

P14-0109
Exhibit A, Draft Conditions of Approval

3500 Bernal Avenue, Suite 140
March 26, 2014

SPECIAL CONDITIONS OF APPROVAL
Planning

1. The applicant shall obtain a Building Permit from the Building and Safety Division and any other applicable City permits for the project prior to the commencement of any construction.
2. If additional hours of operation or change of activities beyond what is stated in the applicant's written narrative, dated "Received, January 29, 2014," 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. Prior to operation, the applicant shall install a double-layer of sheetrock on the walls of the veterinary clinic shared with the adjacent tenant spaces to control animal-related noise. This detail shall be shown on the building permit plans to the satisfaction of the Chief Building and Safety Official.
4. No overnight boarding is allowed.
5. If operation of the use results in conflicts pertaining to parking, interior or exterior noise, traffic circulation, or other factors verified by City enforcement staff, 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.
6. Veterinary and animal waste shall be disposed in compliance with the applicable California State and Alameda County health regulations. Non-veterinary/animal waste shall be disposed in the garbage bins located in the service area behind the clinic.
7. In compliance with Ordinance 866 (PUD-79-3), loading and deliveries to the veterinary clinic are limited to between the hours of 7:00 a.m. and 9:00 p.m., except that these hours may be modified by the City Council if, after appropriate notice, it is determined that such modification is needed to protect the public health, safety, and welfare.
8. All veterinary clinic activities shall be conducted within the tenant suite. The front and rear entrance/exit doors are required to remain closed during business hours except when being used to enter/exit the clinic.

STANDARD CONDITIONS OF APPROVAL
Planning

9. The proposed use shall be operated in substantial conformance to Exhibit B, dated "Received, January 29, 2014," on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans and operations may be allowed subject to the approval of the Director of Community Development.
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, 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 attorney's 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. 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. At no time shall spot lighting be used in conjunction with such grand openings.
12. If the applicants/owners wish 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.
13. 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 a building permit is issued and construction is commenced and diligently pursued toward completion on the site which was the subject of the use permit application, or a certificate of occupancy is issued for the structure which was the subject of the use permit application, or the site is occupied if no building permit or certificate of occupancy is required, 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.
14. The applicants/owners shall maintain the area surrounding the tenant space in a clean and orderly manner at all times.
15. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.
16. This approval does not include approval of any signage. If signs are desired, the project developer shall submit a sign proposal to the City for review and approval prior to sign installation.

CODE REQUIREMENTS

Fire

(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. Portable fire extinguisher(s) shall be provided and installed in accordance with the California Fire Code currently in effect and Fire Code Standard #10-1. Minimum approved size for all portable fire extinguishers shall be 2A 10B:C.

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.)

18. Prior to issuance of a business license, the applicant shall contact the Building and Safety Division and the Fire Marshal 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.

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