

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-01

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0522 TO DEMOLISH A DETACHED ONE-CAR GARAGE AT 1218 COLLEGE AVENUE.

WHEREAS, applicant, Angela Klein, made an application on November 26, 2018 to demolish a one-car detached garage at 1218 College Avenue concurrently with an Accessory Dwelling Unit Clearance application to review a proposed one-story Accessory Dwelling Unit; and

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

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

WHEREAS, the Zoning classification is R-1, One-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, PLN18-0522, to demolish a one-car garage at 1218 College Avenue with the following conditions:

1. The Certificate of Approval shall expire three (3) years after the date of approval or by January 7, 2022.
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.

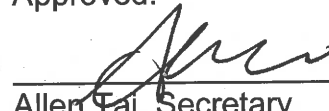
NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6

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 7th of January 2019.

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-19-02

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0536, TO REMOVE ONE COAST LIVE OAK TREE AT 2065 SAN ANTONIO AVENUE.

WHEREAS, the applicants, Derek Chau made an application on December 6, 2018 to remove a Coast Live Oak (*Quercus agrifolia*) located at 2065 San Antonio Avenue; and

WHEREAS, application was complete on December 12, 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 certified arborist indicating that the subject a Coast Live Oak tree, approximately 22 inches in diameter, is leaning excessively causing a lack of root support due to root movement and does not have a counter weight to support the tree. The report also indicates that the tree is in poor health. Major limbs are dead and have caused a cavity that has created dry rot. The arborist 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, is in poor health and is leaning excessively due to poor root support and cannot be controlled or remedied through reasonable preservation procedures and practices. According to a report from a certified arborist, the leaning tree does not have adequate counter balance and if it fails, it will harm the subject property. Attempts have been made to prune the tree to counter balance the lean with no success. Therefore, the arborist recommends removing the tree 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, PLN18-0536, for the removal of one Coast Live Oak tree located at 2065 San Antonio Avenue with the following conditions:

1. This Certificate of Approval shall expire three (3) years after the date of approval or by January 7, 2022.
2. Within 10-days of the approval, the applicant shall submit 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 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 7th of January 2019.

Approved:



Allen Tai, Secretary
City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-03

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0528 TO DEMOLISH A DETACHED THREE-CAR GARAGE AT 1612 BAY STREET.

WHEREAS, applicants, Tony and Pamela Brasunas, made an application on November 29, 2018 to demolish a three-car detached garage at 1612 Bay Street concurrently with an Accessory Dwelling Unit Clearance application to review a proposed one-story Accessory Dwelling Unit; and

WHEREAS, the application was deemed complete on January 14, 2019; 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, PLN18-0528, to demolish a three-car garage at 1612 Bay Street with the following conditions:

1. The Certificate of Approval shall expire three (3) years after the date of approval or by February 4, 2022.
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 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 February 2019.

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 NO. HAB-19-04

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA GRANTING CERTIFICATE OF APPROVAL AMENDMENT (PLN19-0044) TO MODIFY THE DESIGN OF THE MONITORS (ROOFTOP STRUCTURES) ON BAYS 1 AND 4 AS PART OF THE RESTORATION OF THE DEL MONTE WAREHOUSE HISTORIC MONUMENT.

WHEREAS, in December 2014, the City Council approved the Del Monte Master Plan and related development plans and design review for the rehabilitation and adaptive reuse of the historic Del Monte Warehouse (PLN14-0059); and

WHEREAS, TL Partners, LP made an application on behalf of Tim Lewis Communities on January 28, 2019, proposing to design modifications for the approved Certificate of Approval for the Del Monte Warehouse (PLN14-0059); and

WHEREAS, the application was deemed complete on February 10, 2019; and

WHEREAS, the General Plan designation of the site is Mixed Use; and

WHEREAS, the parcel is located within the Mixed Use/Planned Development Zoning and Multi-family Overlay Zoning Districts; and

WHEREAS, the subject property is designated by the Alameda City Council as a Historic Monument, which distinguishes this property for its architectural significance; 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, and

WHEREAS, the Historical Advisory Board conducted a duly noticed public hearing and examined all pertinent materials on March 7, 2019.

NOW THEREFORE BE IT RESOLVED, that the Historical Advisory Board has made the following findings for consistency with the Secretary of the Interior's Standards for Rehabilitation of Historic Properties relative to the Certificate of Approval Amendment Application:

Standard 1: A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment. While the building originally functioned as a warehouse, the proposed changes do not propose any modification of use from the one

that was previously approved – retail and residential. The conversion of the property to a retail and residential building can be done while retaining the character-defining features of the structure. Warehouse buildings lend themselves to alterations, as most, like this one, have open flexible interior spaces with most of the architectural detail on the exterior. As designed, the proposed changes will be in compliance with Rehabilitation Standard 1.

Standard 2: The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided. The proposed changes will maintain the historic character of the subject property as defined by its character-defining features including its two-story volume, brick walls with tile inlay and articulated pilasters, gable-roofed parapets, roof monitors, and rhythmic window openings. The proposed changes include removing a portion of the roof that runs down the center of the building where monitors are located in bays 1 and 4. As a result, the monitors will also be removed. In bays 1 and 4 the monitors will be recreated with new multi-lite aluminum-sash windows. Wider window mullions, within the monitor windows and necessitated by program requirements, will be clad in metal to create a ribbon appearance window along the north and south sides of the monitors. The impact to the exterior appearance of the building will be minimal once the monitors are recreated. Overall, the removals, or alterations, will not impact the historic character of the Del Monte Warehouse as much of the existing façade is remaining. As proposed, the project changes will be in compliance with Rehabilitation Standard 2.

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 architectural elements from other buildings, shall not be undertaken. The proposed changes do not include architectural features that suggest a false sense of historical development and do not include any conjectural features. Although the proposed changes involve recreating the monitors in bays 1 and 4, the new work will not create a false sense of historical development and will be simple in design and contemporary in character. Compatible multi-lite aluminum-sash windows will be installed at the monitors. As proposed, the changes will be in compliance with Rehabilitation Standard 3.

Standard 4: Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved. None of the previous alterations to the building have acquired significance over time and do not possess historical significance. Therefore, the proposed changes will be in compliance with Rehabilitation Standard 4.

Standard 5: Distinctive features, finishes, and construction techniques or examples of fine craftsmanship that characterize a property will be preserved. The proposed changes maintain and preserve the Del Monte Warehouse's character-defining features, including its brick exterior walls with decorative tile detailing, the clinker brick detailing, the overall volume of the structure at bays 1 and 4, and the

parapets. The proposed changes include the removal of the roof and monitors; however, the redesign of the monitor will more closely resemble the existing than the previously-approved version. Therefore, the proposed changes will be in compliance with Rehabilitation Standard 5.

Standard 6: Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacements of a distinctive feature, the new feature will match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence. The proposed changes do not call for the replacement of any deteriorated historic features other than what has been previously identified, which are the multi-lite steel windows in which replacement was previously approved. Any replacement window will be a closely replicate the visual qualities of the multi-lite industrial windows. Photo documentation of the existing building and character-defining features will also occur prior to any work on deteriorated features. Therefore, the proposed changes will be in compliance with Rehabilitation Standard 6.

Standard 7: Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible. The proposed changes do not involve chemical or physical treatments which will impact or damage historic materials or features. Therefore, the project will be in compliance with Rehabilitation Standard 7.

Standard 8: Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures will be undertaken. The proposed replacement of the monitors, interior wood trusses, and monitor windows on the existing building is not expected to encounter any significant archaeological resources. Moreover, standard project measures incorporated to address archaeological resources have already been incorporated into the project pursuant to CEQA. Therefore, the project will be in compliance with Rehabilitation Standard 8.

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 will 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 changes call for demolition and recreation of the monitors in bays 1 and 4. The window configurations are slightly modified from the approved project and allow for more glazing and create a stronger horizontal band. These window modifications at the reconstructed monitors reflect more closely the existing window configuration, which is a band of multi-lite steel windows. Recreating the monitors at approximately the same height as the existing, with an identical roof slope, does not detract from the character of

the rest of the structure. The proposed changes are therefore in compliance with Rehabilitation Standard 9.

Standard 10: New additions and adjacent or related new construction shall 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 changes call for the removal of the center portion of the trusses in bays 1 and 4 and for the recreation of a monitor at the roof at these two bays more closely resembling the existing. If called for, the proposed changes could be removed with some difficulty and the essential form and integrity of the historic property reconstructed based on existing documentation of the building. Therefore, the proposed changes to the project will be in compliance with Rehabilitation Standard 10.

NOW THEREFORE BE IT RESOLVED, the Historical Advisory Board finds that no additional environmental review is required for the proposed Design Review Amendment. In 2008, the City of Alameda certified an EIR for the Northern Waterfront General Plan Amendment. The City of Alameda adopted a Subsequent Mitigated Negative Declaration on April 29, 2014, for the Del Monte Master Plan, which is designed to implement the Northern Waterfront General Plan Element. The project is required to implement all of the mitigation measures in the Northern Waterfront General Plan EIR and the Subsequent Mitigated Negative Declaration. The proposed Design Review Amendment is consistent with the prior approvals and will not result in any new or more severe environmental impacts than were previously identified in the Subsequent Mitigated Negative Declaration; and

BE IT FURTHER RESOLVED, that the Historical Advisory Board hereby approves the subject Del Monte Certificate of Approval Amendment application PLN19-0044, subject to the following conditions:

- (1) This Certificate of Approval shall expire three (3) years after the date of approval or by March 7, 2022, unless actual construction has begun under valid City permits or the applicant applies for and is granted an extension by the Planning Director prior to the date of expiration.
- (2) The plans submitted for the Building Permit shall be in substantial compliance with plans prepared by BAR Architects, dated January 28, 2019, which are on file in the office of the City of Alameda Planning Division, subject to the conditions specified in this resolution.
- (3) Monitor Windows: Monitor windows shall be the Graham 6700 series multi-lite historic replication windows, or a close replica, as determined by the Planning Director.
- (4) Monitor Window Mullion Color: The color of the mullions separating the sets of monitor windows shall match the light gray color depicted in the rendering labeled "Approved" on sheets A3.02 and A3.03 of the project plan set dated January 29, 2019.

- (5) Previous Conditions Apply: The Building Permit plans shall include all the conditions approved for the previously approved Development Plan, Design Review, and Certificates of Approval as referenced by PLN14-0059.
- (6) Hold Harmless and Indemnification. 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


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 March, 2019, by the following vote to wit:

AYES: (3) Jones, Lau, and Sanchez

NOES: (2) Saxby and Wit

ABSENT: (0)

ATTEST:



Allen Tai, Secretary
City of Alameda Historical Advisory Board

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CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-05

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0076, TO REMOVE ONE COAST LIVE OAK TREE AT 1312 BURBANK STREET.

WHEREAS, the applicants, William Hood and Susan Johnson made an application on February 20, 2019 to remove a Coast Live Oak (*Quercus agrifolia*) located at 1312 Burbank Street; and

WHEREAS, application was complete on March 7, 2019; 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 a report from a certified arborist recommending removal of the subject Coast Live Oak tree, which is approximately 18 inches in diameter and situated in very close proximity between two homes at 1312 and 1308 Burbank Street. The trunk of the tree is only four inches away from the foundation, with its roots already causing damage to the adjacent 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 15301, Existing Facilities, and Section 15304, 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 maturity and proximity to existing structures, cannot be controlled or remedied through reasonable preservation procedures and practices. The Coast Live Oak tree has an approximate height of 35 feet with a canopy spread of 30 feet, but is located in a very confined space between two houses. The excessive growth of the tree in this confined space has already begun to crack the foundation under the subject property. Due to the tree outgrowing its space, the scaffold limbs are wrapped, twisted, and clashing against each other within the confined space. According to a report from a certified arborist this situation cannot be controlled or remedied through reasonable preservation procedures and practices, and the continued growth of the tree in this space will further harm the subject property. Attempts have been made to prune the tree to as a remedy with no success. Therefore, removing the tree is in

the best interest of protecting the surrounding properties and the safety of their inhabitants.

THEREFORE, BE IT FURTHER RESOLVED, that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN19-0076, for the removal of one Coast Live Oak tree located at 1312 Burbank Street with the following conditions:

1. This Certificate of Approval shall expire three (3) years after the date of approval or by March 18, 2022.
2. The record shall reflect that the applicant has paid 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.

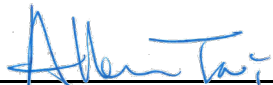
NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6

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 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 March 2019.

Approved:



Allen Tai, Secretary
City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-06

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA GRANTING CERTIFICATE OF APPROVAL (PLN19-0095) TO ALLOW DEMOLITION OF CONTRIBUTING BUILDINGS (BUILDINGS 1, 4, 6, 12, 22, 28, 29, 31, 32, 33, AND 34) AND NON-CONTRIBUTING BUILDINGS (BUILDINGS 2, 3, 7, 8, 9, 10, 11, 20, 23, 24, 35, 37, AND 39) WITHIN THE ALAMEDA MARINA HISTORIC DISTRICT TO IMPLEMENT THE ALAMEDA MARINA MASTER PLAN, AND APPROVING THE INTERPRETIVE SIGNAGE AND HISTORY WALK PROGRAM.

WHEREAS, the Alameda Marina site is designated Specified Mixed Use in the General Plan; and

WHEREAS, the site is located within the Mixed Use/Planned Development Zoning and Multi-family Overlay Zoning Districts; and

WHEREAS, the site contains the Alameda Marina Historic District, which was established by the Historical Advisory Board in 2017; and

WHEREAS, on July 10, 2018, the City Council certified the Alameda Marina Master Plan Final Environmental Impact Report (State Clearinghouse #2016102064) (Alameda Marina EIR) including a Statement of Overriding Considerations regarding the significant and unavoidable effects of carrying out the Alameda Marina Master Plan project pursuant to the California Environmental Quality Act and approved a Mitigation Monitoring and Reporting Program that contains mitigation measures for the loss of historic resources at the Alameda Marina site; and

WHEREAS, on July 24, 2018, the City Council approved the Alameda Marina Master Plan to allow redevelopment of the site; and

WHEREAS, on March 7, 2019, Pacific Shops, Inc. made an application for a Certificate of Approval to allow the demolition of contributing buildings (Buildings 1, 4, 6, 12, 22, 28, 29, 31, 32, 33, and 34) and non-contributing buildings (Buildings 2, 3, 7, 8, 9, 10, 11, 20, 23, 24, 35, 37, and 39) in the Alameda Marina Historic District to implement the Alameda Marina Master Plan, and for Historical Advisory Board approval of an Interpretive Signage and History Walk Program as a component of the required historic resources mitigation measures contained in the Alameda Marina EIR; and

WHEREAS, the application was deemed complete on March 18, 2019; and

WHEREAS, on the matter pertaining to the demolition of historic buildings in the Alameda Marina Historic District, the Historical Advisory Board shall issue a certificate of approval based on the City Council's decision to approve the Alameda Marina Master Plan; and

WHEREAS, on the matter pertaining to the proposed Interpretive Signage and
Historical Advisory Board
April 4, 2019

History Walk Program, the Historical Advisory Board shall review and approve the design and placement of the interpretive displays based on the requirements of Mitigation Measure (CUL-1c) in the Alameda Marina EIR, and

WHEREAS, the Historical Advisory Board conducted a duly noticed public hearing and examined all pertinent materials on April 4, 2019.

NOW THEREFORE BE IT RESOLVED, that the Historical Advisory Board has made the following findings relative to the Certificate of Approval request:

1. The Alameda Marina Master Plan Project, as approved by the City Council, would include the demolition of 24 of the 37 buildings on the Alameda Marina site. Of the 17 contributing buildings and one structure in the Alameda Marina Historic District, 11 contributing buildings (Buildings 1, 4, 6, 12, 22, 28, 29, 31, 32, 33, and 34) and 13 non-contributing buildings (Buildings 2, 3, 7, 8, 9, 10, 11, 20, 23, 24, 35, 37, AND 39) would be demolished. Buildings 5, 13, 14, 15, 16, 17, 18, 19, 21, 25, 26, 27, and the graving dock would remain. All three buildings deemed individually eligible for the National Register (16, 19, and 27) would be retained and rehabilitated according to the Secretary of the Interior's Standards. The demolition of many of the District's contributing buildings, which have been determined to be historical resources, is considered a significant impact under CEQA. On July 10, 2018, the City Council adopted the Alameda Marina Master Plan and certified a Final Environmental Impact Report, including a Statement of Overriding Considerations regarding the loss of these historic resources. The City Council further approved specific mitigation measures including: Mitigation Measures CUL-1a (Treatment of Historic Properties), CUL-1b (Documentation), CUL-1c (Interpretive Display), and CUL-4 (Tribal Cultural Resources Interpretive Program) to reduce impacts to historical resources, to the extent feasible, by documenting the resource and preserving the history of the site and buildings. Approval of the demolition of each of the historic buildings is consistent with the City Council-approved Master Plan.
2. The proposed interpretive signage and history walk program, meets the requirements of mitigation measure CUL-1c (Interpretive Display). The interpretive signage program includes double-faced pylon signs placed at strategic locations that identify important historical facts about the site. Additionally, building plaques would be placed at existing buildings that are retained to identify their past usage and role as part of the larger shipyard. Overall, the design and placement of the interpretive signage meets the overall objective of the interpretive display mitigation measure. The Interpretive Display program would also be used to complete Mitigation Measure CUL-4 (Tribal Cultural Resources Interpretive Program) after consultation with the appropriate Native American tribal representative(s).
3. Implementation of the Alameda Marina Master Plan also includes completing mitigation measures CUL-1b (Documentation) and CUL-2a (Archaeological Resources Management Plan) which will be undertaken by the applicant and the Historical Advisory Board secretary according to established Secretary of the Interior's HABS/HAER standards for documentation and state laws and procedures governing archaeologic resources prior to issuance of any demolition

permit.

NOW THEREFORE BE IT RESOLVED, the Historical Advisory Board finds that no additional environmental review is required for this Certificate of Approval. In 2018, the City of Alameda certified the Alameda Marina EIR for the Alameda Marina Master Plan. The project is required to implement all of the mitigation measures in the Alameda Marina Master Plan EIR. The proposed demolition and interpretive signage and history walk programs are consistent with the City Council-approved Master Plan and will not result in any new or more severe environmental impacts than were previously identified in the Alameda Marina EIR; and

BE IT FURTHER RESOLVED, that the Historical Advisory Board hereby approves the subject Certificate of Approval application PLN19-0095, subject to the following conditions:

- (1) This Certificate of Approval shall expire three (3) years after the date of approval or by April 4, 2022, whichever is later, unless actual demolition of Phase I of the Alameda Marina Master Plan has begun under valid City permits or the applicant applies for and is granted an extension by the Planning Director prior to the date of expiration.
- (2) This Certificate of Approval is not a Demolition Permit. The applicant shall separately apply for a demolition permit issued by the Building Official in the City of Alameda Permit Center.
- (3) Archaeological Resources. Prior to issuance of any permit for demolition, grading, or excavation or any activity involving disturbance of the ground, the applicant shall initiate the procedures specified in Mitigation Measure CUL-2a (Archaeological Resources Management Plan), to determine if documented archaeological resources can be preserved in place and otherwise complete the necessary requirements as specified. Coordinate with a qualified archaeologist, the City, and tribal representative for completion of CUL-2b, CUL-3, and CUL-4.
- (4) Final Interpretive Display Signs and Building Plaques. Prior to issuance of building permits for each project phase, the applicant shall submit actual designs for each interpretive display sign and building plaque for review and approval by the Historical Advisory Board secretary. The review and approval may be performed as part of the building permit plan review for the installation of the interpretive display signs or plaques.
 - a. The applicant shall work with the Secretary of the Historical Advisory Board to integrate user interaction into the interpretive signage, including features that provide a sense of scale, feel and touch. The applicant shall explore integrating the use of mobile technology into the interpretive signage to provide additional user interaction. Final interpretive signage design shall also incorporate physical material and/or pieces of objects salvaged from the demolished buildings at Alameda Marina. The Secretary of the Historical Advisory Board shall approve the final designs of the interpretive signage and make a report to the Historical Advisory Board.
- (5) Mitigation Measures Required Prior to Demolition. Prior to issuance of any demolition and/or building permits, the applicant shall demonstrate compliance with

all applicable Mitigation Measures from the Alameda Marina EIR, including , but not limited to: (This list is not intended to replace the actual language of the mitigation measures specified in the Mitigation Monitoring and Reporting Plan):

- a. AQ/CC-1 (Dust Abatement Plan)
 - b. BIO-1a (National Marine Fisheries Service-approved Sound Attenuation Monitoring Plan), BIO-1b, BIO-1c, BIO-1d – in affected water areas
 - c. BIO-1e, BIO-2a (Pre-construction surveys)
 - d. BIO-2c (Marine Invasive Species Control Plan) – in affected water areas
 - e. CUL-1a (Compliance with Secretary of Interiors Standards for Buildings 16, 19, and 27)
 - f. CUL-1b (Documentation) – prior to demolition permits for each individual building
 - g. HAZ-1a (Environmental Health), HAZ-1c (Asbestos abatement), HAZ-1d (Lead Based Paint), HAZ-1e (PCBs), HAZ-2a (Site-Specific Environmental Health and Safety Plan), HAZ-2b (Site Management Plan), HAZ-3 (Remedial Risk Management Plan)
 - h. NOISE-1a (Construction Noise and Vibration Management Plan)
- (6) Prior to issuance of any demolition permit, the City Building Department shall ensure that the demolition permit complies with the requirements of the following local and regional agencies, as applicable: I:
- a. Bay Conservation and Development Commission approvals
 - b. Regional Water Quality Control Board approvals
 - c. Bay Area Air Quality Management District approvals
 - d. Alameda Fire Department approvals
 - e. Public Works Department Encroachment Permit, Clean Water Program, and Traffic Control Plan approvals
 - f. Alameda Municipal Power approvals
 - g. Alameda Planning Board Resolutions of Approval
- (7) The applicant shall file with the State Water Resources Control Board (SWRCB) a Notice of Intent (NOI) to Comply with the Statewide General NPDES Permit for Storm Water Discharges Associated with Construction Activity. This condition of approval is required by the State of California. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are all required for this filing. A certification of filing shall be submitted to the City prior to demolition and/or building permit issuance, and by state law the NOI and the associated documents must be filed with the SWRCB prior to commencing construction or demolition.
- (8) Hold Harmless and Indemnification. 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 Alameda City Historical Advisory Board, Alameda City Planning Board, or City Council relating to the granting of the Certificate of Approval to allow demolition of certain contributing and non-contributing buildings for 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

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 April, 2019, by the following vote to wit:

AYES: (3) Jones, Lau, and Wit

NOES: (0)

ABSENT: (2) Saxby, and Sanchez

ATTEST:



Allen Tai, Secretary
City of Alameda Historical Advisory Board

* * * * *

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-07

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0124 TO DEMOLISH A DETACHED ONE-CAR GARAGE AT 3216 MONTE VISTA AVENUE.

WHEREAS, applicants, Nghi Nguyen and Karen Ishimaru, made an application on March 26, 2019 to demolish a one-car detached garage at 3216 Monte Vista Avenue concurrently with an Accessory Dwelling Unit Clearance application to review a proposed one-story Accessory Dwelling Unit; and

WHEREAS, the application was deemed complete on April 18, 2019; and

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

WHEREAS, the Zoning classification is R-1, One-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, PLN19-0124, to demolish a one-car garage at 3216 Monte Vista Avenue with the following conditions:

1. The Certificate of Approval shall expire three (3) years after the date of approval or by May 6, 2022.
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.

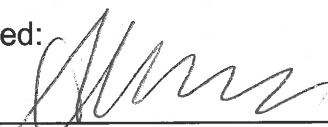
NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6

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 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 May 2019.

Approved:



Allen Tai, Secretary

City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-08

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN18-0425 TO DEMOLISH A DETACHED ONE-CAR GARAGE AT 3024 THOMPSON AVENUE.

WHEREAS, applicants, Jee and Jeff Smith, made an application on September 18, 2018 to demolish a detached one-car garage at 3024 Thompson Avenue concurrently with an Accessory Dwelling Unit Clearance application to review a proposed one-story Accessory Dwelling Unit; and

WHEREAS, the application was deemed complete on April 22, 2019; and

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

WHEREAS, the Zoning classification is R-1, One-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, PLN18-0425, to demolish a one-car garage at 3024 Thompson Avenue with the following conditions:

1. The Certificate of Approval shall expire three (3) years after the date of approval or by May 6, 2022.
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 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 May 2019.

Approved:



Allen Tai, Secretary
City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-09

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0187, TO REMOVE ONE COAST LIVE OAK TREE AT 2065 EAGLE AVENUE/1907 WILLOW STREET.

WHEREAS, the applicants, Glenn B and Kathleen N Henderson made an application on May 2, 2019 to remove a Coast Live Oak (*Quercus agrifolia*) located within the street side yard of a four-unit building, whose main address is 2065 Eagle Avenue. The tree under review is located in front of one of the rear units, 1907 Willow Street; and

WHEREAS, the application was deemed complete on May 8, 2019; 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 certified arborist recommending removal of the subject Coast Live Oak tree, which is approximately 28 inches in diameter and situated in very close proximity to the rear unit of a four-unit building, directly adjacent to the entrance for 1907 Willow Street; 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 Section 15304, 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 tree has grown directly adjacent to the four-unit building, and as a result the root system for the oak tree has grown into the foundation of the structure causing it to lean over the sidewalk, lifting the stairs to the entrance of 1907 Willow Street, lifting the sidewalk adjacent to the property along Willow Street, and causing damage to the four-unit building's foundation. The arborist recommends removal of the tree as the only option to protect from the continued damage to the four-unit building's foundation

THEREFORE, BE IT FURTHER RESOLVED, that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN19-0187, for the removal of one Coast Live Oak tree located at 2065 Eagle Avenue/1907 Willow Street with the following conditions:

1. This Certificate of Approval shall expire three (3) years after the date of approval or by May 20, 2022.
2. The record shall reflect that the applicant has paid 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.

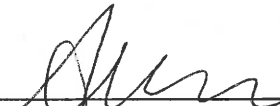
NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6

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 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 May 2019.

Approved:



Allen Tai, Secretary
City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-10

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0194 TO DEMOLISH A DETACHED ONE-CAR GARAGE AT 1446 STANTON STREET.

WHEREAS, applicant, Roy Samuelson, made an application on May 7, 2019 to demolish a one-car detached garage at 1446 Stanton Street; and

WHEREAS, the application was deemed complete on May 9, 2019; 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 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, PLN19-0194, to demolish a one-car garage at 1446 Stanton Street with the following conditions:

1. The Certificate of Approval shall expire three (3) years after the date of approval or by May 20, 2022.
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 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 May 2019.

Approved:



Allen Tai, Secretary

City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-11

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0179 TO DEMOLISH A DETACHED TWO-CAR GARAGE AT 3243 MADISON STREET.

WHEREAS, applicant, Tim Vance, made an application on April 25, 2019 to demolish a two-car detached garage at 3243 Madison Street; and

WHEREAS, the application was deemed complete on May 9, 2019; and

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

WHEREAS, the Zoning classification is R-1, One-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. A new two-car garage will be built with the same footprint 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, PLN19-0179, to demolish a one-car garage at 3243 Madison Street with the following conditions:

1. The Certificate of Approval shall expire three (3) years after the date of approval or by May 20, 2022.
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 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 May 2019.

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-19-12

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0207 TO DEMOLISH A DETACHED ONE-CAR GARAGE AT 813 PACIFIC AVENUE.

WHEREAS, applicant, Vivian Rhodes-Ukei and Raymond T. Ukei, made an application on May 15, 2019 to demolish a one-car detached garage at 813 Pacific Avenue concurrently with an Accessory Dwelling Unit Clearance application to review a one-story Accessory Dwelling Unit; and

WHEREAS, the application was deemed complete on June 6, 2019; 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, PLN19-0207, to demolish a one-car garage at 813 Pacific Avenue with the following conditions:

1. The Certificate of Approval shall expire three (3) years after the date of approval or by June 17, 2022.
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 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 June 2019.

Approved:



Allen Tai, Secretary
City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-13

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0283 TO DEMOLISH A DETACHED ONE-CAR GARAGE AT 3318 FERNSIDE BOULEVARD.

WHEREAS, applicant, Joanna Bianchi, made an application on June 20, 2019 to demolish a one-car detached garage at 3318 Fernside Boulevard; and

WHEREAS, the application was deemed complete on July 3, 2019; and

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

WHEREAS, the Zoning classification is R-1, One-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 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, PLN19-0283, to demolish a one-car garage at 3318 Fernside Boulevard with the following conditions:

1. The Certificate of Approval shall expire three (3) years after the date of approval or by July 15, 2022.
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 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 July 2019.

Approved:



Allen Tai, Secretary

City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-14

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0293, TO REMOVE ONE COAST LIVE OAK TREE AT 2863 VAN BUREN STREET.

WHEREAS, the applicants, Steven and Gwendolynn Ball made an application on June 26, 2019 to remove a Coast Live Oak (*Quercus agrifolia*) located at 2863 Van Buren Street; and

WHEREAS, application was complete on June 26, 2019; 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 a report from a certified arborist recommending removal of the subject Coast Live Oak tree, which is approximately 31 inches in diameter and already dead at the time of inspection; 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 Section 15304, 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 subject tree is dead and presents a potential for failure, which could result in injury to persons and damage to property. These factors cannot be controlled or remedied through reasonable preservation practices or procedures.

THEREFORE, BE IT FURTHER RESOLVED, that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN19-0293, for the removal of one Coast Live Oak tree located at 2863 Van Buren Street with the following conditions:

1. This Certificate of Approval shall expire three (3) years after the date of approval or by July 15, 2022.
2. The record shall reflect that the applicant has paid a \$500 in-lieu fee, equal to the cost of two fifteen gallon oak trees, for the future purchase and planting of trees on City owned property by the City.

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.

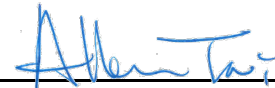
NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6

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 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 July 2019.

Approved:



Allen Tai, Secretary
City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-15

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA DESIGNATING THE "LINCOLN MARKET LIQUORS" SIGN AT 2070 LINCOLN AVENUE AS A HISTORIC SIGN.

WHEREAS, the General Plan designation of the site is Neighborhood Business; and

WHEREAS, the parcel is located within the C-1 (Neighborhood Business) Zoning District; and

WHEREAS, pursuant to AMC Section 13-21.6, the Historical Advisory Board shall be responsible for the designation of signs of historic merit, based on guidelines adopted by the Board; and

WHEREAS, on July 6, 1989, the Historical Advisory Board adopted a Checklist for Evaluating Historic Sign Designations based on two categories, the nature of the building, and the nature of the sign. Points are assigned based on evaluation of the sign, and signs with a score of 11 points qualify for consideration to be designated a historic sign; and

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

WHEREAS, on August 1, 2019, the Board held a duly noticed public hearing, reviewed the application, including exhibits and documents.

NOW, 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 15331 – Historical Resource Restoration/Rehabilitation.

BE IT FURTHER RESOLVED that the Historical Advisory Board has made the following findings determining that the "Lincoln Market Liquors" sign, based on the Checklist for Evaluating Historic Sign Designations, possesses historic merit:

The "Lincoln Market Liquors" sign was built in 1954, the sign is of exemplary technology of the mid-century period in which it was constructed. The sign contains porcelain enamel and neon tubing, materials not widely available or economically viable to produce. The sign has not been significantly altered from its original function and appearance, and is restorable to its original function and appearance.

BE IT FURTHER RESOLVED that the Historical Advisory Board designates the existing "Lincoln Market Liquors" sign at 2070 Lincoln Avenue as a historic sign, subject to the following condition:

- (1) Prior to the final building inspection for any exterior remodel and/or addition, the applicant/developer shall have the "Lincoln Market Liquor" sign refurbished and cleaned to replace rusted portions of the sign, and be securely installed on the

Lincoln Avenue/Willow Street corner of the building, subject to all required permits. This condition of approval shall be incorporated into any subsequent entitlement approvals for this property.

HOLD HARMLESS. The Applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Alameda, Alameda City Planning Board, and their respective agents, officers, or employees to attack, set aside, void or annul, an approval by the City of Alameda, the Planning, Building & Transportation Department, Alameda City Planning Board, or City Council related 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 1st day of August, 2019, by the following vote to wit:

AYES: (5) Saxby, Jones, Lau, Sanchez, and Wit

NOES: (0)

ATTEST:


Allen Tai, Secretary
City of Alameda Historical Advisory Board

* * * * *

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-16

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0314, TO REMOVE FOUR COAST LIVE OAK TREES AT 1310 HARBOR BAY PARKWAY.

WHEREAS, the applicant, South Loop LLC made an application on July 8, 2019 to remove four Coast Live Oaks (*Quercus agrifolia*) located along the street frontage at 1310 Harbor Bay Parkway; and

WHEREAS, the application was deemed complete on July 22, 2019; and

WHEREAS, the General Plan designation is Business Park; and

WHEREAS, the Zoning Ordinance classification is C-M-PD, Commercial-Manufacturing Zoning District and Planned Development Combining 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 certified arborist recommending removal of the four subject Coast Live Oaks, which range between approximately 15.5 inches and 26.75 inches in diameter; 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 Section 15304, 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 four trees were all found to be in various forms of poor health or having structural defects that make failure of the trees inevitable with no acceptable mitigation other than to have the trees removed.

THEREFORE, BE IT FURTHER RESOLVED, that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN19-0314, for the removal of four Coast Live Oaks located at 1310 Harbor Bay Parkway with the following conditions:

1. This Certificate of Approval shall expire three (3) years after the date of approval or by August 5, 2022.
2. The applicant/developer shall provide a minimum of eight (8) replacement 10-gallon Coast Live Oaks on-site, or pay \$750 in lieu for every replacement tree not planted.

Planting of replacement trees, or payment of in lieu fees, shall be completed prior to Final Building Inspection.

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 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 August 2019.

Approved:



Allen Tai, Secretary
City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-17

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0315, TO REMOVE FOUR COAST LIVE OAK TREES AT 1410 HARBOR BAY PARKWAY.

WHEREAS, the applicant, South Loop LLC made an application on July 8, 2019 to remove four Coast Live Oaks (*Quercus agrifolia*) located along the street frontage at 1410 Harbor Bay Parkway; and

WHEREAS, the application was deemed complete on July 22, 2019; and

WHEREAS, the General Plan designation is Business Park; and

WHEREAS, the Zoning Ordinance classification is C-M-PD, Commercial-Manufacturing Zoning District and Planned Development Combining 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 certified arborist recommending removal of the four subject Coast Live Oaks, which range between approximately 15.5 inches and 26.75 inches in diameter; 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 Section 15304, 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 four trees were all found to be in various forms of poor health or having structural defects that make failure of the trees inevitable with no acceptable mitigation other than to have the trees removed.

THEREFORE, BE IT FURTHER RESOLVED, that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN19-0315, for the removal of four Coast Live Oaks located at 1410 Harbor Bay Parkway with the following conditions:

1. This Certificate of Approval shall expire three (3) years after the date of approval or by August 5, 2022.
2. The applicant/developer shall provide a minimum of eight (8) replacement 10-gallon Coast Live Oaks on-site, or pay \$750 in lieu for every replacement tree not planted.

Planting of replacement trees, or payment of in lieu fees, shall be completed prior to Final Building Inspection.

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 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 August 2019.

Approved:



Allen Tai, Secretary
City of Alameda Historical Advisory Board

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

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-263, TO REMOVE ONE COAST LIVE OAK TREE AND TWO VOLUNTEER SPROUTS AT 318 CYPRESS STREET.

WHEREAS, the applicants, Edwin and Ellen d'Haen, made an application on June 11, 2019 to remove a Coast Live Oak (*Quercus agrifolia*) and two volunteer sprouts located at 318 Cypress Street; and

WHEREAS, the application was deemed complete on August 6, 2019; 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 certified arborist recommending removal of the subject Coast Live Oak tree, which is approximately 36 inches in diameter and determined to be dead. Additionally, the certified arborist recommends the removal of two volunteer sprouts, one 16 inches in diameter and the other 15 inches in diameter, based on their dependence of the dead Coast Live Oak tree; 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, Minor Alterations to Land; 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 oak tree is dead and needs to be removed. The two volunteer sprouts have grown at a 45 degree angle due to their proximity to the dead tree. These volunteer sprouts depend on the dead Coast Live Oak tree for stability and shade and will fail upon removal of the Coast Live Oak tree, and therefore are recommended for removal as well.

THEREFORE, BE IT FURTHER RESOLVED, that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN19-0263, for the removal of one Coast Live Oak tree located at 318 Cypress Street with the following conditions:

1. This Certificate of Approval shall expire three (3) years after the date of approval or by August 19, 2022.

2. The record shall reflect that the applicant has paid a \$500 in-lieu fee, equal to the cost of two ten 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 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 19th of August 2019.

Approved:



Allen Tai, Secretary
City of Alameda Historical Advisory Board

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

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0382 TO REMOVE ONE COAST LIVE OAK TREE AT 2850 LINCOLN AVENUE.

WHEREAS, applicant, Alameda Christian Reformed Church, made an application on August 12, 2019 to remove a Coast Live Oak (*Quercus Agrifolia*) located at 2850 Lincoln Avenue; and

WHEREAS, application was complete on August 12, 2019; 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 "E"; 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 decaying due to a fungal infection and the tree presents a significant hazard 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 decaying due to an oak root fungal infection (*Armillaria mellea*) 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, PLN19-0382, to remove one Coast Live Oak tree at 2850 Lincoln Avenue with the following conditions:

1. The applicant shall plant two (2) Coast Live Oak (*quercus agrifolia*) trees of ten (10) gallon size or larger to the satisfaction of the Planning and Building Director or confirm the in-lieu fee to go into the City's tree fund within one year of the approval date of the Certificate of Approval or by August 22, 2020.
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 22nd of August 2019.

Approved: 

Allen Tai, Secretary
City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-20

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0422 TO REMOVE ONE COAST LIVE OAK TREE AT 801 CENTRAL AVENUE.

WHEREAS, applicant, Susan Ono Mochizuki, made an application on August 22, 2019 to remove a Coast Live Oak (*Quercus Agrifolia*) located at 801 Central Avenue; and

WHEREAS, application was complete on August 22, 2019; 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 subject property is on the study list of Architectural and Historical Resources of the City of Alameda with a designation of "S"; 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 is in imminent danger of collapsing due to a large split on the main trunk; and

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

1. A certified arborist inspected the subject tree and determined that the tree has a large split in the crotch of the largest main stem and presents a high risk for catastrophic failure, which could result in injury to persons and damage to property. This cannot be controlled or remedied through preservation practices or procedures.
2. The Building Official reviewed the arborist report and determined the need for emergency removal of the tree due to the high risk of imminent failure.

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, PLN19-0422, to remove one Coast Live Oak tree at 801 Central Avenue with the following conditions:

1. The applicant shall plant two (2) Coast Live Oak (*quercus agrifolia*) trees of ten (10) gallon size or larger to the satisfaction of the Planning and Building Director or confirm the in-lieu fee to go into the City's tree fund within one year of the approval date of the Certificate of Approval or by August 22, 2020.
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 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 22nd of August 2019.

Approved:


Allen Tai, Secretary

City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-21

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0418 TO REMOVE ONE COAST LIVE OAK TREE AT 2059 SANTA CLARA AVENUE.

WHEREAS, applicant, Albert Ho, made an application on August 22, 2019 to remove a Coast Live Oak (*Quercus Agrifolia*) located at 2059 Santa Clara Avenue; and

WHEREAS, application was complete on August 28, 2019; and

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

WHEREAS, the Zoning Ordinance classification is R-5, General Residential District;
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 tree is over 90% dead and infested with *Anisota* caterpillars (oak worms); and

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

1. A certified arborist inspected the subject tree, a Coast Live Oak tree with a 21.5" total diameter at breast height, and determined that the tree is over 90% dead and needs to be removed. The arborist also found that the tree is highly infested with oak worms that pose an immediate health risk that can only be abated through the immediate removal of the dead and infected oak tree.
2. The Building Official reviewed the arborist report and determined the need for emergency removal of the tree due to the immediate and high public health risk.

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, PLN19-0418, for the emergency removal of one Coast Live Oak tree at 2059 Santa Clara Avenue with the following conditions:

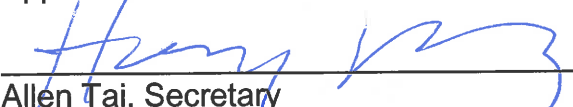
1. The applicant shall plant two (2) Coast Live Oak (*quercus agrifolia*) trees of ten (10) gallon size or larger to the satisfaction of the Planning and Building Director or confirm the in-lieu fee to go into the City's tree fund within one year of the approval date of the Certificate of Approval or by August 28, 2020.
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 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 28th of August 2019.

Approved:


Allen Tai, Secretary
City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION HAB-19-22

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA GRANTING CERTIFICATE OF APPROVAL (PLN19-0385) TO ALLOW DEMOLITION OF NON-CONTRIBUTING BUILDING #14, AND POTENTIAL DEMOLITION AND/OR RECONSTRUCTION OF CONTRIBUTING AND NON-CONTRIBUTING BUILDINGS #5, 13, 21, 25 AND 26 AND APPROVAL OF THE REHABILITATION PLAN FOR EXISTING CONTRIBUTING AND NON-CONTRIBUTING BUILDINGS (BUILDINGS #15, 16, 17, 18, 19 AND 27) IN THE ALAMEDA MARINA HISTORIC DISTRICT AT THE ALAMEDA MARINA SITE.

WHEREAS, the Alameda Marina site is designated Mixed Use in the General Plan; and

WHEREAS, the site is located within the Mixed Use/Planned Development Zoning and Multi-family Overlay and M-2, General Industrial (Manufacturing) Zoning Districts; and

WHEREAS, the site contains the Alameda Marina Historic District, which was established by the Historical Advisory Board in 2017; and

WHEREAS, on July 10, 2018, the City Council certified the Alameda Marina Master Plan Final Environmental Impact Report (State Clearinghouse #2016102064) including a Statement of Overriding Considerations regarding the significant and unavoidable effects of carrying out the Alameda Marina Master Plan project pursuant to the California Environmental Quality Act and approved a Mitigation Monitoring and Reporting Program that contains mitigation measures for the loss of historic resources at the Alameda Marina site; and

WHEREAS, on July 24, 2018, the City Council approved the Alameda Marina Master Plan to allow redevelopment of the site; and

WHEREAS, on April 4, 2019, the Historical Advisory Board adopted Resolution No. HAB-19-06 which approved the Certificate of Approval to allow the demolition of contributing buildings (Buildings 1, 4, 6, 12, 22, 28, 29, 31, 32, 33, and 34) and non-contributing buildings (Buildings 2, 3, 7, 8, 9, 10, 11, 20, 23, 24, 35, 37, and 39) in the Alameda Marina Historic District to implement the Alameda Marina Master Plan and approved an Interpretive Signage and History Walk Program as a component of the required historic resources mitigation measures for the demolition of buildings; and

WHEREAS, on August 13, 2019, Pacific Shops, Inc. ("applicant"), filed an application for a Certificate of Approval to allow demolition of contributing building #21 (for gate house re-creation), and demolition of non-contributing building #14 and potential demolition/reconstruction of non-contributing buildings #5, 13, 25, and 26 for shoreline

rehabilitation, and approval of a Rehabilitation Plan for existing contributing buildings #15, 16, 17, 19 and 27 and non-contributing building #18 in the Alameda Marina Historic District at the Alameda Marina site.

WHEREAS, the application was deemed complete on August 15, 2019; and

WHEREAS, on the matter pertaining to the demolition of historic buildings in the Alameda Marina Historic District, the Historical Advisory Board shall issue a certificate of approval based on the City Council's decision to approve the Alameda Marina Master Plan; and

WHEREAS, on the matter pertaining to the proposed Rehabilitation Plan, the Historical Advisory Board shall review and approve the plan based on the requirements of Mitigation Measure (CUL-1a) in the Alameda Marina Master Plan EIR, and

WHEREAS, the Historical Advisory Board conducted a duly noticed public hearing and examined all pertinent materials on September 5, 2019.

NOW THEREFORE BE IT RESOLVED, that the Historical Advisory Board has made the following findings relative to the Certificate of Approval request:

1. The Alameda Marina Master Plan Project, as approved by the City Council, would include the demolition of many buildings on the Alameda Marina site. All three buildings deemed individually eligible for the National Register (16, 19, and 27) would be retained and their exteriors rehabilitated according to the Secretary of the Interior's Standards. The demolition of many of the District's contributing buildings, which have been determined to be historical resources, is considered a significant impact under CEQA. On July 10, 2018, the City Council adopted the Alameda Marina Master Plan and certified a Final Environmental Impact Report, including a Statement of Overriding Considerations regarding the loss of these historic resources. The City Council further approved specific mitigation measures including: Mitigation Measures CUL-1a (Treatment of Historic Properties), CUL-1b (Documentation), CUL-1c (Interpretive Display), and CUL-4 (Tribal Cultural Resources Interpretive Program) to reduce impacts to historical resources, to the extent feasible, by documenting the resource and preserving the history of the site and buildings. Approval of the demolition of each of the historic buildings is consistent with the City Council-approved Master Plan.
2. The request for Certificate of Approval to allow demolition of non-contributing building #14, and potential demolition and/or reconstruction of contributing and non-contributing buildings #5, 13, 25 and 26 is due to economically infeasibility to strengthen the underlying wharf and seawall and the buildings to deal with seismic events and sea level rise. Engineering analysis supports this conclusion because both the current seawall/wharf structures and the buildings do not meet minimum requirements for life safety under the California Building Code. Building 14 will be demolished while buildings 5, 13, 25 and 26 will likely be reconstructed generally in their current form while maintaining the industrial character of the Alameda Marina.

3. The proposed plans to demolish the heavily altered gate house, which has now been converted to Building 21, and reconstruct a new gateway into the Alameda Marina site will more accurately reflect the site's period of significance. The proposed re-creation of a gate house honors the original purpose of the structure as the primary entrance to the site. Furthermore, Building 21 has a low degree of historical integrity due to previous alterations. The building was originally a covered open-air portal containing three turnstiles that form the entrance gate to the site. The proposed design for the new gate house will replicate the three turnstiles lanes.
4. The proposed Rehabilitation Plan meets the requirements of mitigation measure CUL-1a (Treatment of Historic Properties), which references consistency with the Secretary of the Interior's Standards:
 - i. *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.* No changes are proposed to the use of the existing buildings as they would be rehabilitated for commercial/industrial uses.
 - ii. *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 Rehabilitation Plan seeks to restore and rehabilitate existing buildings for adaptive reuse. Existing buildings will be strengthened and upgraded to current building code standards, prolonging the life of these buildings. The removal of original distinctive materials or changes to spaces and spatial relationships is not being proposed.
 - iii. *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 plans do not include conjectural features or other elements from other historic properties that would create a false sense of historical character. All proposed rehabilitation work, including reconstruction or restoration draws from original features of the buildings and seeks to restore original character.
 - iv. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.* The plans include restoration of original features, such as replacing aluminum slider windows with windows that match original multi-lite industrial windows, and re-creation of lost features such as replacing non-original plywood siding with metal siding. The plans do not include the removal of features that have historic significance, other than the demolition of Building 21 to recreate the original gate house entrance.
 - v. *Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.* Decorative details and important examples of craftsmanship will be restored and preserved as demonstrated on the plans for Buildings 16, 19, and 27.
 - vi. *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 plans include restoration and repair of existing features on buildings, most predominantly restoration of original windows and repair of window elements. Non-original siding material will also be removed and appropriate new siding material will be installed to match the original siding.

- vii. *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.* No chemical or inappropriate physical treatments are proposed to the buildings to remain.
- viii. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.* The Alameda Marina Master Plan EIR requires appropriate measures to be implemented to protect archaeological resources. Those measure are currently being implemented per consultation with appropriate Native American representatives according to applicable laws.
- ix. *New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will 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 Rehabilitation Plan is intended to restore original features missing and rehabilitate existing features, and any new features, such as signage awnings, stairs, ADA ramps, etc., will involve materials and detailing differentiated from the historic buildings.
- x. *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.* New construction on the existing building comprise of cosmetic exterior work that could be removed without affecting the essential form and integrity of the historic buildings.

NOW THEREFORE BE IT RESOLVED, the Historical Advisory Board finds that no additional environmental review is required for this Certificate of Approval. In 2018, the City of Alameda certified an EIR for the Alameda Marina Master Plan. The project is required to implement all of the mitigation measures in the Alameda Marina Master Plan EIR. The rehabilitation of buildings 15, 16, 17, 18, 19, and 27 implements Mitigation Measure CUL-1a in the EIR. The proposed demolition of buildings 5, 13, 14, and 25 and 26 to facilitate shoreline construction, and the proposed demolition of building 21 to reconstruct a new gateway into the Alameda Marina site, is consistent with the City Council-approved Master Plan. There have been no substantial changes in the Alameda Marina Master Plan project or the circumstances under which it would be implemented since certification of the Alameda Marina Master Plan EIR, and the Board's adoption of this resolution will not result in any new or more severe environmental impacts than were

previously identified in the EIR; and

BE IT FURTHER RESOLVED, that the Historical Advisory Board hereby approves the subject Certificate of Approval application no. PLN19-0385 and the Rehabilitation Plan for existing buildings, subject to the following conditions:

- (1) This Certificate of Approval shall expire three (3) years after the date of approval or by September 5, 2022, unless actual demolition has begun under valid City permits or the applicant applies for and is granted an extension by the Planning Director prior to the date of expiration.
- (2) This Certificate of Approval is not a Demolition Permit. The applicant shall separately apply for demolition permits issued by the Building Official in the City of Alameda Permit Center.
- (3) Conditions of Approval for Contributing Buildings:
 - (a) Building 19 Surrounding Site Grade Change – Prior to issuance of a building permit, the applicant shall study the possibility of no grade changes to the west and south elevations of the building. Findings of the study shall be provided to the Secretary of the Board in writing, who shall transmit the findings to the Board.
 - (b) Building 21 Gatehouse – Plans submitted for design review approval or building permits, whichever is required first, shall reflect a one-story volume for the proposed gatehouse tower. The design of the gatehouse tower shall incorporate architectural detailing and features that resemble a typical gatehouse design to satisfaction of the Secretary of the Board.
 - (c) Buildings 15, 17, 18 – Plans submitted for design review approval or building permits, whichever is required first, shall reflect the following:
 1. Omitting the water table on exterior elevations.
 2. Restoring the roof monitor to its original louvered appearance.
 - (d) Building 27 Door Removal – Plans submitted for design review approval or building permits, whichever is required first, shall incorporate architectural detailing to provide visual evidence of existing doors to be removed. An example of such detailing may include, but not limited to, an inset of the original door framing on the exterior building surface.
- (4) Conditions of Approval for Non-Contributing Buildings 5, 13, 14, 25, 26 – Prior to issuance of demolition permit, the applicant shall further evaluate the feasibility of retaining the subject buildings and report the findings and conclusions to the Secretary of the Board. The Secretary shall transmit the findings and conclusions to the Board. Should any building(s) be determined to require demolition, the applicant shall submit to the satisfaction of the Secretary of the Board a Salvage and Reuse Plan describing all building components to be salvaged during building demolition and their reuse in new construction on the site.
- (4) Archaeological Resources. Prior to issuance of any permit for demolition, grading, or excavation or any activity involving disturbance of the ground, the applicant shall initiate the procedures specified in Mitigation Measure CUL-2a

(Archaeological Resources Management Plan), to determine if documented archaeological resources in the area of proposed demolition, grading, excavation or other ground disturbing activities can be preserved in place and otherwise complete the necessary requirements as specified. Coordinate with a qualified archaeologist, the City, and tribal representative for completion of CUL-2b, CUL-3, and CUL-4.

- (5) Mitigation Measures Required Prior to Demolition. Prior to issuance of any demolition and/or building permits, the applicant shall demonstrate compliance with all applicable Mitigation Measures from the Alameda Marina Master Plan EIR listed below. This list is not intended to replace the actual language of the mitigation measures specified in the Mitigation Monitoring and Reporting Plan:

- a. AQ/CC-1 (Dust Abatement Plan)
- b. BIO-1a (National Marine Fisheries Service-approved Sound Attenuation Monitoring Plan), BIO-1b, BIO-1c, BIO-1d – in affected water areas
- c. BIO-1e, BIO-2a (Pre-construction surveys)
- d. BIO-2c (Marine Invasive Species Control Plan) – in affected water areas
- e. CUL-1b (Documentation) – prior to demolition permits for each individual building
- f. HAZ-1a (Environmental Health), HAZ-1c (Asbestos abatement), HAZ-1d (Lead Based Paint), HAZ-1e (PCBs), HAZ-2a (Site-Specific Environmental Health and Safety Plan), HAZ-2b (Site Management Plan), HAZ-3 (Remedial Risk Management Plan)
- g. NOISE-1a (Construction Noise and Vibration Management Plan)

- (6) Prior to issuance of any demolition permit, the applicant shall ensure that the requirements of regional and local agencies, as applicable, are satisfied, including, but not limited to the following:

- a. Bay Conservation and Development Commission approvals
- b. Regional Water Quality Control Board approvals
- c. Bay Area Air Quality Management District approvals
- d. Alameda Fire Department approvals
- e. Public Works Department Encroachment Permit, Clean Water Program, and Traffic Control Plan approvals
- f. Alameda Municipal Power approvals
- g. Alameda Planning, Building and Transportation Department approvals, including but not limited to, any applicable Design Review requirement per AMC Section 30-37.

- (7) The applicant shall file with the State Water Resources Control Board (SWRCB) a Notice of Intent (NOI) to comply with the Statewide General NPDES Permit for Storm Water Discharges Associated with Construction Activity. This condition of approval is required by the State of California. A filing form, a filing fee, a location

map, and a Storm Water Pollution Prevention Plan (SWPPP) are all required for this filing. A certification of filing shall be submitted to the City prior to demolition and/or building permit issuance, and by state law the NOI and the associated documents must be filed with the SWRCB prior to commencing construction or demolition.

- (8) Hold Harmless and Indemnification. 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

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 5th day of September, 2019, by the following vote to wit:

AYES: (5) Saxby, Jones, Lau, and Wit

NOES: (0)

ABSENT: (1) Sanchez

ATTEST:



Allen Tai, Secretary
City of Alameda Historical Advisory Board

* * * * *

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-23

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0327 TO DEMOLISH A DETACHED ONE-CAR GARAGE AT 3007 LINCOLN AVENUE.

WHEREAS, applicant, Jay Sankey, made an application on July 17, 2019 to demolish a one-car detached garage at 3007 Lincoln Avenue; and

WHEREAS, the application was deemed complete on August 22, 2019; and

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

WHEREAS, the Zoning classification is R-1, One-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 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, PLN19-0327, to demolish a one-car garage at 3007 Lincoln Avenue with the following conditions:

1. The Certificate of Approval shall expire three (3) years after the date of approval or by September 16, 2022.
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 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 September 2019.

Approved:



Allen Tai, Secretary
City of Alameda Historical Advisory
Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-24

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0469 TO REMOVE ONE COAST LIVE OAK TREE AT 2521 CENTRAL AVENUE.

WHEREAS, applicant, Nancy Heroux, made an application on September 19, 2019 to remove a Coast Live Oak (*Quercus Agrifolia*) located at 2521 Central Avenue; and

WHEREAS, application was complete on September 24, 2019; and

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

WHEREAS, the Zoning Ordinance classification is C-C-T, Community Commercial—Theatre Combining District; 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 contractor's report indicating that tree is causing pressure to the foundation and stemwall; and

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

1. A licensed contractor inspected the subject tree, a Coast Live Oak tree over 10" in diameter and determined that the tree is causing structural damage to the foundation, and penetrating the interior floor of the residential building, and recommends removal of the oak tree. The contractor found that the proximity of the tree to the foundation poses an immediate health risk that can only be abated through the immediate removal of the oak tree.

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, PLN19-0469, for the

emergency removal of one Coast Live Oak tree at 2521 Central Avenue with the following conditions:

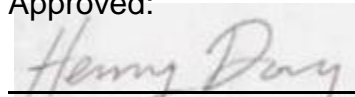
1. The applicant shall plant two (2) Coast Live Oak (*quercus agrifolia*) trees of ten (10) gallon size or larger to the satisfaction of the Planning and Building Director or confirm the in-lieu fee to go into the City's tree fund within one year of the approval date of the Certificate of Approval or by October 7, 2020.
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 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 7th of October 2019.

Approved:



Henry Dong, Planner II, per Allen Tai,
Secretary City of Alameda Historical
Advisory Board

**CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-25**

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING CERTIFICATE OF APPROVAL, PLN19-0334, FOR THE REMOVAL OF MORE THAN 30% THE PRESENT VALUE OF A PRE-1942 RESIDENCE AT 1223 POST STREET.

WHEREAS, Angie Klein submitted an application on July 22, 2019, proposing the demolition of more than 30% the present value of a two-family residence built prior to 1942 as part of a proposed second story addition on an existing duplex; and

WHEREAS, the application was deemed complete by staff on September 11, 2019; and

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

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

WHEREAS, the project is limited to the demolition as shown on the project plans; and

WHEREAS, the subject property at 1223 Post Street is listed on the Historical Building Study List with an "H" designation, and

WHEREAS, the Historical Advisory Board held a public hearing on November 7, 2019 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.

THEREFORE, BE IT RESOLVED that the Historical Advisory Board of the City of Alameda finds this project exempt from additional environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15301 – Existing Facilities, and 15331 – Historic Resource Restoration/Rehabilitation.

BE IT FURTHER RESOLVED that the Historical Advisory Board approves the Certificate of Approval request for 1223 Post Street 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 shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.**

The subject property was established as a two-family residence and the proposed second story addition will not change the existing residential use.

- 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.**

The character defining features of the historic Pioneer home will be retained and preserved. Those features include the two-story portion of the home with a side-facing gable roof and a porch extending along the front of the house. The structure's decorative brackets throughout the first and second floor and a watertable separating the crawl space will be preserved. The front porch will retain the shed roof with decorative dentils, decorative rectangular posts, and ornamental balusters on the guardrail that wrap around the porch. The one-story portion of the home will be removed and replaced by the new addition. The existing one-story portion of the home does not feature decorative elements other than the exposed rafter tails, which are not found in the original two-story portion of the home. The new addition features a hipped gable on the lower level and a gable on the upper level with a small cross gable accent and does not alter or remove any of the character defining features of the original home. Therefore, the proposed design preserves the historic character and materials of the property.

- 3. Each property shall 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 architectural elements from other buildings, shall not be undertaken.**

The addition is designed to be compatible with the original Pioneer style design of the building, and utilizes the proportions, elements and materials found on the existing home. The design is clearly distinguishable from the original building and does not incorporate elements that create a false sense of historical development.

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

The new addition will replace a previously constructed addition that does not contain any character-defining features and has not acquired historic significance.

over time. The design does not alter or remove any features that have acquired historic significance which includes the original two-story portion of the home.

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

The project will retain the character-defining features of the building including the gabled roofs, the front porch, decorative brackets, decorative dentils, decorative rectangular posts, and ornamental balusters on the guardrail. The new two-story addition will be constructed behind the original home in order to preserve the distinctive features, finishes and construction techniques that characterize the original home.

6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

The proposed modifications will not alter or eliminate the character defining features located on the existing two-story portion of the existing Pioneer home.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

No chemical or physical treatments, such as sandblasting, are proposed as part of this project. There is no work proposed to the existing two-story portion of the home which contains the historic character-defining features.

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

The project involves removing a one-story portion of the home and replacing it with a two-story addition, which does not substantially increase the existing building footprint. Minimal digging or grading activities are proposed as part of the project; however, Condition of Approval No. 5 requires the applicant to stop construction and consult a qualified archeologist if any archeological resources are discovered.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size,

scale, and architectural features to protect the historic integrity of the property and its environment.

The proposed project will not alter or destroy historic materials that characterize the property. The new addition preserves the significant materials, features and forms including the side-facing gabled roofs, the front porch, decorative brackets, decorative dentils, decorative rectangular posts, and ornamental balusters on the guardrail. The new addition features a one-story hyphen that connects the original home to the new addition and clearly distinguish the new work from the old. The two-story portion of the addition utilizes a hipped roof with second story side-facing gable and a portion facing the rear of the lot. The design clearly differentiates the new addition from the original home.

10. New additions and adjacent or related new construction shall 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 new addition will be constructed behind the original two-story Pioneer home to ensure the project does not alter or eliminate the character defining features including the side-facing gabled roofs, the front porch, decorative brackets, decorative dentils, decorative rectangular posts, and ornamental balusters on the guardrail. The new addition is clearly distinguishable by the one-story hyphen and differentiated roof forms. The design will ensure that the integrity of the historic property will remain if the addition was removed in the future.

BE IT FURTHER RESOLVED that the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN19-0334 with the following conditions of approval, which shall be placed on the first page of the building 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 November 7, 2019, 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. The plans submitted for the Building Permit shall be in substantial compliance with plans prepared by Angie Klein, on file in the office of the City of Alameda Planning, Building and Transportation Department, subject to the conditions specified in this resolution.
3. This Certificate of Approval shall not become effective until such date as the City approves the Design Review Application for the subject application, and upon such time, the construction of the plans shall be subject to all conditions

of approval imposed by the City of Alameda. Any substantial changes to the approved project shall require review and approval by the Secretary of the Historical Advisory Board.

4. A copy of this Certificate of Approval Resolution shall be printed on the cover of the final Building Permit plans.
5. Roof Design: Prior to Design Review approval, the applicant shall revise the design to provide a consistent roof plane on the first story above the dining room and kitchen.
6. Window Trim: Prior to Design Review approval, the applicant shall revise the window trim on the new addition to be a simplified 1" by 6" window trim to differentiate the addition for the original building.
7. Archeological: In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The applicant/owner shall contact the Planning, Building and Transportation Director for further guidance, which will likely include the requirement for the applicant/owner to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.
8. Indemnification: 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. 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 Planning, Building and Transportation 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.

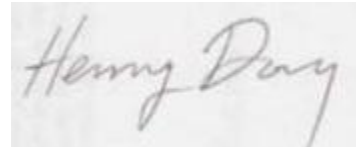
I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Historical Advisory Board of the City of Alameda during the Regular Meeting of the Historical Advisory Board on the 7th day of November, 2019, by the following vote to wit:

AYES: (5) Saxby, Jones, Lau, Sanchez, and Wit

NOES: (0)

ABSENT: (0)

ATTEST:



Henry Dong, Secretary
City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-26

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0542, FOR THE DEMOLITION OF A DILAPIDATED SINGLE-CAR DETACHED GARAGE AND ASSOCIATED SIDE ADDITION TOTALING APPROXIMATELY 330 SQUARE FEET AT 717 TAYLOR AVENUE.

WHEREAS, applicant Kristina Nelson made an application on November 5, 2019 to demolish a garage constructed prior to 1942; and

WHEREAS, the application was deemed complete on November 7, 2019; and

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

WHEREAS, the Zoning classification for the subject property is R-5, General Residential District; 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, and previous alterations to the building, including a side addition to the structure has compromised any potential for architectural significance.

2. The demolition of the garage will facilitate construction of an Accessory Dwelling Unit as permitted under state law.

THEREFORE, BE IT RESOLVED, that the Secretary of the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN19-0542 with the following conditions:

1. This Certificate of Approval shall terminate three (3) years from November 18, 2019, 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 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.

PASSED AND ADOPTED by the Secretary of the Historical Advisory Board of the City of Alameda on the 18th of November 2019.

Approved:



Allen Tai, Secretary
City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-27

A RESOLUTION OF THE SECRETARY OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING A CERTIFICATE OF APPROVAL, PLN19-0507 TO REMOVE ONE COASTAL LIVE OAK TREE AT 1519 MOZART STREET.

WHEREAS, applicant, Wen Chunru, made an application on October 15, 2019 to remove a Coastal Live Oak (*Quercus Agrifolia*) located at 1519 Mozart Street; and

WHEREAS, application was complete on November 7, 2019; and

WHEREAS, the General Plan land use 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 Coastal 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 Coastal 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 arborist report indicating that tree's structural integrity is compromised; and

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

1. A certified arborist determined that a recent scaffold limb failure caused a large wound in the main stem of the tree creating a hold in the trunk that is compromising the structural integrity of the tree. The condition of the tree poses a severe safety risk and the arborist recommends removal.

WHEREAS, the Board has authorized the Secretary to the Board to act on Certificate of Approvals for the removal of Coastal 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, PLN19-0507, for the removal of one Coastal Live Oak tree at 1519 Mozart Street with the following conditions:

1. The applicant shall plant two (2) Coastal Live Oak (*Quercus Agrifolia*) trees of

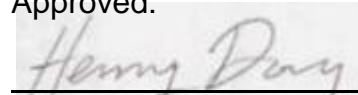
- ten (10) gallon size or larger to the satisfaction of the Planning and Building Director or confirm the in-lieu fee to go into the City's tree fund within one year of the approval date of the Certificate of Approval or by November 18, 2020.
2. Indemnification: The applicant, or its successors in interest, 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 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 November 2019.

Approved:



Henry Dong, Planner III, per Allen Tai,
Secretary City of Alameda Historical
Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION NO. HAB-19-28

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA GRANTING A CERTIFICATE OF APPROVAL, PLN18-0405, FOR THE DEMOLITION OF MORE THAN 30% OF THE VALUE OF A PRE-1942 COMMERCIAL BUILDING LOCATED AT 2070 LINCOLN AVENUE AND ALLOWING ALTERATIONS TO THE HISTORIC "LINCOLN MARKET LIQUORS" SIGN.

WHEREAS, the applicant, Bill Wong, made an application on September 10, 2018, proposing partial demolition of more than 30% of a pre-1942 commercial building to facilitate a second floor addition; and

WHEREAS, the application was deemed complete on July 15, 2019; and

WHEREAS, the General Plan designation of the site is Neighborhood Business; and

WHEREAS, the project site is located within the C-1 (Neighborhood Business) 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 demolition to exceed 30% of the value of the pre-1942 structure, therefore requiring a Certificate of Approval by the Historical Advisory Board; and

WHEREAS, pursuant to AMC Section 13-21.6, the Historical Advisory Board shall be responsible for the designation of signs of historic merit, based on guidelines adopted by the Board; and

WHEREAS, on July 6, 1989, the Historical Advisory Board adopted a Checklist for Evaluating Historic Sign Designations based on two categories, the nature of the building, and the nature of the sign. Points are assigned based on evaluation of the sign, and signs with a score of 11 points qualify for consideration to be designated a historic sign; and

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

WHEREAS, on August 1, 2019, the Board held a duly noticed public hearing, reviewed the application, including exhibits and documents, and voted unanimously to designate the "Lincoln Market Liquors" sign as historic, but directed the applicant to explore what original portions of the building remain; and

WHEREAS, on November 20, 2019, the applicant submitted new designs for the

remodel and second floor addition after conducting exploratory demolition work to determine what portions of the original structure and design remained. In this submittal the applicant also requested modifying the Lincoln Market Liquors sign to replace the word "liquors" with other text based on future occupants of the building; and

WHEREAS, on December 5, 2019, the board held a duly noticed public hearing, reviewed the revised design, including exhibits and documents.

NOW, 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(e) – Additions to Existing Structures, 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 approximately 3,350 square feet in size, is adequately served by existing public services and facilities, and is not located within an environmentally sensitive area. As a separate and independent basis, the Historical Advisory Board finds this project exempt from CEQA pursuant to CEQA Guidelines Section 15183 (projects consistent with General Plan and Zoning).

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 original structure and its design elements were obscured and partially damaged by remodels done in the 1950s. The applicant conducted exploratory demolition work in September and October 2019 and determined that the major components of the original design remain and redesigned the remodel to incorporate the preservation of these design elements. The demolition work will be mostly structural, which do not embody distinctive characteristics of a type, period, region, or method of construction, nor does it represent the work of an important creative individual.
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 and publications has not provided any additional information that suggests that this structure has historical and cultural merit. However the project proposes to restore any original building features.
3. **The property is not associated with persons important to local, state or national history.** There are no 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 Certificate of Approval PLN18-0405, subject to the following conditions:

- (1) This Certificate of Approval shall expire three (3) years after the date of approval or by December 5, 2022, 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.
- (3) Plans for final Design Review approval shall show the following additional information and/or design changes:
 - a. The proposed parapet for the first floor remodel shall be revised to match the structure's original parapet design, and the parapet for the proposed second floor addition shall be a different but complementary and compatible design, to the satisfaction of the Secretary of the Board.
 - b. Further exploratory demolition of the stucco along the Willow Street elevation shall be conducted to confirm the type and dimensions of the remaining siding, the presence of storefront windows, and any other remaining architectural details.
 - i. Plans shall clarify the type and depict the dimensions of the proposed siding for the second floor addition and Willow Street elevation, which shall match the original siding that may be extant along the Willow Street elevation.
 - ii. If no original storefront windows are extant on the Willow Street elevation then any new storefront windows on the Willow Street elevation shall be located directly adjacent to the column at the corner of the building. Additionally, the cornice that wraps around the building from the Lincoln Avenue elevation to the Willow Street elevation shall be the same length as the relocated storefront windows, and shall be continued by a horizontal band across the length of the Willow Street elevation.
 - c. Provide dimensioned detail drawings of original design elements including but not limited to the frieze below the cornice, bulkheads, columns, and cornices, and shall note when such elements need replacement.
 - d. Storefront entry doors that more closely reflect the design of the original wood doors, which consisted of a tall vertical glass panel above a much shorter wood panel.
 - e. All transom windows shall be approximately 30" wide, which appear to be the original narrow profile transoms, to match the remaining transom windows over the tenant space at 2064 Lincoln Avenue.

- f. New windows shall meet the following performance standards:
 - i. Windows shall be wood or have a wood-like appearance.
 - ii. Window sash shall be at least 1 3/8" thick
 - iii. Upper sash with stiles and rails recessed at 1 3/8" from the surface of the surrounding trim
 - iv. Use glazing recessed approximately 3/8" from the surface of stiles, rails and muntins
 - v. Provide a sill and apron along the base
 - vi. For the paired windows, use a structural wood-surfaced vertical division between each window about 6" wide.
- (4) Prior to the final building inspection, the applicant/developer shall have the "Lincoln Market Liquor" sign refurbished and cleaned to replace rusted portions of the sign, and be securely installed on the Lincoln Avenue/Willow Street corner of the building, subject to all required permits.
 - a. Any alterations to the sign copy shall preserve the color, font, and size of the copy "Lincoln Market," and new copy shall be the same color, font, orientation, and size of the copy "Liquor."
 - b. These sign related conditions of approval shall be incorporated into any subsequent entitlement approvals for this property.

HOLD HARMLESS. The Applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda 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 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 Planning, Building & Transportation Department, Alameda Historical Advisory Board, or City Council related 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 5th day of December, 2019, by the following vote to wit:

AYES: (4) Saxby, Jones, Lau, and Sanchez

NOES: (0)

ABSENT: (1) Wit

ATTEST:



Allen Tai, Secretary
City of Alameda Historical Advisory Board

* * * * *

