

**CERTIFICATE OF APPROPRIATENESS
COAC2104-01
CONDITIONS OF APPROVAL
401 PINE AVENUE**

1. This subject approval is to allow installation of a of the original Walker's Department Store sign over the Pine Avenue entry for property located at 401 Pine Avenue, as shown on documents received by the Department of Development Services – Planning Bureau submitted on April 8, 2021, as amended by the subject conditions of approval. These plans are on file in this office, except as amended herein.
2. The sign shall be installed generally in the same location, as shown on historic documentation. Prior to issuance of a building permit, the applicant shall provide plans that show the exact location of the sign on the marquee and dimensions of the marquee.
3. The project must be completed per the direction 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 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 constructed in accordance with approved plans and in compliance with all conditions before occupancy hold can be released.
4. 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.
5. 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.
6. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of

CULTURAL HERITAGE COMMISSION

JUNE 29, 2021

Page 2

approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date).

7. All required City permits shall be obtained by the applicant, as needed. Public Works permits for encroachment into the right-of-way. Building permits must be obtained prior to the implementation of any construction or rehabilitation work. Separate plan check and permit fees will apply.
8. 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.
9. The applicant shall obtain a separate Certificate of Appropriateness for any additional proposed exterior changes not authorized by the Cultural Heritage Commission through this action.
10. A building inspection must be completed by Planning Bureau staff to verify compliance with the plans approved by Cultural Heritage Commission, prior to issuance of a final inspection from the Building Bureau.
11. Any proposed changes approved by the Cultural Heritage Commission 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
12. The applicant shall submit sample alloy metal materials to be used to replace damaged pieces of the sign. The samples must be reviewed and approved by the Planning Bureau prior to issuance of permits. The plan shall be sensitive and limit the number of penetrations to the extent feasible to protect the original historic marquee building feature.
13. The applicant shall prepare a complete set of construction documents showing all the method attachments to the marquee, electrical lighting, neon tubing size and a photo simulation must be approved by Planning Bureau staff prior to issuance of a building permit.
14. The applicant shall submit to the Planning Bureau for review and approve prior to issuance of building permits paint color samples to be used in the sign and shall additionally submit painted samples of the metal material samples to be used in the sign.
15. The applicant shall match the color of the original violet neon color of the original sign.

16. The applicant shall prepare and submit to Planning Bureau staff a final treatment plan to be approved by Planning Bureau staff prior to proceeding with the physical rehabilitation work. Said plan shall specify all treatments to restore pieces, how it be rehabilitated to working condition and identification of documentation of pieces to be removed.
17. The marquee shall not have any digital signs, and any sign copy shall be wholly contained in areas dedicated for sign, be proportional to the allowable sign areas and be consistent with standards in L.B.M.C. Section 21.44.160.
18. The applicant shall obtain all necessary permits required by the Development Services Department, Public Works Department and any other agency or City department as applicable.
19. 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.