

EXHIBIT A

DRAFT CONDITIONS OF APPROVAL

P12-0017

6654 Koll Center Parkway, Stes. 160 and 170
Spira Institute of Healing Arts

PROJECT SPECIFIC CONDITIONS

Planning Division

1. The operation of the proposed use shall conform to Chapter 6.24 of the Pleasanton Municipal Code (massage ordinance). Failure to conform may result in this application being reviewed by the Director of Community Development for possible future action by the Planning Commission as well as subject to suspension or revocation of massage school and technician permits as provided in Municipal Code section 6.24.210.
2. If additional hours of operation, number of students or staff, or activities beyond what is stated in the applicant's written narrative, dated "Received April 2, 2012", 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.
3. Only soft background music is allowed during wellness sessions.
4. No chanting shall be allowed during any classes/workshops.
5. The exterior windows and doors of the business and the doors to the common hallway shall remain closed when not being used for ingress/egress purposes. The applicant shall inform all students not to loiter or make loud noises outside the suite and building before or after classes.
6. 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 Pleasanton Municipal Code for a grand opening.

STANDARD CONDITIONS

Community Development Department

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

8. 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.

Planning Division

9. The proposed use shall be in substantial conformance to Exhibit B, dated "Received April 2, 2012", on file with the Planning Division, except as modified by these conditions. Minor changes to the plans or operation may be allowed subject to the approval of the Director of Community Development.
10. If the operation of this use results in conflicts pertaining to parking, 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 their subsequent review at a public hearing.
11. This conditional use permit approval will lapse one year from the effective date of approval unless Spira Institute of Healing Arts receives a business license within that time.
12. Spira Institute of Healing Arts shall maintain the area surrounding the building in a clean and orderly manner at all times.
13. This approval does not include approval of any signage for Spira Institute of Healing Arts. If signs are desired, Spira Institute of Healing Arts shall submit a sign proposal to the City for review and approval prior to sign installation.
14. Changes to the exterior of the building shall not 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.

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.

16. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.

17. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval.

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

{end}



February 23, 2012

CITY OF PLEASANTON
Attn.: Planning & Community Development
200 Bernal Avenue
Pleasanton, CA 94566

**RE: SPIRA INSTITUTE OF HEALING ARTS
OCCUPANCY OF 6654 KOLL CENTER PARKWAY
PLEASANTON, CA**

To Whom It May Concern:

We have reviewed the written narrative provided by the Spira Institute of Healing Arts for their proposed occupancy at 6654 Koll Center Parkway in Pleasanton.

We find their use of the subject property compatible with the other uses in the Business Park, and we are not aware of any reasons why we, or the City, would not permit their use at this location. We are in support of their application for a Conditional Use Permit for the said property.

Should you have any questions regarding the above, please do not hesitate to contact me directly at (925) 426-0909 or e-mail me at dolson@parkwayproperties.com.

Sincerely,

A handwritten signature in black ink, appearing to read "David S. Olson", with a long horizontal flourish extending to the right.

David S. Olson
Vice President/Asset Management
Parkway Properties, Inc.
Agent for Bernal Corporate Park Owners Association

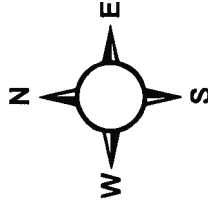
cc: Basil Christopoulos – C&H Development

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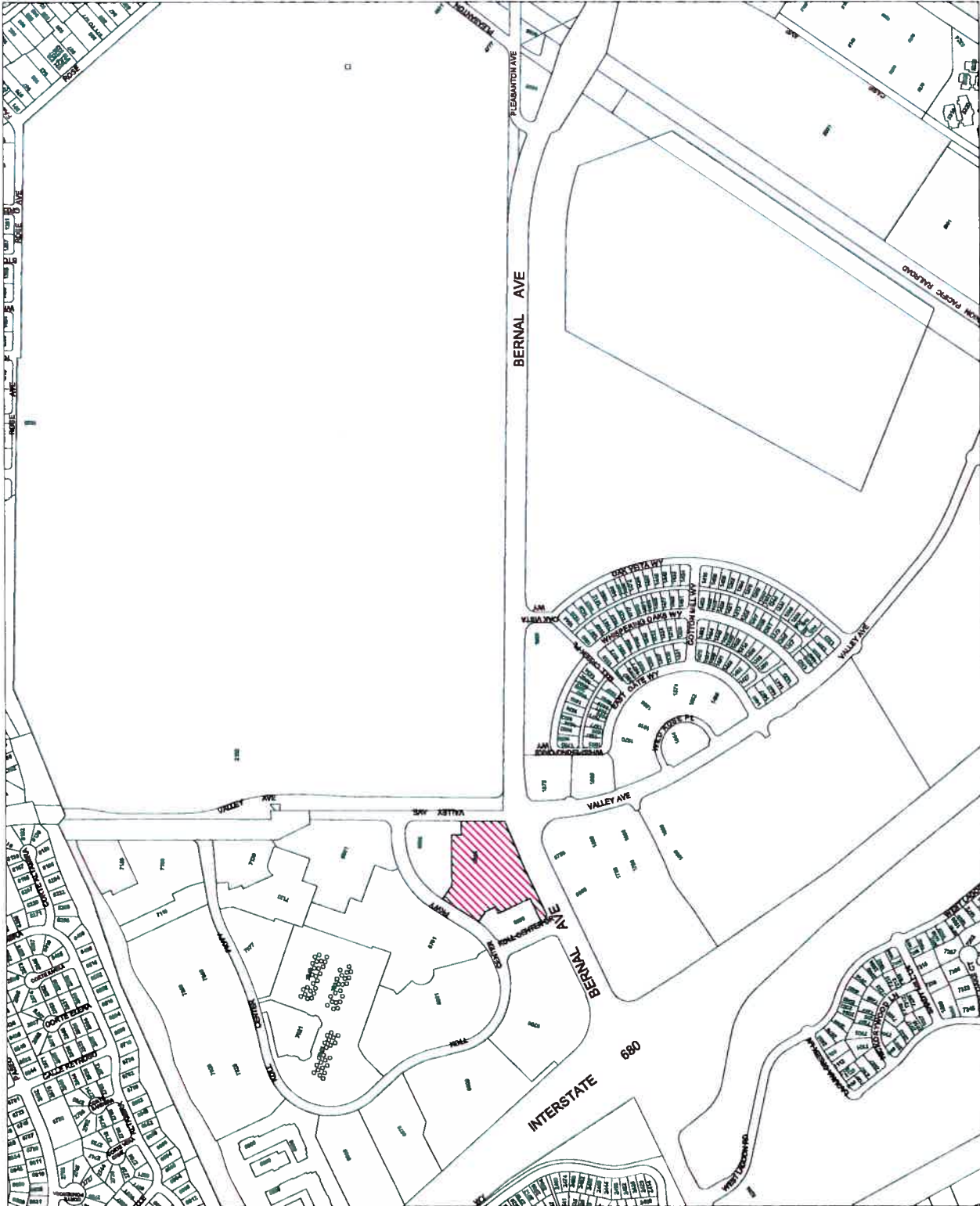
City of Pleasanton

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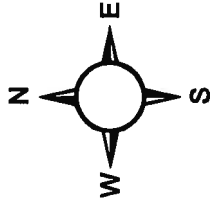


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