

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD

RESOLUTION HAB-25-1

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA GRANTING CERTIFICATE OF APPROVAL PLN25-0030 FOR THE DEMOLITION OF BUILDING 116 LOCATED AT 2501 TODD STREET IN THE NAS ALAMEDA HISTORIC DISTRICT, ALAMEDA POINT.

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

WHEREAS, Building 116, constructed in 1943 as a semi-permanent barracks for corpsmen, then used as a lecture hall and later as a driving school and counseling center, was identified as a contributing structure in the NAS Alameda Historic District; and

WHEREAS, in 1996 the Advisory Council on Historic Preservation (ACHP) and the California State Historic Preservation Officer (SHPO) granted the US Navy approval to demolish Building 116 and five other contributing structures in the NAS Alameda Historic District, including Buildings 75A, 115, 130, 135 and 137; and

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

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

WHEREAS, since 1999, the City of Alameda cared for the buildings within the NAS Alameda Historic District according to the 1999 caretaker MOA and continued to plan for

the redevelopment of Alameda Point under the assumption that the six contributing buildings would eventually be demolished as part of redevelopment; and

WHEREAS, in December 2024 and January 2025, the City's Supervising Building Inspector and Chief Building Official inspected Building 116 and determined it to be unsafe to occupy and a hazard to the public and the environment; and

WHEREAS, there is no readily apparent economic use for the building that would warrant its rehabilitation, if such rehabilitation were to be determined physically feasible;

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

WHEREAS, the Historical Advisory Board held a public hearing on February 6, 2025 for this application, and examined pertinent evidence.

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

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

1. The Building Official has determined that Building 116 is unsafe to occupy and poses a hazard to public safety that cannot be readily cured.
2. In the event of a major seismic event, the building could suffer greater structural damage, which could pose a public safety hazard if the building were to collapse.
3. The US Navy, Advisory Council of Historic Preservation, California State Historic Preservation Officer, and the City of Alameda previously agreed to the demolition of Building 116 and five other contributing structures in the NAS Alameda historic district.
4. Mitigation measures required by the Advisory Council of Historic Preservation and the California State Historic Preservation Officer were completed by the Navy prior to conveyance of the building to the City.

NOW, THEREFORE BE IT FURTHER RESOLVED, the Historical Advisory Board hereby approves Certificate of Approval application PLN25-0030 to allow demolition of Building 116, located at 2501 Todd Street, subject to the following conditions:

- (1) This Certificate of Approval shall expire three (3) years after the date of approval (February 6, 2028) unless demolition has begun under valid City permits prior to the date of expiration.
- (2) The following BAAQMD Best Management Practices for fugitive dust control shall be required for demolition activities. These measures will reduce fugitive dust emissions primarily during soil movement, grading and demolition activities, but also during vehicle and equipment movement on unpaved project sites:
 - a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - e. All streets, driveways, and sidewalks to be paved shall be completed as soon as possible.
 - f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of CCR). Clear signage shall be provided for construction workers at all access points.
 - g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - h. A publicly visible sign shall be posted with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.
- (3) Demolition and disposal of any asbestos containing building material shall be conducted in accordance with the procedures specified by Regulation 11, Rule 2 (Asbestos Demolition, Renovation and Manufacturing) of BAAQMD's regulations.
- (4) Prior to issuance of any demolition permit, a hazardous building material assessment shall be prepared by qualified licensed contractors indicating whether LBP or lead-based coatings, ACMs, and/or PCB-containing equipment are present.
 - a. If the assessment indicates the presence of LBP, ACMs, and/or PCBs, create and implement a health and safety plan to protect demolition and construction workers and the public from risks associated with such hazardous materials during demolition or renovation of affected structures.

- b. If the assessment finds presence of LBP, the project applicant shall develop and implement a LBP removal plan. The plan shall specify, but not be limited to, the following elements for implementation:
 - 1) Develop a removal specification approved by a Certified Lead Project Designer.
 - 2) Ensure that all removal workers are properly trained.
 - 3) Contain all work areas to prohibit off-site migration of paint chip debris.
 - 4) Remove all peeling and stratified LBP on building and non-building surfaces to the degree necessary to safely and properly complete demolition activities according to recommendations of the survey. The demolition contractor shall be responsible for the proper containment and disposal of intact LBP on all equipment to be cut and/or removed during the demolition.
 - 5) Provide on-site personnel and area air monitoring during all removal activities to ensure that workers and the environment are adequately protected by the control measures used.
 - 6) Clean up and/or vacuum paint chips with a high efficiency particulate air (HEPA) filter.
 - 7) Collect, segregate, and profile waste for disposal determination.
 - 8) Properly dispose of all waste.
- c. If the assessment finds asbestos, prepare an asbestos abatement plan and shall ensure that asbestos abatement is conducted by a licensed contractor prior to building demolition. Abatement of known or suspected ACMs shall occur prior to demolition or construction activities that would disturb those materials. Pursuant to an asbestos abatement plan developed by a state-certified asbestos consultant and approved by the City, all ACMs shall be removed and appropriately disposed of by a state certified asbestos contractor.
- d. If the assessment required finds PCBs, ensure that PCB abatement is conducted prior to building demolition. PCBs shall be removed by a qualified contractor and transported in accordance with Caltrans requirements.

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.

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 filing with the Planning, Building, and Transportation Department a written notice of appeal stating the basis of appeal and paying the required fees.

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 6th day of February 2025 by the following vote:

AYES: Bevan, Brito, Hernandez, Sanchez

NOES: None

ABSENT: Rybarczyk

ABSTAIN: None

ATTEST:

Signed by:

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STEVEN BUCKLEY, Secretary

City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD

RESOLUTION HAB-25-2

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA REGARDING APPLICATION PLN25-0067, REMOVING THE PROPERTY FROM THE HISTORICAL BUILDING STUDY LIST AND GRANTING A CERTIFICATE OF APPROVAL FOR THE DEMOLITION OF A PRE-1942 BUILDING LOCATED AT 802 BUENA VISTA AVENUE

WHEREAS, applicant Rajiv Jain made an application on January 28, 2025, proposing the demolition of the existing fire-damaged structure located at 802 Buena Vista Avenue to facilitate redevelopment with a two-story residential building; and

WHEREAS, the application was deemed complete on February 3, 2025; and

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

WHEREAS, the parcel is located within the R-2 Residential Zoning District; and

WHEREAS, the subject property is not a Historic Monument; and

WHEREAS, the subject property was constructed prior to 1942 and is listed as an "S" on the Alameda Historical Building Study List; and

WHEREAS, the existing building suffered fire damage in 2022; and

WHEREAS, on March 6, 2025, the Board held a duly noticed public hearing and reviewed and considered the application, including the staff report, exhibits, and other relevant documents, and directed the applicant to complete additional historical evaluation of the existing building's integrity; and

WHEREAS, on May 13, 2025, an Architectural Survey Memorandum was published by Page & Turnbull surveying the current condition of the subject property and providing additional historical evaluation, and the Memorandum was thereafter submitted to the City; and

WHEREAS, on July 17, 2025, the Board held a duly noticed public hearing and reviewed and considered the application, including the staff report, exhibits, and other relevant documents including additional historical evaluation and community testimony in writing and during the hearing.

NOW THEREFORE, BE IT RESOLVED that the Historical Advisory Board finds
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the project is categorically exempt under the California Environmental Quality Act (CEQA) and no additional environmental review is necessary pursuant to CEQA Guidelines Section 15301(l)(1) – Existing Facilities – Demolition and removal of individual small structures listed in 15301(l), including one single-family residence, and on a separate and independent basis, pursuant to CEQA Guidelines Section 15332 – In-Fill Development Project consistent with the applicable general plan designation and zoning regulations. Pursuant to CEQA Guidelines Section 15064.5 (a)(2), the Historical Advisory Board determines that the preponderance of the evidence demonstrates that the subject property has lost sufficient integrity to be considered a historical resource. Further, the subject property will be removed from the local study list as a result of the loss of historic integrity. Accordingly, no exceptions to the exemptions apply.

BE IT FURTHER RESOLVED that 802 Buena Vista Avenue is hereby removed from the City’s Historical Building Study List.

BE IT FURTHER RESOLVED that the Historical Advisory Board has made the following findings on the subject Certificate of Approval request:

- 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 building at 802 Buena Vista Avenue originally featured individually distinctive elements of the Craftsman style, however, the building’s historic integrity has been lost due to fire damage. The builders, the Strang Brothers, are not associated with any designated historical monuments and were not identified as builders of merit through research for the updated historical evaluation of 802 Buena Vista Avenue. Overall, the building’s loss of integrity results in the building’s lack of representation of any potential architectural significance or association to original builders or designers.

- 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.**

There are no known significant events associated with the property.

- 3. The property is not associated with persons important to local, state, or national history.**

There is no known historical association with the lives of important individuals. The builder, the Strang Brothers, were residential builders in Alameda specializing in Craftsman style buildings in the Mastick Subdivision, but who are not known for other important roles in Alameda history.

- 4. The property does not yield any information important in prehistory or history.**

Although 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.

5. The project no longer meets the criteria for a Historical Monument or has become a detriment to the community and the condition making it a detriment cannot readily be cured.

The subject property has not been designated a Historical Monument, and a Certificate of Approval is required for demolition under Alameda Municipal Code Section 13-21.7(a), by virtue of it having been constructed prior to 1942. The determination that the building does not meet the criteria for a Historical Monument is consistent with the Secretary of Interior standards in so far as the building has lost most of its integrity as the result of a devastating fire. The extant building is a detriment to the community insofar as the fire damage has made it structurally unsound and visually displeasing. The fire damage is structurally significant enough that the building has been red tagged and therefore cannot be entered and has sat vacant for more than two years. The majority of the public-facing façade has been damaged, and the structural deficits cannot be readily cured through restoration. Demolition is necessary to remedy the existing conditions.

BE IT FURTHER RESOLVED that the Historical Advisory Board hereby issues a Certificate of Approval for the proposed demolition at 802 Buena Vista Avenue, subject to the following conditions:

- (1) Unless demolition has begun under valid City permits, this Certificate of Approval shall expire on the later of: (a) three (3) years after the effective date of this approval (i.e. July 17, 2028); or, (b) if appealed in accordance with AMC Ch. 30-25 or another applicable provision of law, three (3) years from the date of the final decision on such appeal.
- (2) The demolition permit authorized by this Certificate of Approval shall not be issued until the City first approves the Design Review for the proposed replacement building, which shall include considerations recommended by the Historical Advisory Board and public comment in the Design Review process.
- (3) INDEMNIFICATION. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

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 17th day of July, 2025 by the following vote:

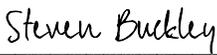
AYES: Bevan, Brito, Hernandez

NOES: None

ABSENT: Cotty, Rybarczyk

ABSTAIN: None

ATTEST:

Signed by:

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Steven Buckley, Secretary

City of Alameda Historical Advisory Board

**CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
RESOLUTION HAB-25-3**

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING CERTIFICATE OF APPROVAL, PLN24-0529, FOR EXTERIOR IMPROVEMENTS TO AN EXISTING COMMERCIAL STOREFRONT AT 1325 PARK STREET IN THE PARK STREET COMMERCIAL HISTORIC DISTRICT.

WHEREAS, Yung Chen, on behalf of the owners of Monkey King restaurant, submitted an application on October 2, 2024 to modify the exterior of a contributing structure within the Park Street Historic District; and

WHEREAS, the application was deemed complete by staff on August 5, 2025; and

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

WHEREAS, the Zoning Ordinance classification for the property is Community Commercial – Theater Combining District; and

WHEREAS, the proposed project consists of a building at 1325 Park Street, which is a contributing structure within the Park Street Commercial Historic District; and

WHEREAS, the Historical Advisory Board held a public hearing on September 4, 2025 for this application, and examined pertinent maps, drawings and documents; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Historical Advisory Board of the City of Alameda finds this project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 – Existing Facilities, minor alterations to an existing structure and Section 15331 – Historical Rehabilitation consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

BE IT FURTHER RESOLVED, that the Historical Advisory Board approves the Certificate of Approval request for 1325 Park Street based on the following findings with respect to the project's consistency with the Secretary of the Interior's Standards for Rehabilitation:

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

The building has been traditionally used for commercial retail. The proposed restaurant use is consistent with these historic uses and is compatible with the existing eating establishments in the vicinity. The proposed new use will facilitate reinvestment into and preservation of the distinctive materials, features, spaces and spatial relationships of the building. The improvements include new operable storefront windows replacing the existing previously altered windows, and a new recessed egress doorway to meet current building and fire code requirements. The improvements are designed to minimize impact to the existing tile bulkhead to the greatest extent feasible.

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

The project proposes to maintain the distinctive features of the building that contribute to the historic character of the property. The brick façade, clerestory windows, waffle-pattern frieze panels of terra cotta, granite bases on end piers and sandstone trim are all being preserved. The existing tile bulkhead is being preserved to the maximum extent feasible. Overall, the historic character of the property will be retained and preserved.

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

The proposed modifications to the building are modest in scale. By keeping the maximum amount of original materials and elements possible while meeting current building code requirements, the original sense of the building's construction will continue to be conveyed. The window replacement does not alter the character in a meaningful way, considering that the aluminum windows now in place were a previous alteration. There is no known record of the original windows, but the wood sliders would be similar to those on the adjacent Masonic building.

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

The primary change to the building since its construction was the removal a century ago of the second floor which contained professional offices. The second story arched windows were removed, and the bottom portion of the windows were bricked in with a new brick molding added to the top. Jagged remnants of the

upper-story walls remain beyond the current parapet. The storefront windows have likely changed multiple times over the life of the building. The proposed storefront windows retain the general outer dimensions of the existing windows except for where a new egress doorway has been included at the left edge of the façade to comply with current building code requirements. The recessed entry and bulkhead will also be preserved except to accommodate the new secondary exit doorway.

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

The project does not significantly change the distinctive materials and features of the building except as needed to comply with current building code requirements. This approval requires the applicant to restore, refurbish or reuse the original materials to the maximum extent feasible. If any of the original materials are deteriorated beyond repair, new work is required to incorporate materials that match the original. The brick façade, clerestory windows, waffle-pattern frieze panels of terra cotta, granite bases on end piers and sandstone trim are all being preserved. The existing tile bulkhead is being preserved to the maximum extent feasible. If any materials are deteriorated beyond repair, the applicant will incorporate new materials that are consistent with the original.

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

The project does not significantly change the historic features of the building except as needed to comply with current building code requirements. This approval requires the applicant to restore, refurbish or reuse the original materials to the maximum extent feasible. If any of the original materials are deteriorated beyond repair, new work is required to incorporate materials that match the original.

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

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

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

The project involves storefront and tenant improvements to a commercial structure in the Park Street Historic District. No digging or grading activities are proposed as part of the project; however, standard permit requirements of the City require 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 will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.**

The project does not significantly change the historic features that characterize the building. The proposed improvements clearly distinguish the new work from the old while providing materials and scale that are consistent with the original.

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

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

BE IT FURTHER RESOLVED that the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN25-0529 with the following conditions of approval, which shall be placed on 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 September 4, 2025, unless actual construction under a valid permit has begun. This approval may be extended administratively by the Secretary to the Historical Advisory Board upon submittal of an application and required fees.
2. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
3. The plans submitted for the Building Permit shall be in substantial compliance with plans prepared by Yung Chen, received on August 27, 2025, on file in the office of the City of Alameda Planning Division, subject to the conditions specified in this resolution.

4. Prior to issuance of a Building Permit, at applicant's expense, an updated CA DPR form shall be filed with 5-10 high quality photographs capturing the building in its current condition in order to support SOI finding #10 regarding the reversibility of planned modifications.
5. 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.
6. A copy of this Certificate of Approval Resolution shall be printed on the final Building Permit plans.
7. The applicant shall attempt to restore or reuse any original materials in the storefront not otherwise specified to be modified in the approved plans. If any original materials are deteriorated beyond repair, the new work shall incorporate materials that match the original to the satisfaction of the Planning Director.
8. INDEMNIFICATION. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

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

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Section 1094.6

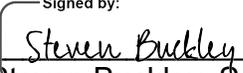
NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code Section 66020 (d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. 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.

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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 September 2025 by the following vote:

AYES: Bevan, Brito, Hernandez
NOES: None
ABSENT: Cotty,
ABSTAIN: None

ATTEST:

Signed by:


Steven Buckley, Secretary
City of Alameda Historical Advisory Board

September 4, 2025
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CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD

RESOLUTION HAB-25-4

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA REGARDING APPLICATION PLN25-0114, REMOVING THE PROPERTY FROM THE HISTORICAL BUILDING STUDY LIST AND GRANTING A CERTIFICATE OF APPROVAL FOR THE DEMOLITION OF A PRE-1942 BUILDING LOCATED AT 1711 ARBOR STREET

WHEREAS, applicant Jason Phoen made an application on February 21, 2025, proposing the demolition of the existing uninhabitable structure located at 1711 Arbor Street to facilitate redevelopment with a two-story residential building; and

WHEREAS, the application was deemed complete on April 24, 2025; and

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

WHEREAS, the parcel is located within the R-4 Residential Zoning District; and

WHEREAS, the subject property is not a Historic Monument; and

WHEREAS, the subject property was constructed prior to 1942 and is listed as an “H” on the Alameda Historical Building Study List, which designation did not indicate eligibility for inclusion on the State or National register; and

WHEREAS, on July 10, 2025, the 2025 Historic Resource Evaluation and Condition Assessment Memorandum was published by Garavaglia surveying the current condition of the subject property and providing historical evaluation, and the Memorandum was thereafter submitted to the City; and

WHEREAS, on September 4, 2025, the Board held a duly noticed public hearing and reviewed and considered the application, after deliberation determined that insufficient information was provided to make the required findings, and therefore the item was continued to the following meeting to allow the applicant to prepare the requested information; and

WHEREAS, on October 2, 2025, the Board held a duly noticed public hearing and reviewed and considered the application, including the staff report, exhibits, and other relevant documents including additional historical evaluation and community testimony in writing and during the hearing.

NOW THEREFORE, BE IT RESOLVED that the Historical Advisory Board finds the project is categorically exempt under the California Environmental Quality Act (CEQA) and no additional environmental review is necessary pursuant to CEQA Guidelines Section 15301(I)(1) – Existing Facilities – Demolition and removal of individual small structures listed in 15301(I), October 2, 2025

including one single-family residence, and on a separate and independent basis, pursuant to CEQA Guidelines Section 15332 – In-Fill Development Project consistent with the applicable general plan designation and zoning regulations. Pursuant to CEQA Guidelines Section 15064.5 (a)(2), the Historical Advisory Board determines that the preponderance of the evidence demonstrates that the subject property lacks or has lost sufficient historical character and integrity to be considered a historical resource. Further, the subject property will be removed from the local study list as a result of the lack of historic character and loss of historic integrity. Accordingly, no exceptions to the exemptions apply.

BE IT FURTHER RESOLVED that 1711 Arbor Street is hereby removed from the City's Historical Building Study List.

BE IT FURTHER RESOLVED that the Historical Advisory Board has made the following findings on the subject Certificate of Approval request:

- 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 building at 1711 Arbor Street originally featured distinctive elements of both Queen Anne cottage and vernacular Italianate styles. However, those elements have lost historic integrity due to the substantially altered condition of the building and lack of architectural cohesion. While many of the alterations to the original building took place prior to the 1979 survey, further damage has resulted in the loss of additional features including the front porch since the survey. The builder is Charles A. Mitchell, who has no known association with any designated historical monuments, and is not identified as a builder of merit in the updated historical evaluation. Overall, the building lacks representation of any distinctive characteristics of potential architectural significance.

- 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.**

The property was developed in the late 1880s as an individual building and no significant events are associated with the property nor are there significant contributions to the history. The historical evaluation does acknowledge that the building could potentially be tied to some kind of Portuguese Historic District, however goes on to state that this building does not have any individual significance to display a connection to that or any other cultural heritage of Alameda associated with this individual property.

- 3. The property is not associated with persons important to local, state, or national history.**

Staff was unable to find any records that define the property as containing historical and cultural merit in association with the lives of important individuals. Two potentially

meritorious people or groups were in significant association with the subject property. The first, the original builder and first resident, is Charles A. Mitchell, who is not eligible as a historically significant person. The other is longtime residents between roughly 1925 and 1975, the Miranda family. While the historic evaluation does identify the Miranda family as having represented a part of the larger Portuguese diaspora, their significance, if any, would be tied to that broader community in general, and not tied specifically to the house. Other residents had been identified, but none of which were primarily associated with the building in such a way that the person's productive life could be tied to the building. Therefore, no person could be identified in association with the subject property after researching the residents going back to the original owner/builder. No persons of importance to local, state, or national history are identified in the historical evaluation.

4. The property does not yield any information important in prehistory or history.

While the property was developed in the late 1800s, it is not likely to yield more information about prehistory or history of the local community than what is already known.

5. The project no longer meets the criteria for a Historical Monument or has become a detriment to the community and the condition making it a detriment cannot readily be cured.

The subject property has not been designated a Historical Monument, and a Certificate of Approval is required for demolition under Alameda Municipal Code Section 13-21.7(a), by virtue of it having been constructed prior to 1942. The determination that the building does not meet the criteria for a Historical Monument is consistent with the Secretary of Interior standards insofar as the building has lost most of its integrity due to modifications over time and the dilapidation of the structure. The extant building is a detriment to the community because the dilapidation has made it structurally unsound and visually displeasing. The damage is structurally significant enough that the building has been determined inhabitable and has remained vacant in recent years. The majority of the public-facing façade has been damaged, and the structural deficits cannot be readily cured through restoration. Demolition is necessary to remedy the existing conditions.

BE IT FURTHER RESOLVED that the Historical Advisory Board hereby issues a Certificate of Approval for the proposed demolition at 1711 Arbor Street, subject to the following conditions:

- (1) Unless demolition has begun under valid City permits, this Certificate of Approval shall expire on the later of: (a) three (3) years after the effective date of this approval (i.e. October 2, 2028); or, (b) if appealed in accordance with AMC Ch. 30-25 or another applicable provision of law, three (3) years from the date of the final decision on such appeal.
- (2) The demolition permit authorized by this Certificate of Approval shall not be issued until the City first approves the Design Review for the proposed replacement building, which shall include considerations recommended by the Historical Advisory Board and public

comment in the Design Review process.

- (3) Prior to issuance of any Building Permits associated with the project, the applicant will provide staff with an updated, final historical evaluation memorandum and DPR form, subject to the approval of the Clerk of the Historical Advisory Board.
- (4) INDEMNIFICATION. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

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 2nd day of October, 2025 by the following vote:

AYES: Hernandez, Bevan and Crotty

NOES:

ABSENT: Brito

ABSTAIN:

ATTEST:

Signed by:

_____

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Steven Buckley, Secretary

City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD

RESOLUTION HAB-25-5

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA GRANTING A CERTIFICATE OF APPROVAL PLN25-0134 FOR THE DEMOLITION OF A PRE-1942 BUILDING LOCATED AT 1319 CLINTON AVENUE

WHEREAS, applicant Ken Carvalho made an application on April 10, 2025, for a Certificate of Approval to allow the demolition of an existing structure to facilitate the construction of a new two-story single-family residence located at 1319 Clinton Avenue; and

WHEREAS, the application was deemed complete on October 21, 2025; and

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

WHEREAS, the parcel is located within the R-1 Residential Zoning District; and

WHEREAS, the subject building was constructed prior to 1942; and

WHEREAS, the subject property is not a Historic Monument; and

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

WHEREAS, on October 20, 2025, a Historic Resource Evaluation Memorandum was conducted by Garavaglia Architecture surveying the current condition of the subject property and providing additional historical evaluation, and the Memorandum was thereafter submitted to the City; and

WHEREAS, on November 6, 2025, the Board held a duly noticed public hearing on the subject Certificate of Approval application and examined all pertinent application materials, staff analysis, and public testimony; and

NOW THEREFORE, BE IT RESOLVED that the Historical Advisory Board finds the project is categorically exempt under the California Environmental Quality Act (CEQA) and no additional environmental review is necessary as a Class 1 categorical exemption pursuant to CEQA Guidelines Section 15301(l)(1) – Existing facilities – demolition and removal of individual small structures including one single-family residence, and on a separate and independent basis, as a Class 3 categorical exemption pursuant to CEQA Guidelines Section 15303(a) – New Construction or Conversion of Small Structures – construction and location of a limited number of new, small facilities or structures including

one single-family residence in a residential zone. None of the exceptions to the exemptions apply.

BE IT FURTHER RESOLVED that the Historical Advisory Board has made the following findings on the subject Certificate of Approval request:

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.

1319 Clinton Avenue's vernacular style does not embody the distinctive characteristics of a particular type, period, or method of construction. The property does not represent the work of a master, as the builder Arthur E. Forderer has no other record of involvement in architecture or building beyond working for Forderer Cornice Works. Arthur E. Forderer is not associated with any designated historical monuments and was not identified as a builder of merit through research for the historical evaluation of 1319 Clinton Avenue. Overall, there are many other homes that exist in Alameda that exhibit greater architectural character and better examples of early 1900 architecture.

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.

There are no known significant events associated with the property. None of the occupants or owners of 1319 Clinton Avenue have had a considerable impact on the history of the broader community, and no historic events are known to have taken place at the house. Review of City records and historical resource publications has not provided any additional information that suggests that this structure has historical or cultural merit.

3. The property is not associated with persons important to local, state, or national history.

There is no known historical association with the lives of important individuals. The house, serving as a primary home for several families throughout the 20th Century, was not revealed to have owners or tenants that are historically significant. The builder, Arthur E. Forderer, while the president of Forderer Cornice Works, did not found the company and is not associated with pioneering or community development and was not known for other important roles in Alameda history. There are no other records that define the property as containing historical and cultural merit in association with the lives of important individuals and it is unlikely this property had any important historical association.

4. The property does not yield any information important in prehistory or history.

Although the property was developed in the early 1900s, it does not 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 hereby issues a Certificate of Approval for the proposed demolition at 802 Buena Vista Avenue, subject to the following conditions:

- (1) Unless demolition has begun under valid City permits, this Certificate of Approval shall expire on the later of: (a) three (3) years after the effective date of this approval (i.e. November 6, 2028); or, (b) if appealed in accordance with AMC 30-25 or another applicable provision of law, three (3) years from the date of the final decision on such appeal.
- (2) The demolition permit authorized by this Certificate of Approval shall not be issued until the City first approves the Design Review for the proposed replacement building, which shall include considerations recommended by the Historical Advisory Board and public comment in the Design Review process.
- (3) INDEMNIFICATION. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

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 filing with the Planning, Building and Transportation Department a written notice of appeal stating the basis of appeal and paying the required fees.

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 6th day of November 2025 by the following vote:

AYES: Bevan, Brito, Hernandez

NOES: None

ABSENT: Crotty

ABSTAIN: None

ATTEST:

Signed by:

1DFEDFEE51084EC...

Steven Buckley, Secretary

City of Alameda Historical Advisory Board

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD

RESOLUTION HAB-25-6

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA REGARDING APPLICATION PLN25-0664, GRANTING A CERTIFICATE OF APPROVAL FOR THE REMOVAL OF THREE COAST LIVE OAK (QUERCUS AGRIFOLIA) TREES THAT ARE APPROXIMATELY 18, 14, & 14 INCHES IN DIAMETER AT FOUR AND ONE HALF FEET ABOVE THE GROUND, RESPECTIVELY, LOCATED WITHIN THE PUBLIC LAND AREA ALONG TILDEN WAY AS PART OF A CAPITAL IMPROVEMENT PROJECT.

WHEREAS, applicant made an application on November 12, 2025, proposing the removal of three existing Coast Live Oak trees located on public property immediately north of Tilden Way to facilitate the Clement/Tilden Improvement Project; and

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

WHEREAS, the parcel is located within the C-2 Central Business Zoning District; and

WHEREAS, the subject property is not a Historic Monument; and

WHEREAS, the three Coast Live Oak trees proposed to be removed each exceeds ten inches in diameter, which qualifies them as protected trees under Alameda Municipal Code section 13-21.7(c); and

WHEREAS, on November 24, 2025, the certified arborist's report was submitted by Leonardo Tuchman surveying the current condition of the trees and providing an evaluation, and the document was thereafter submitted to the City; and

WHEREAS, on December 4, 2025, the Board held a duly noticed public hearing and reviewed and considered the application, including the staff report, exhibits, and other relevant documents including the arborist's report and community testimony in writing and during the hearing.

NOW THEREFORE, BE IT RESOLVED that the project is being reviewed consistently with the 2040 General Plan Environmental Impact Report (GP EIR), and that no further environmental review is necessary, because the GP EIR previously evaluated the potential impacts of the removal of protected trees to facilitate new development and found that adherence to the Historical Advisory Board review process would result in less-than-significant impacts by ensuring that such tree removals would avoid conflicts with City policies and that additional mitigation was not required. Further, the Clement/Tilden Improvement Project was evaluated by, and this action is thereby covered by, the 2009 Environmental Impact Report (EIR) (SCH No. 2007072075) for the Transportation Element.

BE IT FURTHER RESOLVED that the Historical Advisory Board has made the following findings on the subject Certificate of Approval request:

- 1. Removal. The Historical Advisory Board shall determine whether to issue a certificate of approval for the removal with or without conditions of approval, based on whether it finds that the site to which the Historical Monument will be moved contains the appropriate architectural or cultural context.**

The subject property has not been designated a Historical Monument, however a Certificate of Approval is required for removal of protected trees under Alameda Municipal Code Section 13-21.7(c), because the trees in question are Coast Live Oaks with at least ten-inch diameters at four and one-half feet above the ground. The determination that the trees do not meet the criteria for a Historical Monument is consistent with the Secretary of Interior standards insofar as the trees are not the first, last, only or most significant on their kind, nor are they associated with an individual or group having profound influence on the history of California. The trees will be replaced with oak trees of at least ten-gallon size or greater, at the project site such that the replacement trees will benefit from the same site-specific context that the existing trees enjoy. Removal is necessary to facilitate the Clement-Tilden capital improvement project and implement long-planned right-of-way, bicycle, and pedestrian improvements. The replacement trees will be planted according to an approved planting plan, providing sixteen new oak trees, Engleman's Oaks and Island Live Oaks, positioned to complement the reconfigured urban canopy and public improvements.

- 2. Due to alterations, such as removal of branches, removal of major roots or root systems, or other impacts the health of the subject tree will continue to decline resulting in decay and other structural defects that increases the potential for the tree to fall, which could result in injury to persons and damage to property. These cannot be controlled or remedied through reasonable preservation practices or procedures.**

The applicant has submitted an arborist's report prepared by Leonardo Tuchman, a certified arborist, which recommends removal of the trees. The arborist's determination for each individual tree states that "[the] tree is recommended for removal given project conflicts that cannot be resolved with practical and reasonable alternatives". As discussed above, Removal of the subject trees is necessary to accomplish beneficial public improvements, which cannot be implemented without altering the trees' branch and root systems in a manner that is likely to be detrimental and result in a health decline in the trees. Replacement according to the planting plan will provide new on-site oak trees in locations that are compatible with and enhance the new site context.

BE IT FURTHER RESOLVED that the Historical Advisory Board hereby issues a Certificate of Approval for the proposed removal of trees at the subject property, subject to the following conditions:

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- (1) The tree removal shall be in substantial compliance the licensed arborist's report received November 24, 2025, prepared by Leonardo Tuchman, on file in the office of the City of Alameda Planning Building and Transportation Department, except as modified by the conditions listed in this letter.
- (2) This approval is limited to the scope of the project defined in the project description and does not represent a recognition and/or approval of any work completed without required City permits.
- (3) The applicant shall plant two (2) 10-gallon coast live oak trees for each tree removed, on-site at a location to be approved by the Secretary to the Historical Advisory Board. The applicant shall receive a \$750 refund for each individual 10-gallon coast live oak tree planted on-site, to be drawn from the \$4,500 deposit the applicant has paid to the City's Oak Tree Mitigation Fund.
- (4) The property owner shall ensure that the planting and maintenance of any new Coast Live Oak trees planted to replace the removed trees is conducted in accordance with chapter two of the City of Alameda Master Street Tree Plan Volume 2, "arboricultural best practices", incorporated herein by reference (see attached).
- (5) INDEMNIFICATION. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

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

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and exactions. The applicant is hereby further notified that the 90-day appeal period, in which the applicant may protest these fees and other exactions, pursuant to Government Code Section 66020 (a) has begun. If the applicant fails to file a protest within this 90-day period complying with all requirements of Section 66020, the applicant will be legally barred from later challenging such fees or exactions.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Historical Advisory Board of the City of Alameda during the Regular Meeting of the Historical Advisory Board on the 4th day of December, 2025 by the following vote:

AYES: HERNANDEZ, BRITO, BEVAN & CROTTY

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Signed by:

1DFEDFEE51084EC...

Steven Buckley, Secretary

City of Alameda Historical Advisory Board