

Exhibit D

**RECOMMENDED CONDITIONS OF APPROVAL
PLN19-0037
903 Manor Blvd.
APN 080H-1541-036-00
ERC SC, LLC (Applicant/Property Owner)**

I. COMPLIANCE WITH APPROVED PLANS

1. The project shall comply with plan Exhibits A through EEE, attached to the staff report dated July 2, 2020, 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: A0.0 - COVER SHEET
EXHIBIT B: A0.1 - VICINITY MAP + SHEET INDEX
EXHIBIT C: C1.0 - PRELIMINARY SITE PLAN
EXHIBIT D: C2.0 - EXISTING CONDITION PLAN
EXHIBIT E: C3.0 - PRELIMINARY PARKING PLAN
EXHIBIT F: C4.0 - TRASH COLLECTION PLAN
EXHIBIT G: TM1.0 - LOTTING PLAN
EXHIBIT H: TM2.0 - EXISTING CONDITION PLAN
EXHIBIT I: TM3.0 - PRELIMINARY GRADING AND DRAINAGE PLAN
EXHIBIT J: TM4.0 - PRELIMINARY UTILITY PLAN
EXHIBIT K: TM5.0 - PRELIMINARY STORMWATER TREATMENT PLAN
EXHIBIT L: L1 - CONCEPTUAL LANDSCAPE PLAN
EXHIBIT M: L2 - ENTRY MONUMENT/MATERIALS
EXHIBIT N: L3 - COURTYARD AND ENTRY ENLARGEMENTS
EXHIBIT O: L4 - OPEN SPACE EXHIBIT
EXHIBIT P: A0.2 - STREET SCENES
EXHIBIT Q: A0.3 - STREET SCENES
EXHIBIT R: A0.4 - STREET SCENES
EXHIBIT S: A1.0 - ARCHITECTURAL SITE PLAN
EXHIBIT T: A1.1 - DAYLIGHT PLANE
EXHIBIT U: A1.2 - WINDOW ADJACENCY
EXHIBIT V: A1.3 - SEASONAL SOLAR ANGLES
EXHIBIT W: A1.4 - CODE ANALYSIS
EXHIBIT X: A2.0 - EXTERIOR ELEVATIONS - BUILDING A - TYPE 5 - 3-
PLEX - COLOR SCHEME 1
EXHIBIT Y: A2.1 - EXTERIOR ELEVATIONS - BUILDING A - TYPE 5 - 3-
PLEX - COLOR SCHEME 1
EXHIBIT Z: A2.2 - EXTERIOR ELEVATIONS - BUILDING B - TYPE 4 - 4-
PLEX - COLOR SCHEME 2
EXHIBIT AA: A2.3 - EXTERIOR ELEVATIONS - BUILDING B - TYPE 4 - 4-
PLEX - COLOR SCHEME 2
EXHIBIT BB: A2.4 - EXTERIOR ELEVATIONS - BUILDING C - TYPE 2 - 7-
PLEX - COLOR SCHEME 1

EXHIBIT CC: A2.5 - EXTERIOR ELEVATIONS - BUILDING C - TYPE 2 - 7-
PLEX - COLOR SCHEME 1
EXHIBIT DD: A2.6 - EXTERIOR ELEVATIONS - BUILDING D - TYPE 2 - 7-
PLEX - COLOR SCHEME 2
EXHIBIT EE: A2.7 - EXTERIOR ELEVATIONS - BUILDING D - TYPE 2 - 7-
PLEX - COLOR SCHEME 2
EXHIBIT FF: A2.8 - EXTERIOR ELEVATIONS - BUILDING E - TYPE 1 - 11-
PLEX - COLOR SCHEME 1
EXHIBIT GG: A2.9 - EXTERIOR ELEVATIONS - BUILDING E - TYPE 1 - 11-
PLEX - COLOR SCHEME 1
EXHIBIT HH: A2.10 - EXTERIOR ELEVATIONS - BUILDING E - TYPE 1 -
11-PLEX - COLOR SCHEME 1
EXHIBIT II: A2.11 - EXTERIOR ELEVATIONS - BUILDING E - TYPE 1 - 11-
PLEX - COLOR SCHEME 1
EXHIBIT JJ: A2.12 - EXTERIOR ELEVATIONS - BUILDING F - TYPE 3 - 7-
PLEX - COLOR SCHEME 2
EXHIBIT KK: A2.13 - EXTERIOR ELEVATIONS - BUILDING F - TYPE 3 - 7-
PLEX - COLOR SCHEME 2
EXHIBIT LL: A3.0 - BUILDING PLANS - BUILDING A - TYPE 5 - 3-PLEX
EXHIBIT MM: A3.1 - BUILDING PLANS - BUILDING B - TYPE 4 - 4-PLEX
EXHIBIT NN: A3.2 - BUILDING PLANS - BUILDING D/C - TYPE 2 - 7-PLEX
EXHIBIT OO: A3.3 - BUILDING PLANS - BUILDING D/C - TYPE 2 - 7-PLEX
EXHIBIT PP: A3.4 - BUILDING PLANS - BUILDING E - TYPE 1 - 11-PLEX
EXHIBIT QQ: A3.5 - BUILDING PLANS - BUILDING E - TYPE 1 - 11-PLEX
EXHIBIT RR: A3.6 - BUILDING PLANS - BUILDING E - TYPE 1 - 11-PLEX
EXHIBIT SS: A3.7 - BUILDING PLANS - BUILDING E - TYPE 1 - 11-PLEX
EXHIBIT TT: A3.8 - BUILDING PLANS - BUILDING F - TYPE 3 - 7-PLEX
EXHIBIT UU: A3.9 - BUILDING PLANS - BUILDING F - TYPE 3 - 7-PLEX
EXHIBIT VV: A4.0 - BUILDING SECTIONS - BUILDING E
EXHIBIT WW: A5.0 - UNIT PLANS - PLAN 1
EXHIBIT XX: A5.1 - UNIT PLANS - PLAN 2
EXHIBIT YY: A5.2 - UNIT PLANS - PLAN 2X - ACCESSIBLE
EXHIBIT ZZ: A5.3 - UNIT PLANS - PLAN 3
EXHIBIT AAA: A5.4 - UNIT PLANS - PLAN 4 - ACCESSIBLE
EXHIBIT BBB: A6.0 - ARCHITECTURAL DETAILS
EXHIBIT CCC: A6.1 - ARCHITECTURAL DETAILS
EXHIBIT DDD: A6.2 - ARCHITECTURAL DETAILS
EXHIBIT EEE: A7.0 - MATERIAL/COLOR SCHEMES

2. 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.
3. Construction shall commence within 2 years following City Council approval and shall be substantially completed 18 months thereafter. For the purpose of compliance with this condition, commencement of construction shall be defined as the construction of a substantial portion of the infrastructure and residential units.

Pursuant to Zoning Code Section 3.04.144, the developer may request from the Planning Commission renewal of the Planned Development project approval for up to two additional years if it finds the renewal is consistent with the Code and that no substantive change has occurred in conditions or circumstances pertinent to the Planned Development. Application for renewal shall be made in writing to the Community Development Director not less than 30 days or more than 120 days prior to the expiration of the Planned Development approval. Denial of a request for renewal of the Planned Development Project approval may be appealed.

II. PERMITTED USE

1. Permitted Use. This General Plan Map Amendment, Zoning Map Amendment, Planned Development, Site Plan Review, and Tentative Map is an approval to construct a 39-unit, three-story residential townhome subdivision on a 2.3-acre site at 903 Manor Boulevard. Alameda County Assessor's Parcel Numbers 080H-1541-036-00.
2. Compliance. 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 terms of the application and Conditions of Approval; or (ii) the Community Development Director can waive compliance with the terms of the application if they are minor in content.
3. Modifications. Construction of the project shall remain in substantial compliance with the approved exhibits and plans. Any change to the project design, materials or colors shall be subject to the review and approval of the Community Development Director who may administratively approve minor changes, or for more substantial changes, require review by the Planning Commission and City Council as a modification to the Planned Development.

III. ADDITIONAL PLAN SUBMITTALS

1. GreenPoint Checklist. Prior to issuance of building permits, applicant shall submit a checklist showing that the project meets the minimum green building rating for a residential buildings, 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.
2. Final Landscape and Irrigation Plans. Prior to issuance of building permits, the developer shall submit Final Landscape and Irrigation Plans for the review and approval of the Community Development Director. The 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.

3. Final Site Lighting and Photometric Study. Prior to issuance of building permits, the developer shall submit final plans and details for site lighting, including submittal of a photometric study, for the review and approval of the Community Development Director and Principal Engineer. The plans and details shall show location, height, decorative features, and construction details showing materials and finishes to be used for construction. All site lighting shall be directed below the horizontal plane and no lighting may spill offsite.
4. Water Conservation. Final building plans submitted for building permit shall incorporate a range of water conservation measures to substantially reduce average per capita daily use. These measures shall include the use of equipment, devices and methods for plumbing fixtures and irrigation that provide for long-term efficient water use, subject to the review and approval of the Community Development Director.
5. 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.

IV. PROJECT SITE IMPROVEMENTS

1. Garage Doors. All garage doors shall be a roll-up sectional type and provide variety in panel and/or window design.
2. Screened Utilities. All electrical, gas, and water meters shall be located such that they will not be visible from the streets, or these units shall be screened or enclosed.
3. Lighting. On-site lighting shall be designed and located so as to not interfere with traffic on adjacent streets and fully shielded so as to not 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.
4. Mechanical Screening. 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 cable receivers that do not exceed three feet in diameter.
5. Perimeter Walls. Perimeter wood fencing shall be replaced with a durable reinforced masonry material. Proposed wood fencing identified in Exhibit I, Exhibit J and Exhibit L located along the project perimeter shall be replaced with reinforced masonry walls. Final perimeter wall design and material shall be subject to the review and approval of the Zoning Enforcement Official prior to issuance of a building permit.

V. INCLUSIONARY HOUSING

1. Inclusionary Units. To satisfy the Inclusionary Housing Requirement under Zoning Code Section 6.04.144 Owner-Occupied Units, the developer shall designate four units as for-sale to Moderate Income Households and two units

as for-sale to Low Income Households. None of the units may be clustered in any one building.

2. Restriction of Sale. The developer shall execute an instrument or agreement approved by the City restricting the sale of the Owner-Occupied Inclusionary Units in accordance with Zoning Code Section 6.04.144.

VI. ENGINEERING AND TRANSPORTATION DEPARTMENT REQUIREMENTS

Site Planning Conditions:

1. The applicant proposes 39 multi-family condominiums for sale on a single existing parcel which requires a Final Map for Condominium purposes. The map shall be approved and recorded prior to building permit issuance. A Shared Maintenance Agreement (CC&R) should be prepared to govern how common area improvements will be managed and maintained in perpetuity. Submit a draft of said document to the City for review prior to Building Permit issuance.
2. Landscape sheets prepared by SJA Landscape Architecture Land Planning, show that street trees are proposed along Manor Boulevard. If the trees will be maintained by the City, then approval from City's Public Works must be obtained for the type and spacing prior to Building Permit issuance. Information about acceptable tree varieties can be downloaded from the City's website as follows: <https://www.sanleandro.org/civicax/filebank/blobdload.aspx?blobid=16205>. Whether the trees will be City-maintained or privately-maintained by the future homeowner's association, the applicant shall irrigate the trees from the private irrigation system. Any provided tree grates shall be in compliance with the City of San Leandro Standard Plan Dwg. No. 438A and Dwg. No. 438B.
3. The applicant must underground the overhead joint utilities from the utility pole at the intersection of Manor Boulevard and Fleming Street to the northwest corner of the property as part of this proposed development such that there are no overhead utility lines or utility poles along the western property line. If the adjacent properties will be served from this proposed joint utility trench, then a utility easement shall be granted for access and maintenance by PG&E or other utility companies that occupy the joint trench.
4. The proposed sanitary sewer line shown running east/west on Manor Boulevard must be constructed as a public sewer main, including a stub-out to the west for connection of any future development.
5. Submit a copy of video survey mentioned in the letter by Sanco Pipelines, dated October 7, 2019, regarding the condition assessment of the existing 15-inch storm drain line that extends through the side yard of the Lopez lot to Norton Street, confirming its structural adequacy and serviceability, prior to Grading Permit issuance. If the pipe is deficient, propose a method of slip-lining or replacing the pipe.
6. Grading Permit plans shall show that multiple bio-retention areas proposed in a single Drainage Management Area (DMA) are hydraulically connected to function as a single Low Impact Development (LID) measure.

7. Include storm drain pump design along with the Building Permit submittal.

Municipal Regional Stormwater Permit Provision C.3 (Clean Water Program) and Storm Drain:

8. Because the project creates or replaces more than 10,000 SF of impervious surface, it is considered a Regulated Project according to Provision C.3.b of the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (Order No. R2-2015-0049, NPDES Permit No. CAS612008, adopted 11/19/2015).

Encroachment and Grading Permits:

9. The applicant shall obtain an Encroachment Permit from the Engineering and Transportation Department for any work within the public right-of-way. Contractors must be properly licensed, have a valid Business License, and submit proof of insurance. Applicable fees/deposits must be paid.
10. 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. The San Leandro Municipal code can be found at http://www.sanleandro.org/about/municipal_code.asp. The geotechnical engineer of record shall certify that the design of the site improvements conforms to recommendations from the Geotechnical Investigation.

Other Engineering Conditions:

11. The site will be subject to a Construction General Permit according to the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002. The general permit is applicable to construction sites that disturb one or more acres of land surface. The applicant will be required to register the project with the State Water Board's Storm water Multi-Application and Report Tracking System (SMARTS) website. A Qualified SWPPP Developer (QSD) and a Qualified SWPPP Practitioner (QSP) must be responsible for permit compliance. The SMARTS system will generate a Waste Dischargers Identification (WDID) number which must be printed on the Demolition Plans and Grading & Erosion Control plans.
12. 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.
13. The proposed project is in the Oro Loma Sanitary District service area. The applicant shall contact Oro Loma Sanitary District (510-276-4700) for specific sanitary sewer connection and discharge requirements, and shall submit a copy of Oro Loma Sanitary District Sewer Permit to the City prior to Encroachment Permit Issuance.
14. The applicant shall locate all electric and communications utilities serving the site underground.

15. All proposed storm drain inlets and trench drains 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 trash capture devices. This note shall be included on Building Permit plan set.
16. Building Permit plans shall show that all abandoned driveways or damaged curb, gutter and/or sidewalk shall be removed and replaced according to City standard Plans Dwg. No. 100, 102 and 104. Plans shall show ADA path grades and control point elevations across the proposed driveway on Manor Boulevard.
17. Sign installations must be per City of San Leandro Standard Plans Dwg. No. 136.
18. The City's traffic impact fee program is called "Development Fee for Street Improvements" (DFSI). According to the adopted 2019-20 Fee Schedule, the rate for "General Residential" land use is \$1,449.91 per unit. Credit for existing 28,687 gross SF building for "Personal Service" land use category at the rate of \$2.41 will be assumed and as such no DFSI is due for this project.
19. The project is within the Marina Boulevard/Interstate 880 Interchange Traffic Impact Fee Zone. According to the adopted 2019-20 Fee Schedule, the rate for "General Residential" land use is \$729.28 per unit. Credit for existing 28,687 gross SF building for "Personal Service" land use category at the rate of \$2.47 will be assumed and as such no fee is due for this project.
20. A Park Facilities Development Impact Fee shall be assessed assuming 39 dwelling units (du) will be added to the property as follows:

Park Land Acquisition Fee:	\$14,667.00/du or \$572,013.00
Park Improvement Fee:	\$2,348.00/du or \$91,572.00
<u>Total Park Impact Fee:</u>	<u>\$17,014.00/du or \$663,546.00</u>

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.

21. Manor Boulevard is in the City's adopted Underground Utility District Master Plan. As such, an in-lieu fee is required in the amount of \$61,749.87 which is calculated at \$1,583.33 per residential unit. This fee is subject to change at the beginning of each fiscal year and is not vested until Building Permit issuance.

VII. ALAMEDA COUNTY FIRE DEPARTMENT REQUIREMENTS

Please note that these conditions do not constitute a complete fire and building code review. A formal plan check review will be completed at time of building permit submittal. The buildings will need to comply with all building and fire code requirements in affect at time of building permit submittal.

1. The R-3 Occupancies shall be provided with NFPA 13D fire sprinkler systems.
2. Hydrants shall be provided as recorded.

3. Fire Access Routes shall be provided as recorded.
4. Smoke Alarms shall be provided per the CBC 2016 edition.
5. Carbon Monoxide detectors shall be provided per the CFC 2016 edition.
6. Illuminated addresses shall be provided on a contrasting background.

VIII. PUBLIC WORKS REQUIREMENTS

1. Trash, Recycling, and Organics Collection. Trash, recycling and organics bins shall be placed curbside no more than 24 hours prior to scheduled service day(s). Bins shall be removed from the curb no more than 12 hours after collection service. The solid waste and recycling provider is Waste Management of Alameda County.
2. Recycling Requirements. Applicant is subject to Alameda County Mandatory Recycling Ordinance 2012-01.

IX. EAST BAY MUNICIPAL UTILITY DISTRICT

1. Separate Meters. Once the property is subdivided, separate meters for each lot will be required. A main extension at the project sponsor's expense may be required to serve the proposed development. No water meters are allowed to be located in driveways.
2. Water Service. When the development plans are finalized, the project sponsor shall contact EBMUD's New Business Office and request a water service estimate to determine the costs and conditions of providing water service to the development. Engineering and installation of water mains and meters requires substantial lead time, which should be provided for in the project sponsor's development schedule. The project sponsor should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all of the applicable water-efficiency measures described in the regulation are installed at the project sponsor's expense. Due to EBMUD's limited water supply, all customers should plan for shortages in time of drought.

X. CONSTRUCTION PROVISIONS

1. Construction Hours. 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. Interior construction such as sheet rock taping and texturing, painting, tile installation and similar activity shall be permitted outside the above hours provided that construction noise shall not be detectable outside of the buildings under construction or renovation.
2. Construction and Demolition Debris. 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.

3. Bird Nesting. Tree removal, trimming, and other vegetation removal shall be completed between August 16 and January 31, outside of 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.
4. Air Quality. 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.
5. BAAQMD Best Management Practices. 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 PM2.5.
6. Dust and Noise. Construction activity shall not create dust, noise or safety hazards for adjacent residents and properties. Dirt and mud shall not be tracked onto Manor Boulevard, Fleming Street, Norton Street, Andover Street, or Zelma Street from the project site during construction. 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.

Dust. 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.

Noise. Procedures with the highest noise potential shall be scheduled for daylight hours, when ambient noise levels are highest. The contractor(s) shall be required to employ the quietest among alternative equipment or to muffle/control noise from available equipment.

7. Truck Route Plan. 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 Traffic Engineer prior to receipt of the grading permit.
8. Truck Hauling Hours. 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.
9. Maintenance. During the construction phase, the site shall be well maintained in a neat manner, free of weeds, litter and debris.
10. Secure Construction Site. The property shall be secured during construction with a six (6) foot high chain link fence and any other security measures in accordance with recommendation of the San Leandro Police Department.
11. Pest and Vermin Control. Pest and vermin control shall be instituted prior to the demolition and construction of the project.
12. Construction Facilities. 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.
13. Construction Contact. 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.
14. Conditions of Approval. 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.

XI. MAINTENANCE

1. Maintenance. 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. Post construction, the project site and public right of way shall be well maintained and shall be kept free of litter, debris and weeds. The Homeowners Association shall be responsible for the maintenance of the project site and adjacent public right-of-way.
2. Balconies and Patios. The CC&Rs shall require 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.

3. **Pet Waste.** Pet waste shall be promptly removed and properly disposed from all property sidewalks, pet areas, and landscaping. An outdoor pet waste disposal receptacle shall be provided and maintained.
4. **Fencing and Walls.** All fencing and walls on the project site shall be structurally sound, graffiti- free and well maintained at all times.
5. **Trees and Landscaping.** All landscaping improvements shall be maintained in a healthy, growing condition at all times. Street trees and tree wells shall be maintained. 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.
6. **No Graffiti.** Any graffiti shall be promptly removed from building walls, perimeter soundwalls and/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.
7. **Signage.** 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.

XII. ENVIRONMENTAL MITIGATION MEASURES

1. All mitigation measures identified in the adopted Mitigated Negative Declaration shall be included and are hereby incorporated as Conditions of Approval. Said mitigation measures are listed in the Mitigation Monitoring and Reporting Program (903 Manor Boulevard Project Initial Study - Mitigated Negative Declaration) and the developer shall comply with and implement all provisions of said Mitigation Monitoring and Reporting Program. The applicant shall provide a copy of the Mitigation Monitoring and Reporting Program to all construction contractors prior to commencement with demolition of the property. The developer shall be responsible for compensating the City of San Leandro for costs associated with the enforcement and monitoring of the mitigation measures prior to issuance of a Certificate of Occupancy.

XIII. PARKING MANAGEMENT

1. **Garage Parking.** Garages are the designated primary location for residents' on-site vehicle parking. The CC&Rs shall require that all resident parking occur on-site, in designated garages.
2. **Prohibited Uses.** Designated parking areas shall not be converted to storage or other uses that would obstruct or prevent their designated use for vehicle parking.
3. **Prohibited Vehicles.** The CC&Rs shall require that the parking and storage of boats, trailers, camper tops, cargo containers and inoperable vehicles on the subject property shall be prohibited at all times.

4. Parking Maintenance. The Homeowners Association shall regularly maintain the parking areas 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.

XIV. GENERAL CONDITIONS

1. A Homeowners Association shall be required for this residential subdivision and a Homeowners Association shall be referenced in the CC&Rs. The Homeowners Association shall be required to maintain the common areas such as the driveway, guest parking areas, walls and fences, outdoor amenities and landscaping. A copy of the CC&Rs shall be provided for the City's records prior to approval of the final map.
2. Any outstanding Planning Services deposit fees or balance shall be paid prior to issuance of a building permit.
3. 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.
4. Prior to issuance of building permits, the applicant shall pay school fees as mandated by the State of California.
5. Smoking and vaping shall be prohibited within 25 feet of all common areas. A no-smoking sign shall be prominently displayed outdoors in the vicinity of common areas.
6. Project shall comply with the City's noise ordinance. Noise or amplified music in excess of the City's residential noise standards shall be prohibited.
7. The use of barbed wire, razor wire, chicken wire and chain-link fencing materials shall be prohibited.
8. The property shall comply with all City noise ordinance standards. Outdoor loudspeakers and public announcement systems shall be prohibited from installation and use.
9. 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.
10. 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.