

## **Exhibit 2**

### **RECOMMENDED CONDITIONS OF APPROVAL**

**PLN2014-00006; Modification of Planned Development, PD-77-11  
Floresta Gardens Homeowners Association Residential Condominium Community  
Caliente Drive Intersecting Washington Avenue  
Alameda County Assessor's Parcel Number 77B-1139-89  
R&S Overhead Garage Door Inc. (applicant)  
Floresta Gardens Homeowners Association (property owner)**

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

- A. The project shall comply with Exhibits A through G, dated July 21, 2014, 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 – Aerial Photo

Exhibit B – Street View along Washington Avenue Frontage

Exhibit C – Site Plan

Exhibit D – Photograph of Entry with Proposed Fence Location Identified

Exhibit E – Photograph of the Existing Gate Along the Fremont Avenue Frontage

Exhibit F – Photograph of "Quad Flare" Finials for the Tops of the Gates and Fences

Exhibit G – Photograph of Gates with an Arched Top and Twisted Knot Detail on Vertical Bars

- B. The 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 USE**

- A. This is an approval for a Modification of Planned Development, PD-77-11, to permit the installation of a pedestrian gate, automatic vehicular access gates and related fencing to secure the Floresta Gardens Homeowners Association residential condominium community on Caliente Drive intersecting Washington Avenue; Alameda County Assessor's Parcel Number 77B-1139-89.
- B. 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 other legally binding documents regulating development on the property; and (ii) there is full compliance with all terms of the application and Conditions of Approval, or (iii) the Community Development Director has waived compliance with the terms of the application because they are minor in content.
- C. 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. BUILDING AND SAFETY SERVICES CONDITIONS**

- A. All required Building Permits shall be obtained prior to construction of the gates and fencing for the Floresta Gardens residential condominium community at Caliente Drive intersecting Washington Avenue.

### **VI. 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 the applicant/property owner fails to file a protest within this 90-day period, complying with all of the requirements of Government Code Section 66020, they will be legally barred from later challenging any such fees, dedications, reservations or other exactions.
- B. Design review fees, development impact fees, permit fees, inspection fees, and any other fees charged by the City or other reviewing agencies for the review, approval, permitting and inspection of the above listed public improvements shall be paid by the Applicant.
- C. Prior to the issuance of building permits for the project, the Developer shall obtain an Encroachment Permit from the Engineering and Transportation Department for any work within public right of way.
- D. Applicant shall remove any broken and uplifted sidewalk, 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.

### **V. ALAMEDA COUNTY FIRE DEPARTMENT REQUIREMENTS**

- A. The project shall comply with the applicable Building and Fire Codes as adopted by the City of San Leandro. Required emergency vehicle access shall be provided on the building permit plans to the satisfaction of the Fire Department. In addition, a Knox key switch is required at the gate in the driveway.

### **VI. 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, wall or building on the project site.

## **VI. MAINTENANCE**

- A. The project site shall be well maintained and shall be kept free of litter, debris and weeds at all times; during construction, the site shall be well maintained and shall be kept free of litter, debris and weeds.
- B. 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.
- C. All landscaping improvements shall be maintained in a healthy, growing condition at all times.

## **VII. CONSTRUCTION PROVISIONS**

- A. 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.
- B. Construction activity shall not create dust, noise or safety hazards for adjacent residents and properties. Dirt and mud shall not be tracked onto Washington Avenue or Fremont Street from the project site during construction. 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.
- C. 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 Transportation Administrator prior to receipt of the grading permit.
- D. 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 Federal holidays.
- E. Procedures with the highest noise potential shall be scheduled for daylight hours, when ambient noise levels are highest.
- F. The contractor(s) shall be required to employ the quietest among alternative equipment or to muffle/control noise from available equipment.

## **VIII. GENERAL CONDITIONS**

- A. 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.