

**EXHIBIT A
DRAFT CONDITIONS OF APPROVAL**

**P16-0949
6754 Bernal Avenue, Suite 750, William Tungpagasit
July 13, 2016**

PROJECT SPECIFIC CONDITIONS OF APPROVAL

Planning Division

1. The tutoring facility activities and operations approved by this Conditional Use Permit shall conform substantially to the narrative and project plans, Exhibit B, marked "Received May 24, 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. This approval shall not be effective until the appeal periods fully expire for the Planned Unit Development Minor Modification (PUD-02-13M) and this Conditional Use Permit (P16-0949).
3. If additional hours of operation, number of students or staff, or activities beyond that proposed in the applicant's narrative, Exhibit B, dated "Received May 24, 2016," on file with 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 tutoring facility capacity shall be limited to a maximum of 20 students and four staff present on-site at any one time.
5. 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 Director of Community Development, 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, reducing the number of persons inside the subject building, or other measures deemed necessary by the Planning Commission.
6. All parents/guardians shall be required to park in an available parking space and escort their students, aged 12 or under, to/from the facility during drop-off and pick-up; curbside drop-off and pick-up shall be prohibited.
7. The exterior doors of the building shall remain closed when not being used for ingress/egress purposes.

8. The applicant shall inform all students/parents/guardians/staff not to loiter or make loud noises outside the buildings before or after instruction.

STANDARD CONDITIONS

Community Development Department

9. 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.
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 Division

11. 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.
12. 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.
13. The applicant and/or employees shall maintain the area surrounding the subject tenant space in a clean and orderly manner at all times.
14. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.
15. 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.
16. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday and between the hours of 8:00 a.m. to 5:00 p.m. on Saturday. No construction shall be allowed on State or Federal Holidays or Sundays. The Director of Community Development may allow earlier "start times" or later "stop times" for specific construction activities, e.g., concrete pouring. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall

be equipped with muffling devices. Prior to construction, the hours of construction shall be posted on site.

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.

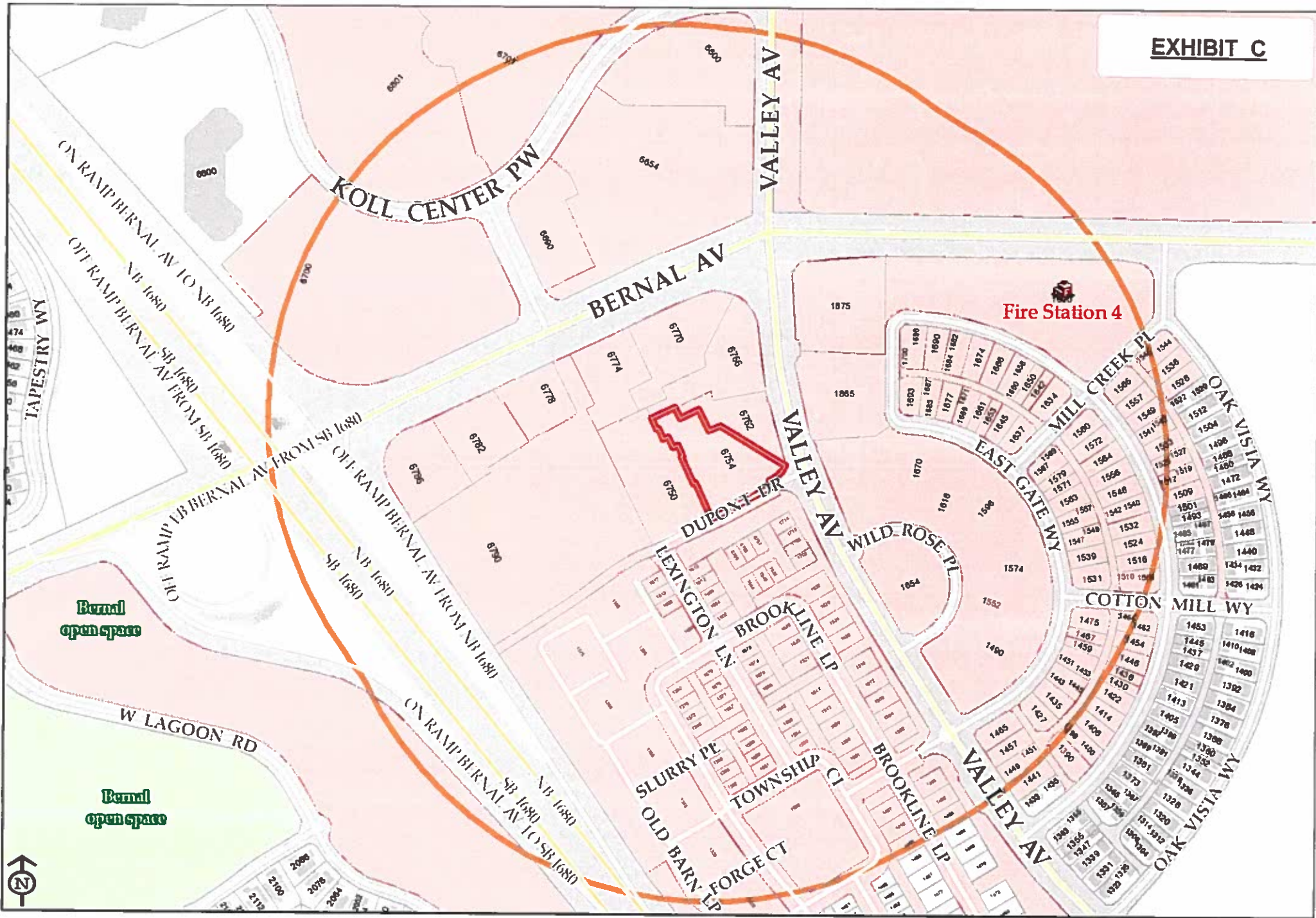
Planning Division

17. 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

18. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.
19. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval.
20. 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>



P16-0949, 6754 BERNAL AVENUE, TUNGPAGASIT