

# Exhibit 1

## CITY OF ALAMEDA HISTORICAL ADVISORY BOARD

### RESOLUTION 26-2

A RESOLUTION OF THE HISTORICAL ADVISORY BOARD OF THE CITY OF ALAMEDA GRANTING A CERTIFICATE OF APPROVAL (APPLICATION #PLN24-0145) TO CONSTRUCT AN APPROXIMATELY 600-SEAT PERFORMING ARTS CENTER AND LANDSCAPED PLAZA ON AN APPROXIMATELY TWO-ACRE SITE ON THE SEAPLANE LAGOON TAXIWAY ON THE WEST SIDE OF PAN AM WAY BETWEEN THE NAVAL AIR MUSEUM AND THE SEAPLANE LAGOON PROMENADE WITHIN THE NAS ALAMEDA HISTORIC DISTRICT AND RELATED OFF SITE IMPROVEMENTS

WHEREAS, Radium Presents, Inc. made an application on March 26, 2024, requesting a Certificate of Approval pursuant to Alameda Municipal Code (AMC) section 13-21.5 to construct a theater and adjacent landscaped plaza on a portion of the former Seaplane Lagoon Taxiway (Project); and,

WHEREAS, the project site on the west side of Pan Am Way between the Naval Air Museum (Building 77) and the Seaplane Lagoon Promenade is within the Naval Air Station (NAS) Alameda Historic District, which was officially listed in the National Register of Historic Places in 2013 with a period of significance of 1938-1945; and,

WHEREAS, the Cultural Landscape Report for NAS Alameda (2012) concluded that the historic designed landscape should be considered a contributor to the NAS Alameda Historic District. The National Register Nomination (Nomination) relied on the Cultural Landscape Report's evaluation to affirm the inclusion of the designed landscape as a contributing feature to the Historic District; and,

WHEREAS, the scale of the Project constitutes an alteration to the historic designed landscape of NAS Alameda Historic District which requires a Certificate of Approval pursuant to AMC Section 13-21.5; and,

WHEREAS, the application was deemed complete on January 7, 2026;

WHEREAS, the Project is being considered in the context of previous approvals for the redevelopment of the former NAS Alameda, including the Town Center and Waterfront Precise Plan (2014), Site A Development Plan (2015), and the First Amendment to the Site A Development Plan (2022); and,

WHEREAS, the Town Center and Waterfront Precise Plan anticipated significant infill development along the Seaplane Lagoon Taxiway and the First Amendment to the Site A Development Plan Land Use Diagram called for an approximately 53,000 square foot theater on Blocks 12 and 13 (project site); and,

WHEREAS, the General Plan designation of the site is Mixed-Use, which is intended to support “a wide variety of commercial and business uses” and is in the Waterfront and Town Center Mixed-Use Subdistrict which calls for a “vibrant waterfront experience that leverages the unique character and existing assets of the area to catalyze a transformation of the larger Alameda Point area.”; and,

WHEREAS, the parcel is located within the Alameda Point – Waterfront Town Center (AP-WTC) Zoning District, which “provides lands for a mix of uses that include waterfront and visitor-serving uses, including retail, service, entertainment, lodging, recreational, and medium to high-density residential uses. Development standards are intended to create a pedestrian, bicycle, and transit supportive urban environment designed to de-emphasize the automobile and create a mixed-use environment that supports the emergence of a transit and pedestrian-friendly mixed-use waterfront neighborhood. Development in this district shall be consistent with the Town Center and Waterfront Precise Plan.”; and,

WHEREAS, the project is being considered in the context of the Alameda Point Final EIR (State Clearinghouse No. 201312043), which was certified by the City Council on February 4, 2014, in compliance with the California Environmental Quality Act (CEQA) and adopted written findings and a Mitigation Monitoring and Reporting Program (MMRP) by Resolution No. 14891. The Final EIR evaluated the environmental impacts of redevelopment and reuse of Alameda Point, including infill development on the Seaplane Lagoon Taxiway, and concluded that certain impacts could be significant and that some of those significant impacts could be mitigated and some of those significant impacts would be unavoidable. The EIR concluded that, even with implementation of the Mitigation Measures 4.D-1a through 4.D-1c, demolition and/or substantial alteration of NAS Alameda Historic District contributors could result in significant and unavoidable impacts. To the extent that the mitigation measures will not mitigate or avoid all significant effects on the environment, the City Council determined that any remaining significant and unavoidable adverse impacts are acceptable and adopted overriding considerations; and,

WHEREAS, pursuant to the streamlining provision of Public Resources Sections 21166 and 21083.3 and Sections 15162 and 15183 of the CEQA Guidelines, no further environmental review is required because the Radium Theater project is consistent with the development density in an adopted Specific Plan for the area; the environmental impacts of the development of the area consistent with the Specific Plan were considered in the Alameda Point Project FEIR adopted by the City Council on February 4, 2014, in compliance with the California Environmental Quality Act (CEQA); the Radium Theater project is consistent with the development density of, is specifically listed in, and implements the City of Alameda’s General Plan; the environmental impacts of the General Plan Update were considered in the General Plan Update EIR adopted by the City Council on November 30, 2021; and as documented in the project CEQA Checklist, the Radium Theater project would not result in new or substantially more severe significant impacts than identified in the Alameda Point Project FEIR due to changes in the project, changed circumstances, or new information and there are no new or considerably different feasible

mitigation measures or alternatives from those identified in the Alameda Point Project FEIR that would substantially reduce one or more significant effects that the project proponent declines to adopt; and the Radium Theater project would not result in significant impacts that: (1) are peculiar to the project or project site; (2) were not already identified as significant effects, cumulative effects, or off-site effects in the General Plan Update FEIR; or (3) were previously identified as significant effects; but are determined to be substantially more severe than discussed in the General Plan Update FEIR; and

WHEREAS, the project is subject to the Alameda Point Project FEIR MMRP, which requires in pertinent part:

Mitigation Measure 4.D-1a (Historic Preservation Ordinance): The City shall implement the requirements of the Historic Preservation Ordinance, which requires a certificate of approval by the HAB for modifications to contributors and resources within the Historic District. As part of the certificate of approval process, project sponsors shall provide:

- 1) An analysis of the proposal's conformity with the *Guide to Preserving the Character of the Naval Air Station Alameda Historic District (The Guide)* as adopted and amended by the City Council;
- 2) An analysis of the proposal's conformity with general management and design guidelines contained within the NAS Alameda Cultural Landscape Report (JRP, 2012), including application of the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes*. These include special treatments organized by functional area for such topics as spatial organization, topography, vegetation, views and vistas, circulation, as well as structures, furnishings and objects; and
- 3) An analysis of impacts to the integrity of the Historic District, as a whole, and an analysis of alternatives to avoid potential impacts on the Historic District as a whole, and on an individual resource.

Mitigation Measure 4.D-1b (Guidelines): Prior to approval of new buildings within the NAS Alameda Historic District, the City shall complete and adopt Guidelines for New Infill Development within the Historic District. All new buildings will be reviewed for conformance with the guidelines. [i.e. *The Guide to Preserving the Character of the Naval Air Station Alameda Historic District*, the design review guidelines for infill development in the *Cultural Landscape Report*, and the infill design guidelines from the *Town Center and Waterfront Precise Plan*.]

WHEREAS, pursuant to Section 13-21.5(b) of the Alameda Municipal Code, 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 the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*;

WHEREAS, on March 5, 2026, the Historical Advisory Board reviewed the application for a Certificate of Approval, including exhibits and documents, and considered testimony received orally and in writing;

**NOW THEREFORE**, the Historical Advisory Board makes the following findings:

A. With respect to the Project's compliance with CEQA, the Historical Advisory Board finds that the environmental effects of the project have been adequately evaluated, and that:

1. The project is consistent with the General Plan and Zoning Ordinance densities and use regulations; and
2. The FEIR was certified by the City Council for the Alameda Point Project, including amendments to the General Plan and Zoning Ordinance; and
3. There are no environmental impacts peculiar to the project that were not analyzed in the FEIR, or any such impact can be substantially mitigated by imposition of uniformly applied development policies or standards previously adopted by the City; and
4. There are no significant effects of the project that were not analyzed as significant effects in the FEIR; and
5. There are no potentially significant off-site impacts of the proposed project and there are no cumulative impacts to which the proposed project makes a considerable contribution which were not discussed in the FEIR;
6. There are no previously identified significant impacts of the proposed project which, as a result of substantial new information which was not known at the time the EIR was certified, have been determined to have a more severe adverse impact than discussed in the FEIR.
7. Pursuant to the streamlining provisions of CEQA Guidelines Section 15183, no further environmental review is required.

B. With respect to the project's consistency with the standards established by the Historical Advisory Board:

The City requires that new structures that obtain a building permit within the contributing portion of the historic district should be consistent with *The Guide to Preserving the Character of the Naval Air Station Alameda Historic District* as amended, the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, and any applicable Specific Plan, Precise Plan or other guiding regulations and standards.

The project is consistent with the above-listed guidelines and standards as described in detail below.

C. With respect to the project's consistency with *The Guide to Preserving the Character*

*of the Naval Air Station Alameda Historic District as amended:*

The design review guidelines for infill development in the Cultural Landscape Report, adopted as an amendment to *The Guide*, are the relevant guidelines upon which the project's consistency is evaluated. Within the vicinity of the proposed project, character-defining features of the designed landscape include:

- Paved open spaces between buildings
- Orthogonal layout of roads and buildings
- Deep building setback of Building 77 (museum)
- East-west views along row of Seaplane Hangars
- North-south views along Lexington and Saratoga
- Panoramic views south across the Seaplane Lagoon

The proposed building design has a generally square footprint, approximately three stories in height with square massing. Between the theater building and Pan Am Way will be an approximately one-acre landscaped plaza. A new access road will be included between the project site and Building 77. The project design reinforces and preserves the historic district's orthogonal layout with the building design and location, placement of the plaza, and placement of new roads and sidewalks. Character defining views and vistas are preserved.

New view corridors are emphasized along the Seaplane Lagoon waterfront (east-west) and between Building 77 and Seaplane Lagoon (north-south). The flat topography is maintained to the extent feasible, with allowances for sea-level rise, safe circulation, plaza activation and to provide attractive ways to provide relief from the strong prevailing westerly winds. New circulation is complementary to the district's character defining routes. The theater and plaza design elements reinforce and enhance rather than impact the relationships to the district's existing features. The deep setback and low ground cover of Building 77 are maintained to the maximum extent feasible. For these reasons, the project is consistent with *The Guide*.

D. With respect to the project's consistency with the Historic District Infill Guidelines of the *Town Center and Waterfront Precise Plan*:

The infill guidelines of the Precise Plan are intended to ensure new development along the Seaplane Lagoon Taxiway and around the Seaplane Hangars is consistent with the character defining features of the historic district. The Precise Plan infill guidelines also facilitate the introduction of new uses in new and existing buildings and support the creation of a vibrant waterfront destination.

Within the vicinity of the project, key concepts of the infill guidelines include:

- Maintenance of view corridors to Seaplane Lagoon
- A continuous view along the northern edge of Seaplane Lagoon
- Consistency with *The Guide to Preserving the Character of the Naval Air*

*Station Alameda Historic District, as amended.*

- Maintenance of Building 77's visual relationship to Seaplane Lagoon with a minimum 40-foot view corridor and limiting development on either side to 50 feet in height.

The project maintains the character defining views of the historic district, including east-west views along West Tower and along the northern edge of Seaplane Lagoon, and north-south views along Saratoga and Lexington Streets. Further, the project establishes a new axial view on the west side of the theater, centered between hangars 40 and 41 and aligned with one of the four ramps into the Seaplane Lagoon. The project does reduce visibility of Building 77's visual relationship to Seaplane Lagoon but does not completely obscure visibility by including the 40-foot view corridor through the landscaped plaza centered on Building 77 with the theater framing the western edge and an essentially unlimited view east to Pan Am Way and beyond. As detailed in item C above, the project is consistent with *The Guide*, as amended.

- E. With respect to the project's consistency with the Secretary of the Interior's *Standards for Rehabilitation* and *Guidelines for Rehabilitating Historic Buildings*

The following analysis relies primarily on the Standards Compliance Analysis completed by Architectural Resources Group, dated January 22, 2025. The character defining features of the district are limited to those features enumerated in the 2012 National Register Registration Form. Because the Standards were intended to be applied to a wide variety of resource types, some Standards have limited applicability to the analysis of new construction in historic districts. Standard 9 is the only standard that specifically addresses new construction; therefore, it is discussed at greatest depth below. The remaining Standards are varyingly useful for new construction, and some include duplicative language. The following summarizes the proposed project's conformance with the Standards:

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.

NAS Alameda Historic District is a decommissioned military air station and will not be used as it was historically. The proposed project will introduce a new use in the historic district that has been approved through the City's planning process for reuse of the base. The new use requires minimal change to the district's distinctive materials, features, spaces and spatial relationships. The project will require minimal change to the paving and unobstructed space and spatial relationships of the historic district, obstructing only a small portion of the panoramic views south across Seaplane Lagoon from the Seaplane Hangars. This view is minimally impacted because the panoramic views are not a single fixed view but refers

instead to a multitude of views from multiple viewpoints towards multiple viewpoints. The vast majority of this view will not be affected by the project. Overall, the project introduces a new use into the historic district that requires minimal change to its distinctive materials, features, spaces and spatial relationships, and therefore complies with Standard 1.

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 will be avoided.

While the project will require the removal of some concrete paving, which is ubiquitous throughout the historic district, the removal is relatively small and would not change the character of the district. The project would not otherwise alter historic features such as the Seaplane Hangars, Building 77 and the Seaplane Lagoon. The project will require minimal change to the paving and unobstructed space and spatial relationships of the historic district, obstructing only a small portion of the panoramic views south across Seaplane Lagoon from the Seaplane Hangars. This view is minimally impacted because the panoramic views are not a single fixed view but refers instead to a multitude of views from multiple viewpoints towards multiple viewpoints. The vast majority of this view will not be affected by the project. The project retains the orthogonal layout of the district with new diagonal landscape components bound within a strong orthogonal arrangement of buildings and roads. Overall, the project retains and preserves the character of the historic district. For these reasons, the proposed project complies with Standard 2.

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 project consists of all new construction. While the design includes some references to the design styles of surrounding historic district contributing buildings, these design choices have been made to enhance the building's compatibility with its surroundings rather than to confuse the casual observer into thinking the new theater building is historic. The new theater building does not include any conjectural features or elements from other historic properties. For this reason, the project complies with Standard 3.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

NAS Alameda Historic District does not include any changes that took place after its 1938-1945 period of significance that have acquired historic

significance. JRP Historical Consulting evaluated the district in 2011 for Cold War era significance and concluded that no resources appeared eligible for the National Register for association with this later period of development. Given that the district does not include any changes that have acquired historic significance in their own right, the proposed project does not have any impact on such changes. For this reason, the proposed project complies with Standard 4.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

The project will require only the removal of some areas of concrete paving, and would not have any effect on the distinctive material, features, finishes, and construction techniques that are present within the historic district. For this reason, the project complies with Standard 5.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a 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 proposed project does not include repair or replacement of any historic features within the district; therefore, the project complies with Standard 6.

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.

No chemical or physical treatments that may impact historic materials are included in the project; therefore, the project complies with Standard 7.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

The ground conditions in the area of the project includes concrete paving atop land that was reclaimed via bay fill through construction of the NAS Alameda. The likelihood that archeological materials will be encountered during the course of construction is low. If archeological materials are encountered, the project applicant will follow the City of Alameda *Procedures for Inadvertent Discoveries of Archeological Resources*. For these reasons, the project complies with Standard 8.

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.

- Regarding destruction of historic materials, while the approximately two-acre project will require the removal of some concrete paving, which is ubiquitous throughout the historic district, the removal is relatively small in the context of the broader, unaffected paved areas of the taxiway and operations area, and would not change the character of the 406.5-acre historic district.
- Regarding historic features, the project includes all new, stand alone construction and would not destroy existing historic features in the vicinity such as the Seaplane Hangars, Building 77, and the Seaplane Lagoon.
- Regarding spatial relationships, several character defining features of the designed landscape are related to spatial relationships and are adjacent to the site of the new construction, discussed individually below:
  - Paved open spaces without obstructions – These can be found throughout the historic district. While the project would remove some of the open space on the taxiway, in the context of the broader, unaffected paved areas of the taxiway and operations area, this change would not adversely affect spatial relationships in the historic district.
  - Orthogonal layout of roads and buildings – The project does not impact the orthogonal layout, as the project is arranged within a strong orthogonal framework.
  - East-west views along West Tower Avenue and the row of Seaplane Hangars – The project is setback sufficiently from the Seaplane Hangars and does not affect east-west views.
  - Panoramic views south from the Seaplane Hangars across the Seaplane Lagoon – The panoramic view south from the Seaplane Hangars will be partially affected by the proposed project. However, panoramic views are not a single fixed view but refer instead to a multitude of views from multiple viewpoints towards multiple viewpoints. The vast majority of this view will not be affected by the project.

Overall, the project has a limited effect on historic spatial relationships related to views and cannot be said to destroy historic spatial relationships with the historic district.

- The design of the project is differentiated from the existing features of the historic district but compatible with the historic materials, features, size, scale and proportion, and massing of the historic district. The design of the new theater is contemporary, constructed of all new materials, which differentiate it in a way that can be visually

comprehended by design professionals and the general public alike. The design introduces a new use in a large building in a minimally developed area of the historic district. For this reason, the design carefully aims for strong compatibility within the historic district.

- The height, rectangular massing, symmetrical design of the façade with a recessed, two-story multi-lite glazed opening, projecting canopy, and recessed roof volumes with curved corners reference the massive entry doors of the Seaplane Hangars and the Art Moderne style of Building 77. The landscaped plaza has a contemporary aesthetic appropriate for introducing a new use to a historic district, anchoring new features within a strong orthogonal framework. Overall, the design is differentiated from yet compatible with the historic district in a way that projects the character defining features. For this reason, the project complies with Standard 9.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

If the improvements included in the proposed project were removed in the future, the site could easily be returned to its historic condition through simple repaving. For this reason, the project complies with Standard 10.

- E. The project is therefore consistent with the mitigation measures contained in the Alameda Point Project EIR (2013) and is exempt from further review under the California Environmental Quality Act.

**THEREFORE, BE IT RESOLVED** that the Historical Advisory Board approves the Certificate of Approval for the project subject to the following conditions:

1. Approval. The project, including any plans submitted for Design Review and for a Building Permit, shall be in substantial compliance with plans prepared by Bora Architecture & Interiors, received on January 7, 2026, which are on file in the office of the City of Alameda Planning Division, subject to the conditions specified in this resolution.
2. Expiration. This Certificate of Approval shall expire three (3) years after the date of approval, March 5, 2029, unless construction has begun under valid City permits.
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. 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 may 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.

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 filing with the Planning, Building, and Transportation Department a written notice of appeal stating the basis of appeal and paying the required fees.

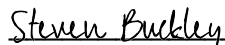
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I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Historical Advisory Board of the City of Alameda during the Regular Meeting of the Historical Advisory Board on the 5<sup>th</sup> day of March, 2026 by the following vote:

AYES: (4) Bevan, Brito, Crotty, Hernandez  
NOES: None  
ABSENT: None  
ABSTAIN: None

ATTEST:

Signed by:

  
\_\_\_\_\_  
Steven Buckley, Secretary  
City of Alameda Historical Advisory Board