

**P14-0829 (Administrative Design Review)
Exhibit A, Conditions of Approval**

**Greg Munn, Design Tech Associates for
George Schmitt
554 Hamilton Way
November 12, 2014**

Project Specific Conditions of Approval

Planning

1. The addition shall conform substantially to the approved elevations, site plans, and other materials, Exhibit B, marked "Received October 13, 2014," on file at the Planning Division. Minor changes to the plans may be allowed subject to the approval of the Zoning Administrator if found to be in substantial conformance to the approved exhibits.
2. The height of the structures shall be surveyed and verified as being in conformance to the approved building height as shown on Exhibit B or as otherwise conditioned. Said verification is the project developer's responsibility, shall be performed by a licensed land surveyor or civil engineer, and shall be completed and provided to the Planning Division before the first framing or structural inspection by the Building and Safety Division.
3. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment, or coordination, etc., shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday. No construction shall be allowed on State or Federal Holidays or Sundays. The Director of Community Development may allow earlier "start-times" or later "stop-times" for specific construction activities (e.g., concrete pouring), if it can be demonstrated to the satisfaction of the Director of Community Development that the construction noise and construction traffic noise will not affect nearby residents or businesses. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the applicant shall post on the site the allowable hours of construction activity.
4. All appropriate City permits shall be obtained prior to the construction of the addition.
5. All conditions of approval for this case shall be reprinted and included as a plan sheet(s) with the building permit plan check sets submitted for review and approval. At all times, these conditions of approval shall be on all grading and construction plans kept on the project site.

6. The administrative design review approval shall lapse within one year from the date of approval unless a building permit is issued and construction has commenced and is diligently pursued toward completion, or the City has approved an extension of the administrative design review approval.
7. Plans can only be submitted to the Building Department after the completion of the 15 day appeal period for this approval unless the applicant submits a written statement acknowledging that all plan check fees may be forfeited should the item be appealed and the design modified.
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.

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