

EXHIBIT "B"

CONDITIONS OF APPROVAL

Fuel Station, Convenient Store and Quick Serve Restaurant

1. The applicant shall enter into a project development agreement with the City of San Juan Bautista to construct the proposed project as submitted herewith conforming to the architectural style and appearance as submitted and approved by the Planning Commission and subsequently approved by the City Council on appeal of the Planning Commission.
2. The applicant shall enter into an indemnification and hold harmless agreement with the City of San Juan Bautista for the approval of the project and an agreement to pay processing fees for land use application and access to project site.
3. The applicant or contractor shall obtain an encroachment permit for any work performed within the City of San Juan Bautista public right of way.
4. The applicant shall submit for and obtain a grading permit for the site including drainage provisions and compliance with flood zone elevation requirements.
5. The applicant shall remove all existing driveway approaches that are not being used, replace them with a vertical face curb, gutter, and sidewalk and install new commercial concrete driveways at the entrance and exit conforming to the approved site plan and to City standards.
6. The applicant shall repair and reconstruct all damaged and broken sidewalks along the frontage of The Alameda and construct the sidewalk as shown on the final approved site plan.
7. The applicant shall install a new 8" diameter sanitary sewer line from the existing manhole at the intersection of The Alameda and Lang Street westerly for a distance of 35 feet west. The invert elevation of the 8" diameter sewer line at the manhole shall be provided by the City.
8. The applicant shall remove a 7 foot wide strip of asphalt pavement adjacent to the lip of gutter and replace with 8" thick aggregate class 2 base rock and 2-1/2" thick asphalt pavement for a distant of approximately 240 feet. The asphalt widening surface edge shall conform to the existing pavement edge. A slurry seal coat shall be apply to the new asphalt and existing pavement from the lip of gutter to the centerline

of The Alameda for a distance from the intersection with State Route 156 to the south limits of the project site, approximately 310 feet.

- 9.** The applicant shall install pavement markings and striping for traffic channelization along the frontage of the property to provide a left or right turn lane for ingress and egress. The striping and pavement marking shall be done after the completion of the asphalt widening and slurry seal coat work. The striping and channelization shall conform to the approved striping plan for the project.
- 10.** The applicant shall obtain a building permit for the buildings and fuel islands to ensure that it conforms to the uniform building codes, municipal building codes, and all applicable energy codes required. The building plan and fuel island shall conform to the architectural style presented and approved by the City Council.
- 11.** The applicant shall submit a landscaping and irrigation plan to the City for review by the Planning Commission and obtain approval prior to issuance of an occupancy permit to any of the buildings or structures.
- 12.** The applicant shall submit a site development plan including drainage, curbs, trash enclosure, on-site driveways, asphalt pavement, striping, electric charge station, and bicycle rack. Drainage shall conform to the State Storm Water Pollution Prevention Plan guidelines and best management practices.
- 13.** The applicant shall submit an on-site lighting plan conforming to the city's dark sky regulations and provide hooded shield deflectors on all lighting fixtures. All lighting within the fuel island and in the parking area shall be directed downward or deflected in a direction away from the residential homes on the west side of The Alameda. All on-site exterior lighting shall be equipped with warm white illumination.
- 14.** The applicant shall enter into a maintenance agreement with the City for continual maintenance of the landscaping and irrigations system for all landscaping and irrigation installed on the site.
- 15.** The applicant shall install a minimum 7 foot high architectural perimeter fence along the southerly property line and a 4 foot high architectural perimeter fence along the easterly property line as shown on the approved plans. (See Mitigation Measure NOI-1 of MND.)
- 16.** The applicant shall submit a sign permit application to install signs on all buildings. The application shall include one free standing monument type

sign situated in the landscaping planter area adjacent to State Highway 156. All signs shall conform to the City's sign ordinance.

- 17.** The applicant shall install fire hydrants on the project site as shown upon the approved site plan. The fire hydrants shall conform to the City standards and approved by the Fire chief. A fire sprinkler system shall be installed on all structures conforming to the fire standard title 13.
- 18.** The applicant shall contribute \$200,000 for the construction of a deceleration and right turn lane on the south side of State Highway 156 at The Alameda intersection. The applicant shall enter a reimbursable agreement with the city for reimbursement of all cost of the improvements that are in excess of the fair share cost of the projects requirement to improve the deceleration lane. (See Mitigation Measure TRA-1 of MND.)
- 19.** Construction on the site shall be restricted to the hours of 7:00 A.M. to 6:00 P.M. Monday through Saturday. No construction shall be allowed on Sundays. (See Mitigation Measure NOI-2 of MND.)
- 20.** The applicant shall restrict all loud noises, vibratory equipment, trucks backup devices, and gas powered compaction tools to hours between 9:00 A.M. to 4:00 P.M. during the permitted days of construction. No construction will be allowed on Sunday unless it is within a confined building where all noises are contained inside the building. (See Mitigation Measure NOI-2 of MND.)
- 21.** The applicant shall have the following note placed upon all construction plans and drawings of the project:

If prehistoric or historic archaeological resources or human remains are unexpectedly discovered during construction, work shall be halted within 50 meters (160 feet more or less) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented. (See Mitigation Measure CR-1 of MND.)
- 22.** The applicant shall pay all planning, building permit, site and building inspection fees, school impact fees and City of San Juan Bautista development impact fees upon issuance of a building permit.
- 23.** The applicant shall obtain all right of way easements required and all easement to be abandoned or relocated prior to commencement of

construction. The applicant shall provide copies of all easements or the abandonment to the City.

- 24.** The applicant shall provide copies to the City of the soils report and all compaction tests performed on the site during grading, excavation and embankment operations. (See Mitigation Measures GEO-1 of MND.)
- 25.** The applicant shall submit to the City and obtain approval for an erosion control plan conforming to SWPPP guidelines during all grading activities and a letter or statement from the contractor that all work complies with the guidelines.
- 26.** The applicant shall submit to the City and Health Department a hazardous waste management plan together with emergency contact information.
- 27.** The applicant shall submit to the City a solid waste disposal plan if required.
- 28.** The applicant shall obtain and submit a copy of the Monterey Bay Air Pollution Control District permit to the City.
- 29.** The applicant shall obtain the necessary permits from the San Benito Health Department to conduct food related business within the proposed restaurant and convenience store prior to operations. A copy of the permit shall be provided to the City.
- 30.** The applicant shall incorporate in the site development plan accommodation for a minimum of 8 bicycle parking spaces.
- 31.** The applicant shall install domestic water services to the property and pay the required connection permit fees. Water service can be master metered or individually metered to each business. The applicant shall obtain an encroachment permit for water service lateral connection within the City right of way.
- 32.** The applicant shall post a note on the improvement plans that all grading activities at the project site shall cease during high wind periods. The City Planning Department shall be contacted when construction is delayed due to high winds.
- 33.** The applicant shall request and obtain a final inspection before a certificate of occupancy for the building permits are issued, prior to the onset of business operations.

- 34.** Applicant shall install pavement traffic marking signs along The Alameda from the intersection of State Highway 156 to south end of the project as shown on the channelization plans prior to occupancy.
- 35.** Applicant shall dedicate a strip of land ten feet in width along the frontage of The Alameda for future widening of The Alameda.
- 36.** The applicant shall pay a fair share cost for the construction of a round-a-bout intersection at the intersection of The Alameda, San Juan-Hollister Road, and Salinas Grade Road. The fair share cost analysis shall be prepared by the City and shall be based upon traffic movements from the proposed project to the proposed round-a-bout intersection.
- 37.** The applicant shall install two architectural street lights conforming to the type, standards, and style of the San Juan Bautista Historic Third Street along the frontage of The Alameda. The light shall be energized from the existing utility poles by underground conduit and electrical junction boxes.
- 38.** The exterior of the proposed building shall be constructed using non-reflective materials including non-mirrored glass, painted metal panel treatments and non-reflective wall surfaces. (See Mitigation Measure AE-1 of MND.)