

Exhibit A

**Draft Conditions of Approval
PCUP-289
4430 Willow Road, Suite B**

I. Project Specific Conditions:

Planning Division:

1. If additional hours and activities beyond what was stated in the applicant's revised written narrative and schedule of activities, dated "Received, February 15, 2011," on file in the Planning Division, are desired, then prior City review and approval is required. Such modification may be approved by the Director of Community Development if found to be in substantial conformance with the approval. The Director of Community Development may also refer the matter to the Planning Commission if the proposed changes would be significant.
2. 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.
3. The operator of the proposed tutorial facility shall notify all parents and guardians that double parking during drop-off and pick-up is prohibited.
4. Students 12 years and younger shall be escorted into and out of the facility and signed in and out by a parent or supervising adult.
5. The exterior doors of the business and the doors to the common hallway shall remain closed when not being used for ingress/egress purposes. The applicant shall inform all students not to loiter or make loud noises outside the suite and building before or after classes.
6. The applicant shall inform all patrons that the facility is located in an industrial district and may be subject to noise, odors, etc.
7. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.
8. Summit Tutorial Center shall maintain the area surrounding the tenant space in a clean and orderly manner at all times.

9. 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 grand openings.
10. The applicant shall pay the required local traffic impact fee and all other fees that the proposed use may be subject to prior to operation.

II. Standard Conditions:

Planning Division:

11. The location and operation of the proposed use shall conform substantially to Exhibit "B" (site plan, floor plan), dated "Received, February 4, 2011," revised written narrative, dated "Received February 15, 2011," on file with the Planning Division, except as modified by the conditions of approval herein. Minor changes to the approved operation and schedule may be approved by the Director of Community Development.
12. This conditional use permit approval will lapse one (1) year from the effective date of approval unless Summit Tutorial Center receives a business license at the subject location.
13. 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 attorney's fees), action, or proceeding brought by a third party 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.
14. 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.

Building Division:

15. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval prior to operation. The applicant shall obtain a building permit prior to commencement of any work. The applicant shall pay any and all fees to which the proposed application may be subject to prior to issuance of building permits. The type and amount of the fees shall be those in effect at the time the building permit is issued.

III. Code Requirement

(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 Division:

16. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval.
17. 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 tenant space meets Building and Fire Code requirements. If required, the applicant shall obtain all appropriate City permits.

Fire Department:

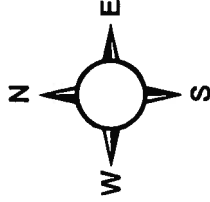
18. Portable fire extinguisher(s) shall be provided and installed in accordance with the 2007 California Fire Code and Fire Code Standard #10-1. Minimum approved size for all portable fire extinguishers shall be 2A 10B:C.

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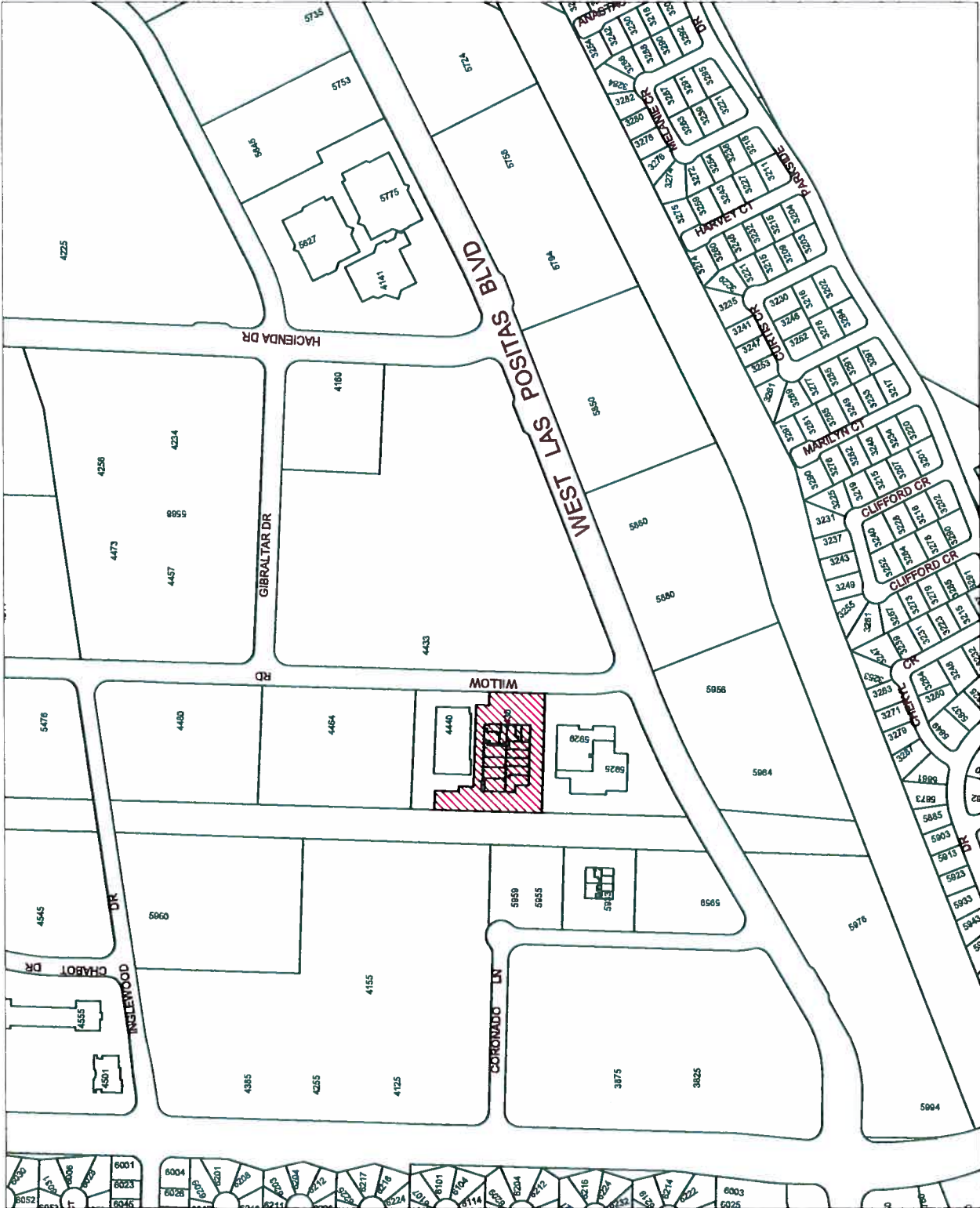
City of Pleasanton

GIS

Department



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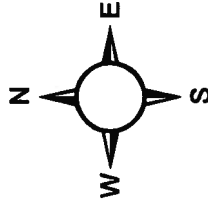
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