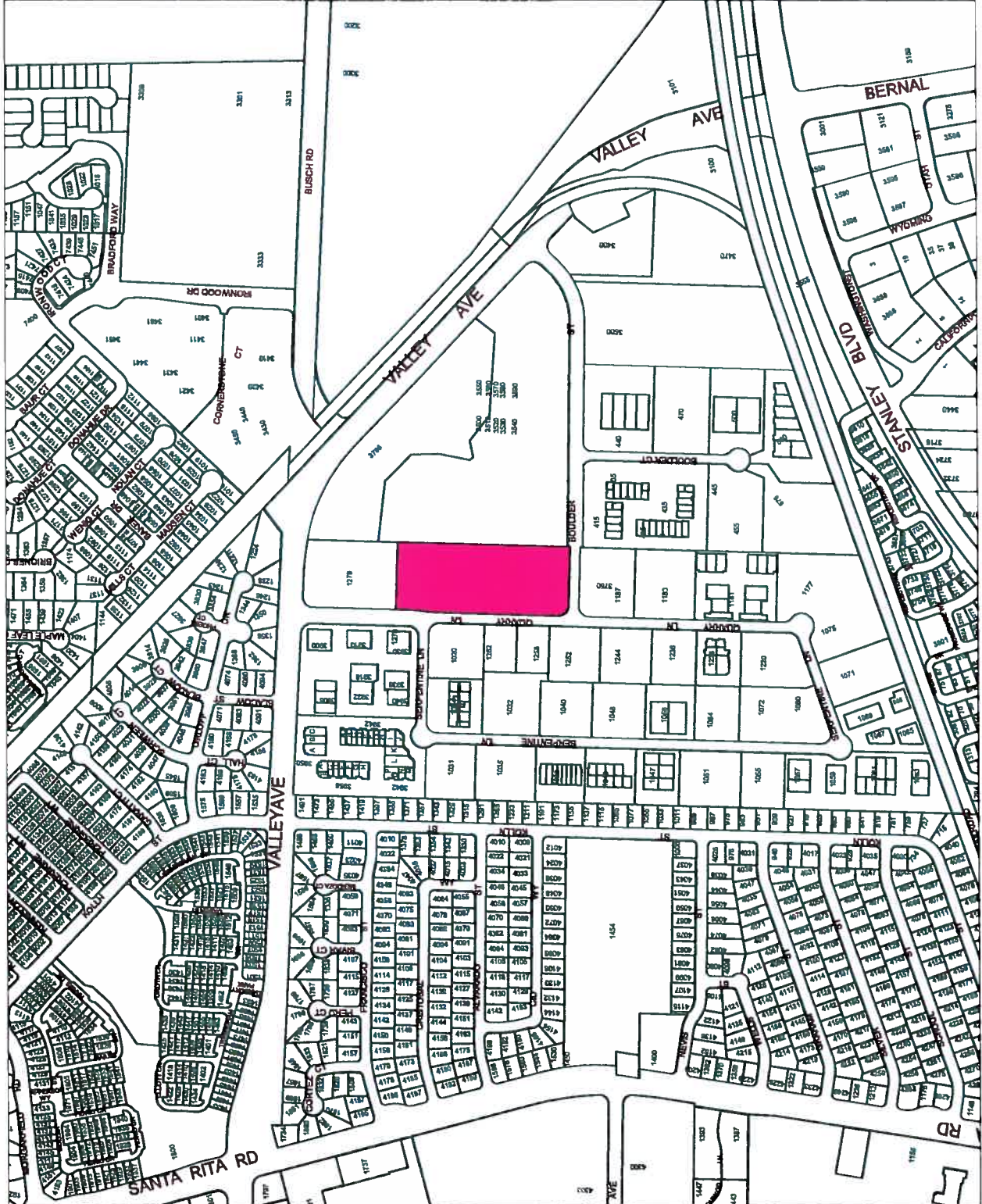


EXHIBIT D

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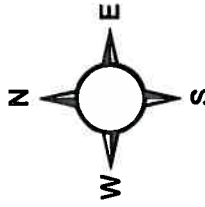
P13-0051, Brian O'Toole

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