

## **Exhibit A**

### **City of San Leandro Community Development Department Planning Services Division**

### **RECOMMENDED CONDITIONS OF APPROVAL**

**PLN21-0003 – 1106 Gardner Boulevard  
Hien Nguyen (Applicant)  
Junnuo Huang & Betty Wong (Property Owner)**

#### **I. COMPLIANCE WITH APPROVED PLANS**

- A. The applicant and/or property owner shall comply with Plan Exhibits A through I, attached to the staff report dated December 2, 2021. (Exhibits are on file in the City of San Leandro Community Development Department, 835 East 14th Street, San Leandro, California, 94577).

Exhibit A – Title Sheet (Sheet A0)  
Exhibit B – Existing Plot Plan (Sheet A1-1)  
Exhibit C – Proposed Plot Plan (Sheet A1-2)  
Exhibit D – Existing Floor & Roof Plan (Sheet A2-1)  
Exhibit E – Proposed Floor Plan (Sheet A2-2)  
Exhibit F – Proposed Roof Plan (Sheet A2-3)  
Exhibit G – Existing Elevations (Sheet A3-1)  
Exhibit H – Proposed Elevations (Sheet A3-2)  
Exhibit I – Proposed Elevations (Sheet A3-3)

- B. The applicant and/or 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.
- C. Construction shall commence within two (2) years following the Board of Zoning Adjustments approval of this Major Site Plan Review and shall be substantially completed two years after commencement of construction.
- D. This Major Residential Site Plan Review conditional approval permits the construction of a two-story addition (1,558 square feet) to the existing one-story single-family dwelling (982 square feet), with an 870 square-foot addition on the first story and a 688 square-foot addition on the second story. The resulting house would total 2,540 square feet and includes five (5) bedrooms and four (4) bathrooms. The subject property at 1106 Gardner Boulevard, also known as Assessor's Parcel Number 077A-628-5.

- E. Pursuant to Zoning Code Section 2.04.236 (Maximum Dwelling Unit Occupancy), a zoning permit shall be required for occupancy of a dwelling unit by more than ten (10) persons eighteen (18) years or older.
- F. Construction of the project shall remain in substantial compliance with the approved exhibits and plans. Any change to the project design or materials shall be subject to the review and approval of the Board of Zoning Adjustments.
- G. Prior to issuance of building permits, the applicant shall indicate details and specifications for exterior lighting on the proposed structure. Any new exterior lighting proposed shall be low wattage, located and designed to be fully shielded to cast light downward and not shine on adjacent properties, details subject to the approval of the Zoning Enforcement Official.
- H. Note on Building Permit Plans Required. Prior to issuance of building permits for any part of this proposal, the construction documents for any part of this proposal shall incorporate the above Condition of Approval below the Scope of Work.

## II. BUILDING & SAFETY SERVICES DIVISION REQUIREMENTS

- A. **Building Permits Required.** The proposed project shall comply with all Applicable Code and City ordinances, policies and regulations. The applicant shall obtain all necessary building permits prior to construction of the project.
  - 1. Soils Report for foundation design in liquefaction zone is required.
  - 2. Review and approval letter of structural plans by a soils engineer is required.
  - 3. Structural Plans and Calculations are required.
  - 4. Title 24 is required.
  - 5. Construction and Demolition best practices per CalGreen is required.
  - 6. CalGreen Residential Mandatory Measures Checklist is required.
  - 7. Egress windows for bedrooms are required.
  - 8. Gasline diagram for all new gas appliances is required.
  - 9. Fire rating for walls, roof and roof eaves within 5' of property line is required.
  - 10. 6' separation from existing garage is required.
  - 11. No design build for MEP (Mechanical, Electrical, Plumbing) is allowed.
  - 12. All revision clouds and delta's added during Planning approval must be removed prior to submitting to Building for permit.

### III. ALAMEDA COUNTY FIRE DEPARTMENT REQUIREMENTS

- A. **Building Permits Required (Fire Code plan check).** The proposed project shall comply with all Applicable Code and City ordinances, policies and regulations. The applicant shall obtain all necessary building permits prior to construction of the project.
1. Smoke alarms shall be provided per the CBC 2019 edition.
  2. Carbon monoxide detectors shall be installed per the CFC 2019 edition.
  3. It is recommended that a NFPA 13D fire protection system be installed but is not required.

### IV. ENGINEERING & TRANSPORTATION DEPARTMENT 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. The developer and contractor shall use standard construction best management practices (BMP's) to prevent storm water pollution as a result of the development.
- D. The applicant shall locate all new electric and communications utilities serving the new buildings underground.
- E. The applicant shall reduce storm water pollution by implementing the following pollution source control measures.
1. All storm drains shall be marked "NO DUMPING, DRAINS TO BAY" per the City of San Leandro Standard Plan Dwg. No. 204.
  2. All on-site storm drains shall be inspected and, if necessary, cleaned at least twice a year including immediately prior to the rainy season.
  3. 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.

4. Air conditioning condensate shall be directed to landscaped areas.
  5. 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.
  6. 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, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified.
  7. 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.
  8. Proper maintenance of landscaping, with minimal pesticide use, shall be the responsibility of the property owner.
  9. Irrigation shall be appropriate to the water requirements of the selected plants. Irrigation system shall automatically adjust for weather conditions.
  10. Applicant shall select pest- and disease-resistant plants.
  11. Applicant shall plant a diversity of species to prevent a potential pest infestation from affecting the entire landscaping plan.
  12. Applicant shall plant “insectary” plants in the landscaping to attract and keep beneficial insects.
  13. Storage areas containing non-hazardous liquids shall be covered by a roof and drain to the sanitary sewer system, and be contained by berms, dikes, liners, vaults or similar spill containment devices.
- F. 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 stabilized gravel entrance per City Standard Detail Dwg No. 606. Inspections, conducted as part of the regular construction compliance, will be conducted to ensure compliance of the Applicant and contractors with this requirement.

- G. The applicant shall obtain an Encroachment Permit from the Engineering and Transportation Department for any work within 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.

**V. GENERAL CONDITIONS**

- A. All structures shall be structurally sound and well maintained at all times; any damage to the structures shall be promptly repaired.
- B. Any graffiti on the property shall be promptly removed.
- C. 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 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 4-11-1130, 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.
- D. 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.
- E. 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.
- F. Pursuant to Zoning Code Section 2.04.408(J), this approval shall lapse on **Monday, December 2, 2023** unless a) there is diligent progress evidencing a good faith intent to commence the intended use, or b) an occupancy permit has been issued.