

OAKLEY



CALIFORNIA

City of Oakley
3231 Main Street
Oakley, CA 94561
Ph. (925) 625-7000
Fax. (925) 625-9194
www.oakleyinfo.com

UNIVERSAL APPLICATION FORM

For City Use Only

Application #: CUP 03-18 Date Submitted: 8/8/18
Received By: Evan Gorman Assigned To: Evan Gorman
Fee/Deposit Submitted: \$2,000 Project Account #: 7533

Application Type (check all that apply):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Tentative Map (Major Subd. 5 lots or more) | <input type="checkbox"/> Rezone |
| <input type="checkbox"/> Parcel Map (Minor Subd. 4 lots or less) | <input type="checkbox"/> General Plan Amendment |
| <input type="checkbox"/> Design Review (Development Plan) | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Sign Permit (Master Sign Program, Freeway Sign, Sign Exception) | |

Check here to apply for "Priority Review." Staff will determine whether your project is subject to "Priority Review" through the checklist (for staff use only) attached at the end of this application.

1. PROJECT INFORMATION

Proposed Project Name: Kumon Center of Oakley
Project Address: 4520 Main Street, Oakley, CA 94561
Project Parcel Number: 033-240-016
General Plan (Existing/Proposed): Commercial
Zoning (Existing/Proposed): General Commercial

Project Description (be specific, use additional pages if necessary):

Kumon is an after school math and reading program. Children go to the center 2 times per week during a 4 hour window. Children are scheduled for 1/2 hour of class if studying one subject or 1 hour if studying two subjects. (We are franchisees of Kumon North America.) Our class days are Tuesdays and Fridays from 2:30-6:30. We will likely be at the center on non class days in order to prepare lesson plans, however, we will not be holding classes other than the days and times noted. We have received positive feedback from Oakley residents about opening a center in Oakley.

2. APPLICANT INFORMATION

The Community Development Department will notify the Applicant of all proceedings regarding this application.

Name: Maria G. Shin
Address: 26 Malibu Court, Clayton, CA 94517
Phone: 925-818-0087 Fax: _____ E-mail: riashin@icloud.com
*Signature: [Handwritten Signature]
(*Original ink signature is required)

3. OWNER INFORMATION

Name: Surjeet Boparai
Address: 5300 EAGLEBROOK TER, DUBLIN, CA 94568
Phone: (925) 437-8797 Fax: _____ E-mail: boparai2@yahoo.com
*Signature: [Handwritten Signature]
(*Original ink signature is required)

4. HAZARDOUS WASTE AFFIDAVIT

Government Code Section 65962.5 requires each applicant for any development project to consult the State Hazardous Waste and Substance Site List. Based on this list available from the Community Development Department, the applicant is required to submit a signed statement to the City of Oakley indicating whether the project is located on a site which is included on the list before the City accepts the application as complete. If the project site is listed by the State as a hazardous waste or substance site, the applicant must fully describe the nature of the hazard and potential impacts on an attached sheet of paper. In either situation, the applicant must complete and sign the affidavit in the space below.

I have been informed by the City of Oakley of my responsibilities pursuant to Section 65962.5 to notify the City as to whether the site, for which a development application has been submitted, is located within an area which has been listed as a Hazardous Waste or Substance Site by the Office of Planning and Research, State of California.

- The project site IS located in an area listed as a Hazardous Waste or Substance Site.
- The project site IS NOT in an area listed as a Hazardous Waste or Substance Site.

I declare under penalty of perjury of the laws of the State of California the foregoing is true and correct.

Signature: Surjeet Boparai Date: 8/8/18

5. IMPORTANT NOTICE READ CAREFULLY

Processing of this application will not begin until the following statement has been completed to the satisfaction of the Community Development Department:

I certify under penalty of perjury that I am the legal owner(s) (all individual owners must sign as they appear on the deed to the land), Corporate Officer(s) empowered to for the corporation, Owner's legal agent having power of attorney (a notarized Power of Attorney document must accompany this application), or the owner's authorized representative (include a letter of authorization from the owner).

Owner Signature: Suryat Boparai Date: 8/8/18
Printed Name: SURYAT BOPARAI

Additional Owner Signature: _____ Date: _____
Printed Name: _____

I hereby acknowledge that I have included all of the items listed above and understand that missing items may result in delaying the processing of my application. I further understand that by signing this document, I will be granting permission to the City to place a Project Notification Sign and other required notifications on the property for the duration of the application.

6. LETTER OF AUTHORIZATION BY LEGAL OWNER(S)

This form shall serve to notify the City of Oakley that I/we am/are the legal owner(s) of the property described in the attached application and do hereby authorize the person/firm shown in Section 2 of this application file and represent my/our interest in the application(s) listed below; and

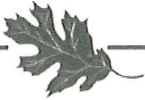
I/we have read the foregoing letter of authorization and know the contents thereof; and do hereby certify that the same is true of my/our own knowledge. I/we certify (or declare) under penalty of perjury under the laws of the State of California that the information contained in the above referenced application is true and correct.

Owner Signature: Suryat Boparai Date: 8/8/18
Printed Name: SURYAT BOPARAI

Additional Owner Signature: _____ Date: _____
Printed Name: _____

(A letter signed by the property owner(s) may be submitted in lieu of this form. The letter must identify the person being authorized to represent the owner(s) and the application being submitted.)

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ENVIRONMENTAL INFORMATION

GENERAL INFORMATION

Project Name: Kumon of Oakley
Project Address: 4520 Main Street, Oakley, CA 94561
Assessor's Parcel Number: _____
Existing General Plan Designation/Zoning District: _____

Applicant Name: Maria Shin
Applicant Address: 26 Malibu Court, Clayton, CA 94527
Phone: (925) 818-0087 Fax: _____ E-mail: jr.kjshin@gmail.com

PROJECT SPECIFICS

Describe the use of the Project: Kumon is an after-school enrichment program. Our center will be open 2x per week for 4 hours per day for math and reading sessions. We will have office hours on the other days for parent orientation and placement tests (one family at a time).

List any other related permits and other public approvals required for this project, including those required by the city, regional, state, and federal agencies: There were permits pulled by our contractor for renovations.

Site Size (acreage and/or sf): 1031 sq ft

Building Dimensions (footprint and sf): _____

Building Height (feet and number of floors): _____

Number of off-street parking spaces provided on site, including ADA Accessible spaces:

Total Spaces: _____ ADA Spaces: _____

Proposed phasing plan (if applicable): _____

Anticipated incremental development: _____

If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected: _____

If commercial, indicate the type; whether neighborhood, city or regionally oriented; square footage of sales area, and loading facilities: 1031 square ft. of retail space.

If industrial, indicate type, estimated employment per shift, and loading facilities: _____

If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project: _____

If the project involves a variance, conditional use or rezoning application, state this and describe why the application is required: Conditional use - educational facility designed to augment the learning process of elementary & secondary students.


ENVIRONMENTAL SETTING

On a separate sheet provide the following additional information, as applicable:

- Description of the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or science aspects.
- Description of existing structures on the site, and the use of the structures. Attach or email photographs of the site.
- Description of the surrounding properties (i.e. land use (residential, commercial), intensity of land use (single-family, apartment houses, shops, department stores), and scale of development (height, frontage, setback, rear yard). Attach or email photographs of the vicinity.

CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits are true and correct to the best of my knowledge.

Signature:  Date: 8/8/18
Printed Name: Maria G. Shin

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City Use Only	
Account No.	<u>7533</u>
Application No.	<u>CUP 03-18</u>

PROCESSING AGREEMENT

Agreement for Payment of Costs for City of Oakley Application Processing

TO BE COMPLETED BY APPLICANT:

This Agreement is by and between the City of Oakley, California, hereafter "City," and Maria Shin hereinafter "Applicant", pursuant to City of Oakley Resolution No. 17-99.

1. PROJECT INFORMATION (Should match Section 1 of Universal Application)

Proposed Project Name: Kumon of Oakley

Project Address: 4520 Main Street

Project Parcel Number: _____

General Plan (Existing/Proposed): _____

Zoning (Existing/Proposed): _____

Project Description (be specific, use additional pages if necessary):

Kumon is an after school enrichment program. Students take classes - math and reading for 30 minute sessions - 1 hour sessions. Students are scheduled and the center is open 2 (two) days per week for 4 hours per day. We will have office hours on other days for scheduled placement tests and

2. APPLICANT INFORMATION (Should match Section 2 of Universal Application) parent orientations

The Community Development Department will notify the Applicant of all proceedings regarding this application.

Name: Maria G. Shin

Address: 26 Malibu Court, Clayton CA, 94517

Phone: 925-818-0087 Fax: _____ E-mail: jrkjshin@gmail.com

Applicant Federal Tax ID or Social Security No: 352633216

*Signature: [Handwritten Signature]

(*Original ink signature is required)

3. CONTACT INFORMATION: (If different from Applicant Information)

Name: _____

Address: _____

Phone: _____ Fax: _____ E-mail: _____

4. BILLING INFORMATION: (Statements, requests for deposits or refunds shall be directed to):

Name: Mana G. Shin

Address: 26 Malibu Court, Clayton, CA 94517

Phone: 925-818-0087

Fax: _____

E-mail: jr.kjshin@gmail.com

Applicant Federal Tax ID or Social Security No: 352-63-3216

This is a legally binding agreement. You should read all provisions.

- A. Applicant agrees to pay all personnel and related direct, indirect, overhead and overtime costs incurred by City employees (including consultants acting as city employees) incurred by City for review and processing the subject application, even if the application is withdrawn in writing, not approved, approved subject to conditions or modified upon approval. Such costs also include the City's costs of retaining independent contractors to assist with processing the application. City's indirect and overhead costs will be applied to the time of City employees and consultants acting as city employees. All personnel and related direct, indirect, overhead and overtime rates for City employees (including consultants acting as city employees) shall be calculated annually by the City Manager, pursuant to City of Oakley Resolution 84-03.
- B. Applicant agrees to make an initial deposit in the amount of \$ 2,000.⁰⁰ ~~94~~ (to be filled in by Staff upon submittal of application and payment) at the time this Agreement is signed, and subsequent deposits within 30 days of the date requested by the City in writing. The City will not pay interest on deposits. Applicant agrees that that it knowingly and voluntarily waives, extends and continues each of the time limits imposed by California Government Code Section 65943 for the determination of a development application's completeness and the time limits imposed by California Government Code Sections 65950, 65950.1, 65951 and 65952 for the approval or disapproval of development permits for as many days as the applicant delays making a subsequent deposit from the date of written notice requesting such additional deposit until the deposit is received by City, not to exceed 90 days. Failure to make any subsequent deposits may result in denial of an application for a development project.
- C. If Applicant does not deposit such requested deposits or make payments on outstanding invoices within thirty (30) days after the date of the deposit request or invoice, City staff may cease work on the project until the required deposit or payment is made, subject to any other provisions of law.
- D. Deposits shall be applied toward the City's costs in reviewing and processing the application. City will send monthly statements indicating the charges against the initial deposit and any subsequent deposits. The City may elect to send statements less frequently than monthly, if there is only limited monthly activity on the project.
- E. In the event that the accumulated periodic charges exceed the initial deposit and any subsequent deposits previously received by City, City will invoice Applicant for the amount

outstanding and may require an additional deposit. Applicant will pay any and all amounts exceeding the initial and subsequent deposits within thirty (30) days of the date of the invoice, and shall make any additional deposit required by City.

F. City statements and invoices shall provide summary information indicating the cost for employees and independent contractors, including direct and indirect charges. Original invoices from independent contractors (except attorney/client invoices) shall be available upon request by Applicant, at Applicant's additional cost.

G. Applicant shall pay interest on all costs unpaid 30 days after the date of any invoice at the maximum legal rate, and the City is entitled to recover its costs, including attorney's fees, in collecting unpaid accounts.

H. Any refund of amounts deposited shall be made in the name of the Applicant, to the address noted above in Section 2. Invoices are due and payable within 30 days.

I. Applicant further agrees that no building permits, Certificate of Occupancy and/or subdivision Acceptance for the project will be issued until all costs for review and processing are paid.


J. Applicant shall provide written notice to the City if any of the above information changes.

K. Applicant agrees to indemnify and hold City harmless for all costs and expenses, including attorney's fees incurred by City or held to be the liability of the City, in connection with City's defense of its actions in any proceeding brought in any State or Federal court challenging the City's actions with respect to the Applicant's project. If Applicant is not the property owner, Applicant agrees to pay such costs unless the property owner also signs this Agreement, in which case both Applicant and the property owner shall be jointly liable for such costs.


L. This Agreement shall only be executed by an authorized representative of the Applicant. The person executing this Agreement represents that he/she has the express authority to enter into agreements on behalf of the Applicant.

M. This Agreement is not assignable without written consent by the City of Oakley. The City of Oakley will not consent to assignment of this Agreement until all outstanding costs have been paid by Applicant.

APPLICANT:

Signature of Applicant:  Date: 8/8/18
Print Name and Title: Maria G. Shin, Owner - Brainstorm Learning, LLC -
Kumon of Oakley

CITY OF OAKLEY

Signature of City Representative:  Date: 8/9/18
Print Name and Title: Evan Gorman, planning Assistant