

**EXHIBIT A  
DRAFT CONDITIONS OF APPROVAL  
P14-0566 / 1530 Stoneridge Mall Rd., Unit F133  
Massage Journey  
June 23, 2014**

**PROJECT SPECIFIC CONDITIONS**

1. If additional hours and activities beyond what was stated in the applicants' written narrative, dated "Received May 09, 2014," on file in the Planning Division, are desired, prior City review and approval is required. Such modification may be approved by the Director of Community Development if found to be in substantial conformance with the approval. The Director of Community Development may also refer the matter to the Planning Commission if the proposed changes would be significant.
2. Prior to an individual working and/or providing services at the facility, the applicant and individual shall obtain all required Police Department permits, and shall obtain a business license.
3. The applicant shall pay all applicable fees that the proposed use increase may be subject to prior to operating with more than three technicians at any one time.

**STANDARD CONDITIONS**

**Community Development Department**

4. 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**

5. The location and operation of the proposed use shall conform substantially to Exhibit B (site plan, floor plan, and written narrative), dated "Received, May 9, 2014," on file with the Planning Division, except as modified by the conditions

of approval. Minor changes to the approved operation may be approved by the Director of Community Development if found to be in substantial conformance with the approved exhibits.

6. If the operation of this use results in conflicts pertaining to parking, interior 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. If necessary, the Planning Commission may modify or add conditions of approval to mitigate such impacts, or may revoke the said conditional use permit approval. Possible mitigation measures may include, but are not limited to, modifying the hours of operation, reducing the number of massage technicians on site at the same time, or other measures deemed necessary by the Planning Commission.
7. This conditional use permit shall 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 applicant operates the business with four to ten technicians at any one time 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 Section 18.12.030.
8. The applicant shall maintain the area surrounding the tenant space in a clean and orderly manner at all times.
9. 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.
10. At no time shall balloons, banners, pennants, or other attention-getting devices be used on the site as allowed by Section 18.96.060K of the Pleasanton Municipal Code for grand openings.

## **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.*

11. The use shall comply with Chapter 6.24 of the Pleasanton Municipal Code (Massage regulations).
12. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.
13. Any tenant improvement plans shall be submitted to the Building 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.
14. Prior to issuance of a business license to go beyond three massage technicians at any one time, the applicant shall contact the Building and Safety 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.

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