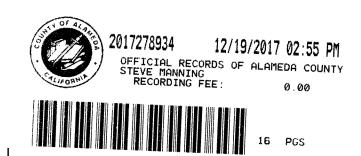
#### **RECORDING REQUESTED BY:**

City of San Leandro Planning Services Division 835 East 14th Street San Leandro, California 94577

#### WHEN RECORDED MAIL TO:

Tamika Greenwood, City Clerk City of San Leandro 835 East 14th Street San Leandro, California 94577



**THIS SPACE FOR RECORDER'S USE ONLY** 

(No fee pursuant to Government Code Section 27383)

#### AGREEMENT TO CONDITIONS PLN17-0012

3089 Teagarden Street
Alameda County Assessor's Parcel Numbers 77B-1201-027-15, -16
Davis Street Wellness Center Inc. (applicant) and
The Davis Street Community Center Inc. (property owner)

THIS AGREEMENT is entered into by and between the CITY OF SAN LEANDRO, a municipal corporation, hereinafter referred to as "City", and Davis Street Wellness Center, Inc., hereinafter referred to as "Applicant", and The Davis Street Community Center, Inc, hereinafter referred to as "Property Owner".

Applicant applied for and received a Conditional Use Permit to establish an approximate 7,704 square foot medical cannabis dispensary within an existing commercial and industrial building at 3089 Teagarden Street; Assessor's Parcel Numbers 77B-1201-027-15, -16. The Conditional Use Permit authorizes the medical cannabis dispensary to package and dispense medical cannabis to patients, including flowers, infused products, concentrates, clones (small rooted plants without flowers), and accessories.

NOW, THEREFORE, pursuant to the applicable provisions of the Zoning Code, it is mutually agreed as follows:

- 1. Applicant\Property Owner agrees to comply with the Conditions of Approval adopted by the City of San Leandro Board of Zoning Adjustments, more specifically described in the list of Conditions of Approval, attached hereto, and as described in the exhibits on file in the Community Development Department, all of which are incorporated herein by this reference.
- 2. This agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors, and assigns.
- 3. City is authorized to record this agreement and any amendments thereto with the Alameda County Recorder, California. All amendments hereto must be in writing and signed by the appropriate authorities of the City and Applicant. The Applicant\Property Owner will be charged the costs of recordation and agrees to pay same. Conditions run with the land and are binding to future owners of the property.

Agreement to Conditions PLN17-0012

November 2, 2017 Page 1 of 14 4. Applicant\Property Owner has read and fully understands all of the foregoing terms and conditions, and hereby agrees that all said terms and conditions are as approved by the San Leandro Board of Zoning Adjustments in accordance with law, and hereby agree to comply with all of said terms and conditions.

**IN WITNESS WHEREOF**, duly executed by the parties as of the day and year below written.

This CONDITIONAL USE PERMIT must be exercised within ONE YEAR or it expires.

(Acknowledgment)	Davis Street Wellness Center Inc, as Applicant.
	12/6/13
	Signature Date
	Signature
	John Oram
	Print Name AKA John Joseph Oram
(Acknowledgment)	The Davis Street Community Center Inc., as
(Acknowledgment)	Property Owner.
	00.00
	12.6.17
	Signature Date (
	Rose Padille Johnson
	Print Name AKA Rosa Padilla Johnson
Receipt of Executed Approval: I hereby certify	that I am the Secretary to the Board of Zoning
	that capacity did receive this copy of PLN17-0012
Agreement to Conditions fully executed by all part	ies thereto, and that the effective date of this zoning
approval granted herein is <b>November 2, 2017.</b>	
$\Lambda \Lambda$	CITY OF SAN LEANDRO, a municipal
N // \	corporation,
	(1/1)
Attest:	A forther and the second secon
Tamika Greenwood, City Clerk	Andrew Mogensen, AICP, Secretary
	Board of Zoning Adjustments
Approved as to Form:	<i>y</i>

Richard Pio Roda, City Attorney

# California All-Purpose Certificate of Acknowledgment A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California	
County of Alameda	S.S.
On 12/6/2017 before me, Kaning	Angulo, Notary Public.
personally appeared Rosa Padilla John	STV each Signer 1
John Joseph Oran	ν
who proved to me on the basis of satisfactory evidence is/are subscribed to the within instrument and acknowled the same in his/her/their authorized capacity(ies), and instrument the person(s), or the entity upon behalf of winstrument.	edged to me that he/she/they executed that by his/her/their signature(s) on the which the person(s) acted, executed the
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph true and correct.	KARINA ANGULO Notary Public – California
WITNESS my hand and official seal.	Alameda County Commission # 2184925 My Comm. Expires Feb 27, 2021
OPTIONAL INFORMATA  Ashough the intormation in this section is not required by law in could this such a vector is an unauthorized document and may prove use	prevent fraudulent removal and reatted ment of
Description of Attached Document	Additional Information
The preceding Certificate of Acknowledgment is attached to a	Method of Signer Identification
document titled/for the purpose of	Proved to me on the basis of satisfactory evidence:
Agreement to Conditions	form(s) of identification credible witness(es)
containing 14 pages, and dated Nov. 2,2017	Notarial event is detailed in notary journal on:
The signer(s) capacity or authority is/are as:	Page # Entry #
Individual(s)	Notary contact:
Attorney-in-fact Corporate Officer(s)	Other
Corporate Cinica(s)	Additional Signer Signer(s) Thumbprints(s)
Guardian/Conservator Partner - Limited/General Trustee(s) Other:	
representing:	

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate document to which this certificate is attached, and not t	verifies only the identity of the individual who signed the the truthfulness, accuracy, or validity of that document.
State of California ) ) ss. County of Alameda )  On December 7, 2017 before me, KIMBERLY L. AND	
personally appeared Andrew Mogensen,	
My commission number is 2141045.  **MIMBERLY L. ANDERSON COMM. #2141045 Notary Public - California Alameda County**	who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.
My Comm. Expires Jan. 29, 2020	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
My commission expires on January 29, 2020.	WITNESS my hand and official seal.  Junuary Landerson, Notory Public Published
68088888888888888888888888888 <b>OPTION</b>	/ / 7 /
Though the information below is not required by law, it ma could prevent fraudulent removal and reatt	ay prove valuable to bersons relying on the document and achment of this form to another document.
Description of Attached Document	
Title or Type of Document: Agreement to Conditions, PLN1	17-0012; 3089 Teagarden Street
Document Date: November 2, 2017	Number of Pages: 14
Signer(s) Other Than Named Above:	
Capacity(ies) Claimed by Signer(s)	
Signer's Name:	Signer's Name:  Individual Corporate Officer – Title(s): Partner – Limited General Attorney in Fact Trustee Guardian or Conservator Other:
Signer is Representing:	Signer is Representing:

#### **CONDITIONS OF APPROVAL**

#### PLN17-0012

#### 3089 Teagarden Street

Alameda County Assessor's Parcel Numbers 77B-1201-027-15, -16
Davis Street Wellness Center Inc. (applicant) and
The Davis Street Community Center Inc. (property owner)

#### I. COMPLIANCE WITH APPROVED PLANS

A. The project shall comply with Exhibits A through H, attached to the staff report dated November 2, 2017, 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 – Vicinity Map, Site Map, Project Data (CUP-1)

Exhibit B – Parking Plan (CUP-3)

Exhibit C – Landscape Plan (CUP-4)

Exhibit D – Building Elevations & Signage (CUP-5)

Exhibit E – Proposed Rendering, Existing Photos, Deferred Items (CUP-6)

Exhibit F – Security Plan (CUP-7)

Exhibit G – Suite 3079 & 3077 Floor Plans (CUP-8)

Exhibit H – Photometric Plan

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. The Conditional Use Permit is an approval to establish an approximate 7,704 square foot medical cannabis dispensary within an existing commercial and industrial building at 3089 Teagarden Street; Assessor's Parcel Numbers 77B-1201-027-15, -16. The Conditional Use Permit authorizes the medical cannabis dispensary to package and dispense medical cannabis to patients, including flowers, infused products, concentrates, clones (small rooted plants without flowers), and accessories.
- B. The medical cannabis dispensary may operate from 9:00 a.m. to 8:00 p.m., Monday through Sunday. The hours of operation shall not exceed those specified in the Medical Cannabis Dispensary Performance Standards identified in San Leandro Municipal Code Section 4-33-500.
- C. Pursuant to Zoning Code Section 5-2218, this approval shall lapse on November 2, 2018, unless all of the following occur:

- a) a license or temporary license from the State of California for operation of a medical cannabis dispensary has been issued,
- b) a building permit has been issued, coupled with diligent progress evidencing a good faith intent to commence the intended use, or
- c) a written request for a one-year extension of the use permit is approved by the Zoning Enforcement Official.
- D. The City shall be notified in writing within 10 days of any change in licensure status with the State Bureau of Cannabis Control.
- E. Upon issuance, failure to hold a valid license from the State of California for a medical cannabis dispensary shall constitute discontinuance of the Conditional Use Permit.
- F. These conditions of approval shall be prominently posted at the business, shall be distributed to all employees and neighboring tenants, and made available to patients and vendors upon request.
- G. No application for amendment or modification to this Conditional Use Permit or the 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 Zoning Enforcement Official waives compliance with minor terms of the application and Conditions of Approval pending application for amendment or modification.

#### III. ON-SITE IMPROVEMENTS/ADDITIONAL PERMITS

- A. The interior use of the building and construction of the project shall remain in substantial compliance with the approved plans and exhibits. Any change to the project design shall be subject to the review and approval of the Zoning Enforcement Official who may administratively approve or at his or her sole discretion require review by the Board of Zoning Adjustments as a modification to the Conditional Use Permit.
- B. Any change or additional occupancy deemed minor in nature may be approved by the Zoning Enforcement Official. A change or additional occupancy deemed major shall be referred to the Board of Zoning Adjustments for its consideration as a modification to the Conditional Use Permit.
- C. Prior to issuance of building permits, a final color and materials board shall be submitted for the exterior of the building for review and approval as part of the building permit to ensure the quality of the exterior design. Any changes to the approved building specifications must be made in writing to the Zoning Enforcement Official, who may either administratively approve the modification or bring it back to the Board of Zoning Adjustments for review.

- D. Prior to issuance of building permits a final landscape and irrigation plan, prepared by a qualified professional in accord with California Code of Regulations Title 23, Division 2, Chapter 2.7, Model Water Efficient Landscape Ordinance, Bay-Friendly Landscape Guidelines, and San Leandro Zoning Code Article 19, shall be submitted for review and approval as part of the building permit. The minimum size for the shrubs shall be five gallons and the ground cover shall be one gallon or shall be from flats with the necessary spacing to cover the planting areas in one growing season. To reduce on-site water consumption and reduce the energy required for the pumping and distribution of water, drought tolerant and native species shall be used for site landscaping where possible. Said landscape and irrigation plans shall be subject to the review and approval of the Zoning Enforcement Official.
- E. Prior to issuance of building permits for the medical cannabis dispensary use, the applicant shall submit details for any proposed new lighting and photometric plan for the site. Outdoor lighting fixtures shall shine below the horizontal plane and existing fixtures shall be retrofitted with cut-offs or shields, if necessary, to eliminate light spillover in accordance with "dark sky" protocols. Said lighting shall be subject to the review and approval of the Zoning Enforcement Official.
- F. Construction shall commence within one (1) year following Board of Zoning Adjustments approval of the Conditional Use Permit and shall be substantially completed one year after commencement of construction. For the purpose of compliance with this condition, commencement of construction shall be defined as the construction or reconfiguration of a substantial portion of the interior building.
- G. Applicant shall obtain the necessary permits to operate the medical cannabis dispensary in the City of San Leandro, including a San Leandro Business License and any necessary permits required under State law or regulations.
- H. Prior to issuance of a business license for the medical cannabis dispensary use, the applicant shall submit precise details for the proposed signage for the review of the Zoning Enforcement Official. Said details shall include but are not limited to location, color or copy.

#### IV. 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 Zoning Code 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, businesses and properties. Dirt and mud shall not be tracked onto Teagarden Street and/or Alvarado Street or surrounding streets from the project site.
- C. Upon demolition or removal of existing structures, improvements, and construction the site shall be enclosed with a security fence and shall be well maintained in a neat manner, free of weeds, litter and debris.
- 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.
- F. Construction workers on the project shall be provided clean drinking water and access to toilets and handwashing stations as sanitary facilities for use during all phases of construction. Portable toilets shall be screened from view from the public right-of-way or located to the interior or rear of the site.

#### V. FENCING AND SCREENING REQUIREMENTS

- A. All fencing 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 or buildings on the project site.
- C. Any new or abandoned roof top or exterior mechanical equipment for the building such as air conditioning/heating units, venting, or radio/television antennas shall be screened from view so as not to be visible from adjacent properties or surrounding streets to the satisfaction of the Zoning Enforcement Official. Screening, if needed, shall be installed prior to occupancy of the building.
- D. New security fencing shall be provided along the side and rear property lines adjacent to the parking lot. Existing fencing along the perimeter shall be removed and replaced with wrought iron, tubular steel or aluminum, or a similar fencing material approved by the Zoning Enforcement Official, constructed a minimum 6 feet in height. The applicant and property owner shall work with adjacent businesses and property owners to close fencing gaps along the side and rear of the shared parking lot.

#### VI. ENGINEERING AND TRANSPORTATION REQUIREMENTS

#### General Conditions:

- 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 the applicant fails to file a protest within this 90-day period, complying with all of the requirements of Government Code Section 66020, the applicant 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 Principal Engineer.

Municipal Regional Stormwater Permit Provision C.3 (Clean Water Program) Conditions:

- C. The applicant shall reduce storm water pollution by implementing the following pollution source control measures:
  - a. 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.
  - b. 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.
  - c. Interior floor drains (if any) shall not be connected to the storm drain system.
  - d. 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.

- e. Boiler or water heater drain lines shall be directly or indirectly connected to the sanitary sewer system and may not discharge to the storm drain system.
- f. 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.
- g. 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.
- h. 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.
- i. Selection of the plants that will require minimal pesticide use.
- j. Irrigation shall be appropriate to the water requirements of the selected plants.
- k. The applicant shall select pest and disease resistant plants.
- I. The applicant shall plant a diversity of species to prevent a potential pest infestation from affecting the entire landscaping plan.
- m. The applicant shall plant insectary plants in the landscaping to attract and keep beneficial insects.
- n. 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.
- D. During construction the following high standards for sanitation are required: 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. The improvement shall construct a stabilized construction entrance per City Standard Detail Dwg. No. 606 or similar to prevent

the tracking of sediment onto the public right-of-way. Inspections, conducted as part of the regular construction compliance, will be conducted to ensure compliance of the Applicant and contractors with this requirement.

#### Off-Site Improvement Conditions:

E. The Applicant shall obtain an Encroachment Permit from the Engineering and Transportation Department for any work within the Public Right-of-Way.

#### Site Conditions:

F. The Applicant shall place all utilities serving the site underground.

#### VII. ALAMEDA COUNTY FIRE DEPARTMENT REQUIREMENTS

The following conditions shall be met prior the issuance of a building permit and fire clearance for occupancy:

- A. A Deferred Submittal is required for the Fire Protection System. A deferred approval is required for the fire sprinkler system. Any changes to the existing fire sprinkler system requires a separate submittal, permit, plan review, inspections and fees.
- B. A Deferred Submittal is required if there is a Fire Alarm System.
- C. No delayed egress is allowed in the building without the installation of a Fire Detection system throughout the entire building and notification.
- D. Emergency lighting and Exit signs will be needed.
- E. Exit door hardware shall comply with Sections 1010.1.9 and 1010.1.9.3 of the 2016 California Building Code. All hardware on the doors shall be lever, panic, or paddle.
- F. Fire extinguishers are to be shown on the plans submitted for approval. Minimum rating of fire extinguishers is 2A10B:C. Fire extinguishers are to be located near exits in the normal path of egress. Travel distance to fire extinguishers shall not exceed 75 feet.
- G. A fire department key box is to be shown on the plans submitted for approval.
- H. Address with a contrasting background.
- I. A Knox Box.

J. Plans shall conform to the currently adopted codes and standards at time of building permit submittal.

#### VIII. BUILDING AND SAFETY DIVISION REQUIREMENTS

- A. The project shall comply with all applicable Building and Fire codes. Site and Building plans shall be provided for review and approval prior to issuance of building permits.
- B. Compliance required with the City's green building programs and Build It Green's protocols.
- C. Dead end hallways or corridors are not permitted. Building permit plans shall address this issue.

#### IX. ENVIRONMENTAL SERVICES REQUIREMENTS

- A. The storage of hazardous materials in quantities equal to or greater than 55 gallons, 200 cubic feet or 500 pounds and generation of any amount of hazardous waste requires submittal of a Hazardous Materials Business Plan (HMBP). HMBP submittal shall be completed via the California Environmental Reporting System (CERS) online database at http://cers.calepa.ca.gov/. An HMBP shall be submitted prior to issuance of a certificate of occupancy or placement of the material onto the site, whichever occurs first. The plan is subject to review and approval of Environmental Services.
- B. Discharge of anything other than rainwater to the storm water collection system, which includes area drains, sidewalks, parking areas, street curb and gutter, is prohibited.
- C. The generation or discharge of wastewaters, other than domestic sewage, may require a pretreatment permit for discharge to the sanitary sewer. If a permit is required, submittal of an application to the City's Environmental Services office is required prior to a final building permit or commencing the discharge, whichever occurs first.
- D. Hazardous waste generated on site shall be handled and disposed pursuant to applicable local, state, and federal law. Generators of hazardous waste must register with the City's Environmental Services, which is the Certified Unified Program Agency (CUPA), through CERS.

#### X. POLICE DEPARTMENT REQUIREMENTS

A. High Resolution Cameras shall be placed on the exterior to monitor the entire

- building and Security Systems shall cover the entire building.
- B. Employees shall wear panic alarm remotes on necklaces or concealed on their person.

#### XI. PUBLIC WORKS REQUIREMENTS

- A. Trash area(s) should be easily accessible to collection vehicles. Driveways shall provide unobstructed access for collection vehicles. Applicant must ensure that there is adequate space for a collection vehicle to enter and exit the property in order to service containers.
- B. Debris box/bin storage should be located to be the least obtrusive/visible from a public roadway. If bin(s) cannot be stored without being visible from public roadway, construction of a trash enclosure is required.
- C. 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.
- D. Applicant is subject to Alameda County Mandatory Recycling Ordinance # 2012-01.
- E. The property owner, occupant and tenants shall maintain enclosure/trash area free of litter and other debris in accordance with San Leandro Municipal Code Section 3-15-215.

#### XII. MAINTENANCE

- A. The site shall be well-maintained and shall be kept free of litter, debris, and weeds. All litter and debris associated with the medical cannabis dispensary within the property boundaries and perimeter of the property shall be picked up daily.
- B. All landscaping shall be maintained in a healthy, growing condition at all times. Any damaged or dead plant material shall be promptly replaced with a plant material similar in type and comparable in size to the plant(s) being removed. Any landscaping shall be maintained so as to not interfere or obstruct the public right-of-way for pedestrians and vehicles. The landscaping adjacent to the driveway shall be maintained so it does not exceed three feet in height above the top of the nearest adjacent curb and gutter to allow for adequate sight distance, or unless

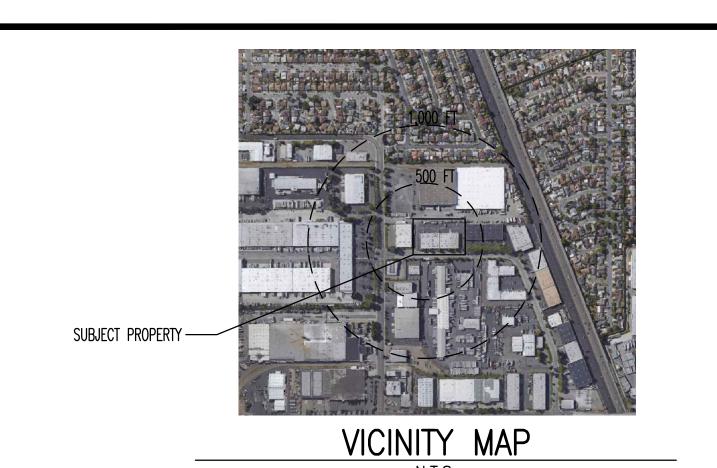
- otherwise approved by the City's Transportation Engineer.
- C. Any graffiti on the property occupied by the applicant shall be promptly removed.
- D. All uses and activities shall comply with the provisions of the San Leandro Noise Regulations (Title IV, Chapter 1 of the Municipal Code).
- E. The signs on the property shall be well maintained at all times. Any damage to the signs shall be promptly repaired or replaced.
- F. Unauthorized and temporary signage shall not be permitted on the property, except as approved for a specified amount of time in a Temporary Sign Permit granted by the Community Development Department.
- G. Garbage service shall be arranged through Alameda County Industries and shall include trash, recycling, and green/food waste service. Rendered cannabis waste shall be removed in accord with State law.
- H. Upon any type of notification from any City Official, any type of overflow from the trash enclosure shall be cleaned up within 4 hours. The City reserves the right to have its Public Works Division or subcontractor clean up the condition and the applicant shall be responsible for all associated costs with the cleanup.
- I. Dumpsters shall remain inside the trash enclosure at all times with the exception of emptying by the disposal company. Gates to the refuse area shall be closed except when necessary to move out the dumpsters or deposit trash from garbage receptacles. The applicant shall maintain an adequate number of trash/recycle containers. Individual trash receptacles placed near the building entrances shall be emptied on at least a daily basis and shall not be allowed to overflow.

#### XIII. GENERAL CONDITIONS

- A. The medical cannabis dispensary shall comply with Title 4, Chapter 4-33 of the San Leandro Municipal Code pertaining to Medical Cannabis Dispensary Permits, including but not limited to the Performance Standards in San Leandro Municipal Code Section 4-33-500.
- B. Applicant shall comply with the security measures identified in Section 5 of the Applicant Statement and in the dispensary application submitted to the San Leandro City Council.
- C. Additional Parking Lot Monitors and/or Security Guards shall be provided to assist and ensure that pedestrians and patients have a safe path of travel during delivery and loading activities, and before and after medical consultations in the shared driveway and parking lot.
- D. All employees, patients, and visitors of the businesses on the site and in the

- medical cannabis dispensary shall be encouraged to park in the onsite parking stalls in a neat and orderly manner at all times.
- E. Property owner shall not allow businesses to store products, pallets, and containers in the shared parking lot and in the required off-street parking spaces. Large delivery vehicles shall be prohibited from parking in marked spaces.
- F. Medical cannabis waste and unsold material shall be rendered unusable and unrecognizable prior to disposal by grinding and incorporating the cannabis waste with other non-hazardous ground materials so the resulting mixture is at least fifty percent non-cannabis waste by volume. No on-site composting of cannabis waste shall be permitted. All waste material shall be disposed of in accord with State law.
- G. Monitors and/or Security Guards shall be provided to walk the surrounding area and neighborhood during operating hours to provide community based security to prevent misuse of medical cannabis products in the immediate and neighboring areas.
- H. Applicant's Membership Agreement shall include a provision that prohibits medical cannabis use in the shared parking lot and in the public right-of-way in the immediate and surrounding neighborhoods.
- I. Davis Street Family Resource Center shall use the driveway at 3073 Teagarden Street for deliveries related to its operations.
- J. Davis Street Family Resource Center shall renew expired leases for 3077 and 3079 Teagarden Street and obtain all required permits for the proposed tenant improvement work, which is required for the off-street parking requirement to be met and to remain in compliance.
- K. The outstanding balance and all related payments of the \$500,000 Community Development Block Grant loan agreement and promissory note from the City of San Leandro to the Davis Street Family Resource Center, dated July 1, 2009, shall be repaid in full by either January 31, 2018 or issuance of the Davis Street Wellness Center medical cannabis dispensary building permit or certificate of occupancy, whichever comes first. The total amount due will be calculated with interest and will be based on the date of the Conditional Use Permit approval.
- L. Applicant shall pay its City development, permitting, and plan check fees in accordance with the fee schedules in effect at the time.
- M. Any outstanding Planning Services deposit fees or balance shall be paid prior to issuance of a building permit.
- 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.

0.	Applicant must comply with the San Leandro Municipal Code to engage in other cannabis operations at the site.
2878235.1	carriable operations at the site.
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**BLOOM INNOVATIONS PRESENTS** 

# DAVIS STREET WELLNESS CENTER

3089 TEAGARDEN STREET



SITE ADDRESS	3073-3089 TEAGARDEN
APN 1	77B 1201 2715
APN 1 OWNER	DAVIS COMMUNITY CENTER INC
APN 1 LOT SIZE	48,352 SF
APN 1 BUILDING SIZE	22,512 SF
APN 2	77B 1201 2716
APN 2 OWNER	RBT INVESTMENT COMPANY
APN 2 LOT SIZE	52,163 SF
APN 2 BUILDING SIZE	22,512 SF
ZONING DESIGNATION	IG
COMBINED LOT AREA	100,515 SF
COMBINED (E) BUILDING AREA	45,024 SF
PROPOSED BUILDING AREA	45,024 SF
MAXIMUM LOT COVERAGE	75% OR 75,386 SF
MAXIMUM FLOOR AREA RATIO	1.0 OR 100,515 SF
EXISTING CONSTRUCTION TYPE	IIIB
TENANT AREA	7,704 SF
EXISTING TENANT PRIMARY USE	MEDICAL OFFICE & ADMIN (B OCC
PROPOSED TENANT PRIMARY USE	MEDICINAL CANNABIS DISPENSAF
SECONDARY TENANT USES	OFFICE & STORAGE
PROPOSED OCCUPANCY	M

PROJECT DATA

AUTOMATIC SPRINKLER FLOOR AREA CALC

TYPE IIIB MAX AREA = 19,000 SF AUTOMATIC SPRINKLER SYSTEM = ADD 200% ADJUSTED MAX AREA = 57,000 SF 57,000 SF > 22,512 SF

## SITE MAP NOTES

B. THE BUILDING ADDRESS WILL BE CLEARLY

MARKED OVER A CONTRASTING BACKGROUND 4. A KNOX BOX WILL BE PROVIDED FOR FIRE DEPARTMENT ACCESS.

#### PUBLIC WORKS & SOLID WASTE NOTE

PUBLIC WORKS HAS GIVEN A PRELIMINARY PARKING SPACES AT THE REAR OF THE BUILDING AND DESIGNATE THAT AREA AS A COVERED TRASH AREA. WE WILL KEEP A 96 GALLON RECYCLING CONTAINER IN OUR FACILITY. PLEASE CONSIDER THE FOLLOWING CALCULATION FOR WEEKLY SOLID WASTE:

19 EMPLOYEES x 95 LBS / 150 = 12 YARDS/WEEK PROVIDE TWO 6 C.Y. DUMPSTERS FOR WEEKLY

### SITE PLAN LEGEND

EXISTING CHAIN

NEIGHBORING EXTERIOR

(N) EXTERIOR FLOODLIGHT

THIS SET OF PLANS IS SUBMITTED TO THE CITY OF SAN LEANDRO FOR THE PURPOSE OF **OBTAINING A CONDITIONAL USE PERMIT AT 3089** TEAGARDEN STREET. THE EXISTING PERMITTEI USE OF THE PROPOSED TENANT SPACE IS BUSINESS (B), THE PROPOSED TENANT USE IS MEDICINAL CANNABIS DISPENSARY (M). THE CITY COUNCIL HAS ALREADY ISSUED THE APPLICANT

# SHEET INDEX

UP-1	VICINITY MAP, SITE MAP, PROJECT INFO
UP-2	EXISTING FLOOR PLAN, PROPOSED
	FLOOR PLAN, EXITING/OCCUPANCY
UP-3	PARKING PLAN
UP-4	LANDSCAPE PLAN
UP-5	BUILDING ELEVATIONS & SIGNAGE
1 ID 6	DRODOSED BUILDING BENDERING

CUP-6 PROPOSED BUILDING RENDERING EXISTING BUIDING PHOTOS

WIST OF DEFERMENTS. CUP-7 SECURITY PLAN //2 CUR-8 SUITE-3079 & 30077 FLOOR PLANS

222 Broadway St. Apt 803 Ph:415-521-0655 Oakland, California 94607

WELLNE

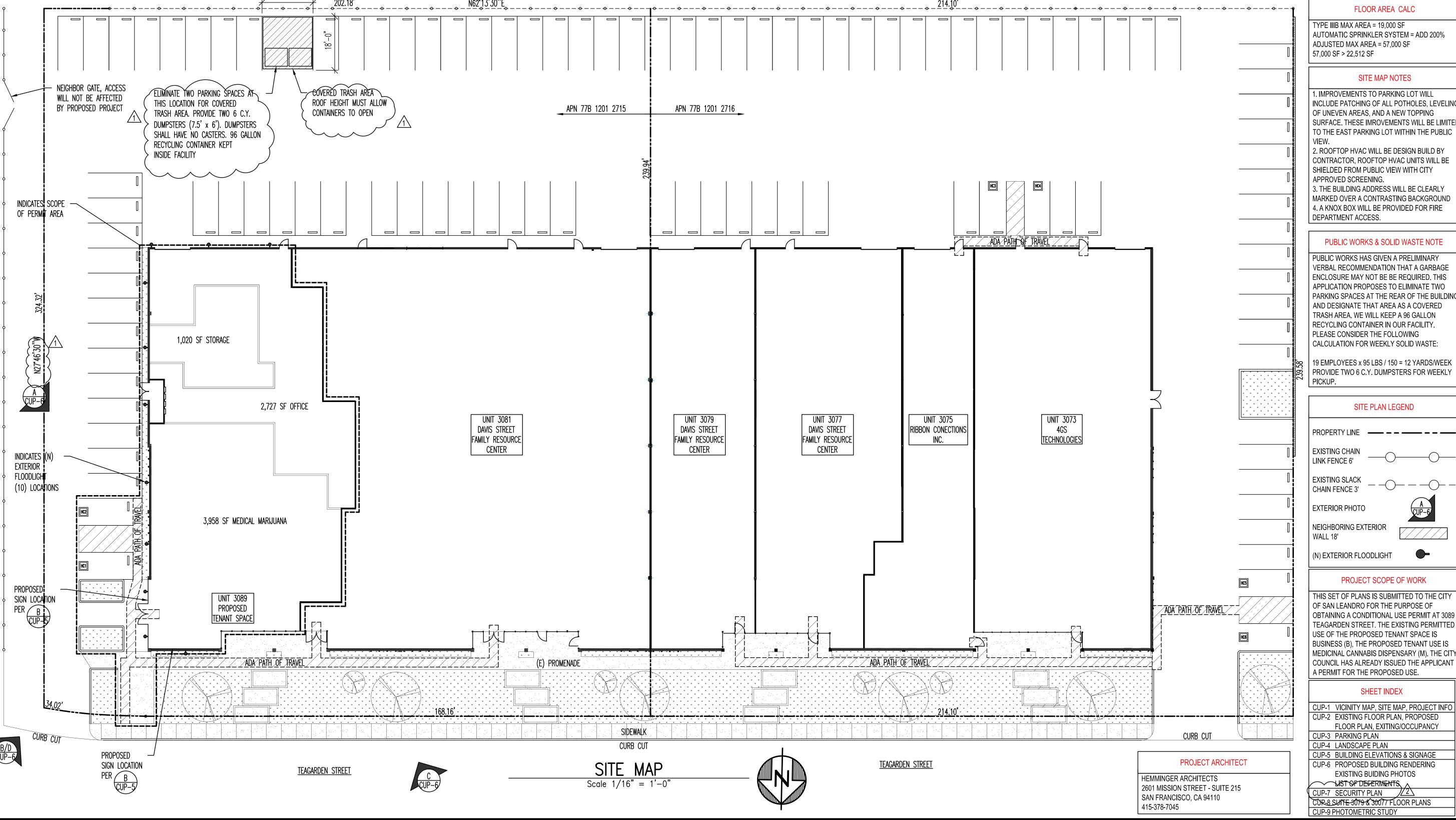
DESCRIPTION 4/19/17 | PLAN CHECK 1 **VICINITY MAP** 

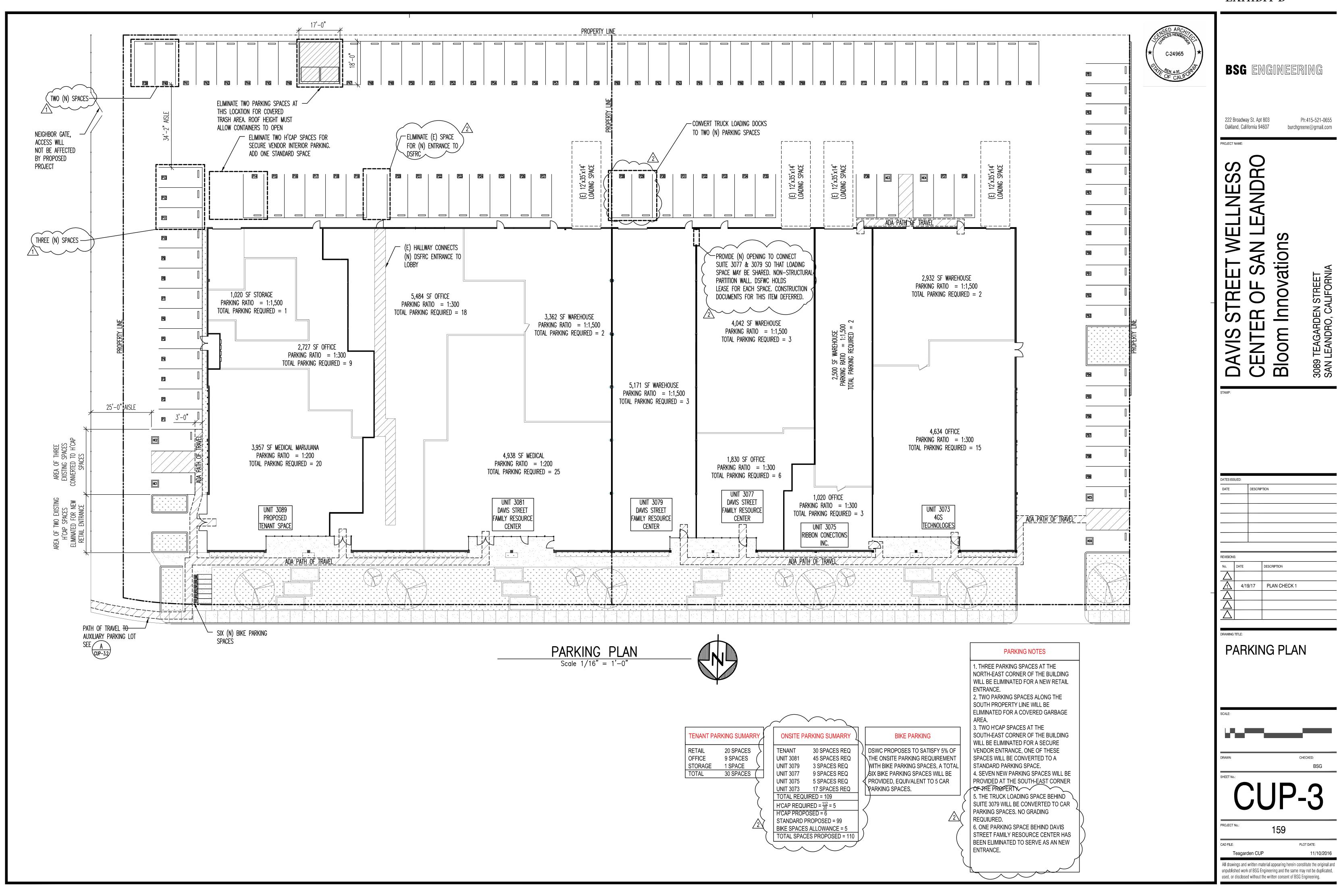
DESCRIPTION

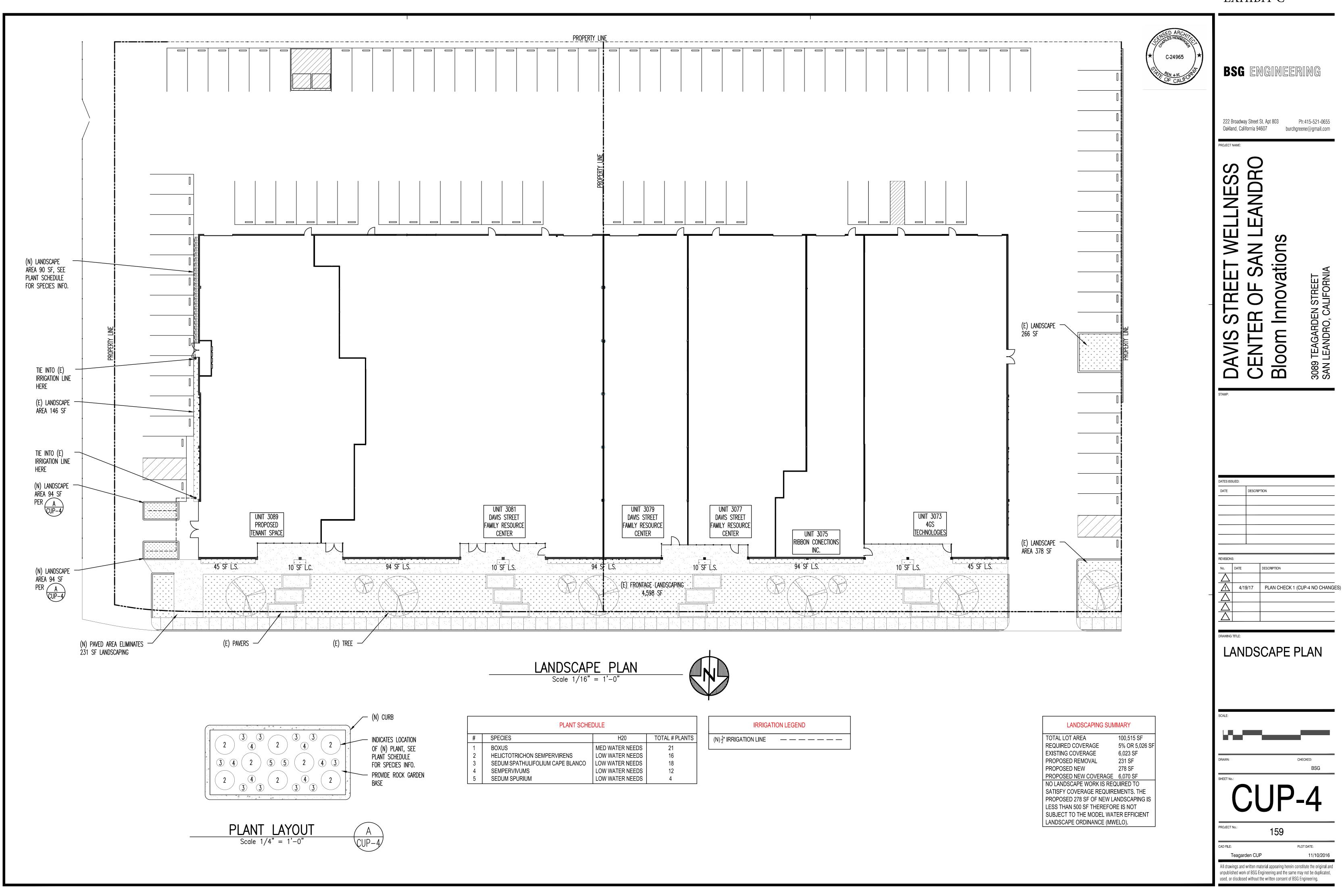
SITE MAP PROJECT DATA

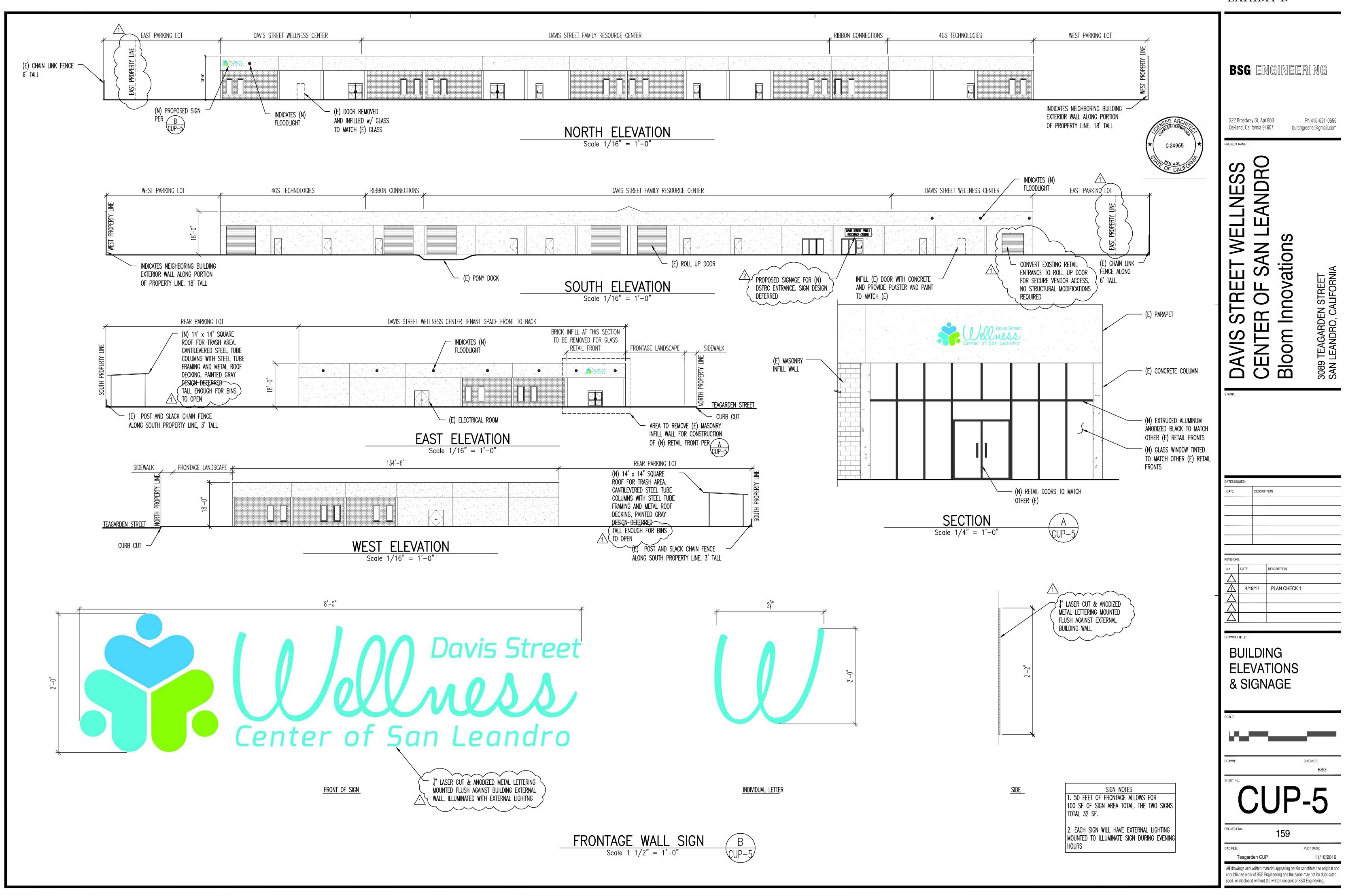
159

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BSG ENGINEERING

Bloom Innovations

222 Broadway St. Apt 803 Oakland, California 94607



**EXISTING PHOTO** LOOKING NORTH-WEST

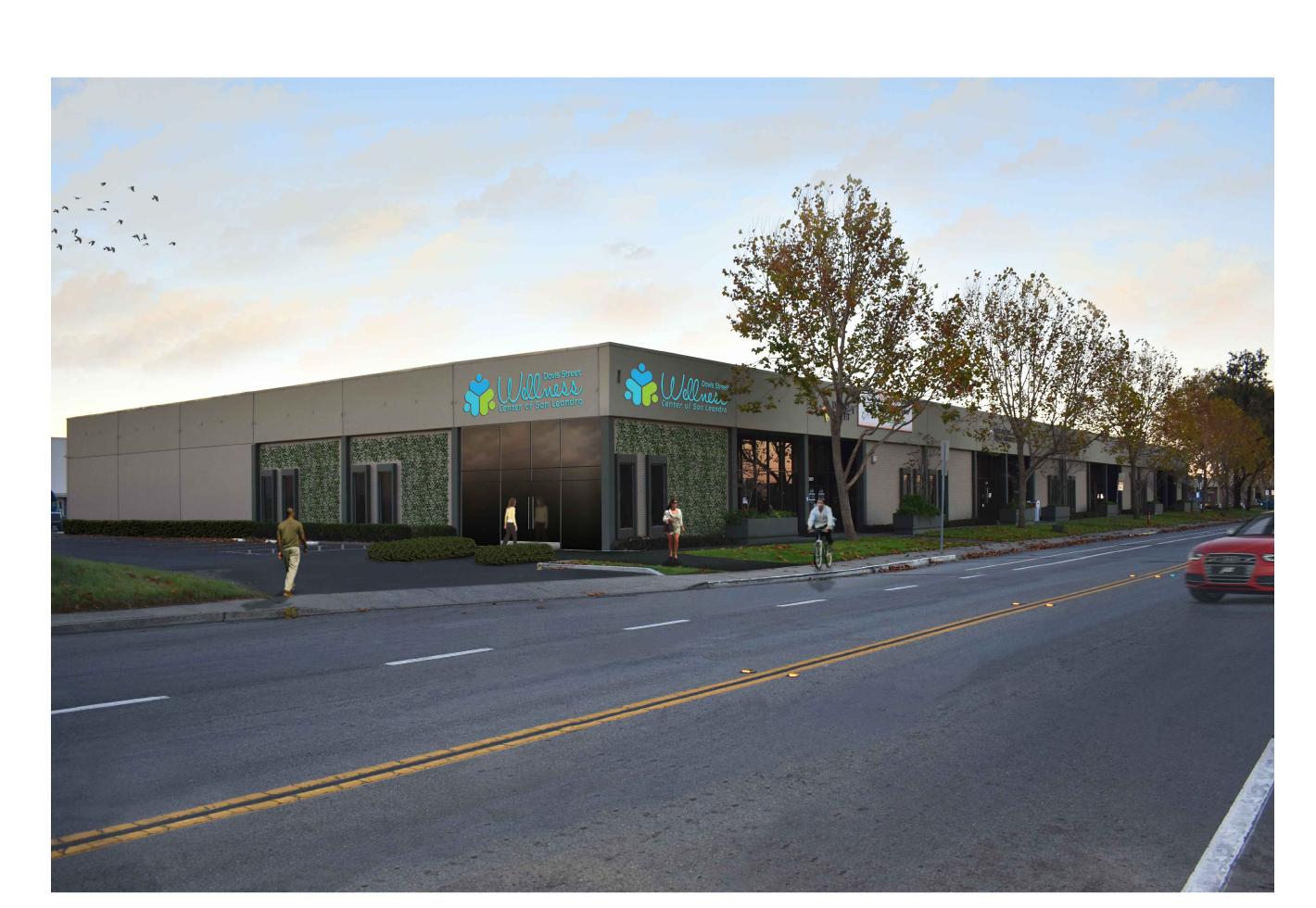


**EXISTING PHOTO** LOOKING SOUTH-WEST









CUP-6





2. SEPARATE PLAN SET AND PERMIT FOR FIRE SPRINKLER SYSTEM, INCLUDING A FIRE DEPARTMENT KEY BOX SPECIFIED ON PLANS. FIRE EXTINGUISHER LOCATIONS MUST BE SPECIFIED ON PLANS TOO. 3. EXIT DOOR HARDWARE MUST COMPLY WITH SECTION 1010 OF THE CALIFORNIA BUILDING CODE.

5. FLOOR DRAINS WITH PRIMER WILL BE ADDED TO BATHROOMS. FLOOR DRAINS MUST NOT CONNECT TO STORM WATER SYSTEM.

4. GATE AT MERCHANTILE AREA WILL COMPLY WITH ACCESSIBILITY REQUIREMENTS AND WILL INCLUDE A KICKER

6. CONTACT HEALTH DEPARTMENT FOR APPROVAL OF PROJECT.

7. ENERGY CALCULATIONS, CAL GREEN CODE COMPLIANCE.

8. ELECTRICAL DESIGN

9. MECHANICAL DESIGN. SHOW THAT AIR CONDITIONING CONDENSATE DRAINS TO LANDSCAPE AREAS. 10. STRUCTURAL REVIEW OF CONCRETE WALL THAT WILL BE REMOVED FOR NEW RETAIL ENTRANCE, CONFIRM

COMPLAINCE WITH CHAPTER 34 OF THE CBC FOR BOTH SEISMIC AND GRAVITY.

11. DESIGN OF TRASH AREA ROOF STRUCTURE, WITH ROOF HEIGHT SUFFICIENT TO OPEN CONTAINERS. 12. DURING CONSTRUCTION GARBAGE CANS, CONSTRUCTION DUMPSTERS, AND DEBRIS PILES WILL BE COLLECTED AT LEAST

WEEKLY. ALL FOOD RELATED TRASH ITEMS WILL BE DISPOSED OF IN SEALED CONTAINERS. A CONSTRUCTION ENTRANCE WILL BE CONSTRUCTED PER CITY DETAIL NO. 606 TO PREVENT TRACKING OF SEDIMENT ONTO THE PUBLIC WAY. 13. CONSTRUCTION PLANS TO CONNECT SUITE 3077 AND 3079 FOR THE PURPOSE OF THE TWO SPACES SHARING A LOADING

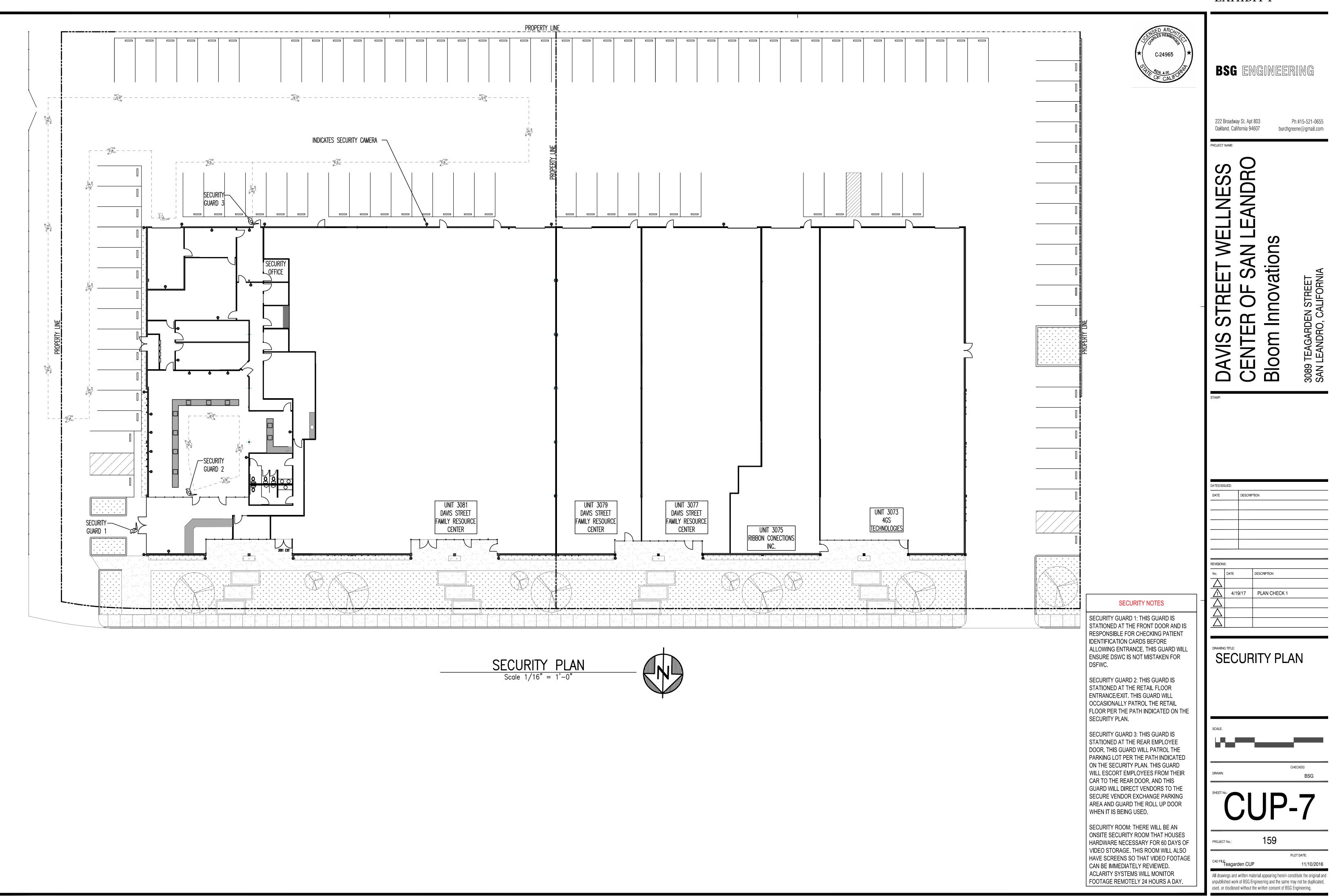
DOCK ARE DEFERRED. 14. SIGN DESIGN FOR NEW DSFRC ENTRANCE AT REAR OF BUILDING IS DEFERRED.



EXISTING PHOTO LOOKING SOUTH-EAST









BSG ENGINEERING

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SAN LEANDRO STREET WELLNESS Bloom Innovations

DAVIS

DESCRIPTION DESCRIPTION 4/19/17 PLAN CHECK 1

SUITE 3079 & 3077 FLOOR PLANS

SQUARE FOOTAGE NOTES

PROPOSED WAREHOUSE 4,042 SF

PROPOSED WAREHOUSE 5,171 SF

OCCUPANT LOADS

<u>SUITE 3079</u> 5,171 SF WAREHOUSE / 300 = 17 OCCUPANTS

EXISTING WAREHOUSE EXISTING OFFICE

PROPOSED OFFICE

EXISTING WAREHOUSE EXISTING OFFICE

<u>SUITE 3077</u> 4,042 SF WAREHOUSE / 300 =

1,830 SF OFFICE / 100

PROPSED OFFICE

SUITE 3079 AREA

5,872 SF

1,572 SF 4,300

1,830 SF

5,171 SF

2,840 SF 2,331 SF

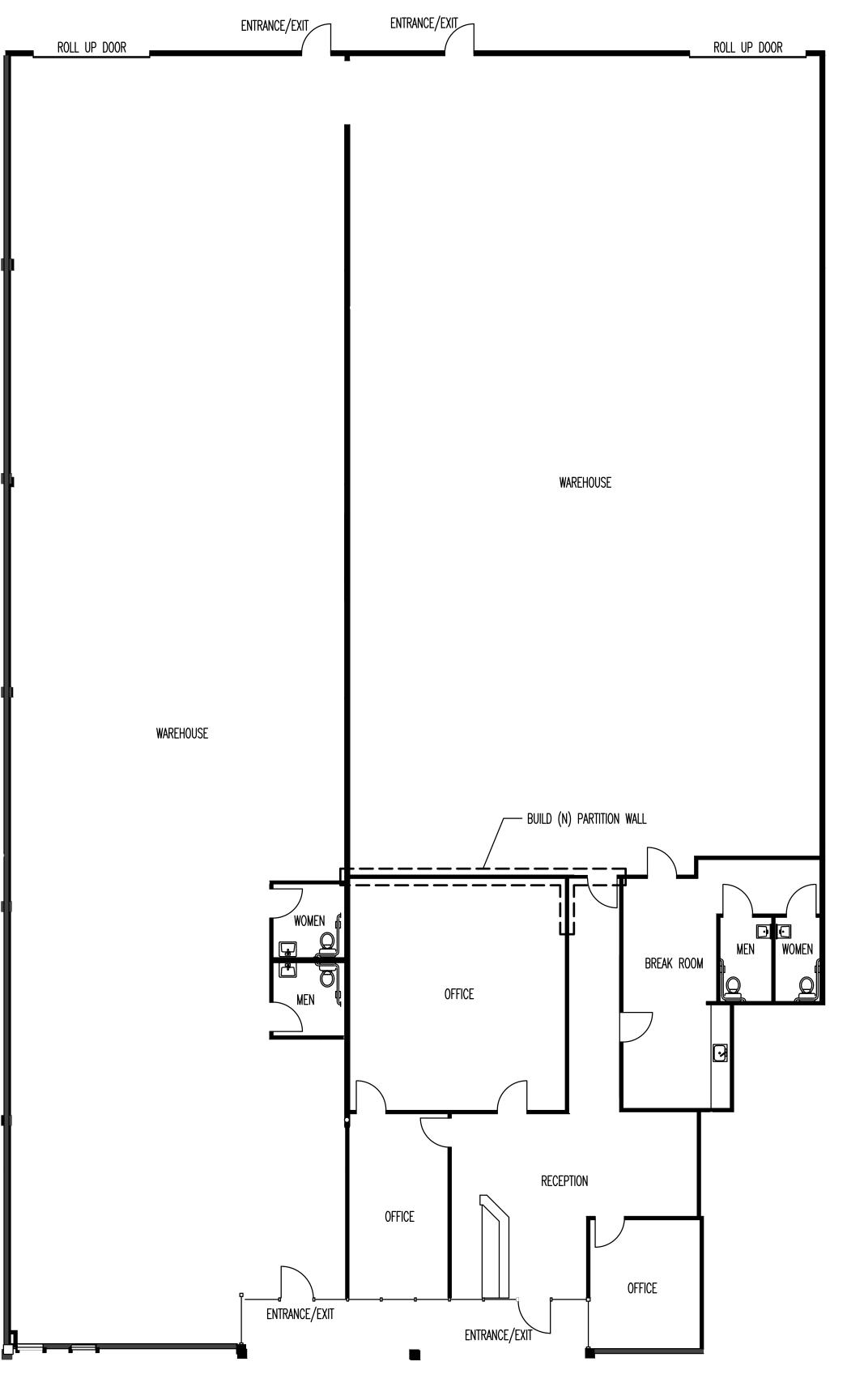
0 SF

13 OCCUPANTS

= 18 OCCUPANTS = 31 OCCUPANTS

159 PROJECT No.:

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PROPOSED FLOOR PLAN

Scale 1/8" = 1'-0"

EXISTING FLOOR PLAN

Scale 1/8" = 1'-0"

PROVIDE (N) OPENING TO CONNECT SUITE 3077 & 3079

CLEAN ROOM 2

OFFICE,

CLEAN ROOM 3

OFFICE

RECEPTION

ENTRANCE/EXIT

ÓFFICÉ

RECEPTION

ENTRANCE/EXIT

ROLL UP DOOR

SUITE 3079

WAREHOUSE

/INVENTORY/

BREAK ROOM

OFFICE

ENTRANCE/EXIT\_\_\_

ENTRANCE/EXIT\_\_\_\_

ROLL UP DOOR

/OFF,ICÉ

OFFICE ,

HATCH AREA INDICATES — REMOVAL OF ALL INTERIOR PARTITION WALLS AND DEMO DROPPED CEILING TO ACHIEVE CONVERSION BACK TO WAREHOUSE

SUITE 3079

WAREHOUSE



