

CONDITIONS OF APPROVAL**Address: 210 E. Ocean Boulevard****Application No.: COAC1911-02****Hearing Date: December 9, 2019**

1. This approval is for the renovation of the “Breakers Hotel” building at 210 E. Ocean Boulevard. The modifications shall be completed consistent with plans presented at the August 13, 2018 Cultural Heritage Commission meeting date as well as plans dated November 7, 2019, and attached to the subject case file, except as amended herein, and includes modification of the elevator tower height to increase the height by 4 feet 9 inches from the approved height in project approval (HP18-099). The Modification also includes installation of windows throughout the building as per attached documentation. These plans are on file in the Department of Development Services; Planning Bureau.
2. The project must be completed per the scope of work and conditions approved by the Cultural Heritage Commission on August 13, 2018 and December 9, 2019, 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. Upon completion of the project, a staff inspection must be requested by the applicant to ensure that the proposed project has been executed according to approved plans and that all conditions have been implemented before occupancy hold can be released.
3. There is a ten calendar-day appeal period that will lapse at 4:30 p.m., ten 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(1), this approval shall expire within two 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(1) 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.

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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. The applicant shall obtain a separate Certificate of Appropriateness for any additional proposed exterior changes not expressly authorized under this approval.
8. Any proposed changes to the plans approved by the Cultural Heritage Commission and the Department of Development Service; Planning Bureau staff, will need to 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.
9. The window glazing shall be transparent and void of any tinting or reflective film that would change the exterior appearance of the building or would be detrimental to the historic character of the building.
10. 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.