

**RECOMMENDED
CONDITIONS OF APPROVAL**

**PLN16-0051
1936 E. 14th Street
Alameda County Assessor's Parcel Number 77-572-19
D. Le (applicant/property owner)**

I. COMPLIANCE WITH APPROVED PLANS

- A. The project shall comply with Exhibits A through K, attached to the staff report dated December 1, 2016, except as hereinafter modified. (Exhibits are on file at the City of San Leandro, Community Development Department, 835 East 14th Street, San Leandro, California, 94577).

Exhibit A – Title Sheet/Site Plan
Exhibit B – Existing Floor & Roof Plans
Exhibit C – Proposed Floor Plans
Exhibit D – Existing Elevations
Exhibit E – Sections & Proposed Elevations
Exhibit F – Lighting/Electrical Plan & Existing HVAC Plan
Exhibit G – Proposed Water Supply Plans & Diagrams
Exhibit H – Proposed Sanitary Sewer Plans & Diagrams
Exhibit I – ADA Details
Exhibit J – Details
Exhibit K – Mechanical Details

- B. The applicant and property owner shall be responsible for assuring that any successor in interest who assumes responsibility for this zoning approval is informed of its terms and conditions.

II. PERMITTED USES

- A. This conditional use permit approval allows for the establishment and operation of an approximately 2,000 square foot Retail Service, beauty salon business that includes a hair and nail salon, facial skin care, permanent make-up, eyelash extension, full body waxing, tanning, and laser hair removal at 1936 E. 14th Street; Alameda County Assessor's Parcel Number 77-572-19.
- B. The hours of operation will be 9:00 a.m. to 8:30 p.m., seven days a week. Any expansion or modification to the hours shall be requested in writing to the Community Development Director, who may approve the request or direct the matter to the Board of Zoning Adjustments.
- C. Massage therapy shall not be permitted at the business.
- D. These conditions of approval shall be prominently posted at the business and shall be distributed to all staff and employees.

III. ON-SITE IMPROVEMENT/ADDITIONAL PERMITS

- A. Applicants shall obtain the necessary permits to operate the business in the City of San Leandro, including a San Leandro Business License and any necessary permits required under State law or regulations.
- B. Prior to issuance of a business license for the use, the applicant shall submit precise details for signage to be proposed for the facade for review by the Community Development Director. Said details shall include but are not limited to location, color, or copy.
- C. Prior to issuance of a business license for the use, the applicant shall submit precise details for any proposed new lighting for the site. Any new outdoor lighting that would be used in the evening shall be fitted with light fixtures that have cut-offs, or shields, to eliminate any light spill over in accordance with "dark sky" protocols. Said lighting shall be subject to the review and approval of the Community Development Director.

IV. ENGINEERING AND TRANSPORTATION REQUIREMENTS

- A. Pursuant to Government Code Section 66020, including Section 66020 (d) (1), the City HEREBY NOTIFIES the applicant for this Project that the 90-day approval period (in which the applicant may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) will begin on the date of the conditional approval of this Project. If you fail to file a protest within this 90-day period, complying with all of the requirements of Government Code Section 66020, you will be legally barred from later challenging any such fees, dedications, reservations or other exactions.
- B. The proposed development shall comply with City ordinances, policies and regulations. All improvements shall be in accordance with the City's Design Standards, Specifications and Standard Plans unless otherwise specifically approved by the City Engineer.
- C. See previously provided exhibit for locations of sidewalk repairs and show these locations on building permit plans. The applicant shall remove broken and uplifted sidewalk along the project frontage as shown and shall construct new City standard sidewalk, driveway, curb and gutter in the same location and alignment as the existing curb and gutter. The sidewalk, driveway, curb & gutter shall be in compliance with the City of San Leandro Standard plans Dwg. No. 102, case 3101. The applicant shall obtain an encroachment permit prior to beginning any sidewalk or driveway repairs.
- D. Prior to the issuance of the Building Permit, the property owner shall pay the Engineering Review and Inspection Fees, and other fees as required by City Ordinances and regulations.
- E. The applicant shall construct any new utilities via underground facilities.

- F. East 14th Street is in Underground Utility District; hence an in lieu fee is required in the amount of \$22,068.33 and is due at the time of building permit issuance. This fee is subject to change at the beginning of each fiscal year. Payment plan is available for undergrounding in lieu fees. Please contact the Engineering and Transportation Department for details.
- G. On sheet P.2, water heater drain lines shall be directly or indirectly connected to the sanitary sewer system and may not discharge to the storm drain system.
- H. Air conditioning condensate shall be directed to landscaped areas.
- I. Add below notes to building permit plans:
- a. The applicant shall comply with the following high standards for 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.
 - b. The applicant shall obtain an Encroachment Permit from CALTRANS and the Engineering and Transportation Department for any work within the public right-of-way including the use of lifting equipment or the staging of materials. Barricades, traffic cones, and/or caution ribbon shall be positioned around any equipment or materials within the right-of-way to provide a barrier to public access and assure public safety. Any damage to the right-of-way improvements must be promptly repaired by the applicant according to City adopted standards.
 - c. The applicant shall implement construction best management practices during construction to control erosion, keep sediment from leaving the project site and prevent storm water pollution. The applicant shall protect existing storm drain inlets and conveyances within the project area to prevent sediment from construction activities entering the storm drain system.
 - d. Applicant shall reduce storm water pollution by implementing the following pollution source control measures:
 - i. 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.

V. ALAMEDA COUNTY FIRE DEPARTMENT REQUIREMENTS

- A. Obtain building and fire permits for all modifications to the facility.

- B. Provide an address that is contrasting from the background.
- C. Mount a knock box for Fire Department access to the facility.

VI. SAN LEANDRO POLICE DEPARTMENT REQUIREMENTS

- A. Tinting from the windows shall be removed for security reasons so that activities inside the business can be seen from the outside.

VII. CONSTRUCTION PROVISIONS

- A. Construction activity shall not commence prior to 7:00 a.m. and shall cease by 7:00 p.m. Monday through Friday, and construction activity shall not commence prior to 8:00 a.m. and shall cease by 7:00 p.m. on Sunday and Saturday. No such construction is permitted on Federal holidays. As provided in the 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 right-of-way, streets, structures, utilities, facilities or 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 East 14th Street or surrounding streets from the project site.
- C. 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 legal holidays.
- D. Procedures with the highest noise potential shall be scheduled for daylight hours, when ambient noise levels are highest.
- E. The contractor(s) shall be required to employ the quietest among alternative equipment or to muffle/control noise from available equipment.

VIII. MAINTENANCE

- A. The site shall be well-maintained and shall be kept free of litter, debris and weeds.
- B. The fencing shall be structurally sound and well maintained at all times; any damage to the fence shall be promptly repaired. No barbed wire, razor wire, or ribbon wire shall be installed on any wall, fence or building on the property.
- C. Any graffiti shall be removed from the building walls, windows, doors, and the perimeter fencing.
- D. Garbage service shall be arranged through the appropriate franchised waste hauler and shall include trash, recycling and green/food waste service.
- E. All signage shall be kept in a good, clean, sound condition at all times; any damages shall be promptly repaired.
- F. Window signs shall not exceed 25% of the visible area of a window.

IX. GENERAL CONDITIONS

- A. 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.
- B. No application for amendment of the application or Conditions of Approval may be accepted or submitted for processing by the City unless (i) there is full compliance with all terms of the application and Conditions of Approval; or (ii) the Community Development Director waives compliance with the terms of the application and Conditions of Approval pending application for the amendment.
- C. Pursuant to Zoning Code Section 5-2218, this approval shall lapse on December 1, 2017 unless a) a business license has been issued, coupled with diligent progress evidencing a good faith intent to commence the intended use, or b) a written request for a one-year extension of the conditional use permit is approved by the Community Development Director.