

**Exhibit A  
Draft Conditions of Approval**

**PCUP-282, New World Music Academy  
4430 Willow Road, Suite M, Hacienda Business Park  
October 27, 2010**

**Project Specific Conditions of Approval**

**Planning**

1. The use shall comply with all applicable requirements of the City's noise ordinance. Should noise become a concern after commencement of the operation of the subject use, the applicant may have to install additional sound attenuating devices within the subject tenant space, modify operation of the business, or employ another approved alternative by the Director of Community Development.
2. All activities shall be conducted within the building and all exterior doors shall remain closed when not being used for ingress/egress purposes.
3. If additional hours of operation, number of students or employees, or activities beyond what is stated in the applicant's written narrative, dated "Received, September 11, 2010," 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.
4. The applicant or responsible party shall pay any additional sewer capacity for the subject use as determined by the Director of Operations Services. This fee shall be paid prior to issuance of a building permit and/or prior to operation.

**Standard Conditions of Approval**

**Community Development Department**

5. 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.

**Planning**

6. The proposed use shall be in substantial conformance to Exhibit B, dated "Received, September 11, 2010," 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. 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.
8. 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.
9. This conditional use permit approval will lapse 1 year from the effective date of approval unless the applicant receives a business license.
10. New World Music Academy shall maintain the area surrounding the tenant space in a clean and orderly manner at all times.
11. This approval does not include approval of any signage for New World Music Academy. If signs are desired, New World Music Academy shall submit a sign proposal to the City for review and approval prior to sign installation.
12. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.
13. 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**

#### **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.)*

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

16. 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.

*{end}*



September 15, 2010

Ms. Janice Stern  
Planning Manager  
City of Pleasanton  
200 Bernal Avenue  
Pleasanton, CA 94566

Re: Conditional Use Permit  
Anderson Music School  
Site 31D, Pleasanton One

Dear Janice:

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 Anderson Music School, on behalf of The Antrim Group, LTD/AHM-4430 Willow Investors LLC, Site 31D, dated September 14, 2010. 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 Anderson Music School to operate a music school at 4430 Willow Road, Suite M. The school will teach private and small group lessons on piano, voice, guitar, brass, woodwinds and strings at various times throughout the week. The majority of the lessons will be taught after school from 3:30 pm to 8:30 pm Monday through Friday. In consideration of the conditional use permit, the applicant has reviewed site parameters of concern including: parking, traffic and noise. Specifically, sound-proofing has been proposed for the studio walls between the individual studios in the suite as well as the walls between suites. Based on a comprehensive review of space allocation and business practice, the applicant has demonstrated that their noise, parking and traffic impacts will be compatible with currently approved uses. 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,

A handwritten signature in black ink, appearing to read "James Paxson", written over the word "Sincerely,".

James Paxson  
General Manager, HBPOA

cc: Shannon Havill  
Brad Hirst

cc: HOA\_091012\_approval.10  
dc: DLV\DES\APPMDD

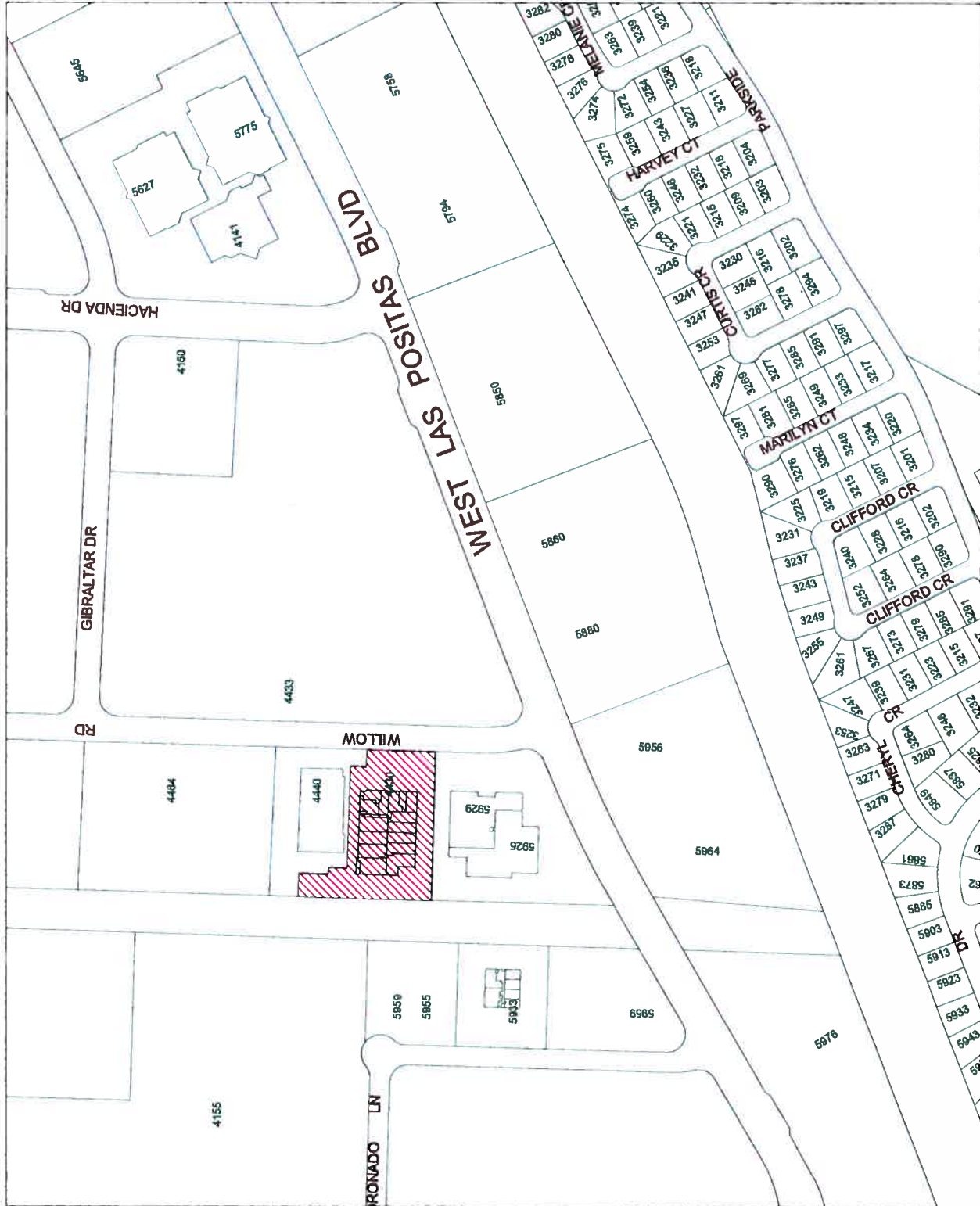
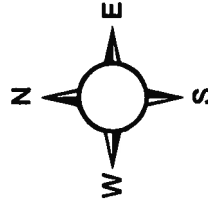
PCUP-282, Anderson

City of Pleasanton

GIS

Department

4430 Willow Rd



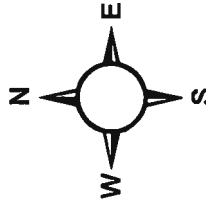
**PCUP-282, Anderson**

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**4430 Willow Rd**



**EXHIBIT E**

