

CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
DRAFT RESOLUTION

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA GRANTING A CERTIFICATE OF APPROVAL, PLN17-0396, FOR THE DEMOLITION OF MORE THAN 30% THE PRESENT VALUE OF A PRE-1942 RESIDENCE LOCATED AT 63 GARDEN ROAD

WHEREAS, applicants Nikitas and Jaimie Orfanos made an application on July 31, 2017, proposing the demolition of more than 30% the current value of a single family residence built prior to 1942 as part of a proposed addition to the side and rear of the structure; and

WHEREAS, the application was deemed complete on September 7, 2017; and

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

WHEREAS, the parcel is located within the 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 is not on the Alameda Historical Building Study List; and

WHEREAS, on October 5, 2017, the Board held a duly noticed public hearing, reviewed the application, including exhibits and documents.

THEREFORE, BE IT RESOLVED that the project is Categorically Exempt from additional environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15301 – Existing Facilities.

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

1. **The structure to be demolished does not embody distinctive characteristics of a type, period, region, or method of construction, nor does it represent the work of an important creative individual.** The existing structure does not possess high artistic value and does not reflect the work of a master. Many other Craftsman bungalows exist in Alameda that exhibit greater architectural character and are better examples of bungalows popular

during the 1920s.

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

BE IT FURTHER RESOLVED that the Historical Advisory Board approves the proposed demolition at 63 Garden Road and issues a Certificate of Approval subject to the following conditions:

- (1) This Certificate of Approval shall expire three (3) years after the date of approval or by October 5, 2019, unless demolition has begun under valid City permits prior to the date of expiration.
- (2) The issuance of a demolition permit under this Certificate of Approval shall be subject to the City first approving the Design Review for the proposed addition.
- (3) **HOLD HARMLESS.** The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Historical Advisory Board and their respective agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Alameda, Alameda City Historical Advisory Board and their respective agents, officers or employees to attack, set aside, void, or annul an approval by the City of Alameda, the Historical Advisory Board, Alameda City Planning Board, or City Council relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

NOTICE. The decision of the Historical Advisory Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by Notice of Appeal

Exhibit 2

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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.

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