

**CERTIFICATE OF APPROPRIATENESS
COAC2201-05
CONDITIONS OF APPROVAL
5354 East 2nd Street (Bank of Belmont Shore)
May 31, 2022**

1. This approval is for a Certificate of Appropriateness to adaptively use an existing locally-designated historic landmark building (Bank of Belmont Shore) from commercial mercantile and office space use, to a restaurant and office space with minor site improvements at 5354 East 2nd Street in the Neighborhood Pedestrian (CNP) Zoning District. The proposed project shall be constructed in accordance with approved plans, submitted to the Department of Development Services, Planning Bureau, dated March 2022, and attached to the subject case file, except as amended by the conditions herein. This approval includes the following exterior changes to the existing landmark structure:
 - a. Removal of non-original storefront windows on 2nd Street elevation and construction of a new interior recessed wall approximately 14 feet from the building exterior;
 - b. Restoration of wrought iron grilles (2nd Street and Santa Ana Avenue elevations) and two (2) openings (2nd Street elevation only) at the corner tower element;
 - c. Installation of decorative tile at the inner portion of the arched openings on the 2nd Street elevation;
 - d. Addition of fabric awnings on the 2nd Street elevation over the existing arched openings;
 - e. Removal of a non-historic fabric awning over the side entry on Santa Ana Avenue.
 - f. Construction of a detached patio structure
 - g. Installation of wrought iron railing at sidewalk dining areas;
 - h. Installation of new mechanical equipment behind existing; and
 - i. Completion of associated Title 24 and life and safety upgrades to support the change of use.
2. The project must be completed per the scope-of-work approved by the Cultural Heritage Commission, including all Conditions listed herein. Any subsequent changes to the project must be approved by the Cultural Heritage Commission or by the Department of Development Services; Planning Bureau staff before implementation.
3. There is a ten (10) calendar-day appeal period that will lapse at 4:30 p.m., ten (10) calendar days after the action by the Cultural Heritage Commission is made. Appeal of the Commission's action will not be accepted after this time. A separate fee will apply to appeal an action taken by the Cultural Heritage Commission.
4. This Certificate of Appropriateness shall be in full force and effect from and after the date of the rendering of the decision by the Cultural Heritage Commission. Pursuant to the Cultural Heritage Commission Ordinance Section 2.63.080(I), this

approval shall expire within three years if the authorized work has not commenced. Should the applicant be unable to comply with this restriction, an extension may be granted pursuant to Section 2.63.080(I) for an additional 12 months maximum. The applicant must request such an extension prior to expiration of this Certificate of Appropriateness. After that time, the applicant will be required to return to the Cultural Heritage Commission for approval. In addition, this Certificate of Appropriateness shall expire if the authorized work is suspended for a 180-day period after being commenced.

5. All required building permits shall be obtained by the applicant, as needed. Building permits must be obtained prior to the implementation of any construction or rehabilitation work. Separate plan-check and permit fees will apply.
6. All Conditions of approval must be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions must be printed on the site plan or a subsequent reference page.
7. Any proposed changes to the plans approved by the Cultural Heritage Commission and staff must be reviewed and approved by the Director of Development Services or their designee prior to implementation. Significant changes to the project's design will require review and approval by the Cultural Heritage Commission before permits are issued by the Department of Development Services.
8. A building inspection must be completed by the Department of Development Services; Planning Bureau staff to verify compliance with the plans approved by the Cultural Heritage Commission, prior to issuance of a Certificate of Occupancy from the Building Bureau.
9. All utility apparatuses shall be fully screened from view from adjacent public rights-of-way. Such apparatuses include but are not limited to rain barrels, air conditioning units, utility meters and electrical panels. The applicant shall work with Planning Bureau staff on the final design of utility screening and /or enclosures.
10. The applicant shall obtain a separate Certificate of Appropriateness for any additional proposed exterior changes not expressly approved in plans approved by this action.
11. The applicant shall obtain approval through a Certificate of Appropriateness for the exterior paint colors before the Department of Development Services. Planning Bureau staff can sign off during the plan check process and prior to issuance of a Certificate of Occupancy.
12. The new detached patio structure shall be of high-quality wood material and shall feature a final design compatible with the Spanish Colonial Revival style to the satisfaction of the Director of Development Services. Manufacturer specifications shall be submitted to the Department of Development Services; Planning Bureau

and approved by Planning Bureau staff prior to the issuance of building permits during the plan check review process.

13. Any building materials, vents, architectural details, window and door trim, used in the project, shall be shown on the construction plans and shall be reviewed by the Department of Development Services, Planning Bureau, during the plan-check review process. The applicant shall submit final specifications for new materials for review and approval, prior to the issuance of a building permits. Required final specifications include, but are not limited to:

- a. Wrought iron grilles and railing
- b. Fabric awnings
- c. Tile at archways
- d. Patio structure
- e. Windows and doors
- f. Stucco

14. The existing arched window openings and entry at the 2nd Street elevation shall remain at their existing location and dimension. No resizing of these openings shall occur without the approval of a Certificate of Appropriateness.

15. The existing wrought iron balconet and window openings on the Santa Ana Avenue shall remain at their existing location and dimension. No removal of the balconet or resizing of these openings shall occur without the approval of a Certificate of Appropriateness.

16. The new recessed wall and storefront system at the interior of the arcade patio areas shall maintain the following design treatment:

- a. The new windows shall be of high-quality wood. Window manufacturer specifications shall be submitted to the Department of Development Services; Planning Bureau and approved by Planning Bureau staff prior to the issuance of building permits during the plan check review process.
- b. The windows shall include period-appropriate wood trim and sills.
- c. The final window arrangement on shall mirror the size and alignment of the arched openings along the 2nd Street elevation.

17. All future signs installed on the landmark building shall be subject to a separate staff-level Certificate of Appropriateness approval.

18. As a Condition of any City approval, the applicant shall defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul the approval of the City concerning the processing of the proposal/entitlement or any action relating to, or arising out of, such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of

funds by the applicant may be required in an amount sufficient to cover the anticipated litigation costs.