

**CITY OF ALAMEDA
HISTORICAL ADVISORY BOARD
DRAFT RESOLUTION**

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA APPROVING CERTIFICATE OF APPROVAL, PLN17-0080, FOR EXTERIOR IMPROVEMENTS TO THREE EXISTING COMMERCIAL STOREFRONTS AT 1337 - 1339 PARK STREET.

WHEREAS, Cholita Linda LLC submitted an application on February 14, 2017, to modify the exterior of a contributing structure within the Park Street Historic District; and

WHEREAS, the application was deemed complete by staff on April 11, 2017; and

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

WHEREAS, the Zoning Ordinance classification for the property is Community Commercial; and

WHEREAS, the proposed project consists of a building at 1337 & 1339 Park Street, which is a contributing structure within the Park Street Historic District; and

WHEREAS, the Historical Advisory Board held a public hearing on May 4, 2017 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 approves the Certificate of Approval request for 1337-1339 Park Street based on the following findings with respect to the project's consistency with the Secretary of the Interior's Standards for Rehabilitation:

- 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 mixed-use building has been traditionally used for commercial retail and dining establishments with residential units on the second story above. The proposed restaurant use is consistent with these historic uses and is compatible with the existing eating establishments in the building.

- 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 does not propose removing character-defining features from the existing building. The proposal includes moving one original storefront entry door and one non-original door to provide enough separation to meet Building Code egress requirements. The new storefront will follow the pattern and rhythm of the original storefronts and utilize a dark bronze anodized aluminum material consistent with the original architecture of the building. The ceramic tile and green marble bulkheads will be replaced with materials consistent with the original building. Additionally, the project will replace the transom windows that were covered with stucco and wood. All character defining features of the building will be maintained.

- 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 new storefront entry doors will be designed to be consistent with the existing original storefronts on the building, and will not add conjectural features or elements from other historic properties. All materials, windows and doors from the proposed project will be consistent with the original architecture of the building.

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

Two of the existing storefronts have been modified over time. These modified storefronts do not contain any character-defining features that must be maintained. The proposed improvements to these storefronts are more consistent and compatible with the original architecture of the building than the previous modifications.

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

The original character-defining features of this building, including cast concrete ornaments, bar molding, vertical second story windows, the lathed ornament vertical members, decorative mosaic tile paving, and interior arches will be maintained. The dark bronze anodized aluminum storefront, ceramic tile and green marble bulkheads at the base of the storefronts will be replaced with materials consistent with the original architecture.

- 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 three storefronts on Park Street and Alameda Avenue have been modified and no longer retain the original windows and bulkhead of the building. The applicant proposes to replace the storefront and related bulkheads with a new storefront design that is compatible with the original storefronts in scale, design, materials, color, and texture.

- 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 requires 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 new features include new storefront doors on Park Street that will be shifted to the sides to provide enough separation to meet fire egress requirements, and provide a design that differentiates the new work from the old. The new design will utilize an angled recessed entry with a dark bronze anodized aluminum storefront and green marble bulkhead consistent with the original architecture. The proposal will also replace a storefront along Alameda Avenue with dark bronze anodized aluminum storefront and ceramic tile bulkhead consistent with the original storefronts on the building.

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 finds this project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 – Existing Facilities and 15331 – Historic Resource Restoration/Rehabilitation.

BE IT FURTHER RESOLVED that the Historical Advisory Board of the City of Alameda hereby grants Certificate of Approval, PLN17-0080 with the following conditions of approval, which shall be placed on the first page of 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 May 4, 2017, 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 William H. Craig, Architect, on file in the office of the City of Alameda Planning Division, subject to the conditions specified in this resolution.
4. 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.
5. A copy of this Certificate of Approval Resolution shall be printed on the cover of the final Building Permit plans.
6. Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda and its respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda and its respective agents, officers or employees to attack, set aside, void or annul, any approval

or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the 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. 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 decision of the Secretary of the Historical Advisory Board shall be final unless appealed to the Historical Advisory Board within ten (10) days of this decision, by filing a Notice of Appeal with the City of Alameda Community Development Department stating the appellant claims that the decision is not supported by the findings or the findings are not supported by the evidence in the record, and paying the required fee.

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.
