

## CITY OF ALAMEDA PLANNING BOARD DRAFT RESOLUTION

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING PLN15-0078 – AMENDMENT TO MARINA VILLAGE SHOPPING CENTER MASTER SIGN PROGRAM TO ALLOW TWO NEW FREESTANDING SIGNS

WHEREAS, on January 28, 2015, the applicant, Arrow Sign Company for Westwood Financial Corporation, submitted a request to amend the Sign Program to allow two new freestanding signs; and

WHEREAS, the Planning Board considered the amendment on April 27, 2015.

NOW, THEREFORE BE IT RESOLVED THAT the Planning Board determines that the proposed amendment to the Sign Program is:

1. Consistent with General Plan policies to promote economic development and ensure an attractive and well design commercial environment in business districts.
2. Consistent with the original intent and spirit of the previously approved Master Sign Program, and
3. Categorically exempt from further review under the California Environmental Quality Act pursuant to CEQA Section 15311 – construction of minor structures accessory to existing commercial facilities including signs.

NOW THEREFORE, BE IT FURTHER RESOLVED THAT the Planning Board of the City of Alameda hereby approves PLN15-0078 to amend the Marina Village Master Sign Program to allow two new freestanding signs, subject to compliance with the following conditions:

1. The plans submitted for building permit and construction shall be in substantial compliance with plans prepared by Arrow Sign Company, received on January 28, 2015, and on file in the office of the City of Alameda Community Development Department.
2. This approval is limited to the scope of the project defined in the project description and does not represent a recognition and/or approval of any work completed without required City permits.
3. Prior to issuance of building permits for the new monument signs, the applicant shall reformat, to the satisfaction of the Community Development Director, the original Marina Village Shopping Center Sign Program and all subsequent amendments into a single, cohesive reference document.
4. Prior to issuance of building permits for the freestanding signs, all prohibited temporary signage and flags shall be removed to the satisfaction of the Community Development Director.

5. HOLD HARMLESS. The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Alameda, Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, an approval by the City of Alameda, the Community Development Department, Planning Board, or City Council relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code Section 66020 (d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The applicant is hereby further notified that the 90-day appeal period, in which the applicant may protest these fees and other exactions, pursuant to Government Code Section 66020 (a) has begun. If the applicant fails to file a protest within this 90-day period complying with all requirements of Section 66020, the applicant will be legally barred from later challenging such fees or exactions.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.