

CONDITIONS OF APPROVAL
1678 Coleman Avenue
PLN2018-13555

In addition to complying with all applicable codes, regulations, ordinances and resolutions, the following **conditions of approval** are recommended:

GENERAL

- G1. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.
- G2. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

- A1. The Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of developer's project.

COMMUNITY DEVELOPMENT

- C1. This project involves change of occupancy per the Building Code, from industrial use to Assembly Use. There are Building Code requirements that shall be determined by a California licensed architect or civil engineer.
- C2. Obtain Building permit for all work subject to Building Permit per City Administrative code Chapter 15.05. Comply with all requirements current at the time of application for building permit (CBC, Cal Green, California Energy Conservation Code (Title 24), CPC, CMC and CEC).
- C3. Property owner is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- C4. The Director of Community Development may refer the Use Permit to the Planning Commission at any time to consider the initiation of revocation proceedings if the conditions of approval area violated or the operation is inconsistent with the approved operational statement. In addition, if complaints are received by the City with respect to this use, staff shall provide a review of the Conditional Use Permit to the Planning Commission within three months for consideration of revocation proceedings.
- C5. Based on 16 available parking spaces, group fitness class size shall be limited to 12 attendees between 8:00 a.m. and 5:00 p.m. Additional attendees may be permitted contingent upon approved use of the remainder of the on-site parking after 5:00 p.m. by the property owner.

ENGINEERING

- E1. Development fees to be paid prior to issuance of building permit for change in use from previous warehouse to gym.
- E2. If building permit valuation is \$200,000 or greater, ADA frontage improvements shall be required.
- E3. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Engineering Department at (408) 615-3000 for further information.
- E4. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Engineering Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E5. Existing non-standard or non-ADA compliant frontage improvements shall be replaced with current City standard frontage improvements as directed by the City Engineer or his designee.
- E6. Damaged curb, gutter, and sidewalk within the public right-of-way along property's frontage shall be repaired or replaced (to the nearest score mark) in a manner acceptable to the City Engineer or his

designee. The extents of said repair or replacement within the property frontage shall be at the discretion of the City Engineer or his designee.

- E7. Submit public improvement plans prepared in accordance with City Engineering Department procedures which provide for the installation of public improvements. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of final map and/or issuance of building permits.
- E8. All proposed sidewalk, walkway, and driveway(s), shall be per ADA compliant City standard.
- E9. Show and comply with City's driveway vision triangle requirements at proposed driveway. Visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways and intersections in order to allow an unobstructed view of oncoming traffic. Contact Traffic Engineering at (408) 615-3000 for further information.
- E10. Provide ADA walkway connecting the proposed buildings to public sidewalk.
- E11. All traffic striping, messages, and symbols shall be thermoplastic.
- E12. On-street parking shall not be counted towards on-site parking requirements.
- E13. For the proposed site development, provide the following minimum bicycle parking spaces at the main entrance and/or high visible areas:
 - a. Fitness center: provide 1 Class I per 30 employees and 4 Class II bicycle spaces.