

**EXHIBIT A
DRAFT CONDITIONS OF APPROVAL
P12-0774 / 1257 Quarry Lane
Shape Up
June 27, 2012**

PROJECT SPECIFIC CONDITIONS

Planning Division

1. The proposed business activities and operation shall conform substantially as shown on the plans and described in the narrative, Exhibit B, dated "Received April 26, 2012," on file with the Planning Division, except as modified by the following conditions. Minor changes to the approved activities and/or operation may be approved by the Director of Community Development if found to be in substantial conformance with the approved exhibits.
2. The operation of a gymnasium/fitness instruction facility shall be limited to:

<i>Monday through Thursday:</i>	<i>6:00 a.m. – 7:45 p.m.</i>
<i>Saturday:</i>	<i>8:00 a.m. – 11:00 a.m.</i>
<i>Sunday:</i>	<i>Closed</i>
3. If additional hours of operation or activities beyond those proposed in the applicant's written narrative (Exhibit B) or as modified by these conditions 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. Clients that are 12 and under in age shall be signed in/out by their parent/guardian.
5. Classes shall be staggered with 10 to 15 minute breaks between the classes.
6. No public addressing (PA) system shall be used.
7. The applicant shall pay the required sewer fees, traffic impact fees, and all other fees that the proposed use may be subject to prior to operation. The type and amount of the fees shall be those in effect at the time the building permit is issued.
8. The applicant and independent instructors shall obtain individual Business Licenses from the City of Pleasanton prior to conducting lessons.
9. The applicant shall install noise-attenuating drywall (e.g. Quietrock) or other noise-attenuating material acceptable to the Director of Community Development on the common tenant walls to the ceiling prior to operation. A plan showing the noise-attenuating material shall be submitted for the review and approval by the Director of Community Development prior to installation.

10. All activities shall be conducted within the building. The exterior doors shall remain closed when not being used for ingress/egress purposes and the applicant shall inform all students not to loiter or make loud noises outside the building before or after classes.
11. The applicant shall inform all patrons that the facility is located in an industrial district and may be subject to noise, odors, etc.

STANDARD CONDITIONS

Planning Division

12. In the event that nuisances are created through the operation of the facility, either within the facility itself or by its patrons in the vicinity of the facility, the Director Community Development may refer the conditional use permit to the Planning Commission for review at a public hearing. If necessary, the Planning Commission may add conditions of approval or may revoke the conditional use permit.
13. This approval does not include approval of any signage. If signs are desired, the applicant and/or responsible party shall submit a sign proposal to the City for review and approval prior to sign installation.
14. The owner and/or staff shall maintain the area surrounding the business in a clean and orderly manner at all times.
15. To the extent permitted by law, the project applicant shall defend (with counsel reasonable 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.
16. 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.

Building and Safety Division

17. 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.

18. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval prior to operation. The applicant shall obtain a building permit prior to commencement of any work. The applicant shall pay any and all fees to which the proposed application may be subject to prior to issuance of building permits. The type and amount of the fees shall be those in effect at the time the building permit is issued.

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.

- 19. The business shall comply with the Chapter 9.24 of the Pleasanton Municipal Code (Smoking in Public and Work Places).
- 20. 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 or by Section 18.116.040 of the Zoning Ordinance if approved as part of a temporary conditional use permit. At no time shall spot lighting be used in conjunction with such grand openings and/or promotional events.
- 21. This conditional use permit approval will lapse one (1) year from the effective date of approval unless the applicant receives a business license for the subject location.
- 22. The use shall comply with Chapter 9.04 of the Pleasanton Municipal Code (Noise Regulations).

END

From: Cyndi Ladd
Sent: Friday, May 25, 2012 2:24 PM
To: Rosalind Rondash
Cc: cyndi@commoninterest.com
Subject: RE: P12-0774, Shape Up, 1257 Quarry Lane, CUP

The application was approved by the Valley Business Park Board of Directors.
Best,

Cyndi Ladd, CCAM
Senior Director
Common Interest Management Services, CFM
315 Diablo Rd. Suite 221
Danville, CA 94526
PH 925-743-3080 x225
Fax 925-743-3084
www.commoninterest.com



From: Rosalind Rondash [mailto:]
Sent: Monday, May 21, 2012 12:30 PM
To: cyndi@commoninterest.com
Subject: P12-0774, Shape Up, 1257 Quarry Lane, CUP

Cyndi- You indicated that you needed an application to facilitate providing comments regarding the project to the City. Attached is a PDF of the project narrative and plans that has been submitted to the City for an application for a Conditional Use Permit to operate a fitness operation at 1257 Quarry Lane.

Staff hopes that providing you with this information will enable you to submit your comments to the City by May 29th. The item is currently tentatively scheduled for a Planning Commission hearing on June 13. You will receive a hearing notice in the mail prior to the hearing date.

Please let me know if you think you will be able to have comments to me by May 29th or if you have any questions.

Regards,

Chris- I have finished your draft report and it is into my supervisor for review. I should have comments from him by next Friday- So we are running on schedule for the next Planning Commission meeting. I will keep you posted on those developments.

I received an email from the Traffic e division after we had talked. I wanted to make sure that you received this information. Attached is the calculation of the traffic fee for the business. This fee is charged due to the conversion from the previous office use to a proposed commercial use that generates significantly more traffic during the pm peak. You have the option to reduce the project traffic generated during the 4pm to 6pm peak in order to reduce/eliminate the traffic fee or you can appeal the traffic fee. I am not sure what is involved in either of those options, but I can help you to obtain a meeting with the traffic division to get those details if needed. Please let me know if you need help in this regard.

Also, I was wondering if you were able to determine the sound treatment of the walls? I looked inside the window on my last parking survey and the ceiling is not finished but the walls are. Let me know what you have found out on your end.

Best Regards,
-Rosalind

