

## **EXHIBIT B**

### **RECOMMENDED CONDITIONS OF APPROVAL**

**PLN20-0035**

**110 San Leandro Blvd.**

**Alameda County Assessor's Parcel Number 075-0223-001-00**

**Y. Sharma (Applicant/Property Owner)**

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

1. The project shall comply with Exhibits A through D, attached to the staff report dated July 1, 2021, 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 – Index Sheet
  - Exhibit B – Existing Site Plan
  - Exhibit C – Floor - Roof Plans
  - Exhibit D – Exterior Elevations
2. 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.
3. Pursuant to [Zoning Code Chapter 5.08](#), this approval shall lapse on July 1, 2023, unless a building permit has been issued, coupled with diligent progress evidencing good faith intention to commence the intended use; or an occupancy permit has been issued; or the approval is renewed by the Zoning Enforcement Official, and there are no outstanding enforcement complaints. Application for renewal shall be made in writing to the Zoning Enforcement Official not less than 30 days or more than 120 days prior to expiration of the Parking Exception approval. Denial of a request for a renewal may be appealed.

#### **II. PERMITTED USE**

1. Scope of Work. The approval of the Parking Exception application allows the catering services use to operate with a reduction in the required parking and utilize the existing public parking spaces when available on the street.

#### **III. ENGINEERING AND TRANSPORTATION DEPARTMENT REQUIREMENTS**

1. Applicant, property owner, and business operator shall not reserve, claim, or otherwise restrict parking on San Leandro Blvd or any other public street for their exclusive use.
2. Applicant shall not drive, park, or load vehicles on any portion the sidewalk.
3. Applicant shall manually move trash from the enclosure to the street for pick up by vehicles.
4. Applicant shall obtain all permits and pay all fees associated with the project. It appears traffic generation is equivalent to a general office use and that a street improvement fee will be due. Fees are listed in the Administrative Code,

Chapter 6. Credit will be offered for the existing residential use. The current calculation for this fee is \$4.02/sf (office) x 650 sf - \$1,449.91 (residential) = \$1,163.09. Fees are not vested and are calculated at the time of permit issuance.

#### **IV. 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 building will need to comply with all building and fire code requirements in affect at time of building permit submittal.

1. A Deferred Submittal is required Hood and Duct UL 300 Ansul system.
2. Fire Extinguishers will be required based on Hazard.
3. Appropriate hardware shall be provided on the doors.
4. A Knox Box shall be provided for fire department access
5. An address shall be visible and have a contrasting color.

#### **V. BUILDING & SAFETY SERVICES REQUIREMENTS**

Please note that this does not constitute a complete building plan review, a formal plan check review will be completed at time of project submittal to the Building Division.

1. Submit approved Alameda County Environmental Health plans prior to Building permit issuance.
2. ADA path of travel from public right of way required.
3. All exterior walking surfaces shall be ADA compliant.
4. Restroom shall be ADA compliant.
5. Provide fire separation detail to adjoining tenant on building permit plans.
6. Provide equipment schedule with building permit.
7. CalGreen Non-Residential Mandatory Checklist required.
8. Non-Residential Title 24 for all new and existing MEP required.
9. No Design Build for MEP.
10. Construction and Demolition per CalGreen.
11. Gasline diagram for new gas appliances.
12. Floor drain and floor sink required.
13. Plumbing DWV and grease inceptor calculations required.
14. Provide ventilation for new enclosed trash area.
15. All revision clouds and delta's added during Planning approval must be removed prior to submitting to Building for building permit.

#### **VI. CONSTRUCTION PROVISIONS**

1. Construction Hours. Construction on the project site shall not begin prior to 7:00 am Monday through Friday, and prior to 8 am on Saturday and Sunday, and shall cease by 7:00 pm each evening, unless otherwise approved by the Chief Building Official. There shall be no construction on Federal holidays. Interior construction shall be permitted outside the above hours provided that construction noise shall not be detectable outside of the structures being built.
2. Construction Activity. Construction activity shall not create dust, noise or safety hazards for adjacent residents and properties. Dirt and mud shall not be tracked onto San Leandro Blvd. and Apricot Street from the project site during construction.

## **VII. GENERAL CONDITIONS**

1. Maintenance. The property owner, occupants, and tenants shall maintain the project site and ensure that it is free of litter, weeds, and other debris in accordance with San Leandro Municipal Code §3-15-215.
2. Solid Waste Service Requirement. Applicant is required to have sufficient number and size of containers and service frequency for all waste generated (garbage, recycling and organics). Management of trash, solid waste and/or recyclables containers shall be required to prevent exposure to or contamination of rainwater, creating illicit discharges or impacting receiving surface waters.
3. All dumpsters or trash containers shall be kept in the trash enclosure except for the day(s) the collection company is scheduled for pick-up. Immediately after pick-up all dumpsters or trash containers shall be returned to the trash enclosure, out of public view.
4. Business License. A City business license shall be obtained prior to start of business. Any complaints regarding this business may be grounds for a review hearing by the Board of Zoning Adjustments or revocation of the business license by the City Finance Department.
5. All uses and activities shall comply with the provisions of the San Leandro Noise Regulations (Title IV, Chapter 1 of the Municipal Code).
6. No use, activity, or process shall produce vibrations that are perceptible without instruments by a reasonable person at the property lines of a site.
7. No use, process, or activity shall produce dust that is perceptible without instruments by a reasonable person at the property lines of a site.
8. All exterior mechanical equipment such as air conditioning/heating units and antennas shall be screened from view so as not to be visible from adjacent properties or streets to the satisfaction of the Zoning Enforcement Official.
9. Any graffiti shall be promptly removed from the property. Any graffiti shall be promptly removed from building walls. 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.

10. There shall be no outdoor storage. Sidewalk areas shall be kept free of obstruction and available for their designated use at all times.
11. Signage. All signage must conform to the regulations in Chapter 4.12 of the Zoning Code. Neon signs or flashing signs are prohibited on the property, including in windows. The signs on the property shall be well maintained at all times. Any damage to the signs shall be promptly repaired or replaced. Window signs, whether painted or adhered to the glass or within eight feet of the window excluding merchandise display, shall be no larger than twenty-five percent of the window in which they are located. No temporary or unauthorized signs shall be placed on the property, including but not limited to banners, balloons, streamers, and pennants, unless approved by the City under a Special Event Permit.
12. On-Site Lighting. On-site lighting shall be LED or other energy-conserving lighting and shall be designed and located so as to not interfere with traffic on adjacent streets and so as not to shine on adjacent properties, details subject to the approval of the City Engineer and the Community Development Director. After installation, the Community Development Director reserves the right to require adjustment of light fixtures to comply with this requirement prior to approval of occupancy.
13. The project and use shall remain in substantial compliance with the approved plans and exhibits. Any change to project design shall be subject to the review and approval of the Zoning Enforcement Official who may administratively approve or require review by the Board of Zoning Adjustments as a modification.
14. Recorded Approvals and Conditions of Approval. 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.
15. Any outstanding Planning Services deposit fees or balance shall be paid prior to issuance of a building permit.
16. Amendments. 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 Zoning Enforcement official waives compliance with the terms of the application and Conditions of Approval pending application for the amendment.