

**EXHIBIT A
DRAFT CONDITIONS OF APPROVAL**

**P16-1313
4225 Rosewood Drive, Total Wine & More
September 14, 2016**

PROJECT SPECIFIC CONDITIONS

Planning Division

1. The proposed activities and operations approved by this Conditional Use Permit shall conform substantially to the narrative and project plans, Exhibit B, marked "Received July 20, 2016," on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans or operation may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance to the approved exhibits.
2. If additional hours of operation, number of students or staff, or activities beyond that proposed in the applicant's narrative, Exhibit B, dated "Received July 20, 2016," on file with the Planning Division, are desired, prior City review and approval is required. The Community Development Director may approve the modification or refer the matter to the Planning Commission if judged to be substantial.
3. If operation of this use results in conflicts pertaining to parking, interior or exterior noise, traffic/circulation, or other factors, at the discretion of the Community Development Director, this conditional use permit may be submitted to the Planning Commission for its subsequent review at a public hearing. If necessary, the Commission may modify or add conditions of approval to mitigate such impacts, including imposing traffic impact fees, or may revoke said conditional use permit. Possible mitigation measures can include, but are not limited to: modifying the hours of operation or other measures deemed necessary by the Planning Commission.
4. All on-site alcohol consumption activities shall adhere to the following: (1) alcohol consumption shall be limited to individuals 21 or older; (2) alcohol tastings shall be limited to a maximum of eight ounces per customer per day; and (3) food shall be served with all alcohol tastings.
5. Prior to operation, the applicant shall obtain all necessary approvals from the State Department of Alcoholic Beverage Control (ABC).

STANDARD CONDITIONS

Community Development Department

6. The applicant shall pay all fees to which the use may be subject prior to operation. The type and amount of the fees shall be those in effect at the time the permit is issued.

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.

Planning Division

8. If the applicant wishes to relocate the use to a new address and/or suite, the applicant shall secure a new conditional use permit prior to occupying the new building or tenant suite.
9. This Conditional Use Permit approval will lapse and shall become void one year following the date on which the use permit became effective, unless prior to the expiration of one year, the applicant initiates the use, or the applicant or his or her successor has filed a request for extension with the Zoning Administrator pursuant to the provisions of the Pleasanton Municipal Code Section 18.12.030.
10. The applicant and/or employees shall maintain the area surrounding the subject tenant space in a clean and orderly manner at all times.
11. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.
12. This approval does not include approval of any signage. If signs are desired, the applicant shall submit a sign proposal to the City for review and approval prior to sign installation.

CODE REQUIREMENTS

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.

Planning Division

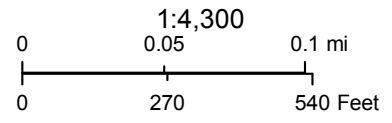
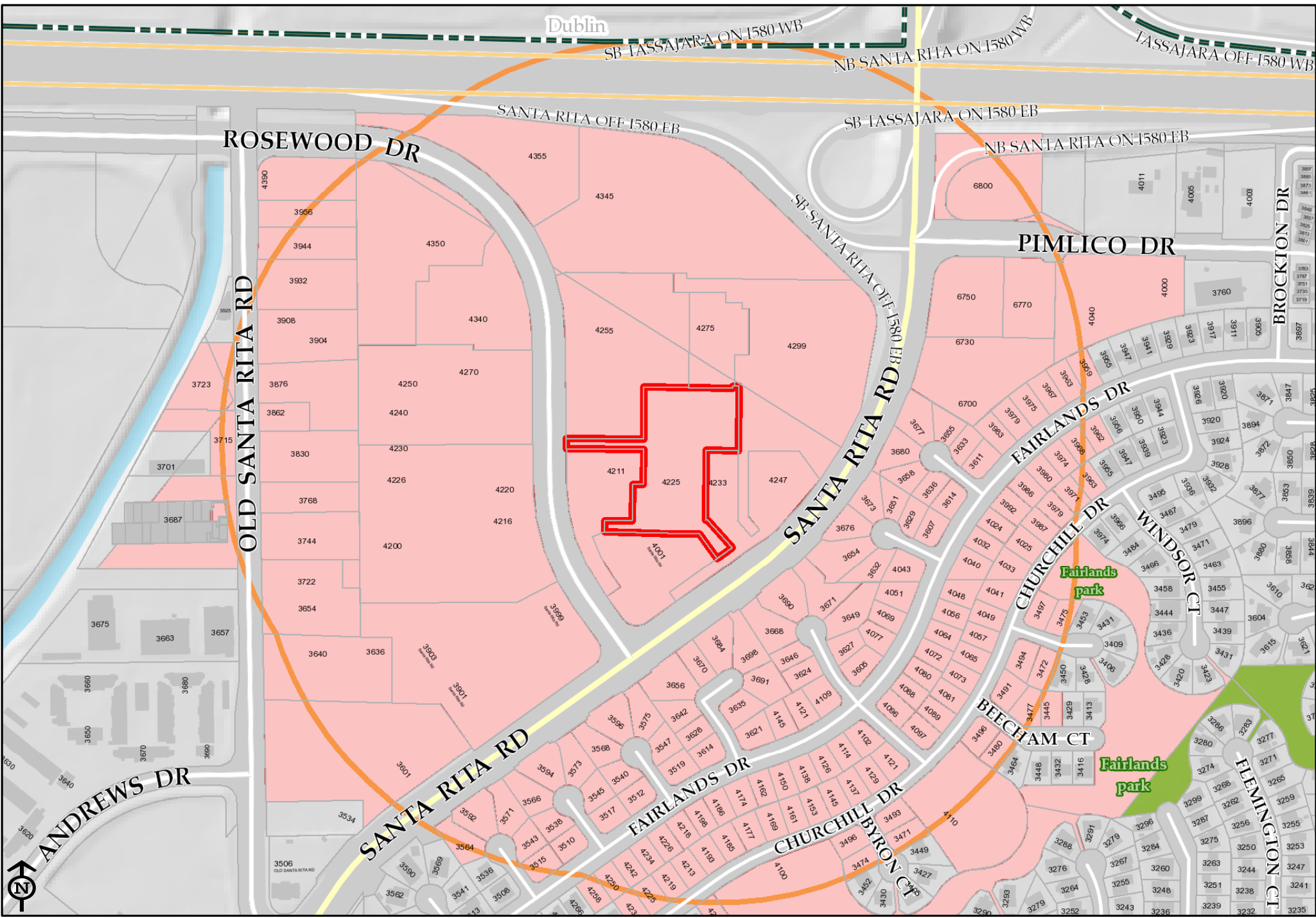
13. At no time shall balloons, banners, pennants, or other attention-getting devices be utilized on the site except as allowed by Section 18.96.060K of the Zoning Ordinance for grand openings.

Building Division

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 occupancy, the applicant shall contact the Building and Safety Division and Fire Marshal to ensure that the proposed use of the subject building/structures meet Building and Safety and Fire Code requirements. If required, the applicant shall obtain all appropriate City permits.

END



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