

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, PLN23-0121, FOR THE DEMOLITION OF A PRE-1942 BUILDING LOCATED AT 1251 PARK STREET

WHEREAS, applicant Hein Nguyen, Architect made an application on March 22, 2023, proposing demolition of the existing structure to facilitate a two-story mixed use building located at 1251 Park Street; and

WHEREAS, the application was deemed complete on September 7, 2023; and

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

WHEREAS, the parcel is located within the C-C-T, Community Commercial and Special Theatre Zoning District; and

WHEREAS, the subject property is not a Historic Monument. It is listed as an “H” on the Alameda Historical Building Study List; and

WHEREAS, on October 5, 2023, the Board held a duly noticed public hearing, reviewed the application, including exhibits and documents.

THEREFORE, BE IT RESOLVED that the Historical Advisory Board finds the project is categorically exempt and no additional environmental review is necessary pursuant to CEQA Guidelines Section 15301(i) – Existing facilities – demolition of small commercial structures with a maximum occupant load of 30 persons.

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 1251 Park Street does not feature any of the distinctive characteristics of an early 20<sup>th</sup> century commercial building. The building was significantly altered from its original form in the 1940s, and has been incrementally altered in the ensuing years.

- 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 south of the Park Hotel, which was the southern starting point for what would become the Park Street Historic District, and is

therefore not associated with any contributions to the commercial history 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 was J.H. Young, who was a prolific residential builder in Alameda, but who is not known for building any of Alameda's important commercial 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 approves the proposed demolition at 1251 Park Street 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, 2026, 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) 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.

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