## Exhibit B Proposed Conditions of Approval

## Case PCUP-219, Paul Rubio/Boxercise Fitness Center 1279 Quarry Lane June 11, 2008

- 1. The location and operation of the proposed use shall conform substantially to Exhibit A (site plan, floor plans, and details of operation), dated "Received, May 6, 2008," on file with the Planning Division, except as modified by the following conditions of approval. Minor changes to the approved operation and schedule may be approved by the Director of Planning and Community Development Department if found to be in substantial compliance with the proposal.
- 2. All Conditions of Approval of PUD-80-1 shall remain in full force and effect.
- 3. The operation of the fitness facility shall adhere to the following:

Hours of Operation: Monday through Friday – 5:30 p.m.–9:30 p.m.

Saturday – 9:00 a.m.–10:00 a.m.

Instruction-Student Ratio: 1:12

- 4. If additional hours and activities are desired beyond what was stated in the applicant's statement of operation, dated "Received May 6, 2004", on file in the Planning Division, prior City review and approval are required. Such modification may be approved by the Director of Planning and Community Development Department if found to be in substantial conformance with the approval. The Director of Planning and Community Development Department may also refer the matter to the Planning Commission if the proposed changes are determined to be significant.
- 5. If operation of this use permit results in conflicts pertaining to parking, interior noise, traffic/circulation, safety, or other factors, at the discretion of the Director of Planning and Community Development Department, this conditional use permit may be submitted to the Planning Commission for its subsequent review at a public hearing. If necessary, the Planning Commission may modify or add conditions of approval to mitigate such impacts, or may revoke the said conditional use permit approval.

- 6. Prior to operation, the applicant shall contact the Building and Safety Division and shall obtain a building permit as may be required. No changes to the exterior of the building shall be made without prior approval from the Planning Division.
- 7. Any signage for the proposed use requires a separate design review approval prior to the installation.
- 8. At no time shall balloons, banners, pennants, or other attention-getting devices be utilized on the site except as allowed by Section 18.096.060 (K) 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 in conjunction with grand openings and/or promotional events.
- 9. No outdoor storage or storage containers are allowed.
- 10. If the applicant wishes to relocate the use to a new address or tenant suite, the applicant shall secure a new conditional use permit to relocate into the building or tenant suite prior to occupying the building or tenant suite.
- 11. This conditional use permit approval will lapse one (1) year from the effective date of approval unless Boxercise Fitness Center obtains a business license within that time frame.

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