

EXHIBIT B

RECOMMENDED CONDITIONS OF APPROVAL SITE PLAN REVIEW AND PARKING EXCEPTION

**PLN18-0045
268 Parrott Street
APN's: 075-00005-011-011 & 075-00005-012-00
David Langon (Applicant)
David Langon Construction (Property Owner)**

I. COMPLIANCE WITH APPROVED PLANS

- A. The project shall comply with the Plan Exhibits listed as Attachments A through RR, attached to the staff report dated June 6, 2019 except as hereinafter modified. (Plan Exhibits are on file at the City of San Leandro, Community Development Department, 835 East 14th Street, San Leandro, California, 94577).

ATTACHMENT A: Cover Sheet A0.0
ATTACHMENT B: Existing Site Photos A0.1
ATTACHMENT C: Proposed Project Renderings A0.2.1
ATTACHMENT D: Proposed Project Streetscape A0.2.2
ATTACHMENT E: Proposed Site Plan and Data A0.3
ATTACHMENT F: Building Code Analysis A0.4
ATTACHMENT G: Fire Safety Design Analysis – Fire Apparatus Access A0.5.1
ATTACHMENT H: Fire Safety Design Analysis – Ladder Pad Diagrams A0.5.2
ATTACHMENT I: Solar Study A0.6
ATTACHMENT J: First Floor Plan A1.1
ATTACHMENT K: Second Floor Plan A1.2
ATTACHMENT L: Third Floor Plan A1.3
ATTACHMENT M: Fourth Floor Plan A1.4
ATTACHMENT N: Roof Plan A1.5
ATTACHMENT O: Exterior Elevations A2.1
ATTACHMENT P: Exterior Elevations A2.2
ATTACHMENT Q: Building Section A3.1
ATTACHMENT R: Wall Sections at Residential Entry A4.1
ATTACHMENT S: Storefront Study A4.2
ATTACHMENT T: Balcony Study A4.3
ATTACHMENT U: Details A5.1
ATTACHMENT V: Materials Board A6.1
ATTACHMENT W: Title Sheet 1
ATTACHMENT X: Topo Survey & Tree Preservation Plan 2
ATTACHMENT Y: Dimensioned Site Plan 3
ATTACHMENT Z: Prelim. Grading, Drainage & Utility Plan 4
ATTACHMENT AA: Sections and Details 5
ATTACHMENT BB: Notes and Legend L1.0
ATTACHMENT CC: Layout Plan: First Floor L3.1

ATTACHMENT DD: Layout Plan: Second Floor L3.2
ATTACHMENT EE: Details: First Floor L4.1
ATTACHMENT FF: Details: Second Floor L4.2
ATTACHMENT GG: Site Furniture L4.3
ATTACHMENT HH: Irrigation Notes and Legend L5.0
ATTACHMENT II: Hydrozone Plan L5.1
ATTACHMENT JJ: Planting Notes L6.0
ATTACHMENT KK: Planting Plan: First Floor L6.1
ATTACHMENT LL: Planting Plan: Second Floor L6.2
ATTACHMENT MM: Planting Palette L6.3
ATTACHMENT NN: Planting Palette L6.4
ATTACHMENT OO: Planting Details L6.5
ATTACHMENT PP: Trash Room Layout T0.1
ATTACHMENT QQ: Trash Container Staging T0.2
ATTACHMENT RR: Trash Chute Details T2.0

- B. The developer shall be responsible for assuring that any successor in interest who assumes responsibility for this zoning approval is informed of its terms and conditions.
- C. The Site Plan Review and Parking Exception approval shall lapse after one (1) year following the Board of Zoning Adjustments approval of the application, unless a grading permit or building permit has been issued, coupled with diligent progress evidencing good faith intention to commence the intended use; or use is established; or an occupancy permit has been issued; or the approval is renewed, as provided in Zoning Code Section 5-2218 and Section 5-2516. Pursuant to Zoning Code Section 5-2218.A and Section 5-2516.B, upon written request, a renewal may be considered by the Zoning Enforcement Official if no substantive change has occurred in conditions or circumstances pertinent to Site Plan Review and Parking Exception or their approvals. Application for a renewal shall be made in writing to the Zoning Enforcement Official prior to expiration of Site Plan Review and Parking Exception approvals.
- D. Modifications to the approved Conditions of Approval and Plan Exhibits, including changes to paint colors and building materials, shall require resubmittal of a revised Site Plan Review application in accord with Zoning Code Section 2-2516.C, "Changed Plans." The Zoning Enforcement Official shall review the application to determine if the proposed substitutions or alterations necessitate further consideration by the Board of Zoning Adjustments. The Zoning Enforcement Official may approve changes to approved plans or Conditions of Approval without a public hearing upon determining that the changes in conditions are minor and are consistent with the intent of the original approval.

II. PERMITTED USE

- A. This Site Plan Review and Parking Exception approval permits construction of a 26-unit multi-family residential development including ground floor commercial and a parking garage at 268 Parrott Street. Per the Inclusionary

Housing Requirement – Zoning Code Section 6-3006, the development will include 4 units of affordable housing. The proposed building would be four stories with ground level commercial and parking garage. Assessor's Parcel Numbers 075-0005-012-00 (268 Parrott St) & 075-0005-011-01 (1595 Washington Ave.).

- B. This approval is not contingent upon the subdivision of the project as a condominium for individual ownership.
- C. No application for amendment of the application or Conditions of Approval may be submitted or accepted for processing by the city unless (i) there is full compliance with all other legally binding documents regulating development on the property; and (ii) there is full compliance with all terms of the application and Conditions of Approval, or (iii) the Zoning Enforcement Official has waived compliance with the terms of the application because they are minor in content.

III. ADDITIONAL PLAN SUBMITTALS

- A. Prior to issuance of building permits, applicant shall submit a checklist showing that the project meets the minimum green building rating for a residential building, according to the most current GreenPoint Rated for Newly-Constructed Residential Buildings, or equivalent green building rating system as adopted by the City of San Leandro at the time of submittal for building permits. Features indicated on said checklist shall be incorporated into building permit plans.
- B. Prior to issuance of building permits, all building plans and specifications shall be submitted for review and approval to the Zoning Enforcement Official to ensure consistency with the approved exterior design. Said plans and specifications shall indicate the exact type of siding, plaster cement, veneer, brick, stone base, railings, awnings, metal work, door and window framing/trims/mullions, light fixtures, gates, and utility doors to ensure that the exterior materials and finishes meet the standards illustrated in the approved plan exhibits. In addition, a final paint colors and materials board shall be submitted for the exterior of the buildings.
- C. Prior to issuance of building permits, the developer shall submit final details and specifications including, but not limited to: material samples for driveways, private walkways, and special building features, for review and approval by the Zoning Enforcement Official.
- D. Prior to issuance of building permits, the developer shall submit final landscape and irrigation plans for the review and approval of the Zoning Enforcement Official and Principal Engineer. At a minimum, the planting plan shall include trees with a minimum size of 15 gallons. The minimum size for the shrubs and vines shall be five gallons and the ground cover shall be one gallon or from flats with appropriate spacing for coverage. Said plans shall include details such as: 1) tree size, species and location; 2) shrubs and groundcovers; 3) installation specifications, including tree staking; 4) irrigation details; 5) water conservation

techniques; and 6) maintenance programs. Final landscape and irrigation plans shall be prepared by a California licensed landscape architect and shall conform to the Model Water Efficient Landscape Ordinance as updated by the State of California Department of Water Resources.

- E. Prior to issuance of building permits, the developer shall submit final plans and details for the site lighting and specific street lighting details regarding location, candle power, and light levels (by submittal of a photometric study) for the review and approval of the City Engineer and Community Development Director. The plans and details shall show location, height, decorative features, and construction details showing materials and finishes to be used for construction. No site lighting may spill offsite or create glare offsite.
- F. Prior to issuance of building permits, the developer shall submit final sign plans and details showing use, location, and height of all site signage for the review and approval by the Community Development Director.
- G. Prior to issuance of any Certificate of Occupancy on the property, the improvements outlined above shall be completely installed to the satisfaction of the Community Development Director and the City Engineer.
- H. Prior to issuance of building permits, the developer shall submit a summary of all neighborhood outreach effort(s), feedback received, and mitigation measures (if any), particularly regarding the removal of on-site trees, many of which are on or directly adjacent to the western property line.

IV. BUILDING AND SAFETY SERVICES REQUIREMENTS

- A. The project shall meet all Residential CalGreen requirements.
- B. Building permit plans shall include Accessible ready units.
- C. Building permit plans shall show Accessible path of travel from Accessible parking spaces.
- D. Building permit plans shall show all mechanical units and provide all the details and specifications to how and what each mechanical unit is servicing (i.e., mechanical venting).
- E. Building permit plans shall show occupancy and exiting that satisfies required Building and Fire Codes.
- F. Title 24 Building Energy Efficiency shall be satisfied.
- G. Structural Calculations shall be provided.

V. ENGINEERING AND TRANSPORTATION DEPARTMENT REQUIREMENTS

**MUNICIPAL REGIONAL STORMWATER PERMIT PROVISION C.3
(CLEAN WATER PROGRAM) CONDITIONS:**

- A. The applicant shall submit a detailed Operations and Maintenance agreement in accordance with MRP section C.3.h. The O&M agreement shall be required prior to Grading Permit issuance.

- B. The applicant shall reduce storm water pollution by implementing the following pollution source control measures:
 - 1. Structures shall be designed to discourage the occurrence and entry of pests into buildings, thus minimizing the need for pesticides. The trash area shall be separated from the rest of the building by concrete or masonry walls so that pests that gain access to the area are less likely to access the rest of the building.
 - 2. All storm drains shall be marked “NO DUMPING, DRAINS TO BAY”
 - 3. All on-site storm drains shall be inspected and, if necessary, cleaned at least twice a year immediately prior to the rainy season.
 - 4. Sidewalks and parking lots shall be swept regularly to minimize the accumulation of litter and debris. Steam cleaning or low volume pressure washing may be performed only after pre-cleaning using dry methods, spot cleaning and recovery in stained areas and removal of all mobile pollutants. Debris resulting from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Wash water containing any soap, cleaning agent or degreaser shall not be discharged to the storm drain.
 - 5. Interior floor drains (if any) shall not be connected to the storm drain system.
 - 6. Air conditioning condensate shall be directed to landscaped areas. Any air conditioning condensate that discharges to land without flowing to a storm drain may be subject to the requirements of the State Water Resources Control Board’s (SWRCB) Statewide General Waste Discharge Requirements (WDRs) for Discharges to Land with a Low Threat to Water Quality.
 - 7. Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to storm water pollution.
 - 8. Where feasible, landscaping shall be designed and operated to treat storm water runoff by incorporating elements that collect, detain, and infiltrate runoff. In areas that provide detention of water, plans that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified.

9. Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.
 10. Selection of the plants that will require minimal pesticide use.
 11. Irrigation shall be appropriate to the water requirements of the selected plants.
 12. The applicant shall select pest and disease resistant plants.
 13. The applicant shall plant a diversity of species to prevent a potential pest infestation from affecting the entire landscaping plan.
 14. The applicant shall plan insectary plants in the landscaping to attract and keep beneficial insects.
- C. The Applicant shall comply with the following high standards of sanitation during construction of improvements: garbage cans, construction dumpsters, and debris piles shall be removed on a minimum weekly basis. All food related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers only and shall be regularly removed from the site. Inspections, conducted as part of the regular construction compliance, will be conducted to ensure compliance of the applicant and contractors with this requirement.
- D. All proposed storm drain onsite and offsite inlets shall be marked "NO DUMPING, DRAINS TO BAY" as per the City of San Leandro Standard Plan Dwg. No. 204. All proposed storm drain inlets that are not within bioretention areas shall have "United Storm Water" or similar trash capture devices.

STORM DRAIN CONDITIONS:

- E. The storm drain line within the intersection of Parrott Street and Hays Street are operated and maintained by Alameda County Flood Control and Water Conservation District. Connections to this system will require a permit from the District and shall be submitted prior to building and grading permit issuance.

OFF SITE IMPROVEMENTS CONDITIONS:

- F. All abandoned driveways shall be removed and replaced with City standard sidewalk, curb and gutter to match adjacent sidewalk colors and scoring patterns. Driveway and sidewalk construction shall be in compliance with the City of San Leandro Standard Plans Dwgs. No. 100, 102 and 104, Case 3101.
- G. The pavement condition index (PCI) of Parrott Street shall be assessed before and after construction. Appropriate remediation measures based on any change

in the PCI shall be required as part of the project approvals. At a minimum, slurry surfacing shall be applied to Parrott Street along the frontage of the project. Pretreatments such as pothole patching, crack sealing, and dig outs shall be performed where they are needed before the application of slurry seal.

- H. The Applicant shall remove any broken and uplifted sidewalk, driveway, curb and gutter along the full project frontage and shall construct new City standard sidewalk, driveway, curb and gutter in the same location and alignment. All work within the Public Right-of-Way shall be per City of San Leandro Standard Plans.
- I. Any work within the Public Right-of-Way shall require an encroachment permit from the City of San Leandro Engineering and Transportation Department.
- J. Prior to building permit issuance, the Developer must enter into a Public Improvement Agreement with the City to guarantee installation of required public improvements along the Parrott Street and Washington Avenue property frontages. Additionally, the Developer must enter into a License Agreement with the City for the perpetual maintenance of the special paving along the property frontage and the permanent site furniture (seat walls). The value of these improvements shall be included in a detailed Engineer's Estimate subject to review by the City. The guarantee will be in a financial instrument approved by the City with a value equivalent to the Engineer's Estimate.

GRADING CONDITIONS:

- K. A Grading Permit will be necessary for the project. The requirements for said permit are indicated in San Leandro Municipal Code §7-12. The permit will be issued prior to or concurrent with the Building Permit.

UTILITY CONDITIONS:

- L. A Grading Permit will be necessary for the project. The requirements for said permit are indicated in San Leandro Municipal Code §7-12. The permit will be issued prior to or concurrent with the Building Permit.
- M. For the applicant's information, the potable water network that serves the site is owned and operated by East Bay Municipal Utility District (EBMUD). Please contact EBMUD at 866-403-2683 for more information about connections and water service.
- N. Any construction near the guy wire anchor for the utility pole at the west end of the project frontage will require prior approval from PG&E.
- O. A lighting plan and photometric study must be developed and submitted for approval along with the building permit application to assure sufficient illumination for the safety and security of the future building occupants.
- P. For the applicant's information, the sanitary sewer network that serves the site is owned and operated by the City of San Leandro. More information about

connections to the City's network can be found at the following web link:
<http://www.sanleandro.org/depts/pw/wpcp/sewer/default.asp>

- Q. The Utility Plan shows the 6" sanitary sewer lateral tying into the 6" sewer main in Parrott Street. The City is inspecting any defects in this sanitary sewer segment in Parrott Street and if the Pipeline Assessment Certification Program (PACP) index rating is 3 or worse (as graded from 1 to 5) or if the new lateral connection will cause any structural damage to the sanitary sewer main line, the applicant shall replace the main pipeline from manhole to manhole as part of this project prior to making the sewer lateral connection.
- R. The applicant shall locate all electric and communications utilities serving the site underground.

IMPACT FEES:

Please note that this is an estimated amount. These fees are subject to change at the start of each fiscal year and will not be vested until issuance of building permit.

- S. **Street Improvement.** The Development Fee for Street Improvement (DFSI) is calculated for the project using the Fiscal Year 18-19 rate of \$1,437.92 per residential unit, and \$4.47 per square foot for the 2,520 square foot retail space, for a total of \$48,650.32.
- T. **Marina Boulevard/I-880 Interchange Fee.** The Marina Boulevard/Interstate 880 Interchange Traffic Impact Fee is calculated for the project using the Fiscal Year 18-19 rate of \$723.25 per residential unit, and \$1.77 per square foot for the 2,520 square foot retail space, for a total of \$23,264.90.
- U. **Park Land Fee.** The Park Land Acquisition fee is calculated for the project using the Fiscal Year 18-19 rate of \$14,126 per multi-family residential unit, for a total of \$367,276 and is due at the time of Building Permit issuance. Alternatively, the applicant can instead purchase and dedicate (or partner with other developers to purchase and dedicate) 0.23 acres of park land within the City limits.
- V. **Park Improvement Fee.** The Park Improvement fee is calculated for the project using the Fiscal Year 18-19 rate of \$2,279 per multi-family residential unit, for a total of \$59,254 and is due at the time of Building Permit issuance.

VI. ALAMEDA COUNTY FIRE DEPARTMENT REQUIREMENTS

- A. Plans to meet building and fire codes adopted at time of building plan submittal.
- B. Fire sprinklers are required to be installed throughout the project. The system shall be designed to the applicable NFPA Standard.

- C. Ground ladder access shall be made from two straight run exterior stairs located on opposite sides of the project. These shall provide access to the roof and to paved courtyard.
- D. The applicant shall replace, repair or modify the EBMUD water system to the extent necessary to comply with the firefighting water supply and fire sprinkler system needs.
- E. The applicant shall be prepared to provide a fire pump if adequate flow and pressure is not available. The fire pump room shall be directly accessible from the public street.
- F. Fire pump room door(s) shall be of a width(s) that will allow for the repair and replacement of all equipment in the room.
- G. A fire alarm system is required to be installed in the structure.
- H. Parking shall be restricted in front of fire hydrants, fire department connections, and test headers.
- I. The two exterior stairs may be secured by a means approved by the fire department.
- J. Aerial access for this project is provided along Parrot.

VII. PUBLIC WORKS DEPARTMENT REQUIREMENTS

- A. Each individual unit shall have sufficient internal dedicated storage and collection space for trash, recyclables and organics.
- B. Refuse Chute Termination Room shall remain unobstructed by parking.
- C. Applicant should note the City of San Leandro holds an exclusive franchise agreement for solid waste and recycling services with Alameda County Industries. (ACI).
- D. Project must comply with all City and State construction and demolition debris recycling requirements. Permit applicants must demonstrate compliance by completing and submitting an online Waste Management Plan using Green Halo Systems (www.GreenHaloSystems.com) prior to permit issuance. Applicants must submit recycling and disposal receipts online and submit the waste management report before scheduling the final inspection. Note: Project will not be finalized until all recycling and disposal tags have been registered into Green Halo Systems.

VIII. FENCING AND SCREENING REQUIREMENTS

- A. All fencing, gates and walls on the project site shall be structurally sound, graffiti-free and well maintained at all times.

- B. Barbed or razor wire shall not be installed on any fence, wall or building on the project site. The installation of chain link or cyclone fencing shall be prohibited.
- C. All walls, fences, and landscaping within a street setback or driveway shall be maintained at a height of not more than 36 inches above the top of the nearest adjacent curb and gutter to allow for adequate sight distance, or unless otherwise approved by the City's Transportation Engineer.
- D. All exterior mechanical equipment such as air conditioning/heating units and radio/television antennas shall be screened from view so as not to be visible from adjacent properties or streets to the satisfaction of the Community Development Director. This condition shall not apply to wireless receivers that do not exceed three feet in diameter.
- E. The applicant shall work with the utility provider in painting and/or screening any ground mounted transformer located along either Parrott St. or Washington Avenue to the extent permissible by the utility provider.

IX. MAINTENANCE

- A. The project site and public right-of-way shall be well maintained and shall be kept free of litter, debris and weeds at all times; during construction. Post construction, the project site and public right of way shall be well maintained and shall be kept free of litter, debris and weeds. Trash enclosures shall be kept clean of debris. Street trees and tree wells shall be maintained. The property owner and/or homeowners/condominium association shall be responsible for the maintenance of the project site and the adjacent public right-of-way.
- B. Any graffiti shall be promptly removed from building walls or fences. The developer and its successors in interest shall comply with the rules and regulations of the City's graffiti removal program and shall grant a license and right of entry as requested to enforce the terms of such program.
- C. All landscaping improvements located on the project site and within the adjacent public right of way shall be maintained by the property owner and/or homeowners/condominium association in a healthy, growing condition at all times. Irrigation heads and water lines shall be maintained to prevent leakage.
- D. During the construction phase, the site shall be enclosed with a security fence and shall be well maintained in a neat manner, free of weeds, litter and debris.
- E. The solid waste and recycle containers shall be kept inside the designated space and kept out of public view, except when it is necessary to place them at the trash staging area on days that the contents of the containers are picked up for disposal. The trash enclosure area shall be cleaned and maintained regularly.

- F. All trees shall be planted so that at maturity they are located far enough away from the sidewalk so that their branches are at least eight (8) feet above the sidewalk area and 14 feet above the roadway/vehicle traveled way.
- G. No temporary or unauthorized signs including but not limited to banners, streamers and pennants shall be placed on the property, unless approved by the City under a Temporary Sign Permit or Special Event Permit. The use of spotlights, feather signs, animated or inflatable signs, balloons, and lasers shall be prohibited at all times.
- H. Balconies and patio areas shall be kept in a neat and clean condition at all times and shall not be used for storage. Access to patio doors shall be maintained unobstructed for emergency access.
- I. Pet waste shall be promptly removed and properly disposed from all property sidewalks, pet areas, and landscaping.

X. CONSTRUCTION PROVISIONS

- A. Construction on the project site shall not commence prior to 7:00 a.m. and shall cease by 7:00 p.m., Monday through Friday, and shall not commence prior to 8 a.m. and shall cease by 7 p.m. Saturday and Sunday, unless otherwise approved by the Chief Building Official. There shall be no construction on Federal holidays. As provided in this City of San Leandro's Noise Ordinance (ORDINANCE NO. 2003-005), "construction" shall mean any site preparation, assembly, erection, substantial repair, alteration, demolition or similar action, for or on any private property, public or private right-of-way, streets, structures, utilities, facilities, or other similar property. Construction activities carried on in violation of this Article may be enforced as provided in Section 4-1-1130, and may also be enforced by issuance of a stop work order and/or revocation of any or all permits issued for such construction activity.
- B. Construction activity shall not create dust, noise or safety hazards for adjacent residents and properties. Dirt and mud shall not be tracked onto Parrott Street or Washington Avenue, from the project site during construction. Standard construction dust control procedures, such as wetting, daily roadwashing and other maintenance functions to control emissions, shall be implemented at all times during outdoor construction. Dust generating activities such as grading, excavation, paving, etc. shall be scheduled the early morning and other hours when wind speeds are low. All construction activities entailing soil disturbance shall cease when winds exceed 30 miles per hour as an hourly average.
- C. The developer shall prepare a construction truck route plan that would restrict trucks to arterial streets that have sufficient pavement section to bear the heavy truck traffic, thereby minimizing noise and traffic impacts to the community. The construction truck route plan shall be reviewed and approved by the City's Engineering and Transportation Department prior to receipt of the grading permit.

- D. Truck hauling activities shall be restricted to 8:00 a.m. to 5:00 p.m. There shall be no truck hauling activity on Saturdays, Sundays and Federal holidays.
- E. Procedures with the highest noise potential shall be scheduled for daylight hours, when ambient noise levels are highest.
- F. The contractor(s) shall be required to employ the quietest among alternative equipment or to muffle/control noise from available equipment.
- G. All construction contracts shall include the following requirements: 1) Unpaved construction sites shall be sprinkled with water at least twice per day; 2) Trucks hauling construction materials shall be covered with tarpaulins or other effective covers; 3) Streets surrounding demolition and construction sites shall be swept at least once per day; and 4) Paving and planting shall be done as soon as possible. City shall charge developer, and developer shall pay, for all costs of sweeping city streets in the vicinity of the project as necessary to control dust and spillage.
- H. The property shall be secured during construction with a screened six (6) foot tall chain link fence and any other security measures in accordance with recommendation of the San Leandro Police Department.
- I. Pest and vermin control shall be instituted prior to the demolition and construction of the project.
- J. Potable water and temporary sanitary facilities shall be provided to workers during construction activities. Temporary sanitary facilities shall be kept in a clean and odorless condition, secured, and located away from nearby residences.
- K. Adjacent businesses and residents shall be provided with the contact information of the responsible site foreman or managing general contractor during periods of grading and construction.
- L. A copy of these Conditions of Approval shall be identified on the plans submitted with the building permit application and posted or made available on the job site during construction.
- M. The Project construction contractor(s) shall use construction equipment fitted with Level 3 Diesel Particulate Filters (DPF) for all construction equipment of 50 horsepower or more. Prior to any construction, the construction contractor(s) shall ensure that all construction plans submitted to the City of San Leandro Community Development Department clearly show the requirement for Level 3 DPF for construction equipment over 50 horsepower. During construction, the construction contractor(s) shall maintain a list of all operating equipment in use on the Project site for verification by the City of San Leandro Community Development Department. The construction equipment list shall state the makes, models, and numbers of construction equipment on site. Equipment shall be properly serviced and maintained in accordance with manufacturer

recommendations. The construction contractor(s) shall ensure that all nonessential idling of construction equipment is restricted to five minutes or less in compliance with California Air Resources Board (CARB) Rule 2449.

- N. Project's construction contractor shall comply with the current Bay Area Air Quality Management District (BAAQMD) Best Management Practices for reducing construction emissions of PM¹⁰ and PM^{2.5}.

XII. PARKING EXCEPTION

- A. Parking spaces shall be actively managed for optimal utilization. The City shall have the authority to impose additional conditions on parking in order to address issues that may arise in the future, including but not limited to requiring resident parking permits for the use of surrounding public streets and/or placing restrictions on street parking.
- B. Should a restaurant or similar use be established within the building's ground floor commercial tenant space, the applicant or building owner shall enter into a contract for valet parking services and provide a copy of the executed contract to the City prior to issuance of a Certificate of Occupancy, subject to the review and approval of the Community Development Director. The City may require a designated street parking space to be signed and/or striped for valet use or short term pick-up/drop-offs, and may require employees to park in a pre-assigned or designated off-site location.
- C. Car-sharing shall be deemed a permitted accessory use. One parking space may be assigned or designated for car-sharing vehicles subject to prior review and approval by the Community Development Director. No employees or agents of a car-sharing business or organization shall perform vehicle repairs/services or operate a permanent business office on the subject property.
- D. The parking and storage of inoperable vehicles on the subject property shall be prohibited at all times.
- E. The property owner and/or homeowners/condominium association shall regularly maintain the parking garage and shall be responsible for the prompt clean up and removal of litter, oil stains, and spilled vehicle fluids. Parking areas shall be well maintained and kept free of litter and debris at all times.

XIII. GENERAL CONDITIONS

- A. Any outstanding Planning Services deposit fees or balance shall be paid prior to issuance of a building permit.
- B. Developer shall pay its City development, permitting, and plan checking fees in accordance with the fee schedules in effect at the time of the Building Permit approval.

- C. Prior to issuance of building permits, the applicant shall pay school fees as mandated by the State of California.
- D. All mechanical equipment shall be designed and maintained to comply with City noise and screening standards.
- E. Noise from any mechanical equipment, elevators or generators shall be minimized and insulated from adjacent residential units and shall comply with the City's Noise Ordinance.
- F. Any future wireless telecommunications facilities proposed on the subject property and considered through a separate permit shall be fully screened and incorporated wholly within the building's architecture. All service equipment and conduit shall be accommodated within the building's interior. No conduit or equipment shall be permitted to be mounted on the building's exterior walls. No conduit, panels or mechanical equipment may be mounted in a visible location or manner on the sides of the building.
- G. Smoking and vaping within the parking garage, common areas and stairwells shall be prohibited and no-smoking signs shall be prominently posted.
- H. All residents shall be notified of those areas where smoking and vaping is prohibited in accord with California Civil Code §1947.5.
- I. Outdoor loudspeakers and public announcement systems shall be prohibited from installation and use.
- J. The property shall comply with all City noise ordinance standards. The operation of any instrument, audio equipment, television set, machine or similar device between the hours of 10:00 p.m. and 8:00 a.m. in a manner as to be plainly audible at a distance of fifty (50) feet from the building shall be prohibited.
- K. On-site lighting shall be designed and located so as to not interfere with traffic on adjacent streets or shine above the horizontal plane or onto adjacent properties. Dark sky compliant outdoor lighting plans shall be reviewed and approved with the building permit application.
- L. Tree removal, trimming, and other vegetation removal to be completed between August 16 and January 31, outside bird nesting season. If work must occur during nesting season a survey shall be conducted by a qualified wildlife biologist no more than 14 days prior to the start of project activities. If active nests are identified, a no disturbance buffer of 25-500 feet (depending on species and setting) would be established around each nest until the young are fledged or the nest becomes inactive.
- M. The property manager shall maintain a copy of these Conditions of Approval in their office and shall provide a copy to residents of the buildings upon request.

- N. The approvals granted by the City as a result of this application, as well as the Conditions of Approval, shall be recorded in the Office of the County Recorder of Alameda County.