

P11-0981
Exhibit A, Draft Conditions of Approval
Chinese Church in Christ
5064 Franklin Drive
February 8, 2012

Project Specific Conditions of Approval

Planning

1. The use shall comply with all applicable requirements of the City's noise ordinance. Should noise become a concern after commencement of the operation of the subject use, the applicant may have to install sound attenuating devices, or other approved alternative, within the subject building.
2. All activities and gatherings shall be conducted within the building and all exterior doors shall remain closed when not being used for ingress/egress purposes.
3. If additional hours of operation, number of members, or activities beyond what is stated in the applicant's written narrative dated, "Received February 2, 2012, and plans dated "Received, December 16, 2011," on file in 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. Child-care, daycare, preschool, after-school tutoring, and similar child-related uses are not part of this approval.
5. Alcohol service is not a part of this approval.
6. Outdoor activities are not a part of this approval.
7. Special events such as weddings, wedding receptions, holiday events, bible conferences, and other similar events shall be limited to weekends or Federal holidays to reduce traffic and parking impacts.

Standard Conditions of Approval

Community Development Department

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

Planning

9. The proposed use shall be in substantial conformance to Exhibit B, dated "Received, February 2, 2012," and "Received, December 16, 2011," 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 if found to be in substantial conformance to Exhibit B.
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.
11. 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.
12. This conditional use permit approval will lapse 1 year from the effective date of approval unless the applicant receives a business license.
13. Chinese Church in Christ shall maintain the area surrounding the building in a clean and orderly manner at all times.
14. This approval does not include approval of any signage for Chinese Church in Christ. If signs are desired, Chinese Church in Christ shall submit a sign proposal to the City for review and approval prior to sign installation.
15. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.
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.

Code Requirements

Building

(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.)

17. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.
18. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval.
19. 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 building meets Building and Fire Code requirements. If required, the applicant shall obtain all appropriate City permits.



January 24, 2012

David Babcock
 David Babcock & Associates
 3581 Mount Diablo Boulevard
 Lafayette, CA 94549

RE: PUD-80-16-14M
Effective Date: February 14, 2012

Dear Mr. Babcock:

The City has completed its review of your application for a minor modification to an approved development plan, Case PUD-80-16 (6155 Stoneridge Drive and 5000, 5020, 5064, 5100, 5142, and 5200 Franklin Drive) to establish religious facilities as conditionally permitted uses.

In accordance with City Council policy, notice of the proposed PUD minor modification was sent to the surrounding property owners on **January 13, 2012**. No request was made for a formal hearing.

Based upon the information submitted, it is my determination that the above changes are not substantial in nature since the overall plan for the site will remain the same. Therefore, in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton, I am granting a minor modification, Case PUD-80-16-14M, subject to the following conditions:

1. Condition number 27 of Ordinance 973 is amended to add churches and similar religious meeting facilities within an existing building as conditionally permitted uses at the properties located at 6155 Stoneridge Drive and 5000, 5020, 5064, 5100, 5142, and 5200 Franklin Drive.
2. 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.
3. Except, as modified by Conditions 1 and 2 above, all conditions of Cases PUD-80-16 through PUD-80-16-13M shall remain in full force and effect.

COMMUNITY DEVELOPMENT

P. O. BOX 520, Pleasanton, CA 94566-0802

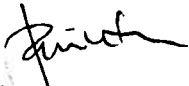
Planning 200 Old Bernal Ave. (925) 931-5600 Fax: 931-5483	Building & Safety 200 Old Bernal Ave. (925) 931-5300 Fax: 931-5478	Engineering 200 Old Bernal Ave. (925) 931-5650 Fax: 931-5479	Traffic 200 Old Bernal Ave. (925) 931-5650 Fax: 931-5479	Inspection 157 Main Street (925) 931-5680 Fax: 931-5484
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Mr. Babcock
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January 24, 2012

Approval of the minor modification will become effective on February 14, 2012 (**Pleasanton Municipal Code Chapter 18.68**), unless appealed prior to that time.

If you have any questions with regard to this matter, please do not hesitate to give me a call.

Sincerely,



Janice Stern
Planning Manager

c: Franklin Partners LLC, 5064 Franklin Drive, Pleasanton, CA 94588

A COPY OF THIS LETTER AND A COMPLETED BUILDING PERMIT QUESTIONNAIRE (ATTACHED) MUST BE PRESENTED TO THE BUILDING AND SAFETY DIVISION WHEN APPLYING FOR BUILDING PERMITS. THE QUESTIONNAIRE MUST THEN BE SUBMITTED TO THE PLANNING DIVISION.

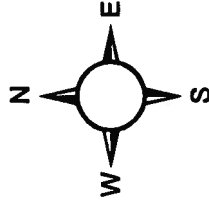
P11-0981

City of Pleasanton

GIS

Department

5064 Franklin Drive



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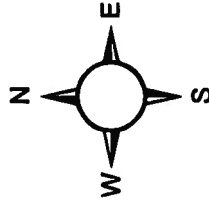


EXHIBIT E

