

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, PLN25-0067, FOR THE DEMOLITION OF A PRE-1942 BUILDING LOCATED AT 802 BUENA VISTA AVENUE AND REMOVING THE PROPERTY FROM THE HISTORICAL BUILDING STUDY LIST

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.

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(l) – Existing Facilities – Demolition and removal of individual small structures listed in this subdivision; (1) 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. No 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.

The building at 802 Buena Vista Avenue originally featured elements of the distinctive Craftsman style, however, those elements have little to no remaining integrity due to fire damage. The builder is not known, nor is the building associated with 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.

The property was developed as part of the Mastick Subdivision, and no significant events are associated with the property, nor are there significant contributions to the history or cultural heritage of Alameda.

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. The original builder may have been the Strang Brothers, who were residential builders in Alameda specializing in Craftsman style buildings, but who are not known for building any of Alameda's important historical buildings.

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 issues a Certificate of Approval approving 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. March 6, 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.
- (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.

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

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.

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