

**EXHIBIT A
DRAFT CONDITIONS OF APPROVAL**

**P16-0331
3958 Valley Avenue, Suite A, Tri-Valley Korean Parents Association
August 24, 2016**

PROJECT SPECIFIC CONDITIONS OF APPROVAL

Planning Division

1. The proposed private non-commercial club activities and operations approved by this Conditional Use Permit shall conform substantially to the narrative and project plans, Exhibit B, marked "Received August 9, 2016," 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 Zoning Administrator if found to be in substantial conformance to the approved exhibits.
2. If additional hours of operation or activities beyond that proposed in the applicant's written narrative, Exhibit B, marked "Received August 9, 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. All activities shall comply with Chapter 9.04 of the Pleasanton Municipal Code (Noise Regulations).
4. The applicant shall maintain the area surrounding the tenant space in a clean and orderly manner at all times.
5. The exterior doors of the establishment shall remain closed at all times when not being used for ingress/egress purposes.
6. All activities shall be conducted within the subject tenant space.
7. The applicant shall inform all members not to loiter or make loud noises outside the tenant space.
8. Children 12 years and younger shall be escorted into and out of the facility and signed in and out by a parent or supervising adult for the book club meetings, violin lessons on Sundays, choir practices on Sundays, and orchestra practices.
9. Parents shall park in the parking stalls when dropping off or picking up children. No double parking, parking in non-designated stalls, or curbside drop off or pick up shall be permitted.

STANDARD CONDITIONS

Community Development Department

10. 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

11. The applicant shall obtain a business license for the proposed private non-commercial club within 30 days of the effective date of this approval.
12. If operation of the private non-commercial club results in conflicts pertaining to parking, interior or exterior noise, traffic circulation, odors, smoke, or other factors verified by City enforcement staff, then notification of Conditional Use Permit and/or noise standard violations verified by the City enforcement staff shall be provided to the Planning Commission by City staff; the Planning Commission may schedule a public hearing to re-review the Conditional Use Permit and at the public hearing the Planning Commission may revoke or may modify the Conditional Use Permit to require additional measures as necessary to address any issues.
13. This approval does not include approval of any signage. The applicant shall submit a sign application to the City for review and approval for the existing signs within 30 days of the effective date of this approval.
14. No changes to the exterior of the building or site shall be made without prior approval from the Planning Division.
15. 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.

<End>

Jay Lee

From: Cheri Raymond [REDACTED]
Sent: Monday, July 18, 2016 12:09 PM
To: Jay Lee
Subject: Re: P16-0331 - Tri-Valley Korean Parents Association

Hi Jay,

Thank you for the response and explanation. Although, my concerns are not diminished with the additional information.

KPA leases 1150sf and the CUP would allow them to have 30 people on site at any given time? That is an extreme number of people for that space and stressful on our parking. As I mentioned, based on square footage, they would be allotted TWO parking spaces. That leaves a potential of 28 cars needing to occupy space in front and back of neighboring businesses. I just cannot see how this should be allowed/authorized/approved. Simply put, this is just too many people for this site.

Regarding the noise, they do operate during regular business hours while their neighbors are trying to conduct their own business. They do not open doors or windows and don't have a warehouse within their space. We may be able to find some insulation materials that would provide a sound barrier between their music room and the neighbors office. It is disruptive and a condition of current building materials and construction.

It seems to me that they would be better served in their own free-standing unit with ample parking for their use. It doesn't seem a like the right fit for Valley Business Center.

On Fri, Jul 15, 2016 at 4:58 PM, Jay Lee <jlee@cityofpleasantonca.gov> wrote:

Hi Cheri,

Thank you for providing your concerns and comments. "Private non-commercial club and lodge" is one of the use categories listed in the Valley Business Park list of permitted and conditionally permitted uses. It is a broad term that encompasses any private non-commercial clubs. The applicant is the Korean Parents Association (KPA) and we believe that it fits under this land use category.

Regarding the parking, a CUP would actually help the City regulate parking issues at this site. If the CUP were approved, the applicant would be limited to a maximum of 30 people on-site at any one time. The applicant would have to comply or else they can be cited for a zoning violation. If parking continues to be a problem, the CUP can be brought back before the Planning Commission for consideration and possible amendment/revocation. Please let me know if this addresses your concern with parking.

Regarding the noise, the CUP would help with this as well. It seems like the noise from a stereo during some of their activities is the main source of disruptive noise. Are there any other sources of noise that have been disruptive to the tenants? We've drafted several conditions of approval to help address noise impacts, such as strict hours of operation and keeping doors/windows closed. However, we can draft additional conditions of approval to provide better sound attenuation, such as requiring the applicant to install a layer of sheet rock for sound insulation. Please let me know if such a condition of approval would help address your concerns or if you have any other conditions of approval that would work.

Once again, thank you for your comments and I look forward to hearing back from you.

Jay Lee, AICP

Associate Planner

City of Pleasanton

Community Development Department, Planning Division

200 Old Bernal Ave.

Pleasanton, CA 94566

[\(925\) 931-5610](tel:9259315610)

From: Cheri Raymond cheri@cmgproperties.com
Sent: Friday, July 15, 2016 3:03 PM
To: Jay Lee <jlee@cityofpleasantonca.gov>
Subject: P16-0331 - Tri-Valley Korean Parents Association

Hi Jay,

I have received notice of the Planning Commission meeting to discuss the above referenced CUP.

I am greatly concerned about this as they have been a tenant in the business park for several years and caused many problems. Even causing the police to be contacted on at least two separate occasions.

What does "non-commercial club and lodge" actually mean?

I had the understanding that they had applied for CUP to operate their "sales" on the weekends.

I, as the property manager, firmly believe that their use is not appropriate for the business park. They occupy one of the smallest units in the business park at approximately 1,000square feet. If parking allocation was given based on square footage, they would be provided two parking spots. At times, they will occupy 100% of all available/open parking spots within the business park. There are 199 total parking stalls onsite. At times, they will park behind other business owners/tenants roll up doors. In effect blocking other business owners from conducting their day-to-day business. KPA's customers/clients drive erratically through the business park and disregard requests from neighbors to slow down and be respectful. They play loud music within their space (possibly while teaching a music/dance class) and disrupt the adjacent neighbors.

Overall the tenant is extremely disruptive to the other owners and the negative impact on local businesses/neighbors has to be taken seriously.

I appreciate hearing more about this

--

Regards,

Cheri Raymond, Property Manager

Commercial Management Group

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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Regards,

Cheri Raymond, Property Manager
Commercial Management Group

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Jay Lee

From: Katie Watkins [katie@performancepest.com]
Sent: Tuesday, July 19, 2016 11:36 AM
To: Jay Lee
Subject: Proposed CUP P16-0331

Good Morning Jay,

I am in receipt of the Planning Commission Notice of Public Hearing in regards to the Tri-Valley Korean Parents Association. I along with the majority if this complex is strongly against this proposal and will attend the meeting on July 27th at 7pm. The KPA causes more issues within this complex and completely takes over every parking space as well as a constant thoroughfare of cars. This is not the proper location to run a "non-commercial club and lodge". At one point they were having fundraising events selling fruit from the back of a truck and created a drive through along our curbside (along the red zone I might add). This is a business complex conducting actual business and this affects our customer parking as well as our working employees. I have a list of dates and several photos of these events.

Please let me know if there is any other information you may need.



Sincerely,



Katie Watkins | Vice President
Performance Pest Management

[Redacted]
[Redacted]
www.performancepest.com

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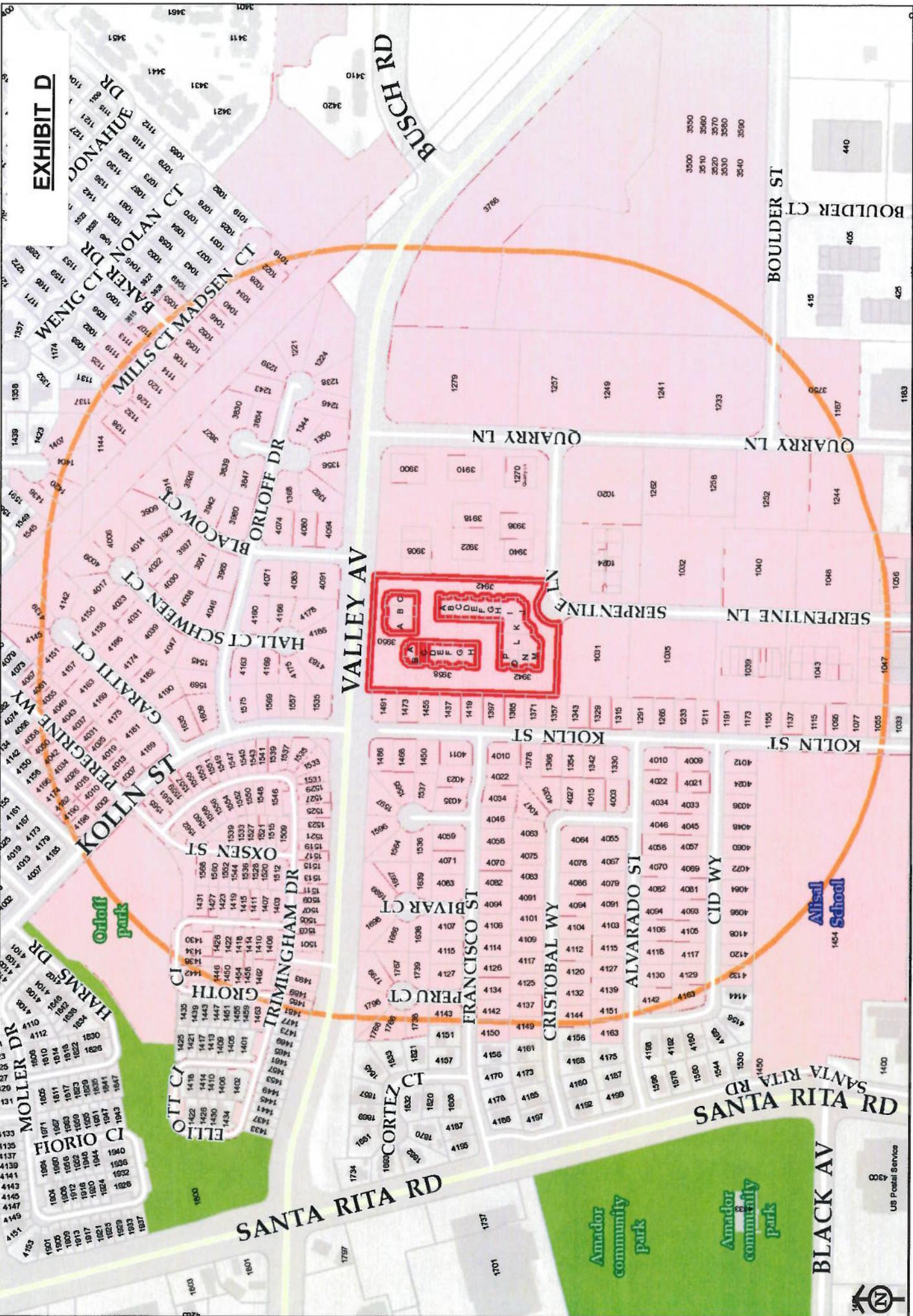


EXHIBIT D



Planning Division
July 14, 2016

P16-0331, 3958 Valley Avenue, Tri-Valley Korean Parents Association

