

P13-0543
Exhibit A, Draft Conditions of Approval

Animal Medical Center of Pleasanton
3901 Santa Rita Road, Suite A
June 12, 2013

SPECIAL CONDITIONS OF APPROVAL
Planning

1. The project developer shall obtain a Building Permit from the Building Department and any other applicable City permits for the project prior to the commencement of any construction.
2. If additional hours of operation or change of activities beyond what is stated in the applicant's written narrative, dated "Received, March 21, 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. The exterior doors of the establishment shall remain closed at all times when not being used for ingress/egress purposes.
4. The project developer shall install a double-layer of sheetrock on the walls of the Veterinary clinic shared with AutoZone and the Fresh and Easy Market to control animal-related noise. This detail shall be shown on the building permit plans to the satisfaction of the Chief Building Official.
5. If operation of the veterinary clinic results in conflicts pertaining to parking, interior or exterior noise, traffic circulation, odors, or other factors verified by City enforcement staff, 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.
6. No overnight boarding is allowed by this approval unless otherwise approved under an amendment to this Conditional Use Permit.
7. This approval does not include approval of any signage for the Animal Medical Center of Pleasanton. If signs are desired, the project developer shall submit a sign proposal to the City for review and approval prior to sign installation. All signs shall conform to the sign standards of the master sign program for the Rose Pavilion shopping center.
8. Veterinary and animal waste shall be disposed in compliance with the applicable California State and Alameda County health regulations. Non-veterinary/animal

waste shall be disposed in the garbage bins located in the service area behind the clinic.

STANDARD CONDITIONS OF APPROVAL
Planning

9. The proposed veterinary clinic shall be constructed and operated in substantial conformance to Exhibit B, dated "Received, March 21, 2013," on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans and operations may be allowed subject to the approval of the Director of Community Development.
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, 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.
11. All conditions of approval shall be attached to all permit plan sets submitted for review and approval, whether stapled to the plans or located on a separate plan sheet.
12. The building permit plan check package will be accepted for submittal only after completion of the 15-day appeal period, measured from the date of the approval letter, unless the project developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the approval is overturned on appeal, or that the design is significantly changed as a result of the appeal. In no case will a building permit be issued prior to the expiration of the 15-day time-period.
13. 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 Saturday. No construction shall be allowed on State or Federal Holidays or Sundays. The Director of Community Development may allow earlier "start times" or later "stop times" for specific construction activities, e.g., concrete pouring. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the hours of construction shall be posted on site.
14. 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 by temporary conditional use permit as part of a decorating plan in conjunction with shopping center promotional events. At no time shall spot lighting be used after 10:00 p.m. in conjunction with such grand openings and/or promotional events.

15. 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.
16. This conditional use permit approval will lapse one year from the effective date of approval unless the Animal Medical Center of Pleasanton receives a business license.

CODE REQUIREMENTS

Fire

(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.)

17. Portable fire extinguisher(s) shall be provided and installed in accordance with the California Fire Code currently in effect and Fire Code Standard #10-1. Minimum approved size for all portable fire extinguishers shall be 2A 10B:C.
18. All buildings undergoing construction, alteration or demolition shall comply with Chapter 14 (California Fire Code currently in effect) pertaining to the use of any hazardous materials, flame- producing devices, asphalt/tar kettles, etc.
19. The building (s) covered by this approval shall conform to the requirements of the California Building Code currently in effect, the California Fire Code currently in effect and the City of Pleasanton Ordinance 2015.

CODE REQUIREMENTS

Building

(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.)

20. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval.

< End >

CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

ORDINANCE NO. 1421

ORDINANCE APPROVING CASE PUD-89-6, THE APPLICATION OF
SPIEKER PARTNERS FOR PUD DEVELOPMENT AND REZONING

WHEREAS, Spieker Partners has applied for Planned Unit Development rezoning and development plan approval for a multi-building, approximately 118,500 sq. ft. mixed use retail/commercial complex to be located on an approximately 13.3-acre site located at the northwest corner of the intersection of Rosewood Drive and Santa Rita Road

25. That all uses for the project shall be those of the C-C (Central Commercial) zoning district with the following modifications:

Permitted uses to include:

- Automotive service including tune-ups and minor service such as battery and oil changes.
- Tire sales and service
- Automobile detailing/washing
- Automobile upholstery and top shops
- Motorcycle sales and minor service with no outdoor display
- Wholesale establishments
- Factory outlets
- Boat sales, and minor service and repair with no outdoor display
- Restaurants including take-out service
- Gymnasiums and health clubs without massage
- Music and dance studios
- Glass replacement and repair

Conditionally allowed uses:

- Automobile sales
- Gymnasiums and health clubs including massage service
- Engine overhauling and body repair for automobiles, boats and motorcycles
- Automotive and boat painting
- Service Stations

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City of Pleasanton

GIS

Department

3901 Santa Rita Road

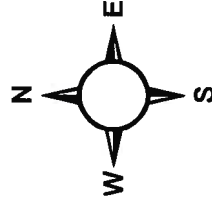
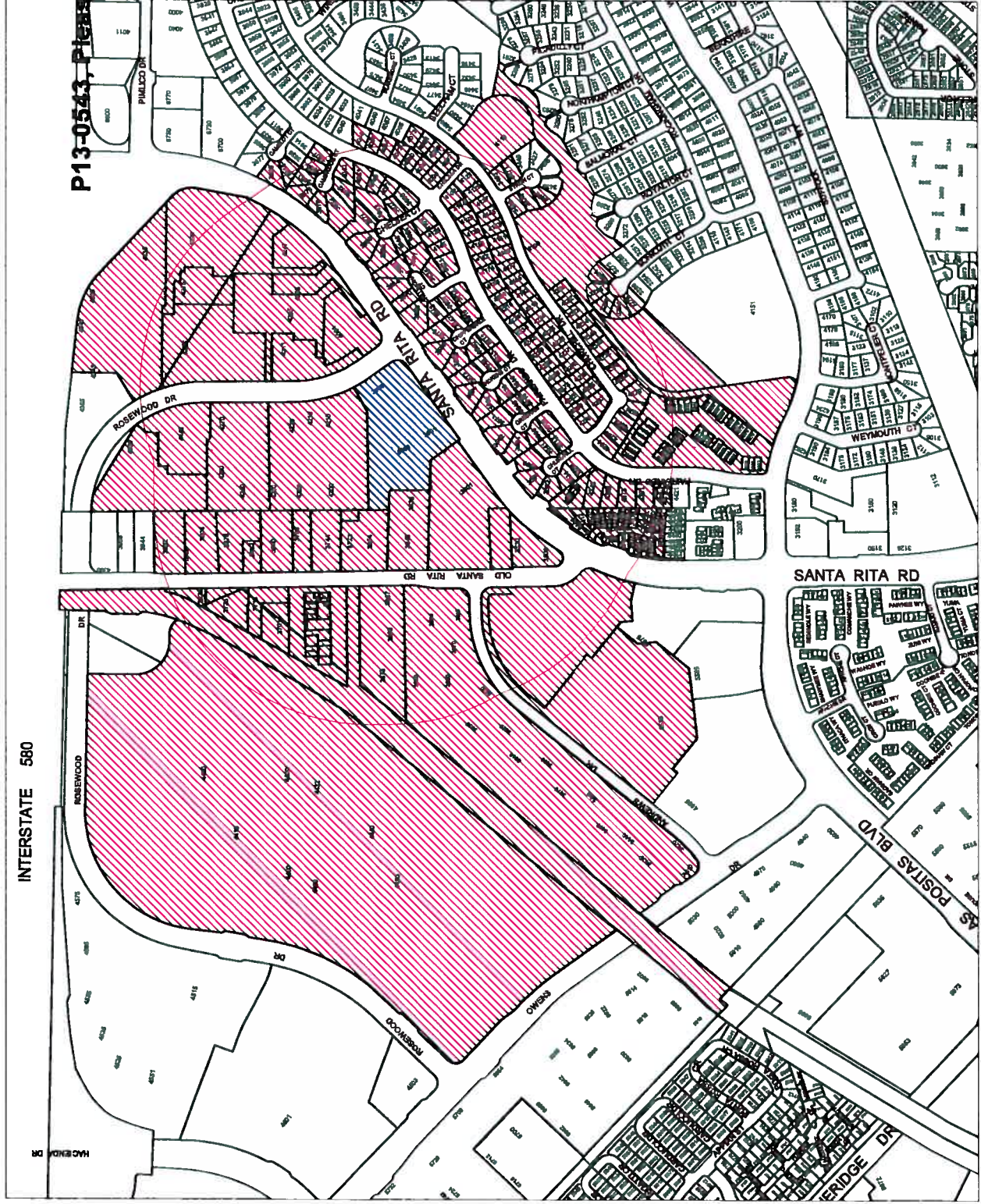


EXHIBIT D

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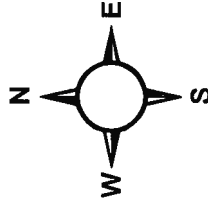
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