

Exhibit 'A'

CUP 26-29 (UPJ 22-043 MOD)
Deaf Puppy Comedy Club



City of Manteca
Development Services Department

Conditions of Approval
Deaf Puppy Comedy Club
July 21, 2022 April 2, 2026

Project File Number: CUP 26-29 (UPJ 22-43 MOD)
Project Name: Deaf Puppy Comedy Club
Project Address: 127 North Main Street, Manteca, CA 95336
APNs: 217-21-052
Project Applicant: Chris Teicheira
9130 East Melton Road
Manteca, CA 95337
Property Owners: Richard and Chris Teicheira
9130 East Melton Road
Manteca, CA 95337

~~This list of conditions is not intended to be all-inclusive or a comprehensive list of City regulations. All conditions are referenced to the plan set for the Deaf Puppy Comedy Club Use Permit (dated June 30, 2022) and (dated) on file with the City of Manteca, Development Services Department, Planning Division.~~

City of Manteca Development Services Department: Planning

- 1) **APPROVED USE:** This conditional use permit is for the expansion of an existing Indoor Amusement and Entertainment Facility use as shown on the Floor Plans dated March 18, 2026.

This approval is subject to the conditions set forth herein and shall be contingent upon final review and approval by the City of Manteca.

- A. **Conditional Use Permit:** Approval of this Conditional Use Permit runs with the land and shall not be transferable to another location. The owner/operator shall be allowed to operate an Indoor Amusement/Entertainment Facility use with existing ancillary uses set forth below.

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- B. Food Service and Beverage Services.** Food and beverage services shall be accessory and ancillary to the primary use permitted under CUP 26-29. If the primary use is discontinued or revoked, the ancillary food and beverage services may convert to the primary use, subject to the requirements of the zoning ordinance at the time of establishing food and beverage services as the primary use.
- C. Alcohol Sales.** Alcohol sales allowed by ABC license Type 47 and 68 shall be permitted under CUP 26-29, subject to compliance with the State Department of Alcohol Beverage Control and the following conditions:
- i. **Bonafined Kitchen.** The establishment shall offer and make available full and complete meals at all times that the premises exercises the privileges of its alcoholic beverage license, with the exception of the final thirty (30) minutes of operation each day.
 - ii. **Noise Control.** Any entertainment provided on the premises shall not be audible beyond the area under the control of the licensee, as determined by the State Department of ABC or the City's Noise standards. In all circumstances, the more restrictive requirement shall apply.
 - iii. **No Off-Sale Alcohol.** The sale of alcoholic beverages for consumption off the premises shall be prohibited.
 - iv. **Outdoor Alcohol Service Hours.** The sale, service, and consumption of alcoholic beverages within the outdoor patio area shall be permitted to occur between the hours of **8:00 a.m. and 12:00 midnight**, each day of the week.
 - v. **Wait Staff Service.** Service of alcoholic beverages to patrons within the patio area shall be provided by wait staff only and shall occur pursuant to a specific order placed in advance by the patron. Delivery of the order shall be made directly to the patron who placed the order.
 - vi. **Patio Supervision.** When the outdoor patio area is being utilized for the sale, service, or consumption of alcoholic beverages, a premises employee shall be present and maintain continuous supervision of the patio area at all times.
 - vii. **Alcohol Boundary Signage.** A sign shall be posted in a conspicuous location at the entrance/exit point of the patio area stating **"NO ALCOHOLIC BEVERAGES BEYOND THIS POINT."** The sign shall measure no less than **7 inches by 11 inches** and contain lettering at least **one (1) inch in height**.
- D.** No outdoor amplified noise, speakers, or live entertainment shall be allowed between the hours of 10 PM and 9 AM.

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- E. On-site security surveillance shall be installed to the specifications of the Police Department. All video footage shall be retained for a period of no less than 30 days and shall be made available to Police Department personnel upon request.
 - F. Any future expansions or modifications to the use and/or site shall be subject to further review and possible modification to this use permit.
 - G. Any sanctionable, suspendible, or revocable offense as issued or determined by the State Department of Alcohol Beverage Control shall be cause for review and possible revocation pursuant to MMC 17.08.140.
 - H. Any open or outstanding code enforcement violations shall be corrected prior to the operation or use of the site.
- 3) **Acceptance of ~~Conditions Site Plan~~**. This Conditional Use Permit is approved subject to these specific conditions. Any **deviation from terms, requirements, or conditions shall be** ~~variation from the approved plans, proposals, supporting documents or presentations~~ is subject to review and approval prior to **operation or use of the site.** ~~implementation.~~
- 4) **Site and Building Improvements ~~Expiration of Site Plan~~**. The proposed plat set shall ~~expire two years from this date on July 21, 2024~~, unless altered and/or extended per State law. Prior to expiration, the owner/developer may apply for an extension, to be approved by the Development Services Director, not to exceed a total of one (1) year from the ~~original date of expiration~~. **It shall be the property owner's/operator's responsibility to procure any applicable permits and complete all necessary improvements for the expansion areas.**
- 5) **Owner Obligation.** All conditions of approval shall be satisfied by the owner/developer. If at any time, any of the Conditions of Approval are found to be in non-compliance, City enforcement action may be implemented pursuant to Manteca Municipal Code, Article 1, Chapter 1.10. All costs associated with compliance with the conditions shall be at the owner/developer's expense.
- 6) **Fees.** The developer shall pay all applicable processing fees, permit fees, City development fees, fire fees, school fees, drainage fees, habitat conservation fees, and other public entity fees in effect at the time of the issuance of the applicable permit.
- 7) **Utility Companies.** The applicant is responsible for contacting all appropriate utility companies to obtain agreements for extension and/or relocation of services necessary for the proposed development.
- 8) **Signs.** No business identification signs or any advertising signs shall be installed or displayed without the review and approval of the Development Services Department, and all proposed advertising signs shall comply with Section 20.14.20 of the Zoning Ordinance.

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- 9) **Vested Rights.** This approval does not vest applicant's rights regarding future development. All ordinances, resolutions, rules, regulations and official policies governing design, improvement and construction standards and specifications applicable to the project and public improvements to be constructed by the Developer shall be those in force and effect at the time the applicable plan or permit approval is granted.
- 10) **Responsible Agencies.** The Developer is responsible for contacting all responsible and commenting agencies and ensuring compliance with any applicable fees and/or rules. This project is subject to the requirements of other agencies including but not limited to San Joaquin County Multi-Species Habitat Conservation & Open Space Plan, San Joaquin Valley Air Pollution Control District, and PG&E.
- 11) **Subsequent Development.** All activities undertaken in accordance with this approval shall comply with the City's General Plan and Municipal Code. In cases of conflict between the City's Municipal Code or map-specific conditions of approval, the governing priority shall be, to the extent legally permitted, as follows: 1) Municipal Code regulations, 2) project-specific conditions, and 3) standard conditions. The applicant shall comply with all regulations and code requirements of the Development Services Director, City Engineer, and Building Official, the Fire Chief, the Police Chief, and any other agencies requiring review of the project. If required, these agencies shall be supplied copies of the final maps, site plans, public improvement plans, grading plans, and building plans.
- 12) **Building Plans.** The project developer shall write all conditions of approval for this project on all building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading and construction plans kept on the project site. It is the responsibility of the building developer to ensure that the project contractor is aware of, and abides by, all conditions of approval. Prior approval from the Planning Manager must be received before any changes are constituted in site design, grading, building design, building colors or materials, etc.
- 13) **Failure to Comply.** Should the project be found, at any time, not to comply with any of the Conditions of Approval, or should the applicant construct or operate this development in any way other than as specified in the Application or Supporting documents or presentations to staff, the Planning Commission, or City Council, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to be violated.
- 14) **Indemnification.** The applicant shall indemnify and hold harmless the City, its council members and commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs and fees, including without limitation attorneys' fees, incurred by the City and/or awarded to any plaintiff in any action related to or arising out of the City's approval of this project or subdivision Map or any environmental or other documentation related to this project or subdivision Map. The applicant further agrees to provide a defense for the City in any such action.

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- 15) **Compliance with Local and State Laws.** The subject use shall be conducted in full compliance with all local and state laws. No part of this approval shall be construed to permit a violation of any part of the Manteca Municipal Code. This Site Plan and design Review shall be subject to revocation if the subject use is conducted in such a manner as to cause a nuisance.
- 16) **Changes in Law.** This approval shall not preclude the application to development of the property of changes in City laws, regulations, plans or policies, the term of which are specifically mandated and required by changes in State or Federal laws or regulations.
- 17) **Performance Standards.** Developer shall ensure ongoing compliance with City of Manteca Performance Standards, pursuant to Manteca Municipal Code Chapter 17.58.
- 18) **Parking, Loading Areas, On-Site Circulation.** All on-site parking, loading areas, and on-site circulation shall conform to the approved plans dated June 30, 2022.
- 19) **Storage, Screening, and Fencing.** All storage, screening, and fencing shall conform to the Manteca Municipal Code.
- 20) **Roof-mounted Equipment.** Applicant/developer shall ensure all roof-mounted equipment shall remain screened from public street view. This condition does not include solar panels.
- 21) **Lighting.** All on-site lighting for parking areas, pedestrian areas, and vehicular or pedestrian paths of travel shall be LED lighting. Any new lighting is required to submit a photometric plan for review showing it complies with section 17.50.060.D of the Manteca Municipal Code.
- 22) **Site maintenance.** The site shall be permanently maintained in a neat and clean manner free of weeds, trash, and debris.
- 23) **Noise.** At all times, property owner shall ensure that operations do not negatively affect the quiet enjoyment of their property and quality of life for nearby residents. Failure to comply with City noise standards will result in a revocation hearing.
- 24) **Landscape Maintenance.** At all times, all planting shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash, fertilizing and regular watering. Whenever necessary, planting shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. Required irrigation systems shall be fully maintained in sound operating condition with heads periodically cleaned and replaced when missing to insure continued regular watering of landscape areas, and health and vitality of landscape materials.
- 25) **Parking Maintenance.** At all times, all parking stalls and parking lot striping shall remain in good condition and be clearly marked.

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- 26) **Security Plan.** The proposed comedy club shall operate per the Security Plan attached to the project Resolution as Exhibit C.
- 27) **Future Façade Upgrades.** The propose parapet improvement and mural are to be completed within two years of the first show held in the Deaf Puppy Comedy Club. Minor alterations to the proposed façade improvements and mural may be done administratively.
- 28) **Existing Roof-Mounted Sign.** The existing roof-mounted sign shall be removed and replaced with a sign per the approved plans dated June 30, 2022 within two years of the first show held in the Deaf Puppy Comedy Club.

City of Manteca Development Services Department: Building Safety Division

- 1) Accessible upgrades for alterations to existing commercial building shall be required.
- 2) The amount to be devoted to upgrades is determined based on the valuation of the project. If the cost does not exceed \$186,712.00, 20% of the cost above and beyond the actual cost must be devoted to accessible upgrades. CBC Section 11B-202.4. If the valuation exceeds that value, then full compliance is required. Note that any new construction must be fully compliant and does not count against the 20%.
- 3) Accessible routes shall be provided per CBC § 11B-206; at least one accessible route shall be provided within the site from accessible parking spaces to the accessible building entrance(s). Where more than one route is provided, all routes must be accessible. CBC § 11B-206.2.1.
- 4) Developer shall obtain a building permit for the tenant improvements per CBC Admin 104 prior to construction.
- 5) At time of building permit submittal, the developer shall incorporate all Conditions of Approvals from all departments and imprint into the submittal set of construction documents/plans.

City of Manteca Fire Department

- 1) **Site Address:** Building address numbers shall be plainly visible from the street fronting the property. Said building address numbers shall contrast with their background and be a minimum of 12” in height.
 - a. Building Numbers for rear buildings shall be visible from Main drive aisle. Building numbers will be placed in a uniform position on the building façade.
 - b. A diagram showing proposed “Fire Lane” shall be submitted for approval to the Office of the Fire Marshal. Fire Lanes shall be marked in accordance with California Fire Code (Appendix D103.6 SIGNS and Manteca Fire Code 15.24

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- 2) Fire Hydrants: Plans and specifications for fire hydrant systems shall be submitted for review and approval prior to construction.
 - a. Fire hydrants shall be installed on a minimum 8-inch looped water main.
 - b. Fire hydrants shall be installed around all buildings at a maximum spacing of 300 feet in accordance with the City of Manteca Standards and California Fire Code. Corners should be utilized for hydrant locations when possible.
 - c. Hydrants subject to vehicular damage shall be protected in an approved manner and not be obstructed by vehicles or other obstructions.
 - d. Provide 15 feet of clearance on either side of fire hydrant from stopped or parked vehicles.
 - e. Additional fire hydrants may be required to meet the minimum spacing requirement of hydrants within 90 feet of Fire Department Connections, (FDC) for Fire Sprinkler Systems.
 - f. The on-site fire protection system (fire hydrants and associated water mains) shall be installed prior to the issuance of building permits.
 - g. Total Fire Flow (appendix B of CFC) shall be calculated and submitted as part of the permit submittal.
- 3) Underground piping for the fire sprinkler shall be approved by the Fire Department prior to permit issuance.
- 4) All above ground gas meter, regulators, and piping exposed to vehicular damage shall be protected in an approved manner.
- 5) Fire Suppression Systems: All buildings must be protected by an approved monitored automatic sprinkler system in accordance to NFPA 13, CFC, CBC, and Manteca Municipal Code Section 15.24.
- 6) Fire Alarm/Sprinkler monitoring shall be point ID.
- 7) Fire Suppression Approval. Plans and specifications for fire suppression systems shall be submitted for review and approval prior to construction. If work differs from approved plans, a set of "as built" shall be submitted to the Fire Department prior to final inspection.
- 8) Plans proposed to be listed as deferred submittals shall be clearly labeled on the cover building permit plan submittal cover sheet.
- 9) Inspections. Fire protection systems (fire hydrants, water mains, etc.) shall be installed, tested and approved by the City prior to the issuance of any building permits. The Fire Department shall witness all system and acceptance tests. Please provide 24-hour notice prior to any system or acceptance tests. 209-456-8340

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- 10) A Fire Department approved “key lock box” shall be properly installed near the main entrance. A 3200 series lock box(s) can be order online directly from KNOXBOX.COM. Contact the Office of the Fire Marshal at FireMarshal@mantecafire.org for additional information.
- 11) All above ground gas meters, regulators, and piping exposed to vehicular damage shall be protected in an approved manner.
- 12) Trash enclosures/dumpsters shall not be allowed within 5 feet of any combustible walls, openings, or combustible roof eaves, unless protected by an automatic fire sprinklers.
- 13) Operations that require operational permits (High Piled Storage, Hot Work, Compressed Gas, Battery Storage and all others listed in CFC 105) shall be identified on the plan submittal.
- 14) All above comments shall be listed in the Building Permit Plan Submittal in a section designated for Fire Comments. Additionally, the Authority Having Jurisdiction should be listed as:

Authority having Jurisdiction:
City of Manteca Fire Department,
Office of the Fire Marshal
Fire Inspector II Luis “Art” Salas
1154 S. Union Road, Manteca CA 95337
Firemarshal@Mantecafire.org

City of Manteca Public Works: Solid Waste Division

- 1) Business has to be sign up for garbage and food waste depending on how much waste they produce.

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**ACKNOWLEDGEMENT OF TERMS AND CONDITIONS
MUST BE CERTIFIED BY A NOTARY PUBLIC**

The City reserves the right to withhold the finalization of the structure(s) and/or terminate City utilities (i.e., shut off water and sewer) until all conditions of the City-approved site plan have been completed. Please contact the Development Services Department if you are unable to complete the site plan improvements prior to occupancy of the project.

The fees associated with this project are payable at the time of building permit issuance. For information on fees associated with the project, please contact the Building Safety Division at 209-456-8550.

I, as the site plan applicant, or authorized agent for the site plan applicant, have read and understand the conditions of approval and requirements for this development project. I, further, understand that this site plan runs with the ownership of the land and any transfer of ownership must include all uncompleted site plan requirements. I hereby acknowledge all conditions and requirements of the site plan approval.

Date

Authorized Signature

Date

Authorized Signature