

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-01

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN17-0568, FOR THE DEMOLITION OF A 225 SQUARE FOOT ACCESSORY STRUCTURE AT 1029 CENTRAL AVENUE.

WHEREAS, applicant Donald Wardlaw, AIA made an application on November 21, 2017 to demolish an accessory structure constructed prior to 1942; and

WHEREAS, the application was deemed complete on December 14, 2017; and

WHEREAS, the General Plan designation is Medium Density Residential District and

WHEREAS, the Zoning Ordinance classification is R-4, Neighborhood Residential District; and

WHEREAS, the proposal is Categorically Exempt Class 1 from CEQA, Guidelines, Section 15301(l)(4) -- demolition of a small structure which has no historical significance; and

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for the demolition of garages and accessory structures; and

WHEREAS, the Secretary to the Board has made the following findings:

1. The existing structure has no known historical or architectural significance. City records indicate the structure was built without building permits prior to 1942. Two extant buildings on the parcel, 1027 Central Avenue and 1029 Central Avenue, are both listed on the Historic Building Study List, both with an "S" designation, and were built prior to the construction of the existing accessory structure. The existing accessory structure does not match the architectural styles and quality of either 1027 Central Avenue or 1029 Central Avenue and does not have any cultural historic significance on its own.
2. The project site will be rebuilt with a new structure that is consistent with the design review manual, is complementary to the main structure at 1029 Central Avenue, and is consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties.

THEREFORE BE IT RESOLVED that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN17-0568 with the following conditions:

1. This Certificate of Approval shall terminate three (3) years from January 3, 2021, unless actual demolition under a valid permit has begun.
2. Applicant shall obtain Design Review approval for a replacement garage.
3. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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 decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that either the Secretary's decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 2nd of January 2018.

Approved: Allen Tai, Secretary  
City of Alameda Historical Advisory Board

Per:   
Andrew Thomas, Assistant Community  
Development Director

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-02

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN17-0472, TO REMOVE ONE COAST LIVE OAK TREE AT 1025 SHERMAN STREET.

WHEREAS, the applicant, Mark Shroeder made an application on September 4, 2017 to remove a Coast Live Oak (*Quercus agrifolia*) located at 1025 Sherman Street; and

WHEREAS, application was complete on February 5, 2018; and

WHEREAS, the General Plan designation is Low Density Residential and

WHEREAS, the Zoning Ordinance classification is R-1, One-Family Residence District; and

WHEREAS, Alameda Municipal Code Section 13-21.7, identifies Coast Live Oaks as a protected tree and mandates that no protected tree shall be removed without approval of a certificate of approval; and

WHEREAS, the Applicant has submitted reports from a certified arborist and licensed contractor indicating that tree root system of a Coast Live Oak, approximately 15 inches in diameter, has breached the raised planter box confining the tree root zone, and is causing damage to the adjacent home. Furthermore, the reports indicate that additional damage to adjacent structures is likely due to the close proximity of the tree and recommends complete removal of the tree to prevent risk to public safety; and

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for oak tree removals.

NOW, THEREFORE BE IT RESOLVED, the Secretary of the Board finds that the proposed project is a Categorically Exempt project in accordance with the California Environmental Quality Act (CEQA); CEQA Guidelines Section 15301, Existing Facilities, and 15304, Class 4 Exemption for minor alterations to land that involve the removal of a tree; and

THEREFORE, BE IT FURTHER RESOLVED, the Secretary to the Board has made the following findings based on professional evaluation by a certified arborist:

1. The condition of the tree, with respect to proximity to existing structures, cannot be controlled or remedied through reasonable preservation procedures and practices. The subject tree adjacent to the home has breached the raised planter box confining the root zone and is causing damage to the adjacent structure. Reports from a certified arborist and licensed contractor indicate that additional damage to adjacent structures is likely due to the close proximity of the tree. Therefore, the removal of the tree is necessary to maintain the structural integrity of the home and for public safety.

THEREFORE, BE IT FURTHER RESOLVED, that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN17-0472, for the removal of one Coast Live Oak tree located at 1025 Sherman Street with the following conditions:

1. This Certificate of Approval shall expire three (3) years after the date of approval or by February 20, 2021.

2. The Secretary of the Board has determined, with consultation of the certified arborist and licensed constrictor, that the rear yard contains an existing accessory structure and trees, and is too constrained to feasibly accommodate two replacement Coast Live Oak trees as required by ordinance. Therefore, within 10-days of this approval (March 2, 2018) the Applicant shall pay the City a \$500 in-lieu fee, equal to the cost of two fifteen-gallon oak trees, to be collected for the purchase and planting of trees on City owned property.
3. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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 decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that either the Secretary's decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 20th of February 2018.

Approved:

  
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Allen Tai, Secretary  
City of Alameda Historical Advisory Board

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-03

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0100, TO REMOVE ONE PLANE TREE LOCATED IN THE SIDEWALK PLANTER STRIP IN FRONT OF 2136 CENTRAL AVENUE.

WHEREAS, on February 5, 2018, the City Arborist conducted an inspection of a 24" diameter plane tree (*Platanus hispanica*) located in the sidewalk planter strip in front of 2136 Central Avenue and determined the tree was dead and posed a hazard to public safety; and

WHEREAS, pursuant to Alameda Municipal Code Section 13-21.7, protected trees in the City of Alameda shall not be removed without approval of a certificate of approval, and the plane trees located along Central Avenue are among the list of protected trees in Alameda; and

WHEREAS, the City Arborist, on behalf of the City's Public Works Department, made an application on February 21, 2018 to remove the subject tree; and

WHEREAS, application was deemed complete on February 21, 2018; and

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for tree removals.

NOW, THEREFORE BE IT RESOLVED, the Secretary of the Board finds that the proposed project is a Categorically Exempt project in accordance with the California Environmental Quality Act (CEQA); CEQA Guidelines Section 15301, Existing Facilities, and 15304, Class 4 Exemption for minor alterations to land that involve the removal of a tree; and

THEREFORE, BE IT FURTHER RESOLVED, the Secretary to the Board has made the following findings based on professional evaluation by a certified arborist:

1. The condition of the tree, with respect to disease, maturity, danger of falling, proximity to existing structures, parking, high pedestrian traffic areas, activity areas or interference with utility services, cannot be controlled or remedied through reasonable preservation procedures and practices. This finding can be made because the City Arborist has determined the tree to be dead. There is potential for the tree to structurally fail and injure persons and property within the immediate vicinity.

THEREFORE, BE IT FURTHER RESOLVED, that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN18-0100, for the removal of one 24" diameter plane tree (*Platanus hispanica*) located in the sidewalk planter strip of 2136 Central Avenue, with the following conditions:

1. This Certificate of Approval shall expire three (3) years after the date of approval or by March 5, 2021.
2. The Public Works Department shall cause the planting of a minimum 15-gallon replacement tree of the same species (*Platanus hispanica*) within the same general location of the existing tree prior to expiration of this Certificate of Approval.
3. The Public Works Department shall notify the Secretary of the Historical Advisory Board

after the replacement tree is planted.

4. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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.

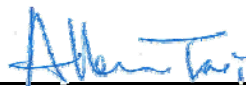
NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6

NOTICE. The decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that either the Secretary's decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 5th of March 2018.

Approved:



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Allen Tai, Secretary  
City of Alameda Historical Advisory Board

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-04

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0097, FOR THE DEMOLITION OF A 275-SQUARE-FOOT DETACHED GARAGE AT 3254 FAIRVIEW AVENUE.

WHEREAS, applicants Angela Klein for Lea and John Fox made an application on February 20, 2018 to demolish a garage constructed prior to 1942; and

WHEREAS, application was complete on April 2, 2018; and

WHEREAS, the General Plan designation is Low Density Residential District and

WHEREAS, the Zoning Ordinance classification is R-1, One-Family Residence District; and

WHEREAS, the proposal is Categorically Exempt Class 1 from CEQA, Guidelines, Section 15301(l)(4) -- demolition of a small structure which has no historical significance; and

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for the demolition of garages and accessory structures; and

WHEREAS, the Secretary to the Board has made the following findings:

1. The existing structure has no known historical or architectural significance.
2. The existing off-street parking spaces will be replaced with surface parking in the existing driveway.

THEREFORE BE IT RESOLVED that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN18-0097 with the following conditions:

1. This Certificate of Approval shall expire three (3) years from the date of this approval (April 16, 2020) unless actual demolition under a valid permit has begun.
2. The resulting surface parking must comply with Alameda Municipal Code Section 30-7.16, which requires the surface space to have a smoothly graded, stabilized, all-weather and dustless surface.
3. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective

agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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.

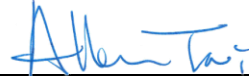
NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6

NOTICE. The decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that either the Secretary's decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 16th of April 2018.

Approved:



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Allen Tai, Secretary  
City of Alameda Historical Advisory Board



CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
**RESOLUTION NO. HAB-18-05**

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA GRANTING A CERTIFICATE OF APPROVAL FOR CONSTRUCTION OF THE SEAPLANE LAGOON FERRY TERMINAL WATERSIDE IMPROVEMENTS WITHIN AND ADJACENT TO THE NAS ALAMEDA HISTORIC DISTRICT.

WHEREAS, an application was made by the City of Alameda for a Certificate of Approval for construction of the Seaplane Lagoon Ferry Terminal and adjacent landside improvements (Project) in the Waterfront Town Center Precise Plan (Town Center Plan) area of the Alameda Point property; and

WHEREAS, the Project consists of the construction of a new ferry terminal, including a new pier, landside transportation infrastructure and landscape improvements, and a surface parking lot in and adjacent to the eastern edge of the Seaplane Lagoon, all largely within the Naval Air Station Alameda Historic District (NAS Alameda Historical District); and

WHEREAS, the Seaplane Lagoon Ferry Terminal is located within the Alameda Point Enterprise District and the adjacent landside improvements are in the Alameda Point Waterfront Town Center which is in the Alameda Point Zoning District [Alameda Municipal Code (AMC) 30-4.24] of the Zoning Ordinance; and

WHEREAS, the Town Center Plan is a Specific Plan pursuant to Government Code Section 65450 et seq. for a transit-oriented development of the waterfront lands that surround the Seaplane Lagoon and the property at the entrance of Alameda Point between Main Street and Seaplane Lagoon; and

WHEREAS, the Seaplane Lagoon Ferry Terminal was approved by the City Council on April 5, 2016; and

WHEREAS, the Town Center Plan requires that the Historical Advisory Board review and approve a Certificate of Approval for any proposed project within the NAS Alameda Historic District; and

WHEREAS, the Historical Advisory Board and Planning Board held a special joint public hearing on April 18, 2018 for this application, and examined pertinent maps, drawings, and documents; and

WHEREAS, the Historical Advisory Board shall determine whether to issue a Certificate of Approval, with or without conditions of approval, based on whether plans and specifications meet the standards established by the Historical Advisory Board and the Secretary of the Interior's standards for rehabilitation and guidelines for rehabilitating historic buildings pursuant to Section 13-21.5(b) of the Alameda Municipal Code.

NOW, THEREFORE, BE IT RESOLVED, that the Historical Advisory Board approves the Certificate of Approval for the Seaplane Lagoon Ferry Terminal Project, specifically the float, gangway, and fixed pier, based on the following findings with respect to the project's consistency with the Secretary of the Interior's Standards for Rehabilitation:

***Rehabilitation Standard 1: A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*** The proposed project would construct a new pier in Seaplane Lagoon to be used by passenger ferries. This use differs slightly from the historic use of Seaplane Lagoon, which was the take-off and landing area for patrol, rescue, and transport seaplanes. However, this new use is still a maritime use and it would require no physical changes to Seaplane Lagoon or the Historic District as a whole.

***Rehabilitation Standard 2: The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property will be avoided.*** The proposed new pier's concrete deck would connect to land immediately east of the riprap wall, at a point outside the boundary of the Historic District. Neither the footprint nor the physical structure of Seaplane Lagoon would be changed. The proposed new fixed pier, gangway, and float would all be low-profile structures, with metal handrails, ramps, and platforms that are only as high as required by health and safety codes. Collectively, they would occupy a very small percentage of the 110-acre lagoon, further minimizing their visual impact.

The landside improvements that are part of the proposed project are located outside of the Historic District boundaries. The parking lot, road relocation, and landscape work are all surface-level features that do not include any permanent new buildings that could change spatial relationships in and around Seaplane Lagoon or the Historic District itself.

***Rehabilitation Standard 3: Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historical properties, will not be undertaken.*** All elements of the proposed project would be new construction and would have a contemporary design feel. The proposed project includes no conjectural features or any other elements that would create a false sense of historical development.

***Rehabilitation Standard 4: Changes to a property that have acquired significance in their own right will be retained and preserved.*** The proposed project would not affect Seaplane Lagoon or any other elements of the Historic District that have acquired significance in their own right. The proposed project would remove the deteriorated fishing pier at the east side of Seaplane Lagoon, which was constructed ca. 1970 atop a dock that was constructed in 1944. However, because of these changes made after the period of significance, the fishing pier is not a contributor to the Historic District.

***Rehabilitation Standard 5: Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.*** The proposed project preserves the riprap wall that defines the eastern boundary of Seaplane Lagoon and it would not physically affect the bulkhead, ramps, or other features of the lagoon or any other Historic District contributor.

**Rehabilitation Standard 6: Deteriorated historic features will be repaired rather than replaced. When the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.** The proposed project does not propose to address any deteriorated features within the Historic District, in particular, the riprap wall, which appears to be in good condition.

**Rehabilitation Standard 7: Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.** The proposed project does not propose the application of any chemical or physical treatments to any contributors to the Historic District.

**Rehabilitation Standard 8: Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.** Analysis of the presence of potential archaeological resources on the project site, if any, is beyond the scope of this memorandum. However, if archaeological resources are discovered, standard mitigation measures required by the City of Alameda would assure compliance with Rehabilitation Standard 8.

**Rehabilitation Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property.** The proposed project would not destroy any historic materials, features, or spatial relationships that characterize Seaplane Lagoon, Buildings 15 and 64, or any other contributors to the Historic District. The proposed new pier, dock, and float would not physically affect Seaplane Lagoon. In regard to potential visual impacts, they would be small, low-profile, portable structures that are appropriately designed in a contemporary aesthetic in keeping with the utilitarian character of the Operations Area of the NAS Alameda Historic District.

**Rehabilitation Standard 10: New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.** As portable features, all elements of the proposed ferry terminal project could be removed and the essential form and integrity of the NAS Alameda Historic District remain unimpaired.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Historical Advisory Board approves the Certificate of Approval for the Seaplane Lagoon Ferry Terminal Project, specifically, the float, gangway, and fixed pier based on the following findings with respect to the project's consistency with *The Guide to Preserving the Character of the Naval Air Station Alameda Historic District* (1997) and *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes* (1996):

1. **The proposed ferry terminal preserves the existing spatial organization of the NAS Alameda Cultural Landscape**
  - a. The proposed project retains the overall orthogonal circulation pattern in the Historic District. The proposed new pier would intersect the east side of Seaplane Lagoon at a right angle. The landside improvements along Ferry Point Road, which are not inside the Historic District, would not introduce any overtly "naturalistic" landscape features.

- b. The proposed new pier on the east side of Seaplane Lagoon would not be long enough to interrupt the north-south axis of NAS Alameda. Its east-west alignment would recall the existing fishing pier, which would be removed as part of the project, as well as the jetties on the south side of Seaplane Lagoon.
  - c. The proposed project would not physically or visually affect the existing lawn panels in front of Building 77, which lay well outside the project site.
  - d. All of the aspects of the proposed project, including the pier, the landside improvements, and the parking lot, are low-profile, horizontally-oriented features that would be compatible with the open qualities of the Operations Area. Important view corridors, particularly the view across Seaplane Lagoon north toward the seaplane hangars and west toward San Francisco, would be retained and enhanced by removing existing fencing and increasing pedestrian and bicyclist access to the east side of the lagoon.
2. **The proposed ferry terminal preserves the existing views and vistas along Monarch Street and the west side of the Landplane Hangars, along Tower Avenue and along the south side of the Seaplane Hangars, southward to the Seaplane Lagoon and piers and westerly across Airfield that are character defining features of the NAS Alameda Cultural Landscape.** The proposed project would not affect any of these view corridors because it would be located at the east edge of Seaplane Lagoon and mostly outside the eastern boundary of the NAS Alameda Historic District. The small-scale, low-profile pier, which will be the only part of the project introduced into Seaplane Lagoon, would not obstruct any of the view corridors described above.
  3. **The proposed ferry terminal preserves the flat topography that is a character-defining feature of the historic designed landscape within the NAS Alameda historic district.** Most portions of the landside improvements and the parking lot included in the proposed project would match the existing grade. Some areas would have a slight grade change (+/- 3") to improve drainage. In addition, the eastern perimeter of the parking lot would have an earthen swale. Overall, these minimal changes would not affect the low-lying topography, which is a character-defining feature of the Historic District.
  4. **The proposed ferry terminal preserves the low ground cover on the south side and southeast corner of Building 77 and surrounding the Control Tower, avoids adding foundation planting beds or trees at Building 77 within the open space area created by the setback, and avoids the low ground cover east of landplane hangars Buildings 20, 21, and 22.** The proposed project would not directly affect any of these areas, which lay well outside the boundaries of the project site.
  5. **The proposed ferry terminal preserves the circulation character defining features of the Operations Areas.** As discussed previously, all components of the proposed project, including the pier, the landside landscape improvements, and the parking lot, are low-profile, horizontally-oriented features that would be compatible with the open qualities of the Operations Area.
  6. **The proposed ferry terminal retains and preserve the Seaplane Lagoon, including its bulkhead and ramps on the north edge, the rip-rap sides, and jetties on the south side.** The proposed project includes the construction of a new pier at Seaplane Lagoon. The pier's concrete deck would connect to the land immediately east of the riprap wall, and would not physically affect any Historic District features. The footprint of open water at Seaplane Lagoon,

which is one of its character-defining features, would likewise not be affected, because the pier, gangway, and float would all be low-profile structures, with handrails, ramps and platforms that are only as high as required by health and safety codes. Additionally, the pier, gangway and float would occupy an extremely small percentage of the 110-acre area of the lagoon, the rest of which would remain open, with water continuing to flow beneath the new pier and its attendant, portable features, including the gangway and the float.

7. **The proposed project, including the new pier, gangway, and float, are compatible with the character-defining features of Seaplane Lagoon.** The new pier would be concrete with a simple, utilitarian design in keeping with the lagoon's concrete bulkhead, riprap walls, jetties, and four concrete ramps.
8. **The proposed ferry terminal retains character defining structures, furnishings and objects.** The fixed portion of the new pier is the only permanent structure included in the proposed project. Although there is no precedent for features like this in the Operations Area of the Historic District, a certain amount of infrastructure is required to make the new ferry terminal functional and enjoyable for its users. The temporary and flexible character of these new elements, as well as their low scale and location outside the Historic District, ensure that Seaplane Lagoon and the rest of NAS Alameda Historic District continues to retain its character.

BE IT FURTHER RESOLVED that the Historical Advisory Board finds that the Seaplane Lagoon Ferry Terminal Project was adequately considered by the CEQA Addendum to the Alameda Point FEIR, and that:

1. The City of Alameda as lead agency under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), prepared the Final Environmental Impact Report for the Alameda Point Project (FEIR) (State Clearinghouse No. 201312043) ("Final EIR"); and
2. On February 4, 2014, the City Council certified, the Final EIR for the Alameda Point Project, including the Town Center Plan area which contains the project site; and
3. After certification of the Final EIR for the Alameda Point Project, the City developed project-specific plans for the new Seaplane Lagoon Ferry Terminal and adjacent landside improvements ("Project"); and
4. The City caused to be prepared and Addendum to the Final EIR ("Addendum") pursuant to CEQA Guidelines Section 15164; and
5. Whereas, the City Council adopted the Addendum and approved the Project on April 5, 2016; and
6. The Seaplane Lagoon Ferry Terminal project is consistent with the General Plan, Zoning Ordinance, and Town Center Plan; and
7. The Certificate of Approval will implement the approved project analyzed in the Final EIR and Addendum; and

8. Approval of the Certificate of Approval would not involve substantial changes in the Project or circumstances under which the Project is to be undertaken that would result in new or substantially more severe significant environmental effects requiring major revisions to the Final EIR, and there is no new information of substantial importance that involves new or substantially more severe significant environmental effects that would require major revisions to the Final EIR; therefore, no further environmental review is required pursuant to Public Resources Code Section 21166 and CEQA Guideline Sections 15162 and 15163.

BE IT FURTHER RESOLVED that the Historical Advisory Board approves the Certificate of Approval for the Seaplane Lagoon Ferry Terminal Project waterside improvements, including the float, gangway, and fixed pier, subject to the following conditions:

- (1) This Certificate of Approval is specifically for the waterside improvements, which include the float, gangway, and fixed pier.
- (2) The details for the canopy design, glass wall, benches, lighting, and security gate on the pier and landside improvements shall require subsequent Historical Advisory Board approval.
- (3) This Certificate of Approval shall expire three (3) years after the date of approval, unless actual construction has begun under valid City permits or the applicant applies for and is granted an extension by the Secretary to the Historical Advisory Board prior to the date of expiration.
- (4) The plans submitted for the Building Permit shall be in substantial compliance with plans prepared by Marcy Wong Donn Logan Architects, (Exhibit 2 to the Historical Advisory Board Staff Report) on file in the office of the City of Alameda Planning Division, subject to the conditions specified in this resolution.
- (5) This Certificate of Approval shall not become effective until such time as the Planning Board and/or City Council approve the Design Review Application for the Seaplane Lagoon Ferry Terminal Project waterside improvements, and upon such time, the construction of the plans shall be subject to all conditions of approval imposed by the Planning Board and/or City Council.
- (6) **HOLD HARMLESS.** The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Historical Advisory 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, Alameda City Historical Advisory Board and their respective agents, officers or employees to attack, set aside, void, or annul an approval by the City of Alameda, the Historical Advisory Board, Alameda City 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. The decision of the Historical Advisory Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by Notice of Appeal stating the appellant claims that either the Board's decision is not supported by its findings or its findings are not supported by the evidence in the record.

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.

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Historical Advisory Board of the City of Alameda during the Regular Meeting of the Historical Advisory Board on the 18th day of April, 2018, by the following vote to wit:

AYES: (3) Chair Piziali, Board Members, Sanchez, and Saxby

NOES: (0)

ABSENT: (2) Chan, and Jones

ATTEST:

A handwritten signature in dark ink, appearing to read "Allen Tai", is written over a horizontal line.

Allen Tai, Secretary

City of Alameda Historical Advisory Board

\* \* \* \* \*

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-06

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0145, FOR THE DEMOLITION OF A 618 SQUARE FOOT ACCESSORY STRUCTURE AT 315 HAIGHT AVE.

WHEREAS, applicant Daniel Hoy, AIA made an application on March 19, 2018 to demolish an accessory structure constructed prior to 1942; and

WHEREAS, the application was deemed complete on April 12, 2018; and

WHEREAS, the General Plan designation is Low Density Residential District and

WHEREAS, the Zoning Ordinance classification is R-1, One-Family Residence District; and

WHEREAS, the proposal is Categorically Exempt Class 1 from CEQA, Guidelines, Section 15301(l)(4) -- demolition of a small structure which has no historical significance; and

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for the demolition of garages and accessory structures; and

WHEREAS, the Secretary to the Board has made the following findings:

1. The existing structure has no known historical or architectural significance.
2. The existing off-street parking spaces will be replaced with surface parking located within the existing driveway

THEREFORE BE IT RESOLVED that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN18-0145 with the following conditions:

1. This Certificate of Approval shall terminate three (3) years from April 30, 2018 (expiration date April 30, 2021) unless actual demolition under a valid permit has begun.
2. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not



limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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 decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that either the Secretary's decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 30th of April 2018.

Approved:

A handwritten signature in black ink, appearing to read 'Allen Tai', is written over a horizontal line.

Allen Tai, Secretary

City of Alameda Historical Advisory Board

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-07

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0145, FOR THE DEMOLITION OF A 385 SQUARE FOOT ACCESSORY STRUCTURE AT 2947 GIBBONS DRIVE.

WHEREAS, applicant Robert McGillis made an application on March 19, 2018 to demolish an accessory structure constructed prior to 1942; and

WHEREAS, the application was deemed complete on April 12, 2018; and

WHEREAS, the General Plan designation is Low Density Residential District and

WHEREAS, the Zoning Ordinance classification is R-1, One-Family Residence District; and

WHEREAS, the proposal is Categorically Exempt Class 1 from CEQA, Guidelines, Section 15301(l)(4) -- demolition of a small structure which has no historical significance; and

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for the demolition of garages and accessory structures; and

WHEREAS, the Secretary to the Board has made the following findings:

1. The existing structure has no known historical or architectural significance.
2. The existing off-street parking spaces will be replaced with surface parking located within the existing driveway

THEREFORE BE IT RESOLVED that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN18-0148 with the following conditions:

1. This Certificate of Approval shall terminate three (3) years from April 30, 2018 (expiration date April 30, 2021) unless actual demolition under a valid permit has begun.
2. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not

limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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 decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that either the Secretary's decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 30th of April 2018.

Approved:

A handwritten signature in dark ink, appearing to read 'Allen Tai', is written over a horizontal line.

Allen Tai, Secretary

City of Alameda Historical Advisory Board

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
**RESOLUTION HAB-18-08**

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA GRANTING A CERTIFICATE OF APPROVAL FOR THE SEAPLANE LAGOON FERRY TERMINAL CANOPY, LIGHTING, GLASS WALL, BENCHES, AND SECURITY GATES (PLN16-0314)

WHEREAS, an application was made by the City of Alameda for a Certificate of Approval for construction of the Seaplane Lagoon Ferry Terminal and adjacent landside improvements (Project) in the Waterfront Town Center Precise Plan (Town Center Plan) area of the Alameda Point property; and

WHEREAS, the Project consists of the construction of a new ferry terminal, including a new pier, landside transportation infrastructure and landscape improvements, and a surface parking lot in and adjacent to the eastern edge of the Seaplane Lagoon, all largely within the Naval Air Station Alameda Historic District (NAS Alameda Historical District); and

WHEREAS, the Seaplane Lagoon Ferry Terminal is located within the Alameda Point Enterprise District and the adjacent landside improvements are in the Alameda Point Waterfront Town Center which is in the Alameda Point Zoning District [Alameda Municipal Code (AMC) 30-4.24] of the Zoning Ordinance; and

WHEREAS, the Town Center Plan is a Specific Plan pursuant to Government Code Section 65450 et seq. for a transit-oriented development of the waterfront lands that surround the Seaplane Lagoon and the property at the entrance of Alameda Point between Main Street and Seaplane Lagoon; and

WHEREAS, the Seaplane Lagoon Ferry Terminal was approved by the City Council on April 5, 2016; and

WHEREAS, the Town Center Plan requires that the Historical Advisory Board review and approve a Certificate of Approval for any proposed project within the NAS Alameda Historic District; and

WHEREAS, the Historical Advisory Board and Planning Board held a special joint public hearing on April 18, 2018, for this application, and examined pertinent maps, drawings, and documents, and

WHEREAS, on April 18, 2018, the Historical Advisory Board approved the waterside improvements for the Project while requiring subsequent review of the pier canopy design and details of canopy lighting, glass wall, benches, and security gates; and

WHEREAS, the Historical Advisory Board shall determine whether to issue a Certificate of Approval, with or without conditions of approval, based on whether plans and specifications meet the standards established by the Historical Advisory Board and the Secretary of the Interior's

standards for rehabilitation and guidelines for rehabilitating historic buildings pursuant to Section 13-21.5(b) of the Alameda Municipal Code.

NOW, THEREFORE, BE IT RESOLVED, that the Historical Advisory Board approves the Certificate of Approval for the Seaplane Lagoon Ferry Terminal Project, specifically the canopy design, lighting, glass wall, benches, and security gates based on the following findings with respect to the project's consistency with the Secretary of the Interior's Standards for Rehabilitation:

***Rehabilitation Standard 1: A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*** The proposed project would construct a new pier in Seaplane Lagoon to be used by passenger ferries. This use differs slightly from the historic use of Seaplane Lagoon, which was the take-off and landing area for patrol, rescue, and transport seaplanes. However, this new use is still a maritime use and it would require no physical changes to Seaplane Lagoon or the Historic District as a whole.

***Rehabilitation Standard 2: The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property will be avoided.*** The proposed new pier's concrete deck would connect to land immediately east of the riprap wall, at a point outside the boundary of the Historic District. Neither the footprint nor the physical structure of Seaplane Lagoon would be changed. The proposed new fixed pier, gangway, and float would all be low-profile structures, with metal handrails, ramps, and platforms that are only as high as required by health and safety codes. Collectively, they would occupy a very small percentage of the 110-acre lagoon, further minimizing their visual impact.

***Rehabilitation Standard 3: Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historical properties, will not be undertaken.*** All elements of the proposed project would be new construction and would have a contemporary design feel. The proposed project includes no conjectural features or any other elements that would create a false sense of historical development.

***Rehabilitation Standard 4: Changes to a property that have acquired significance in their own right will be retained and preserved.*** The proposed project would not affect Seaplane Lagoon or any other elements of the Historic District that have acquired significance in their own right. The proposed project would remove the deteriorated fishing pier at the east side of Seaplane Lagoon, which was constructed circa 1970, atop a dock that was constructed in 1944. However, because of these changes made after the period of significance, the fishing pier is not a contributor to the Historic District.

***Rehabilitation Standard 5: Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.*** The proposed project preserves the riprap wall that defines the eastern boundary of Seaplane Lagoon and it would not physically affect the bulkhead, ramps, or other features of the lagoon or any other Historic District contributor.

**Rehabilitation Standard 6: Deteriorated historic features will be repaired rather than replaced. When the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.** The proposed project does not propose to address any deteriorated features within the Historic District, in particular, the riprap wall, which appears to be in good condition.

**Rehabilitation Standard 7: Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.** The proposed project does not propose the application of any chemical or physical treatments to any contributors to the Historic District.

**Rehabilitation Standard 8: Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.** Analysis of the presence of potential archaeological resources on the project site, if any, is beyond the scope of this project. However, if archaeological resources are discovered, standard mitigation measures required by the City of Alameda would assure compliance with Rehabilitation Standard 8.

**Rehabilitation Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property.** The proposed project would not destroy any historic materials, features, or spatial relationships that characterize the Seaplane Lagoon, Buildings 15 and 64, or any other contributors to the Historic District. The proposed new pier, dock, and float would not physically affect Seaplane Lagoon. In regard to potential visual impacts, they would be small, low-profile, portable structures that are appropriately designed in a contemporary aesthetic in keeping with the utilitarian character of the Operations Area of the NAS Alameda Historic District. The proposed pier canopy shape and form invokes the impression of waves in the Seaplane Lagoon as well as the shape of "wings" consistent with the historical aviation theme at NAS Alameda. The design of the canopy is clearly differentiated from the historical architecture, but subtle in size, scale and proportion such that it does not compete with the Historic District.

**Rehabilitation Standard 10: New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.** As portable features, all elements of the proposed ferry terminal project could be removed and the essential form and integrity of the NAS Alameda Historic District remain unimpaired.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Historical Advisory Board approves the Certificate of Approval for the Seaplane Lagoon Ferry Terminal Project, specifically the canopy design, lighting, glass wall, benches, and security gates, based on the following findings with respect to the project's consistency with *The Guide to Preserving the Character of the Naval Air Station Alameda Historic District* (1997) and *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes* (1996):

1. **The proposed ferry terminal preserves the existing spatial organization of the NAS Alameda Cultural Landscape**
  - a. The proposed project retains the overall orthogonal circulation pattern in the Historic District. The proposed new pier would intersect the east side of Seaplane Lagoon at a right angle. The landside improvements along Ferry Point Road, which are not inside the Historic District, would not introduce any overtly “naturalistic” landscape features.
  - b. The proposed new pier on the east side of Seaplane Lagoon would not be long enough to interrupt the north-south axis of NAS Alameda. Its east-west alignment would recall the existing fishing pier, which would be removed as part of the project, as well as the jetties on the south side of Seaplane Lagoon.
  - c. The proposed project would not physically or visually affect the existing lawn panels in front of Building 77, which lay well outside the project site.
  - d. All of the aspects of the proposed project, including the pier, the landside improvements, and the parking lot, are low-profile, horizontally-oriented features that would be compatible with the open qualities of the Operations Area. Important view corridors, particularly the view across Seaplane Lagoon north toward the seaplane hangars and west toward San Francisco, would be retained and enhanced by removing existing fencing and increasing pedestrian and bicyclist access to the east side of the lagoon.
2. **The proposed ferry terminal preserves the existing views and vistas along Monarch Street and the west side of the Landplane Hangars, along Tower Avenue and along the south side of the Seaplane Hangars, southward to the Seaplane Lagoon and piers and westerly across Airfield that are character defining features of the NAS Alameda Cultural Landscape.** The proposed project would not affect any of these view corridors because it would be located at the east edge of Seaplane Lagoon and mostly outside the eastern boundary of the NAS Alameda Historic District. The small-scale, low-profile pier, which will be the only part of the project introduced into Seaplane Lagoon, would not obstruct any of the view corridors described above.
3. **The proposed ferry terminal preserves the flat topography that is a character-defining feature of the historic designed landscape within the NAS Alameda historic district.** Most portions of the landside improvements and the parking lot included in the proposed project would match the existing grade. Some areas would have a slight grade change (+/- 3”) to improve drainage. In addition, the eastern perimeter of the parking lot would have an earthen swale. Overall, these minimal changes would not affect the low-lying topography, which is a character-defining feature of the Historic District.
4. **The proposed ferry terminal preserves the low ground cover on the south side and southeast corner of Building 77 and surrounding the Control Tower, avoids adding foundation planting beds or trees at Building 77 within the open space area created by the setback, and avoids the low ground cover east of landplane hangars Buildings 20, 21, and 22.** The proposed project would not directly affect any of these areas, which lay well outside the boundaries of the project site.
5. **The proposed ferry terminal preserves the circulation character defining features of the Operations Areas.** As noted previously, all components of the proposed project, including the pier and canopy design are low-profile, horizontally-oriented features that would be compatible with the open qualities of the Operations Area.

6. **The proposed ferry terminal retains and preserve the Seaplane Lagoon, including its bulkhead and ramps on the north edge, the rip-rap sides, and jetties on the south side.** The proposed project includes the construction of a new pier at Seaplane Lagoon. The pier's concrete deck would connect to the land immediately east of the riprap wall, and would not physically affect any Historic District features. The footprint of open water at Seaplane Lagoon, which is one of its character-defining features, would likewise not be affected, because the pier, canopy, gangway, and float would all be low-profile structures, with handrails, ramps and platforms that are only as high as required by health and safety codes. Additionally, the pier, canopy, gangway and float would occupy an extremely small percentage of the 110-acre area of the lagoon, the rest of which would remain open, with water continuing to flow beneath the new pier and its attendant, portable features, including the gangway and the float.
7. **The proposed project, including the new pier, gangway, and float, are compatible with the character-defining features of Seaplane Lagoon.** The new pier would be concrete with a simple, utilitarian design in keeping with the lagoon's concrete bulkhead, riprap walls, jetties, and four concrete ramps.
8. **The proposed ferry terminal retains character defining structures, furnishings and objects.** The fixed portion of the new pier and canopy are the only permanent structure included in the proposed project. Although there is no precedent for features like this in the Operations Area of the Historic District, a certain amount of infrastructure is required to make the new ferry terminal functional and enjoyable for its users. The temporary and flexible character of these new elements, as well as their low scale and location outside the Historic District, ensure that Seaplane Lagoon and the rest of NAS Alameda Historic District continues to retain its character.

BE IT FURTHER RESOLVED that the Historical Advisory Board finds that the Seaplane Lagoon Ferry Terminal Project was adequately considered by the CEQA Addendum to the Alameda Point FEIR, and that:

1. The City of Alameda as lead agency under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), prepared the Final Environmental Impact Report for the Alameda Point Project (FEIR) (State Clearinghouse No. 201312043) ("Final EIR").
2. On February 4, 2014, the City Council certified the Final EIR for the Alameda Point Project, including the Town Center Plan area which contains the project site.
3. After certification of the Final EIR for the Alameda Point Project, the City developed project-specific plans for the new Seaplane Lagoon Ferry Terminal and adjacent landside improvements ("Project").
4. The City caused to be prepared an Addendum to the Final EIR ("Addendum") pursuant to CEQA Guidelines Section 15164.
5. The City Council adopted the Addendum and approved the Project on April 5, 2016.



6. The Seaplane Lagoon Ferry Terminal project is consistent with the General Plan, Zoning Ordinance, and Town Center Plan.
7. The Certificate of Approval will implement the approved project analyzed in the Final EIR and Addendum.
8. Approval of the Certificate of Approval would not involve substantial changes in the Project or circumstances under which the Project is to be undertaken that would result in new or substantially more severe significant environmental effects requiring major revisions to the Final EIR, and there is no new information of substantial importance that involves new or substantially more severe significant environmental effects that would require major revisions to the Final EIR; therefore, no further environmental review is required pursuant to Public Resources Code Section 21166 and CEQA Guideline Sections 15162 and 15163.

BE IT FURTHER RESOLVED that the Historical Advisory Board approves the Certificate of Approval for the Seaplane Lagoon Ferry Terminal Project, specifically the canopy design, lighting, glass wall, benches, and security gates subject to the following conditions:

- (1) This Certificate of Approval is specifically for the canopy design, lighting, glass wall, benches, and security gates. The landside improvements shall require subsequent Historical Advisory Board approval.
- (2) This Certificate of Approval shall expire three (3) years after the date of approval, unless actual construction has begun under valid City permits or the applicant applies for and is granted an extension by the Secretary to the Historical Advisory Board prior to the date of expiration.
- (3) The plans submitted for the Building Permit shall be in substantial compliance with plans prepared by Marcy Wong Donn Logan Architects, dated April 26, 2018 on file in the office of the City of Alameda Planning Division, subject to the conditions specified in this resolution.
- (4) This Certificate of Approval shall not become effective until such time as the Planning Board and/or City Council approve the Design Review Application for the Seaplane Lagoon Ferry Terminal Project waterside improvements, and upon such time, the construction of the plans shall be subject to all conditions of approval imposed by the Planning Board and/or City Council.
- (5) Staff shall provide the following comments to the Planning Board for Design Review consideration:
  - i. Handrail Design: Omit or reduce the handrail to a simpler, minimalist design because, as proposed, the handrail would detract from the streamline, transparent design of the glass wall.
  - ii. Glass Panel Gaps: The use of caulking between the glass panels is not preferred, rather the preference is to leave a gap between the glass panels to maintain full transparency.
  - iii. Glass Wall Height: Increase the glass wall height to provide greater protection.
- (6) **HOLD HARMLESS**. The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Historical Advisory 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, Alameda City Historical Advisory Board and their respective agents, officers or employees to attack, set aside, void, or annul an approval by the City of Alameda, the Historical Advisory Board, Alameda City 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. The decision of the Historical Advisory Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by Notice of Appeal stating the appellant claims that either the Board's decision is not supported by its findings or its findings are not supported by the evidence in the record.

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.


I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Historical Advisory Board of the City of Alameda during the Regular Meeting of the Historical Advisory Board on the 3rd day of May, 2018, by the following vote to wit:

AYES: (3) Board Members Jones, Sanchez, and Saxby

NOES: (0)

ABSENT: (2) Chair Piziali, and Board Member Chan

ATTEST:



Allen Tai, Secretary  
City of Alameda Historical Advisory Board

\* \* \* \* \*

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-09

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0204, FOR THE DEMOLITION OF A 170 SQUARE FOOT ACCESSORY STRUCTURE AT 1807 ELM STREET

WHEREAS, applicant David Trease made an application on April 24, 2018 to demolish an accessory structure constructed prior to 1942; and

WHEREAS, the application was deemed complete on May 9, 2018; and

WHEREAS, the General Plan designation is Medium Density Residential District and

WHEREAS, the Zoning Ordinance classification is R-4, Neighborhood Residential District; and

WHEREAS, the proposal is Categorically Exempt Class 1 from CEQA, Guidelines, Section 15301(l)(4) -- demolition of a small structure which has no historical significance; and

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for the demolition of garages and accessory structures; and

WHEREAS, the Secretary to the Board has made the following findings:

1. The existing structure has no known historical or architectural significance.
2. The existing structure is currently not used as off-street parking, and the property currently meets the City's off-street parking requirements elsewhere on the property.

THEREFORE BE IT RESOLVED that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN18-0204 with the following conditions:

1. This Certificate of Approval shall terminate three (3) years from May 21, 2018 (expiration date May 21, 2021) unless actual demolition under a valid permit has begun.
2. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective

agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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 decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that either the Secretary's decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 21st of May 2018.

Approved:

  
\_\_\_\_\_  
Allen Tai, Secretary  
City of Alameda Historical Advisory Board

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-10

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0194, FOR THE DEMOLITION OF A 200-SQUARE-FOOT DETACHED GARAGE AT 1908 EAGLE AVENUE.

WHEREAS, applicants Jenny Cheng made an application on April 17, 2018 to demolish a garage constructed prior to 1942; and

WHEREAS, application was complete on May 7, 2018; and

WHEREAS, the General Plan designation is Medium Density Residential District and

WHEREAS, the Zoning Ordinance classification is R-4, Neighborhood Residential District; and

WHEREAS, the proposal is Categorically Exempt Class 1 from CEQA, Guidelines, Section 15301(l)(4) -- demolition of a small structure which has no historical significance; and

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for the demolition of garages and accessory structures; and

WHEREAS, the Secretary to the Board has made the following findings:

1. The existing structure has no known historical or architectural significance.
2. The existing off-street parking spaces will be replaced with surface parking in the existing driveway.

THEREFORE BE IT RESOLVED that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN18-0194 with the following conditions:

1. This Certificate of Approval shall terminate six (6) months from May 21, 2018 (expiration date November 21, 2018) unless actual demolition under a valid permit has begun.
2. The applicant shall file for a demolition permit within 60-days from the date of this approval by August 21, 2018.
3. The resulting surface parking must comply with Alameda Municipal Code Section 30-7.16, which requires the surface space to have a smoothly graded, stabilized, all-weather and dustless surface.

4. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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 decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that either the Secretary's decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 21st of May 2018.

Approved:



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Allen Tai, Secretary  
City of Alameda Historical Advisory Board

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
**RESOLUTION NO. HAB-18-11**

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA ADDING THE ALAMEDA SHIPWAYS SITE, LOCATED AT 1100-1250 MARINA VILLAGE PARKWAY, ENCOMPASSING AN APPROXIMATELY 8.1-ACRE SITE ON THREE PARCELS, (APN: 074-1334-067, -024, -026) ON THE ALAMEDA HISTORICAL BUILDINGS STUDY LIST (PLN18-0231)

WHEREAS, the site is designated as MU, Mixed Use in the General Plan; and

WHEREAS, the site is classified as M-X, Mixed Use Planned Development Zoning District with a Multifamily Residential Overlay in the Zoning Ordinance; and

WHEREAS, in 2017, the City commissioned a historic resources evaluation as part of preparing an Environmental Impact Report (EIR) for a Development Plan and Design Review initiated by the Cavallari Group, Inc.; and

WHEREAS, the Draft Alameda Shipways Residential Project EIR (State Clearinghouse No. 2017042021) was released for public comment on April 4, 2018, which included the historical resources evaluation and disclosed the impacts of proposed redevelopment of the site to the shipways historic resource; and

WHEREAS, on May 3, 2018, the Historical Advisory Board held duly noticed public hearing on the Alameda Shipways Draft EIR and examined the historical resources evaluation and directed staff to prepare a resolution adding the site to the Alameda Historical Buildings Study List; and

WHEREAS, on June 7, 2018, the Historical Advisory Board held duly noticed public hearing on adding the site to the study list and examined all pertinent maps, documents, and exhibits.

NOW, THEREFORE BE IT RESOLVED, that the Historical Advisory Board has made the following findings on the historic resources evaluation for Alameda Shipways:

1. The Alameda Shipways site has strong association with wartime efforts at a national level and the development of steel shipbuilding and repair at the development of steel shipbuilding and repair at the local level;
2. The shipways retain sufficient integrity to communicate their historical period of significance between 1942 to the early 1950s;
3. The shipways appear eligible for listing in the National Register and California Register under Criterion A/1, which denotes its association with events that have made a significant contribution to the board patterns of California's history and

June 7, 2018  
Historical Advisory Board

cultural heritage.

THEREFORE BE IT FURTHER RESOLVED, that the Historical Advisory Board finds the inclusion of additional historic resources on the City's local historic resources inventory not a project subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) where it can be seen with certainty that there is no possibility that adding the Alameda Shipways site to the City's local historic resources inventory may have a significant effect on the environment. On a separate and independent basis, the Board also finds this action is covered under the Draft Alameda Shipways Residential Project EIR (State Clearinghouse No. 2017042021).

THEREFORE BE IT FURTHER RESOLVED that the Historical Advisory Board hereby approves adding the Alameda Shipways site, located at 1100-1250 Marina Village Parkway, encompassing an approximately 8.1-acre site on three parcels, (APNs: 074-1334-067,-024,-026) on the Historical Buildings Study List with an (N) designation, which denotes its eligibility for the National Register of Historic Places, as follows:

- (N) 1100-1250 Marina Village Parkway

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.

The decision of the Historical Advisory Board shall be final unless appealed in writing and within ten (10) days of the decision, by Notice of Appeal stating the appellant claims that the decision is not supported by the findings or the findings are not supported by the evidence in the record.

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Historical Advisory Board of the City of Alameda during the Regular Meeting of the Historical Advisory Board on the 7th day of June, 2018, by the following vote to wit:

AYES: (4) Chair Piziali, Board Members, Jones, Sanchez, and Saxby

NOES: (0)

ABSENT: (0)

ATTEST:

  
\_\_\_\_\_  
Allen Tai, Secretary  
City of Alameda Historical Advisory Board

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June 7, 2018  
Historical Advisory Board



CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
**RESOLUTION NO. HAB-18-12**

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA GRANTING A CERTIFICATE OF APPROVAL FOR THE SEAPLANE LAGOON FERRY TERMINAL LANDSIDE IMPROVEMENTS (PLN16-0314).

WHEREAS, an application was made by the City of Alameda for a Certificate of Approval for construction of the Seaplane Lagoon Ferry Terminal and adjacent landside improvements (Project) in the Waterfront Town Center Precise Plan (Town Center Plan) area of the Alameda Point property; and

WHEREAS, the Project consists of the construction of a new ferry terminal, including a new pier, landside transportation infrastructure and landscape improvements, and a surface parking lot in and adjacent to the eastern edge of the Seaplane Lagoon, all largely within the Naval Air Station Alameda Historic District (NAS Alameda Historical District); and

WHEREAS, the Seaplane Lagoon Ferry Terminal is located within the Alameda Point Enterprise District and the adjacent landside improvements are in the Alameda Point Waterfront Town Center which is in the Alameda Point Zoning District [Alameda Municipal Code (AMC) 30-4.24] of the Zoning Ordinance; and

WHEREAS, the Town Center Plan is a Specific Plan pursuant to Government Code Section 65450 et seq. for a transit-oriented development of the waterfront lands that surround the Seaplane Lagoon and the property at the entrance of Alameda Point between Main Street and Seaplane Lagoon; and

WHEREAS, the Seaplane Lagoon Ferry Terminal was approved by the City Council on April 5, 2016; and

WHEREAS, the Town Center Plan requires that the Historical Advisory Board review and approve a Certificate of Approval for any proposed project within the NAS Alameda Historic District; and

WHEREAS, the Historical Advisory Board shall determine whether to issue a Certificate of Approval, with or without conditions of approval, based on whether plans and specifications meet the standards established by the Historical Advisory Board and the Secretary of the Interior's standards for rehabilitation and guidelines for rehabilitating historic buildings pursuant to Section 13-21.5(b) of the Alameda Municipal Code.

WHEREAS, the Historical Advisory Board held public hearings on April 18th and May 3, 2018, and approved Certificates of Approval for the Seaplane Lagoon Ferry Terminal waterside improvements and details of canopy design, lighting, glass wall, benches, and security gates; and

WHEREAS, the Historical Advisory Board held a third public hearing on June 7, 2018 to review the proposed landside improvements for the Seaplane Lagoon Ferry Terminal, elements

of which consists of a waterfront promenade, pedestrian and bike facilities, surface parking and landscaping, and roadway access, and the Board examined pertinent maps, drawings, and documents, and

NOW, THEREFORE, BE IT RESOLVED, that the Historical Advisory Board approves the Certificate of Approval for the Seaplane Lagoon Ferry Terminal Project landside improvements based on the following findings with respect to the project's consistency with the Secretary of the Interior's Standards for Rehabilitation:

***Rehabilitation Standard 1: A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*** The proposed project would construct a new pier in Seaplane Lagoon to be used by passenger ferries with supporting landside facilities for public access and parking. This use differs slightly from the historic use of Seaplane Lagoon, which was the take-off and landing area for patrol, rescue, and transport seaplanes for military use. However, this new use is still a maritime use and it would require no physical changes to Seaplane Lagoon or the Historic District as a whole.

***Rehabilitation Standard 2: The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property will be avoided.*** The proposed landside improvements, which consists of public access, parking and roadway improvements are not any different from historical use of this land. Neither the footprint nor the physical structure of Seaplane Lagoon would be changed. The proposed landscaping, parking lot, roadway, and promenade access are all ground improvements and will not include any major vertical structures that would visually compete with the character of the historic district or obstruct important views. Collectively, the Seaplane Lagoon Ferry Terminal project improvements would occupy a very small percentage of the 110-acre lagoon, further minimizing their visual impact.

***Rehabilitation Standard 3: Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historical properties, will not be undertaken.*** All elements of the proposed project would be new construction and would have a contemporary design feel. The proposed project includes no conjectural features or any other elements that would create a false sense of historical development.

***Rehabilitation Standard 4: Changes to a property that have acquired significance in their own right will be retained and preserved.*** The proposed project would not affect Seaplane Lagoon or any other elements of the Historic District that have acquired significance in their own right. The proposed project would remove the deteriorated fishing pier at the east side of Seaplane Lagoon, which was constructed circa 1970, atop a dock that was constructed in 1944. However, because of these changes made after the period of significance, the fishing pier is not a contributor to the Historic District.

***Rehabilitation Standard 5: Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.*** The proposed project preserves the riprap wall that defines the eastern boundary of Seaplane Lagoon and it would not physically affect the bulkhead, ramps, or other features of the lagoon or

any other Historic District contributor. The landside improvements including new pavement for parking, roadway, and promenade would also not physically affect distinctive materials and finishes in the historic district.

***Rehabilitation Standard 6: Deteriorated historic features will be repaired rather than replaced. When the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*** The proposed project does not propose to address any deteriorated features within the Historic District, in particular, the riprap wall, which appears to be in good condition.

***Rehabilitation Standard 7: Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*** The proposed project does not propose the application of any chemical or physical treatments to any contributors to the Historic District.

***Rehabilitation Standard 8: Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*** Analysis of the presence of potential archaeological resources on the project site, if any, is beyond the scope of this project. However, if archaeological resources are discovered, standard mitigation measures required by the City of Alameda would assure compliance with Rehabilitation Standard 8.

***Rehabilitation Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property.*** The proposed project would not destroy any historic materials, features, or spatial relationships that characterize the Seaplane Lagoon, Buildings 15 and 64, or any other contributors to the Historic District. The new Ferry Terminal and related improvements would not physically affect Seaplane Lagoon. In regard to potential visual impacts, they would be small, low-profile, portable structures that are appropriately designed in a contemporary aesthetic in keeping with the utilitarian character of the Operations Area of the NAS Alameda Historic District.

***Rehabilitation Standard 10: New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*** As portable features, all elements of the proposed ferry terminal project, including landside surface improvements, could be removed and the essential form and integrity of the NAS Alameda Historic District remain unimpaired.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Historical Advisory Board approves the Certificate of Approval for the Seaplane Lagoon Ferry Terminal Project, specifically the landside improvements, based on the following findings with respect to the project's consistency with *The Guide to Preserving the Character of the Naval Air Station Alameda Historic District* (1997) and *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes* (1996):

1. **The proposed ferry terminal preserves the existing spatial organization of the NAS Alameda Cultural Landscape**
  - a. The proposed project retains the overall orthogonal circulation pattern in the Historic District. The proposed new pier would intersect the east side of Seaplane Lagoon at a right angle. The landside improvements along Ferry Point Road, which are not inside the Historic District, would not introduce any overtly “naturalistic” landscape features.
  - b. The proposed new pier on the east side of Seaplane Lagoon would not be long enough to interrupt the north-south axis of NAS Alameda. Its east-west alignment would recall the existing fishing pier, which would be removed as part of the project, as well as the jetties on the south side of Seaplane Lagoon.
  - c. The proposed project would not physically or visually affect the existing lawn panels in front of Building 77, which lay well outside the project site.
  - d. All of the aspects of the proposed project, including the pier, the landside improvements, and the parking lot, are low-profile, horizontally-oriented features that would be compatible with the open qualities of the Operations Area. Important view corridors, particularly the view across Seaplane Lagoon north toward the seaplane hangars and west toward San Francisco, would be retained and enhanced by removing existing fencing and increasing pedestrian and bicyclist access to the east side of the lagoon.
2. **The proposed ferry terminal preserves the existing views and vistas along Monarch Street and the west side of the Landplane Hangars, along Tower Avenue and along the south side of the Seaplane Hangars, southward to the Seaplane Lagoon and piers and westerly across Airfield that are character defining features of the NAS Alameda Cultural Landscape.** The proposed project would not affect any of these view corridors because it would be located at the east edge of Seaplane Lagoon and mostly outside the eastern boundary of the NAS Alameda Historic District. The small-scale, low-profile pier, which will be the only part of the project introduced into Seaplane Lagoon, would not obstruct any of the view corridors described above.
3. **The proposed ferry terminal preserves the flat topography that is a character-defining feature of the historic designed landscape within the NAS Alameda historic district.** Most portions of the landside improvements and the parking lot included in the proposed project would match the existing grade. Some areas would have a slight grade change (+/- 3”) to improve drainage. In addition, the eastern perimeter of the parking lot would have an earthen swale. Overall, these minimal changes would not affect the low-lying topography, which is a character-defining feature of the Historic District.
4. **The proposed ferry terminal preserves the low ground cover on the south side and southeast corner of Building 77 and surrounding the Control Tower, avoids adding foundation planting beds or trees at Building 77 within the open space area created by the setback, and avoids the low ground cover east of landplane hangars Buildings 20, 21, and 22.** The proposed project would not directly affect any of these areas, which lay well outside the boundaries of the project site.
5. **The proposed ferry terminal preserves the circulation character defining features of the Operations Areas.** As noted previously, all components of the proposed project, including the pier and canopy design are low-profile, horizontally-oriented features that would be compatible with the open qualities of the Operations Area.

6. **The proposed ferry terminal retains and preserve the Seaplane Lagoon, including its bulkhead and ramps on the north edge, the rip-rap sides, and jetties on the south side.** The proposed project includes the construction of a new pier at Seaplane Lagoon. The pier's concrete deck would connect to the land immediately east of the riprap wall, and would not physically affect any Historic District features. The footprint of open water at Seaplane Lagoon, which is one of its character-defining features, would likewise not be affected, because the landside improvements are primarily ground-level improvements, with handrails, ramps and platforms and lighting that are only as high as required by health and safety codes. Additionally, the entire Ferry Terminal project would occupy an extremely small percentage of the 110-acre area of the lagoon, the rest of which would remain open, with water continuing to flow beneath the new pier and its attendant, portable features, including the gangway and the float.
7. **The proposed project is compatible with the character-defining features of Seaplane Lagoon.** The new pier would be concrete with a simple, utilitarian design in keeping with the lagoon's concrete bulkhead, riprap walls, jetties, and four concrete ramps. The landside improvements are low-profile ground surface improvements that would have little impact on the character-defining features of the Seaplane Lagoon.
8. **The proposed ferry terminal retains character defining structures, furnishings and objects.** The fixed portion of the new pier and canopy are the only permanent structure included in the proposed project. Although there is no precedent for features like this in the Operations Area of the Historic District, a certain amount of infrastructure is required to make the new ferry terminal functional and enjoyable for its users. The temporary and flexible character of these new elements, as well as their low scale and location outside the Historic District, ensure that Seaplane Lagoon and the rest of NAS Alameda Historic District continues to retain its character.

BE IT FURTHER RESOLVED that the Historical Advisory Board finds that the Seaplane Lagoon Ferry Terminal Project was adequately considered by the CEQA Addendum to the Alameda Point FEIR, and that:

1. The City of Alameda as lead agency under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), prepared the Final Environmental Impact Report for the Alameda Point Project (FEIR) (State Clearinghouse No. 201312043) ("Final EIR").
2. On February 4, 2014, the City Council certified the Final EIR for the Alameda Point Project, including the Town Center Plan area which contains the project site.
3. After certification of the Final EIR for the Alameda Point Project, the City developed project-specific plans for the new Seaplane Lagoon Ferry Terminal and adjacent landside improvements ("Project").
4. The City caused to be prepared an Addendum to the Final EIR ("Addendum") pursuant to CEQA Guidelines Section 15164.
5. The City Council adopted the Addendum and approved the Project on April 5, 2016.

6. The Seaplane Lagoon Ferry Terminal project is consistent with the General Plan, Zoning Ordinance, and Town Center Plan.
7. The Certificate of Approval will implement the approved project analyzed in the Final EIR and Addendum.
8. Approval of the Certificate of Approval would not involve substantial changes in the Project or circumstances under which the Project is to be undertaken that would result in new or substantially more severe significant environmental effects requiring major revisions to the Final EIR, and there is no new information of substantial importance that involves new or substantially more severe significant environmental effects that would require major revisions to the Final EIR; therefore, no further environmental review is required pursuant to Public Resources Code Section 21166 and CEQA Guideline Sections 15162 and 15163.

BE IT FURTHER RESOLVED that the Historical Advisory Board approves the Certificate of Approval for the Seaplane Lagoon Ferry Terminal Project, specifically the landside improvements subject to the following conditions:

- (1) This Certificate of Approval is specifically for the landside improvements associated with the Seaplane Lagoon Ferry Terminal project as shown on plans prepared by Marcy Wong Donn Logan Architects, dated May 18, 2018 on file in the office of the City of Alameda Planning Division, subject to the conditions specified in this resolution.
- (2) This Certificate of Approval shall not become effective until such time as the Planning Board and/or City Council approve the Design Review Application for the Seaplane Lagoon Ferry Terminal Project landside improvements, and upon such time, the construction of the plans shall be subject to all conditions of approval imposed by the Planning Board and/or City Council.
- (3) This Certificate of Approval shall expire three (3) years after the date of approval, unless actual construction has begun under valid City permits or the applicant applies for and is granted an extension by the Secretary to the Historical Advisory Board prior to the date of expiration.
- (4) **HOLD HARMLESS.** The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Historical Advisory 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, Alameda City Historical Advisory Board and their respective agents, officers or employees to attack, set aside, void, or annul an approval by the City of Alameda, the Historical Advisory Board, Alameda City 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.** The decision of the Historical Advisory Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by Notice of Appeal stating the appellant claims that either the Board's decision is not supported by its findings or its findings are not supported by the evidence in the record.

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.


I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Historical Advisory Board of the City of Alameda during the Regular Meeting of the Historical Advisory Board on the 7th day of June, 2018, by the following vote to wit:

AYES: (4) Chair Piziali, Board Members, Jones, Sanchez, and Saxby

NOES: (0)

ABSENT: (0)

ATTEST:

A handwritten signature in dark ink, appearing to read "Allen Tai", is written over a horizontal line.

Allen Tai, Secretary

City of Alameda Historical Advisory Board

\* \* \* \* \*

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
**RESOLUTION NO. HAB-18-13**

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA GRANTING A CERTIFICATE OF APPROVAL, PLN18-0191, FOR THE EXTERIOR MODIFICATIONS AND CONSTRUCTION OF A HANDICAP RAMP AT NAS ALAMEDA HISTORIC DISTRICT BUILDING 35 (2450 PAN AM WAY)

WHEREAS, the applicant, Malyka Chop, made an application on April 16, 2018, proposing to build a new door and construct a new handicap ramp at Building 35 (2450 Pan Am Way), a contributing structure within the NAS Alameda Historic District; and

WHEREAS, the application was deemed complete on May 14, 2018; and

WHEREAS, the General Plan designation of the site is Medium Density Residential; and

WHEREAS, the parcel is located within the AP-MS, Alameda Point Main Street Zoning District; and

WHEREAS, the Historical Advisory Board shall determine whether to issue a Certificate of Approval Amendment, with or without conditions of approval, based on whether plans and specifications meet the standards established by the Historical Advisory Board and the Secretary of the Interior's standards for rehabilitation and guidelines for rehabilitating historic buildings pursuant to Section 13-21.5(b) of the Alameda Municipal Code; and

WHEREAS, on June 7, 2018, the Board held a duly noticed public hearing, reviewed the application, including exhibits and documents.

THEREFORE, BE IT RESOLVED, that the Alameda Point Project was adequately considered under the California Environmental Quality Act ("CEQA"), and by Resolution No. 14891 the City Council of the City of Alameda certified the Final Alameda Point Environmental Impact Report (FEIR) (State Clearinghouse No. 201312043) California Public Resources Code Section 21000 et seq. and adopted written findings and a Mitigation Monitoring and Reporting Program ("MMRP") on February 4, 2014, for the Alameda Point Project, the architectural design is consistent with the General Plan, Zoning Ordinance, and Design Review Manual and there are no environmental impacts peculiar to 651 and 707 West Tower Avenue that were not analyzed in the FEIR; and there are no potentially significant off-site impacts of the proposed improvements at 651 and 707 West Tower Avenue project, and there are no cumulative impacts to which the proposed improvements at 651 and 707 West Tower Avenue makes a considerable contribution which were not discussed in the FEIR; and there are no previously identified significant impacts of the proposed 651 and 707 West Tower Avenue project which, as a result of substantial new information which was not known at the time the EIR was certified, have been determined to have a more severe adverse impact than discussed in the FEIR.



BE IT FURTHER RESOLVED that the Historical Advisory Board has made the following findings determining the subject structure to not possess any historical merit or physical qualities that would be eligible for inclusion in any local, state or national historic register:

1. **A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.** The building will be converted to a new commercial day care use, however the exterior modifications will not impact the character-defining features or materials of the original structure. The existing windows adjacent to the proposed door are not original to the building and was not originally built to incorporate the horizontally emphasizing features of the original window systems.
2. **The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.** The character defining features of the original structure will remain intact and will be repaired as needed. The original window sashes will remain, and panes of glass will be replaced as needed.
3. **Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development such as adding conjectural features or elements from other historic properties, will not be undertaken.** The proposed handicap ramp will not feature any of the historic features common to buildings within the NAS Alameda historic district.
4. **Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.** The previous addition to the south of the building was constructed shortly after the completion of the original building. This addition maintained the smooth concrete surface of the façade and flat roof form, which will not be impacted by the project. The addition did not maintain the horizontally-emphasizing window systems of the original structure. The windows on the 1943 addition were not considered to be character defining features when the building was included in the National Register Nomination form for the NAS Alameda Historic District.
5. **Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.** The distinctive features on the building façade will be preserved and repaired as needed.
6. **Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.** The project is conditioned so that repairs to

the exterior of the building maintain the existing smooth concrete finish and original window materials. The character defining windows will remain, with only replacement of individual window panes to occur as needed.

7. **Chemical or physical treatments, if appropriate, will be undertaken using gentlest means possible. Treatments that cause damage to historic materials will not be used.** The project will be conditioned so that no chemical or physical treatments to historic materials will be undertaken.
8. **Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.** There are no known archaeological resources on this site.
9. **New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.** The proposed door will not impact the character defining features of the building. It is being located in a non-original portion of the building that did not maintain the historically emphasizing elements of the original building. The proposed exterior modification does not negatively affect its historic merit of the site.
10. **New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.** The proposed handicap ramp will be built independently from the existing structure, connecting to the building only at the proposed door, so that it can be built and removed with as minimal impact to the building as possible.

BE IT FURTHER RESOLVED that the Historical Advisory Board approves the proposed exterior modifications and new handicap ramp at Building 35 of the NAS Alameda Historic District (2450 Pan Am Way) and issues a Certificate of Approval subject to the following conditions:

- (1) This Certificate of Approval shall expire three (3) years after the date of approval or by June 7, 2021, unless work has begun under valid City permits prior to the date of expiration.
- (2) The issuance of building permits under this Certificate of Approval shall be subject to the City first approving the Design Review for the proposed exterior modification and new handicap ramp.
- (3) Plans submitted for building permits shall reflect the removal of the transom window above the proposed new door, and that the door reflects its own height, not having to match the existing header.

- (4) No chemical or physical treatments, such as sandblasting or pressure washing, shall be used on historic materials of the building.
- (5) New paint for the building shall be in compliance with the Exterior Paint Guidelines for Existing Buildings in the NAS Alameda Historic District, previously adopted by the Historical Advisory Board through Resolution No. HAB-15-06.
- (6) Exterior surfaces shall be repaired as needed and shall maintain the structure's existing smooth concrete finish. Existing windows shall remain with only replacement of individual window panes permitted.
- (7) HOLD HARMLESS. The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Historical Advisory 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, Alameda City Historical Advisory Board and their respective agents, officers or employees to attack, set aside, void, or annul an approval by the City of Alameda, the Historical Advisory Board, Alameda City 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. The decision of the Historical Advisory Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by Notice of Appeal stating the appellant claims that either the Board's decision is not supported by its findings or its findings are not supported by the evidence in the record.

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.

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Historical Advisory Board of the City of Alameda during the Regular Meeting of the Historical Advisory Board on the 7th day of June, 2018, by the following vote to wit:

AYES: (4) Chair Piziali, Board Members, Jones, Sanchez, and Saxby

NOES: (0)

ABSENT: (0)

ATTEST:

  
\_\_\_\_\_  
Allen Tai, Secretary  
City of Alameda Historical Advisory Board

\* \* \* \* \*

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
**RESOLUTION NO. HAB-18-14**

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA GRANTING CERTIFICATE OF APPROVAL PLN18-0233 FOR THE DEMOLITION OF BUILDING 130 LOCATED AT 2599 TODD STREET IN THE NAS ALAMEDA HISTORIC DISTRICT. (PLN18-0233)

WHEREAS, based on studies performed by Sally Woodbridge, the Navy made a determination in 1992 that an area designated as the Naval Air Station Alameda Historic District was eligible for inclusion in the National Register of Historic Places (NRHP). The Historic District was found to qualify for inclusion in the NRHP pursuant to two National Register criteria: its "association with events that have made a significant contribution to the broad patterns of our history" (Criterion A) and its embodiment of "the distinctive characteristics of a type, period, or method of construction" and because it represents "a significant and distinguishable entity whose components may lack individual distinction" (Criterion C); and

WHEREAS, Building 130, constructed in 1944 as a medical lab and low pressure chamber, was identified as a contributing structure in the NAS Alameda Historic District; and

WHEREAS, in 1996 the Advisory Council on Historic Preservation (ACHP) and the California State Historic Preservation Officer (SHPO) granted the US Navy approval to demolish Building 130 and five other contributing structures in the NAS Alameda Historic District, including Buildings 75A, 115, 116, 135 and 137, based on a finding that the six buildings were minor contributing buildings inconsistent in design, construction and detailing with the architecturally unifying elements of the Historic District; and

WHEREAS, in 1996, the Navy, SHPO and ACHP executed a Memorandum of Agreement (MOA) for demolition of these six contributory buildings (Buildings 75A, 115, 116, 130, 135 and 137), and the MOA stipulated that recording of the six buildings consistent with the standards of the Historic American Buildings Survey (HABS) standards would be required prior to demolition and the Navy subsequently completed the HABS documentation in 1998; and

WHEREAS, in 1999 the Navy, ACHP, SHPO executed another MOA, which the City of Alameda signed as a concurring party, that addresses the short-term impacts to the historic properties at NAS Alameda that could occur between the signing of the MOA and conveyance of the property by the Navy and long-term impacts that could result from the reuse of Alameda NAS. The MOA specified caretaker and maintenance responsibilities for the buildings at NAS Alameda and the six contributing buildings were identified for abandonment in place; and

WHEREAS, since 1999, the City of Alameda cared for the buildings within the NAS Alameda Historic District according to the 1999 caretaker MOA and continued to plan for the redevelopment of Alameda Point under the assumption that the six contributing buildings would eventually be demolished as part of redevelopment; and

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WHEREAS, in December 2017, the City's Building Official inspected Building 130 and determined it to be unsafe to occupy, but the City has no resources available for the repair, restoration, or reconstruction of the building; and

WHEREAS, Alameda Municipal Code Section 13-21 requires the Historical Advisory Board approve a Certificate of Approval for the demolition of historic resources; and

WHEREAS, the Historical Advisory Board held a public hearing on June 7, 2018, for this application, and examined pertinent maps, drawings, and documents.

NOW, THEREFORE BE IT RESOLVED, the Historical Advisory Board finds that the environmental impacts of demolition was adequately considered by the Alameda Point Project Final Environmental Impact Report (State Clearinghouse No. 2013012043) that was prepared pursuant to the California Environmental Quality Act and certified by the City Council on February 4, 2014. The FEIR stated that the demolition of buildings contributing to the NAS Alameda Historic District would cause a significant, unavoidable impact, and these impacts cannot be feasibly fully mitigated by changes in or alternatives to the Alameda Point Project. The City Council adopted a Statement of Overriding Considerations finding that the unavoidable impacts of the redevelopment at Alameda Point, including building demolition, are acceptable in light of specific economic, legal, social, technological, and other benefits of the Alameda Point Project because those benefits outweigh the significant unavoidable adverse environmental effects of the Project.

NOW, THEREFORE BE IT FURTHER RESOLVED, the Historical Advisory Board makes the following findings regarding this demolition request:

1. The Building Official has determined that Building 130 is unsafe to occupy and poses a hazard to public safety that cannot be readily cured.
2. In the event of a major seismic event, the building could suffer greater structural damage, which could pose a public safety hazard if the building were to collapse.
3. The US Navy, Advisory Council of Historic Preservation, California State Historic Preservation Officer, and the City of Alameda previously agreed to the demolition of Building 130 and five other contributing structures in the NAS Alameda historic district.
4. Mitigation measures required by the Advisory Council of Historic Preservation and the California State Historic Preservation Officer were completed by the Navy prior to conveyance of the building control to the City.

NOW, THEREFORE BE IT FURTHER RESOLVED, the Historical Advisory Board hereby approves Certificate of Approval no. PLN18-0233 to allow demolition of Building 130, located at 2599 Todd Street, subject to the following conditions:

- (1) This Certificate of Approval shall expire three (3) years after the date of approval or by June 7, 2021 unless demolition has begun under valid City permits prior to the date of expiration.

6/7/2018

Historical Advisory Board

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- (2) The following BAAQMD Best Management Practices for fugitive dust control shall be required for demolition activities. These measures will reduce fugitive dust emissions primarily during soil movement, grading and demolition activities, but also during vehicle and equipment movement on unpaved project sites:
- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
  - b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
  - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
  - d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
  - e. All streets, driveways, and sidewalks to be paved shall be completed as soon as possible.
  - f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of CCR). Clear signage shall be provided for construction workers at all access points.
  - g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
  - h. A publicly visible sign shall be posted with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.
- (3) Demolition and disposal of any asbestos containing building material shall be conducted in accordance with the procedures specified by Regulation 11, Rule 2 (Asbestos Demolition, Renovation and Manufacturing) of BAAQMD's regulations.
- (4) Prior to issuance of any demolition permit, a hazardous building material assessment shall be prepared by qualified licensed contractors indicating whether LBP or lead-based coatings, ACMs, and/or PCB-containing equipment are present.
- a. If the assessment indicates the presence of LBP, ACMs, and/or PCBs, create and implement a health and safety plan to protect demolition and construction workers and the public from risks associated with such hazardous materials during demolition or renovation of affected structures.
  - b. If the assessment finds presence of LBP, the project applicant shall develop and implement a LBP removal plan. The plan shall specify, but not be limited to, the following elements for implementation:

- 1) Develop a removal specification approved by a Certified Lead Project Designer.
  - 2) Ensure that all removal workers are properly trained.
  - 3) Contain all work areas to prohibit off-site migration of paint chip debris.
  - 4) Remove all peeling and stratified LBP on building and non-building surfaces to the degree necessary to safely and properly complete demolition activities according to recommendations of the survey. The demolition contractor shall be responsible for the proper containment and disposal of intact LBP on all equipment to be cut and/or removed during the demolition.
  - 5) Provide on-site personnel and area air monitoring during all removal activities to ensure that workers and the environment are adequately protected by the control measures used.
  - 6) Clean up and/or vacuum paint chips with a high efficiency particulate air (HEPA) filter.
  - 7) Collect, segregate, and profile waste for disposal determination.
  - 8) Properly dispose of all waste.
- c. If the assessment finds asbestos, prepare an asbestos abatement plan and shall ensure that asbestos abatement is conducted by a licensed contractor prior to building demolition. Abatement of known or suspected ACMs shall occur prior to demolition or construction activities that would disturb those materials. Pursuant to an asbestos abatement plan developed by a state-certified asbestos consultant and approved by the City, all ACMs shall be removed and appropriately disposed of by a state certified asbestos contractor.
  - d. If the assessment required finds PCBs, ensure that PCB abatement is conducted prior to building demolition. PCBs shall be removed by a qualified contractor and transported in accordance with Caltrans requirements.
- (5) Prior to issuance of a demolition permit, Community Development Department staff shall verify that the required mitigation measures for documenting Building 130 have been completed.

NOTICE. The decision of the Historical Advisory Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by Notice of Appeal stating the appellant claims that either the Board's decision is not supported by its findings or its findings are not supported by the evidence in the record.

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



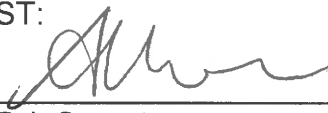
I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Historical Advisory Board of the City of Alameda during the Regular Meeting of the Historical Advisory Board on the 7th day of June, 2018, by the following vote to wit:

AYES: (4) Chair Piziali, Board Members, Jones, Sanchez, and Saxby

NOES: (0)

ABSENT: (0)

ATTEST:

  
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Allen Tai, Secretary  
City of Alameda Historical Advisory Board

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CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-15

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0226, TO REMOVE TWO COAST LIVE OAK TREES AT 1400 CENTRAL AVENUE.

WHEREAS, the applicant, Patricia Federicks made an application on May 9, 2018 to remove two Coast Live Oaks (*Quercus agrifolia*) located at 1400 Central Avenue; and

WHEREAS, application was complete on May 29, 2018; and

WHEREAS, the General Plan designation is Medium Density Residential and

WHEREAS, the Zoning Ordinance classification is R-4, Neighborhood Residential District; and

WHEREAS, Alameda Municipal Code Section 13-21.7, identifies Coast Live Oaks as a protected tree and mandates that no protected tree shall be removed without approval of a certificate of approval; and

WHEREAS, the Applicant has submitted a report from a licensed contractor indicating that the tree root system of both Coast Live Oaks, each approximately 15 inches in diameter, have compromised the foundation of the existing 6-unit apartment building; and

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for oak tree removals.

NOW, THEREFORE BE IT RESOLVED, the Secretary of the Board finds that the proposed project is a Categorically Exempt project in accordance with the California Environmental Quality Act (CEQA); CEQA Guidelines Section 15304, Class 4 Exemption for minor alterations to land that involve the removal of a tree; and

THEREFORE, BE IT FURTHER RESOLVED, the Secretary to the Board has made the following findings based on professional evaluation by a licensed contractor:

1. The condition of the trees, with respect to proximity to existing structures, cannot be controlled or remedied through reasonable preservation procedures and practices. The subject trees are adjacent to the structure and are causing damage to the foundation. A report from a licensed contractor and photographs of existing conditions indicate that additional damage to the adjacent structure is likely due to the close proximity of the trees. Therefore, the removal of the trees is necessary to maintain the structural integrity of the structure and for public safety.

THEREFORE, BE IT FURTHER RESOLVED, that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN18-0226, for the removal of two Coast Live Oak trees located at 1400 Central Avenue with the following conditions:

1. This Certificate of Approval shall expire three (3) years after the date of approval or by June 18, 2021.
2. The Secretary of the Board has determined that the rear yard is too constrained to feasibly accommodate four replacement Coast Live Oak trees as required by ordinance.

Therefore, within 10-days of this approval (June 28, 2018) the Applicant shall pay the City a \$1,000 in-lieu fee, equal to the cost of four fifteen-gallon oak trees, to be collected for the purchase and planting of trees on City owned property.

3. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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 decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that either the Secretary's decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 18th of June 2018.

Approved:

  
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Allen Tai, Secretary  
City of Alameda Historical Advisory Board

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-16

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0247 TO REMOVE ONE COAST LIVE OAK TREE AT 2975 JOHNSON STREET.

WHEREAS, applicant, Ronald Ellsworth Walker, made an application on May 24, 2018 to remove a Coast Live Oak (*Quercus Agrifolia*) located at 2975 Johnson Street; and

WHEREAS, application was complete on June 13, 2018; and

WHEREAS, the General Plan designation is Low Density Residential District and

WHEREAS, the Zoning Ordinance classification is R-1, One-Family Residential District; and

WHEREAS, the subject property is on the study list of Architectural and Historical Resources of the City of Alameda with a designation of "H"; and

WHEREAS, Alameda Municipal Code Section 13-21.7, identifies Coast Live Oak as a protected tree and mandates that no protected trees shall be removed without the approval of a Certificate of Approval. Protected trees shall include: any Coast Live Oak (*Quercus Agrifolia*) with a ten (10") inch or greater diameter measured four and one-half (4.5') feet above the ground. Applicants shall submit an arborist's report in a case where the health of the tree is the reason for the requested removal of the tree, or a contractor's report in a case where damage to foundation or other structures is the reason for the requested removal of the tree; and

WHEREAS, the Applicant has submitted an arborist's report indicating that the tree is dead due to a fungal infection and the tree has a great potential to fail which is a safety concern; and

WHEREAS, the Secretary to the Board has made the following findings:

1. An arborist inspected the subject tree and determined that the tree is dead due to fungal infection and presents a potential for failure, which could result in injury to persons and damage to property. This cannot be controlled or remedied through preservation practices or procedures.

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for the removal of Coast Live Oak trees; and

THEREFORE BE IT RESOLVED that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN18-0247, to remove one

Coast Live Oak tree at 2975 Johnson Street with the following conditions:

1. The Certificate of Approval shall expire three (3) years after the date of approval or by July 2, 2021.
2. Within 10-days of the approval, the applicant shall submit a \$250 in-lieu fee, equal to the cost of two fifteen gallon trees, to be collected for the purchase and planting of trees on City owned property.
3. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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 decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that either the Secretary's decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 2nd of July 2018.

Approved:



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Allen Tai, Secretary  
City of Alameda Historical Advisory Board

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-17

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0254 TO DEMOLISH A DETACHED ONE-CAR GARAGE AT 347 HAIGHT AVENUE.

WHEREAS, applicant, Valley Home Development Corporation for Rafael and Constance Taylor, made an application on May 29, 2018 to demolish a one-car detached garage at 347 Haight Avenue; and

WHEREAS, application was complete on July 19, 2018; and

WHEREAS, the General Plan designation is Low Density Residential; and

WHEREAS, the Zoning classification is R-1, One-Family Residence District; and

WHEREAS, the proposal is Categorically Exempt Class 1 from CEQA, Guidelines, Section 15301(l)(4) -- demolition of a small structure which has no historical significance; and

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for the demolition of garages and accessory structures; and

WHEREAS, the Secretary to the Board has made the following findings:

1. The existing structure has no known historical or architectural significance.
2. The existing off-street parking space will be replaced with a new surface parking space on the property.

THEREFORE BE IT RESOLVED that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN18-0254, to demolish a one-car garage at 347 Haight Avenue with the following conditions:

1. The Certificate of Approval shall expire three (3) years after the date of approval or by August 6, 2021.
2. The relocation of the driveway and repair of curb and gutter shall be built to City standards under an issued encroachment permit.
3. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees

arising out of or in connection with the 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 decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that either the Secretary's decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 6th of August 2018.

Approved:



Allen Tai, Secretary

City of Alameda Historical Advisory Board



CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-18

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0220 TO DEMOLISH A DETACHED THREE-CAR GARAGE AT 722 LINCOLN AVENUE.

WHEREAS, applicant, Douglas Harwood, made an application on May 3, 2018 to demolish a three-car detached garage at 722 Lincoln Avenue concurrently with a Design Review application to build a two-story addition on an existing duplex and new two-car carport; and

WHEREAS, the application was deemed complete on August 1, 2018; and

WHEREAS, the General Plan designation is Medium Density Residential; and

WHEREAS, the Zoning classification is R-5, General Residential Zoning District; and

WHEREAS, the proposal is Categorically Exempt Class 1 from CEQA, Guidelines, Section 15301(I)(4) -- demolition of a small structure which has no historical significance; and

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for the demolition of garages and accessory structures; and

WHEREAS, the Secretary to the Board has made the following findings:

1. The existing structure has no known historical or architectural significance.
2. The existing off-street parking spaces will be replaced with a new two-car carport and two new surface parking spaces on the property.

THEREFORE BE IT RESOLVED that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN18-0220, to demolish a three-car garage at 722 Lincoln Avenue with the following conditions:

1. The Certificate of Approval shall expire three (3) years after the date of approval or by August 20, 2021.
2. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees

arising out of or in connection with the 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 decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that either the Secretary's decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 20th of August 2018.

Approved:

  
\_\_\_\_\_  
Allen Tai, Secretary  
City of Alameda Historical Advisory Board

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-19

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA GRANTING A CERTIFICATE OF APPROVAL, PLN18-0331, FOR THE DEMOLITION OF MORE THAN 30% OF THE VALUE OF A PRE-1942 RESIDENCE LOCATED AT 1447 ½ EIGHTH STREET

WHEREAS, the applicant, James Snider, made an application on July 24, 2018, proposing partial demolition of a single family residence as part of a proposed addition to the rear of the structure; and

WHEREAS, the application was deemed complete on September 20, 2018; and

WHEREAS, the General Plan designation of the site is Medium Density Residential; and

WHEREAS, the parcel is located within the R-5 (General Residential) Zoning District; and

WHEREAS, pursuant to Alameda Municipal Code (AMC) Section 13-21.7 the Building Official reviewed the demolition plans and determined the proposed demo to exceed 30% of the value of the pre-1941 structure, therefore requiring Certificate of Approval by the Historical Advisory Board; and

WHEREAS, the subject property is not on the Alameda Historical Building Study List; and

WHEREAS, on October 4, 2018, the Board held a duly noticed public hearing, reviewed the application, including exhibits and documents.

THEREFORE, BE IT RESOLVED that the Historical Advisory Board finds the project is Categorically Exempt from additional environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15301 – Existing Facilities, which allows for additions of less than 10,000 square feet when the project site is adequately served by public services and facilities to allow for maximum development permissible in the General Plan and the project site is not located within an environmentally sensitive area. The proposed project is 447 square feet in size, is adequately served by existing public services and facilities, and is not located within an environmentally sensitive area.

BE IT FURTHER RESOLVED that the Historical Advisory Board has made the following findings determining the subject structure to not possess any historical merit or physical qualities that would be eligible for inclusion in any local, state or national historic register:

1. **The structure to be demolished does not embody distinctive**

**characteristics of a type, period, region, or method of construction, nor does it represent the work of an important creative individual.** The existing structure does not possess high artistic value and does not reflect the work of a master. Many other Colonial Revival cottages exist in Alameda that exhibit greater architectural character and are better examples of bungalows popular during the early 1900s.

2. **There are no events associated with this property that make a significant contribution to the history or cultural heritage of local or regional history.** Review of City records and historical resources publications has not provided any additional information that suggests that this structure has historical and cultural merit.
3. **The property is not associated with persons important to local, state or national history.** Staff was unable to find any records that define the property as containing historical and cultural merit in association with the lives of important individuals. After review of City records, historical resources publications, and a search for other available records, it is unlikely this property had any important historical association.
4. **The property does not yield any information important in prehistory or history.** While the property was developed in the early 1900s, it is not likely to yield more information about prehistory or history of the local community than what is already known.

BE IT FURTHER RESOLVED that the Historical Advisory Board approves the proposed demolition at 1447 ½ Eighth Street and issues a Certificate of Approval subject to the following conditions:

- (1) This Certificate of Approval shall expire three (3) years after the date of approval or by October 4, 2021, unless demolition has begun under valid City permits prior to the date of expiration.
- (2) The issuance of building permits under this Certificate of Approval shall be subject to the City first approving the Design Review for the proposed addition.
  - a. As part of Design Review approval the applicant shall propose fiberglass or wood windows consistent with the Design Review Manual subject to satisfaction of the Planning and Building Director.
- (3) **HOLD HARMLESS.** The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Historical Advisory 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, Alameda City Historical Advisory Board and their respective agents, officers or employees to attack, set aside, void, or annul an approval by the City of Alameda, the Historical Advisory Board, Alameda City 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. The decision of the Historical Advisory Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by Notice of Appeal stating the appellant claims that either the Board's decision is not supported by its findings or its findings are not supported by the evidence in the record.

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.

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Historical Advisory Board of the City of Alameda during the Regular Meeting of the Historical Advisory Board on the 4th day of October, 2018, by the following vote to wit:

AYES: (5) Chair Saxby, Board Members, Jones, Lau, Sanchez, and Witt  
NOES: (0)  
ABSENT: (0)

ATTEST:

  
Henry Dong, Secretary  
City of Alameda Historical Advisory Board

\* \* \* \* \*

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-20

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING CERTIFICATE OF APPROVAL, PLN18-0341, TO ALLOW THE DISASSEMBLY OF THE FUEL CANOPY AND KIOSK AT 2301 SANTA CLARA AVENUE TO FACILITATE ON-SITE SOIL CLEANUP AND THE FUTURE REASSEMBLY OF THE FUEL CANOPY AND KIOSK ON-SITE

WHEREAS, Carolyn Fong on behalf of the Lily Chun Living Trust submitted an application on July 24, 2018 to disassemble the fuel canopy and kiosk at 2301 Santa Clara Avenue; and

WHEREAS, the application was deemed complete by staff on September 20, 2018; and

WHEREAS, the General Plan designation for the property is Community Commercial; and

WHEREAS, the Zoning Ordinance classification for the property is Community Commercial with a Theatre Combining District Overlay; and

WHEREAS, the proposed project consists of disassembly of a combined fuel canopy and kiosk at 2301 Santa Clara Ave, which is a contributing structure within the Park Street Commercial Historic District, to facilitate on-site soil cleanup, followed by the reassembly of the fuel canopy and kiosk on-site; and

WHEREAS, in 1982, the Park Street Commercial Historic District was listed on the National Register of Historic Places, with 2301 Santa Clara Ave being classified as a Contributing Structure to the district; and

WHEREAS, in 1991, the gas station permanently closed for business; and

WHEREAS, in 1992, three underground fuel tanks were removed from the site and it was determined that the tanks had leaked and contaminated the underground soil; and

WHEREAS, in 2006, the property owner consulted the City about demolishing the canopy and kiosk in order to excavate the contaminated soil, but due to the property's historic status the City encouraged the property to pursue alternative methods to clean the site; and

WHEREAS, in 2014, the applicant worked with the Alameda County Department of Environmental Health (ACDEH) to begin a Corrective Action Plan (CAP) that would

forgo soil removal in favor of an alternative strategy called a bio-remediation recirculation system; and

WHEREAS, in 2017, ACDEH determined that the bio-remediation method was not only ineffective at remediating the contamination, but that the underground contamination had begun to seep into the adjacent properties, escalating the need for immediate and effective cleanup action to avoid a public health risk; and

WHEREAS, in 2018, ACDEH and the applicant determined that soil excavation would be the final and most effective method to clean the contamination; and

WHEREAS, the Historical Advisory Board held a public hearing on October 4, 2018 for this application, and examined pertinent maps, drawings and documents; and

WHEREAS, the Historical Advisory Board shall determine whether to issue a certificate of approval, with or without conditions of approval, based on whether plans and specifications meet the standards established by the Historical Advisory Board and the Secretary of Interior's standards for rehabilitation and guidelines for rehabilitating historic buildings pursuant to Section 13-21.5(b) of the Alameda Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the Historical Advisory Board that the project is Categorically Exempt from additional environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Sections 15301 – Existing Facilities, 15304 – Minor Alterations to Land, 15330 – Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances, and 15331 – Historic Resource Restoration/Rehabilitation.

BE IT FURTHER RESOLVED, that the Historical Advisory Board approves the Certificate of Approval, PLN18-0341, for 2301 Santa Clara Ave based on the following findings with respect to the project's consistency with the Secretary of the Interior's Standards for Rehabilitation:

- 1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.**

The project site was used as a gas station from 1938 until 1991, and has been vacant since 1991. The project will allow for the remediation of soil contamination caused by the gas station's underground fuel storage tanks. Upon completion of soil remediation the fuel canopy and kiosk will be reassembled on site with no change to the distinctive materials, features, spaces, and spatial relationships. The cleanup of the site will provide opportunity for future adaptive reuse of the site and its structures that will require further analysis at such a time as an application is made.

- 2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be voided.**

The fuel canopy and kiosk will be disassembled in a manner that will allow for the preservation of the structure's distinctive materials and features while the site is cleaned of its soil contamination. The fuel canopy and kiosk will be reassembled, with repairs or alterations only being made as needed and in compliance with NPS Preservation Brief 46.

- 3. Each property will be recognized as a physical record of its time place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.**

No new features or elements are proposed as part of this project. The project is conditioned to require any needed repairs or alterations be in compliance with NPS Preservation Brief 46.

- 4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.**

The site has been vacant since the closure of the gas station in 1991. Alterations since then have been the removal of business signs and fuel pumps. The project is not proposing to rebuild these features, and will only rebuild the site to its current state.

- 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.**

The individual pieces of the pre-fabricated structure will be stored indoors while cleanup of the site occurs. All distinctive features and finishes of the historic will be preserved and restored upon reassembly.

- 6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.**

The project is conditioned so that a photographic survey of the existing conditions of the structure be conducted prior to the disassembly of the structure to provide documentary evidence to guide the reassembly. The photographic documentation will be in addition to construction plans that have been reviewed by the Building Official.



- 7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.**

The project will be conditioned to utilize the gentlest chemical or physical treatments as a first response to maintenance issues.

- 8. Significant archeological resources affected by a project shall be protected and preserved. If such resource must be disturbed, mitigation measures shall be undertaken.**

There are no known archaeological resources on this site.

- 9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.**

No new additions, exterior alterations, or related new construction are proposed as part of this proposal.

- 10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in future, the essential form and integrity of the historic property and its environment would be unimpaired.**

There are no new additions or adjacent structures proposed as part of this proposal.

BE IT FURTHER RESOLVED, that the Historical Advisory Board hereby grants Certificate of Approval, PLN18-0341 with the following conditions of approval, which shall be placed on the first page of the building/demo permit plan set under a heading titled "City of Alameda Historical Advisory Board Conditions of Approval":

1. This Certificate of Approval shall terminate three (3) years from October 4, 2018, unless actual construction under a valid permit has begun. This approval may be extended administratively by the Secretary to the Historical Advisory Board upon submittal of an application and required fees.
2. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used. Repairs to the structures, when needed, shall be consistent, to extent feasibly possible, with NPS Preservation Brief 46: The Preservation and Reuse of Historic Gas Stations, and conducted only after consultation with the Secretary of the Historical Advisory Board.

3. Prior to the issuance of any demolition permit, the applicant/property owner shall submit the following for review and approval by the Secretary of the Historical Advisory Board:
  - a. All required approvals from appropriate governmental regulatory agencies for the excavation and soil remediation on the project site.
  - b. Provision of clear evidence of financial resources to complete the disassembly of the fuel canopy and kiosk, on-site soil cleanup, and the reassembly of the fuel canopy and kiosk on-site, including but not limited to financial statements, evidence of access to financing, State Underground Storage Tank Cleanup Fund, letter of credit, and/or surety bond.
  - c. A photograph survey of the existing fuel canopy and kiosk structure.
  - d. As-built drawings of the fuel canopy and kiosk structure and existing site conditions.
  - e. Plan for storage of disassembled pieces on-site, including securing, weatherproofing, and protecting those parts that will not be kept inside the on-site garage.
4. Prior to storage, the applicant/developer shall tag and identify all disassembled parts that will be re-used.
5. The applicant/property owner shall submit a status report after six (6) months of the approval of this Certificate of Approval to the Secretary of the Historical Advisory Board, and shall submit additional status reports every six (6) months thereafter until the final inspection for the reassembly of the fuel canopy and kiosk.
6. The applicant/property owner shall obtain the required building permits for the reassembly of the fuel canopy and kiosk within thirty (30) days of the issuance of No Further Action from the appropriate government agency.
7. The applicant shall notify the Secretary of the Historical Advisory Board at least two (2) business days prior to actual removal of the kiosk and canopy.
8. Final inspection of the reassembled structure shall be required by the Planning Division.
9. Indemnification: The applicant/property owner, or its successors in interest, shall, to the maximum extent authorized by law, defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda and its respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and its respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision

to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the project. The City shall promptly notify the applicant/property owner 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 decision of the Historical Advisory Board shall be final unless appealed to the City Council within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that the decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.


I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Historical Advisory Board of the City of Alameda during the Regular Meeting of the Historical Advisory Board on the 4th day of October, 2018, by the following vote to wit:

AYES: (5) Chair Saxby, Board Members, Jones, Lau, Sanchez, and Witt

NOES: (0)

ABSENT: (0)

ATTEST:

  
Henry Dong, Secretary  
City of Alameda Historical Advisory Board

\* \* \* \* \*

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-21

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0300 TO DEMOLISH A DETACHED ONE-CAR GARAGE AT 1612 CHAPIN STREET.

WHEREAS, applicant, Daniel Hoy, made an application on June 28, 2018 to demolish a one-car detached garage at 1612 Chapin Street concurrently with a Design Review application to build a two-story addition on an existing duplex and new detached one-car garage to replace the existing; and

WHEREAS, the application was deemed complete on August 30, 2018; and

WHEREAS, the General Plan designation is Medium Density Residential; and

WHEREAS, the Zoning classification is R-4, Neighborhood Residential Zoning District; and

WHEREAS, the proposal is Categorically Exempt Class 1 from CEQA, Guidelines, Section 15301(l)(4) -- demolition of a small structure which has no historical significance; and

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for the demolition of garages and accessory structures; and

WHEREAS, the Secretary to the Board has made the following findings:

1. The existing structure has no known historical or architectural significance.
2. The existing off-street parking spaces will be replaced with a new detached one-car garage to replace the existing.

THEREFORE BE IT RESOLVED that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN18-0300, to demolish a detached one-car garage at 1612 Chapin Street with the following conditions:

1. The Certificate of Approval shall expire three (3) years after the date of approval or by September 17, 2018.
2. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees

arising out of or in connection with the 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 decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that either the Secretary's decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 17th of September 2018.

Approved:

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Allen Tai, Secretary  
City of Alameda Historical Advisory Board

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-22

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0301, FOR THE DEMOLITION OF A 360-SQUARE-FOOT DETACHED GARAGE AT 1421 SAN ANTONIO AVENUE.

WHEREAS, the applicant Audrey Bauer, Architect, made an application on June 28, 2018 to demolish an existing 360-square-foot detached garage constructed prior to 1942; and

WHEREAS, application was deemed complete on October 1, 2018; and

WHEREAS, the General Plan designation is Low Density Residential District; and

WHEREAS, the Zoning Ordinance classification for the property is R-1, One-Family Residence District; and

WHEREAS, the proposal is Categorically Exempt Class 1 from CEQA, Guidelines, Section 15301(I)(4) -- demolition of a small structure which has no historical significance; and

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for the demolition of garages and accessory structures; and

WHEREAS, the Secretary to the Board has made the following findings:

1. The existing structure has no known historical or architectural significance.
2. The existing off-street parking spaces will be replaced with a new detached two-car garage.

THEREFORE BE IT RESOLVED that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN18-0301 with the following conditions:

1. This Certificate of Approval shall expire three (3) years from the date of this approval (October 15, 2021) unless actual demolition under a valid permit has begun.
2. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not

limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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 decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that either the Secretary's decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 15th of October 2018.

Approved:

A handwritten signature in black ink, appearing to read "Henry Dong", written over a horizontal line.

Henry Dong, Secretary  
City of Alameda Historical Advisory Board

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-23

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0436 TO DEMOLISH A DETACHED ONE-CAR GARAGE AT 540 LINCOLN AVENUE.

WHEREAS, applicant, Samantha Adams, made an application on September 25, 2018 to demolish a one-car detached garage at 540 Lincoln Avenue concurrently with a Accessory Dwelling Unit Clearance application to review a proposed one-story Accessory Dwelling Unit; and

WHEREAS, the application was deemed complete on October 24, 2018; and

WHEREAS, the General Plan designation is Medium Density Residential; and

WHEREAS, the Zoning classification is R-2, Two-Family Residence Zoning District; and

WHEREAS, the proposal is Categorically Exempt Class 1 from CEQA, Guidelines, Section 15301(l)(4) -- demolition of a small structure which has no historical significance; and

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for the demolition of garages and accessory structures; and

WHEREAS, the Secretary to the Board has made the following findings:

1. The existing structure has no known historical or architectural significance.
2. The existing driveway will be maintained to provide the required two (2) off-street parking spaces.

THEREFORE BE IT RESOLVED that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN18-0436, to demolish a one-car garage at 540 Lincoln Avenue with the following conditions:

1. The Certificate of Approval shall expire three (3) years after the date of approval or by November 5, 2021.
2. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees



arising out of or in connection with the 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 decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that either the Secretary's decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 5th of November 2018.

Approved:

  
Henry Dong, Secretary  
City of Alameda Historical Advisory Board

CITY OF ALAMEDA  
HISTORICAL ADVISORY BOARD  
RESOLUTION NO. HAB-18-24

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0459, TO REMOVE ONE COAST LIVE OAK TREE AT 928 WILLOW STREET.

WHEREAS, the applicants, Steven Johnson and NeAnne Barnhart made an application on October 15, 2018 to remove a Coast Live Oak (*Quercus agrifolia*) located at 928 Willow Street; and

WHEREAS, application was complete on October 24, 2018; and

WHEREAS, the General Plan designation is Medium Density Residential and

WHEREAS, the Zoning Ordinance classification is R-4, Neighborhood Residential District; and

WHEREAS, Alameda Municipal Code Section 13-21.7, identifies Coast Live Oaks as a protected tree and mandates that no protected tree shall be removed without approval of a certificate of approval; and

WHEREAS, the Applicant has submitted reports from a certified arborist and licensed contractor indicating that tree root system of a Coast Live Oak tree, approximately 25 inches in diameter, is causing significant damage to the foundation and roof of an accessory building. Furthermore, the reports indicate that additional damage to adjacent structure is likely due to the close proximity of the tree and recommends complete removal of the tree to prevent risk to public safety; and

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for oak tree removals.

NOW, THEREFORE BE IT RESOLVED, the Secretary of the Board finds that the proposed project is a Categorically Exempt project in accordance with the California Environmental Quality Act (CEQA); CEQA Guidelines Section 15301, Existing Facilities, and 15304, Class 4 Exemption for minor alterations to land that involve the removal of a tree; and

THEREFORE, BE IT FURTHER RESOLVED, the Secretary to the Board has made the following findings based on professional evaluation by a certified arborist and licensed contractor:

1. The Coast Live Oak tree, has grown within close proximity to an existing garage and cannot be controlled or remedied through reasonable preservation procedures and practices. According to reports from a certified arborist and two licensed contractors the roots of the subject tree is causing significant damage to the foundation of the garage will ultimately render the structure unsafe to inhabit. Additionally, the reports indicate the tree is damaging the roof and east wall of the accessory structure, and conclude there are no modifications to structure that will remedy the problem. Therefore, the removal of the tree is necessary to maintain the structural integrity of the home and is necessary in the interest of public safety.

THEREFORE, BE IT FURTHER RESOLVED, that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN18-0459, for the removal of one Coast Live Oak tree located at 928 Willow Street with the following conditions:

1. This Certificate of Approval shall expire three (3) years after the date of approval or by December 03, 2021.
2. The Secretary of the Board has determined, that the rear yard, which contains an existing accessory structure, is too constrained to feasibly accommodate the two replacement Coast Live Oak trees as required by ordinance. Therefore, within 10-days of this approval (December 13, 2018) the Applicant shall pay the City a \$500 in-lieu fee, equal to the cost of two fifteen-gallon oak trees, to be collected for the purchase and planting of trees on City owned property.
3. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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 decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that either the Secretary's decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 4th of December 2018.

Approved:

  
Henry Dong, Secretary  
City of Alameda Historical Advisory Board