

**RECOMMENDED
CONDITIONS OF APPROVAL**

**PLN16-0033
750 Fargo Avenue
Alameda County Assessor's Parcel Number 80G-1290-4-6
Woodroe, Inc. (Applicant) and
San Lorenzo Unified School District (Property Owner)**

I. COMPLIANCE WITH APPROVED PLANS

- A. The project shall comply with Exhibits A through C, attached to the staff report dated August 4, 2016, 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 Plan
Exhibit B – Life Safety Plan
Exhibit C – Occupancy Plan

- 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.

II. PERMITTED USE

- A. This Conditional Use Permit is an approval to permit a private school for a maximum of 226 children (preschool through 5th grade), approximately 12,125 square feet along the northern frontage of Fargo Avenue, at 750 Fargo Avenue; Assessor's Parcel Number 80G-1290-4-6.
- B. The private school will be open Monday through Friday, between the hours of 7:00 a.m. and 6:00 p.m.
- C. These conditions of approval shall be prominently posted at the private school and shall be distributed to all staff at the site.

III. ENGINEERING AND 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 applicant and/or property owner shall remove broken and uplifted sidewalk along the full project frontage on Fargo Avenue and shall construct new sidewalk in the same location and alignment as the existing facilities prior to issuance of Certificate of Occupancy.
- D. The applicant and/or property owner shall remove and replace both the driveways to be ADA compliant. Minimum 4' of driveway width shall be at maximum 2% cross slope. Refer to City of San Leandro standard Plans Dwg. 102 Case 3101.
- E. The applicant and/or property owner shall obtain an Encroachment Permit from the Engineering and Transportation Department for any work within the public right-of-way including the use of lifting equipment or the staging of materials. Barricades, traffic cones, and/or caution ribbon shall be positioned around any equipment or materials within the right-of-way to provide a barrier to public access and assure public safety. Any damage to the right-of-way improvements must be promptly repaired by the applicant and/or property owner according to City adopted standards.

IV. ENVIRONMENTAL SERVICES REQUIREMENTS

- A. Discharge of anything other than rainwater to the stormwater collection system, which includes area drains, sidewalks, parking areas, street curb and gutter, is strictly prohibited.
- B. The elimination of exposure of materials, processes or equipment to the maximum extent practicable is necessary to prevent contamination of rainwater. Exposures that cannot be eliminated require use of Best Management Practices (BMPs), both engineered and administrative, to prevent remaining exposures from impacting rainwater runoff.

V. PUBLIC WORKS REQUIREMENTS

- A. Solid Waste Service Requirement – Applicant is required to have sufficient number and size of containers for all solid 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.
- B. Recycling Requirements – Applicant is subject to Alameda County Mandatory Recycling Ordinance #2012-01. For more information, visit

www.RecyclingRulesAC.org. Make note Applicant will also be required to provide space for organics bin(s).

- C. Organics Requirement – Applicant will be required to establish organics service by July 1, 2016 as per Alameda County Mandatory Recycling Ordinance #2012-01.

VI. GENERAL CONDITIONS

- A. A City business license shall be obtained prior to start of business.
- B. 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.
- C. All requirements of the State of California for a private school shall be satisfied and maintained current and in compliance at all times.
- 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. All uses and activities shall comply with the provisions of the San Leandro Noise Regulations (Title IV, Chapter 1 of the Municipal Code).
- F. No application for amendment of the application or Conditions of Approval shall 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) Community Development Director waives compliance with minor terms of the application and Conditions of Approval pending application for amendment.
- G. Pursuant to Zoning Code Section 5-2218, this approval shall lapse on **August 4, 2017**, unless a) a business license 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, and there are no outstanding enforcement complaints.