

PCUP-277
Exhibit A, Draft Conditions of Approval
Anytime Fitness
3500 Bernal Avenue, Suite 110, Vintage Hills Shopping Center
August 25, 2010

Project Specific Conditions of Approval

Planning

1. All activities shall take place inside of the facility. The hours of operation are:
Monday-Sunday
24 hours a day
365 days a year
2. The business shall meet all applicable requirements of the City's noise ordinance. Should noise become a concern after commencement of the operation of the subject business, the applicant may have to install sound attenuating devices, or other approved alternative, within the subject tenant space.
3. All exterior doors shall remain closed when not being used for ingress/egress purposes.

Standard Conditions of Approval

Community Development Department

4. The project developer 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

5. The proposed use shall be in substantial conformance to Exhibit B, dated "Received, July 16, 2010," on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development.

6. 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.
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.
8. This conditional use permit approval will lapse 1 year from the effective date of approval unless the applicant receives a business license.
9. Anytime Fitness shall maintain the area surrounding the tenant space in a clean and orderly manner at all times.
10. This approval does not include approval of any signage for Anytime Fitness. If signs are desired, Anytime Fitness shall submit a sign proposal to the City for review and approval prior to sign installation. All signs shall conform to the Vintage Hills Shopping Center approved sign program.
11. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.
12. 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.)

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

From: Shweta Bonn
Sent: Monday, August 16, 2010 8:14 AM
To: Kenneth Blair
Subject: RE: Anytime Fitness

Hi Kenneth,

Thank you for your correspondence. It will be included with the packet materials the members of the Planning Commission receive for their consideration.

Best,
Shweta Bonn
Assistant Planner
City of Pleasanton
200 Old Bernal Avenue
P.O. Box 520
Pleasanton, California 94566
P: (925) 931-5611
F: (925) 931-5483
E: sbonn@ci.pleasanton.ca.us

From: Kenneth Blair
Sent: Sunday, August 15, 2010 3:31 PM
To: Shweta Bonn
Subject: RE: Anytime Fitness

I vote YES on Anytime Fitness. I joined the club when I heard it was coming to the Vintage Hills Shopping Center after I did some research. I spoke to Jordan about my concern about the club being available 24/7. He explained the surveillance system. I was satisfied with the safety. I feel it will be a good addition to the center alongside Sparks and Yogoholic and the Japanese restaurant.

I look at it this way: the city council at one time approved a Home Depot, a Starbucks, and a Longs Drugs for the corner of Bernal and Stanley. A disaster in the making.

Anytime Fitness has no deliveries, no construction except the inside of the building. I am sure the majority of the people who join the club will be neighborhood people, and who like me, will walk. Plus, Sparks will have more traffic due to the dancers who take class at specific times. Anytime will have spread out attendance.

Please approve Anytime Fitness.

Kenneth Blair
686 Concord Place
Pleasanton CA 94566

From: Kurt Brockett
Sent: Monday, August 16, 2010 10:03 AM
To: Shweta Bonn
Subject: RE: Anytime Fitness

Sweta,

I forgot to mention that both my wife and I have already enrolled for membership to help them get off the ground.

Thanks,
Kurt

From: Shweta Bonn
To: Kurt Brockett
Date: Mon, 16 Aug 2010 08:13:49 -0700
Subject: RE: Anytime Fitness

Hi Kurt,

Thank you for your correspondence. It will be included with the packet materials the members of the Planning Commission receive for their consideration.

Best,
Shweta Bonn
Assistant Planner
City of Pleasanton
200 Old Bernal Avenue
P.O. Box 520
Pleasanton, California 94566
P: (925) 931-5611
F: (925) 931-5483
E: sbonn@ci.pleasanton.ca.us

From: Kurt Brockett
Sent: Saturday, August 14, 2010 4:05 PM
To: Shweta Bonn
Subject: Anytime Fitness

I won't be able to make it to the public hearing on Wednesday, August 25th but I wanted to email in my support for the new fitness center. I am a resident near the shopping center and I think it's great to see new businesses move in. The center being empty is a real bummer and I hope by creating recurring customer traffic the facility will help draw other businesses such as a coffee shop and hopefully a grocery store in the large space.

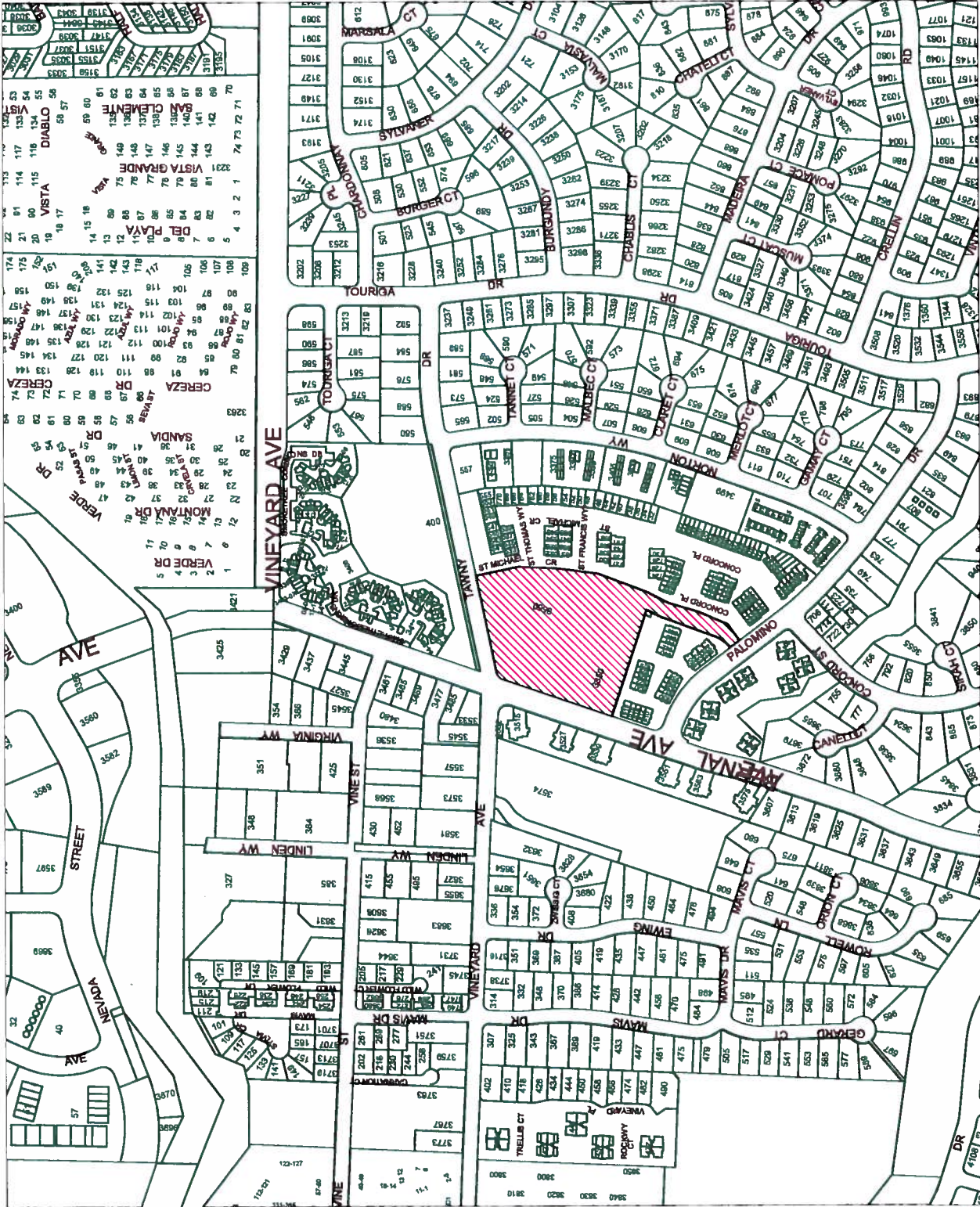
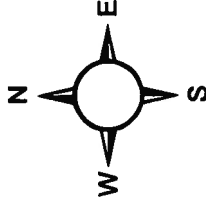
Please feel free to contact me if you need any other local residents to vocalize their support.

Kurt Brockett

City of Pleasanton

GIS

Department



PCUP-277, ANYTIME FITNE

City of Pleasanton

GIS

Department

3500 Bernal Ave (1000ft)

