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For Planning Board and HAB.

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**From:** Shelby S <sheehan.shelby@gmail.com>

**Sent:** Tuesday, February 4, 2025 3:18 PM

**To:** Lara Weisiger <lweisiger@alamedaca.gov>

**Subject:** [EXTERNAL] Fwd: public comment 2/4/25 CC Item 5C: CEASE ILLEGAL ACTIVITIES AT ALAMEDA POINTCity-- illegal demolition of Building 114 --applies to Building 116 as well.

Hi Lara-

I just sent this comment a few minutes ago as you likely saw. Can you also add them to the planning board and HAB public comments? I think I got the item right this time! FYI== I dont know if you know but I have some complex vision impairment issues and sometimes I read things wrong or get mixed up, so thanks for catching that last one.. Yikes!  
Thanks, Shelby

----- Forwarded message -----

**From:** **Shelby S** <[sheehan.shelby@gmail.com](mailto:sheehan.shelby@gmail.com)>

**Date:** Tue, Feb 4, 2025 at 3:13 PM

**Subject:** public comment 2/4/25 CC Item 5C: CEASE ILLEGAL ACTIVITIES AT ALAMEDA POINTCity-- illegal demolition of Building 114 --applies to Building 116 as well.

**To:** City Clerk <[clerk@alamedaca.gov](mailto:clerk@alamedaca.gov)>, Historical Board

<[historicalboard@alamedaca.gov](mailto:historicalboard@alamedaca.gov)>, Planning <[planning@alamedaca.gov](mailto:planning@alamedaca.gov)>

**Cc:** Tod Hickman <[tod@building43winery.com](mailto:tod@building43winery.com)>, <[hhom@alamedaca.gov](mailto:hhom@alamedaca.gov)>, <[dariza@alamedaca.gov](mailto:dariza@alamedaca.gov)>, <[awang@alamedaca.gov](mailto:awang@alamedaca.gov)>, <[asaheba@alamedaca.gov](mailto:asaheba@alamedaca.gov)>, <[stsou@alamedaca.gov](mailto:stsou@alamedaca.gov)>

Clerk-

Please add this to the public comment for item 5C

The demolition of Building 114 was conducted illegally and without the proper CEQA authorization.

**First of all, the City does not have valid CEQA implementation procedures, making any and all CEQA Exemption determinations VOID. Therefore all activities in the NAS Historic District are illegal, and there is no statute of limitations to challenge them. The City should immediately cease all activities that are**

## **destroying the NAS Historic District.**

Second, this was NOT an emergency, and should have had a full review by the Historical Advisory Board pursuant to the Alameda Point EIR Mitigation and Monitoring Plan 4b.

**The project materials said it was to "prevent" an emergency. THAT'S NOT HOW IT WORKS.**

(And the cost so far is \$4 million dollars...)

Building 114 and 116 are historic buildings, which have been intentionally neglected in violation of the conveyance agreement with the Navy. In any case they are in the Historic District, and impact the historic character of the District.

**This activity was totally illegal and is part of the overall destruction of the historic district character by the mayor and City Manager.**

How do I know "THAT'S NOT HOW IT WORKS"? I looked up the applicable laws--you should too.

So, you want to demolish a building in the Historic District huh?

Here's what you do:

Within the Naval Air Station (NAS) Alameda Historic District, the demolition of buildings is subject to stringent regulations to preserve historical integrity as set forth in the Alameda Point EIR.

However, provisions exist for emergency situations where demolition is necessary to protect public health, safety, or welfare.

### **Alameda Municipal Code (AMC) Provisions:**

- **Historical Advisory Board Approval:** According to AMC Section 13-21.6, no buildings at Alameda Point can be demolished without prior approval from the Historical Advisory Board. This is consistent with the AP EIR.
- If demolition is approved, the HAB may require mitigation measures such as documentation of the building, interpretive displays, or preservation of certain architectural elements to maintain the historical narrative of the area.
- **Emergency Demolition:** While the AMC emphasizes preservation, it acknowledges situations where immediate action is necessary. In such cases, the Building Official has the authority to waive standard requirements to protect public health and safety. For instance, the Alameda County Building Code, which aligns with city regulations, states:

"The building official may waive any or all requirements of this section where an immediate or emergency demolition is required to protect the public health, safety, or welfare."

### **Guidelines for Emergency Demolition:**

1. **Assessment:** The Building Official evaluates the structural integrity and potential hazards of the building in question.
2. **Decision:** If deemed an immediate threat, the Building Official can authorize emergency demolition without prior approvals.
3. **Documentation:** All actions taken should be thoroughly documented, detailing the reasons for emergency measures.
4. **Historic Preservation:** Even in emergencies, efforts should be made to document the structure before demolition, preserving records for historical purposes.
5. **Post-Demolition Review:** Following emergency actions, a review may be conducted to assess the situation and implement measures to prevent future occurrences.

### **NO EMERGENCY**

There was no emergency, making the demolition of Building 114 illegal. In this case, State-level enforcement actions are warranted.

It is the Historical Advisory Boards' duty to follow up and require stop-work orders on further progress on this site and issue Restoration requirements and mitigation for this illegal activity.

### **CITY COUNCIL ACTION REQUIRED**

The **City Council** should vote to **halt further action on the site** and:

- Conduct an **investigation** into how the demolition was approved and executed,
- Impose **penalties** for violations of historic preservation laws, and
- Ensure that any **future development** on the site fully complies with historic preservation regulations and environmental review requirements.

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