

**RECOMMENDED
CONDITIONS OF APPROVAL**

**PLN15-0011
1650 Manor Boulevard
Alameda County Assessor's Parcel Number 80G-1395-2-9
St. Felicitas Catholic School (applicant) and
Oakland Diocese Schools (property owner)**

I. COMPLIANCE WITH APPROVED PLANS

- A. The project shall comply with Exhibits A and B, attached to the staff report dated August 6, 2015, 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 – Site/Key Plan
Exhibit B – Floor Plan/Interior Elevations

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

II. PERMITTED USES

- A. This Conditional Use Permit is an approval to permit a day care center for a maximum of 22 children, within an existing school classroom at 1650 Manor Boulevard; Assessor's Parcel Number 80G-1395-2-9.
- B. The day care center will be open Monday through Friday, between the hours of 8:00 a.m. and 3:00 p.m.
- C. All children shall be escorted into and from the day care center by their parents, guardians, or other responsible adults.
- D. These conditions of approval shall be prominently posted in the day care center and shall be distributed to all staff and parents/guardians of children at the center.

III. ON-SITE IMPROVEMENTS

- 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 this City of San Leandro's Noise Ordinance (ORDINANCE NO. 2003 – 005), "construction" shall mean any site preparation, assembly, erection, substantial repair, alteration, demolition or similar action, for or on any private property, public right-of-way, streets, structures, utilities, facilities or similar

property. Construction activities carried on in violation of this Article may be enforced as provided in Section 4-1-1130, and may also be enforced by issuance of a stop work order and/or revocation of any or all permits issued for such construction activity.

- B. Construction activity shall not create dust, noise, or safety hazards for adjacent residents and properties.

IV. ENGINEERING AND TRANSPORTATION REQUIREMENTS

- A. 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.
- B. 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.
- C. The applicant shall remove any broken and uplifted sidewalk, driveway, curb and gutter along the full project frontage and shall construct new City standard sidewalk, driveway, curb and gutter in the same location and alignment as the existing curb and gutter. The applicant shall remove any unused driveways and construct new City standard sidewalk and curb and gutter in the same location and alignment as the existing sidewalk and curb and gutter and shall construct City of San Leandro standard driveway approaches.
- D. Prior to the issuance of building permits for the project, the Applicant shall obtain an Encroachment Permit from the Engineering and Transportation Department for any work within the public right-of-way.
- E. 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. Inspections, conducted as part of the regular construction compliance, will be conducted to ensure compliance of the Developer and contractors with this requirement.
- F. No construction materials and/or equipment shall be stockpiled or parked within the City right-of-way without the City Engineer's approval.
- G. Trash enclosures and/or recycling areas must be completely covered; no other area shall drain onto this area.

V. FIRE DEPARTMENT REQUIREMENTS

- A. A Fire Alarm System is required for the classroom. If a separate one cannot be provided in the room, the fire Alarm from the existing school will need to be extended and a permit for the installation will be required.
- B. If an existing Knox Box is not attached to the fence/gate near the classroom, one shall be provided.
- C. If a fire extinguisher does not exist in the classroom, a 2A 10B:C fire extinguisher will need to be provided.
- D. The door to the pre-school classroom will need to swing in the direction of travel.
- E. Emergency lighting will need to be provided in the classroom.
- F. The gate to the K-8 Outdoor Play area will need to be provided with panic hardware and openable at all times with no accessory locking devices attached.
- G. The secure dedicated play area must have operable hardware (lever, paddle, or panic) on the gates for means of egress purposes to the K-8 Outdoor Play/ Area of Refuge. Gates must also swing in the direction of travel.

VI. MAINTENANCE

- A. The site shall be well-maintained and shall be kept free of litter, debris and weeds.
- B. Any graffiti on the portion of the property occupied by the applicant shall be removed.
- C. All landscaping in the play area shall be maintained in a healthy, growing condition at all times.
- D. All signage shall be kept in a good, clean, sound condition at all times; any damages shall be promptly repaired.

VII. GENERAL CONDITIONS

- A. A City business license shall be obtained prior to start of business.
- B. All requirements of the State of California for child care facilities shall be satisfied and maintained current and in compliance at all times.
- C. 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.

- D. 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 minor terms of the application and Conditions of Approval pending application for amendment.

- E. Pursuant to Zoning Code Section 5-2218, this approval shall lapse on **August 6, 2016**, unless a) a building permit has been issued, coupled with diligent progress evidencing a good faith intent to commence the intended use, or b) a written request for a one-year extension of the use permit is approved by the Community Development Director.