

EXHIBIT A-2

DRAFT CONDITIONS OF APPROVAL P14-0014 (CONDITIONAL USE PERMIT) 3192 SANTA RITA ROAD

PROJECT SPECIFIC CONDITIONS OF APPROVAL

Planning Division

1. The approval of this conditional use permit is contingent upon the City Council's approval of PUD-102.
2. If additional hours of operation, number of employees, or activities beyond what is stated in the applicant's written narrative dated, "Received July 15, 2014," 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.
3. If operation of the convenience market and the drive-through carwash results in conflicts pertaining to parking, noise, traffic, crime or drunken behavior, or other impacts, at the discretion of the Director of Community Development, this conditional use permit may be referred to the Planning Commission for 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 said conditional use permit.
4. The hours of operation for the convenience store, the sales of alcoholic beverages from the convenience store, the drive-through carwash, and gas station shall be as follows:
 - a. Convenience Store: 5:00 a.m. – 1:00 a.m.
(exception: employees may work inside the store between 1:00 a.m.-5:00 a.m.)
 - b. Sale of Alcoholic Beverages: 6:00 a.m. – 11:00 p.m.
 - c. Drive-Through Carwash: 7:00 a.m. – 10:00 p.m.
 - d. Gas Station: 5:00 a.m. – 1:00 a.m.
5. The following requirements shall apply to the sale of beer and wine from the convenience store covered by this conditional use permit:
 - a. Alcohol sales are limited to beer and wine only;
 - c. Beer and wine cannot be displayed within five feet of the cash register or front door unless they are stored in a permanently located cooler;

- d. No advertisements of alcoholic beverages may be displayed at the fuel islands;
 - e. Beer and wine may not be displayed from an open ice-tub;
 - f. No self-illuminating advertising of beer and wine is allowed on windows or doors at any time;
 - h. The applicants shall maintain a clear line-of-sight from the cash registers to the shelves storing the beer and wine products; and
 - i. The applicants shall provide on-going training programs to the convenience market operators on identifying and then dealing with inebriated drivers wanting to purchase beer and wine from the convenience store.
6. All delivery and unloading of merchandise and fuel shall take place on the subject property. At no time shall delivery vehicles be parked on public streets or adjacent properties for purposes of unloading merchandise or delivering fuel.
 7. Deliveries for the convenience store shall take place between 6:00 a.m. and 10:00 p.m. The business operator/responsible party shall ensure that deliveries occur during off-peak hours and delivery vehicles are parked in parking stalls, to the extent possible, and do not block driveways or circulation around the site. Delivery vehicles shall be turned off and shall not idle while making deliveries.
 8. All merchandise shall be kept entirely within the convenience store. At no time shall any merchandise or displays be located outside of the building, either in front of the store or within the pump area. The storage of shopping carts or baskets outside of the building is prohibited.
 9. No outdoor music is permitted.
 10. The applicant/operator shall post signage around the store which prohibits loitering on the site. Said signage shall be subject to the review and approval by the Director of Community Development prior to installation.
 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 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.

12. The applicant/operator shall maintain the service station/convenience market/car wash in a clean and orderly manner at all times.
13. The business operator/responsible party shall ensure that the site is regularly checked for litter and all litter and debris is removed from the site on a continual basis. The operator/responsible party shall regularly empty all trash receptacles in front of the store.

STANDARD CONDITIONS OF APPROVAL

Community Development Department

14. 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

15. The proposed use shall be in substantial conformance to Exhibit B, dated "Received July 15, 2014," 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.
16. 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 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 Section 18.12.030.

[end]