

**RESOLUTION NO.**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSÉ DESIGNATING, PURSUANT TO THE PROVISIONS OF CHAPTER 13.48 OF TITLE 13 OF THE SAN JOSÉ MUNICIPAL CODE, THE EDWIN AND MARY WILCOX HOUSE, LOCATED AT 1300 PINE AVENUE AS A CITY LANDMARK OF SPECIAL HISTORICAL, ARCHITECTURAL, CULTURAL, AESTHETIC OR ENGINEERING INTEREST OR VALUE OF A HISTORIC NATURE**

**HL18-001**

WHEREAS, Chapter 13.48 of Title 13 of the San José Municipal Code provides for the designation of structures and/or sites of special historical, architectural, cultural, aesthetic or engineering interest or value of a historical nature as landmarks by the City Council of the City of San José; and

WHEREAS, said Chapter 13.48 of Title 13 provides that any historic property can be nominated for designation as a City Landmark by the City Council, the Historic Landmarks Commission, or by application of the owner or the authorized agent of the owner of the property for which designation is requested; and

WHEREAS, the Director of Planning, Building and Code Enforcement initiated the procedure pursuant to said Chapter 13.48 of Title 13 for consideration of such landmark designation for the Edwin and Mary Wilcox House located at 1300 Pine Avenue; and

WHEREAS, said Chapter 13.48 of Title 13 provides that before this Council may designate any building as a landmark, it shall hold at least one public hearing on such proposed designation, and that before it holds said public hearing, the Director of Planning, Building and Code Enforcement shall set the public hearing of said proposed landmark designation to the Historic Landmarks Commission of the City of San José for its consideration at a public hearing and for its report and recommendation thereon; and

WHEREAS, within the time and in the manner provided by Chapter 13.48 of Title 13, the Historic Landmarks Commission did, on November 7, 2018 at 6:30 p.m., conduct a public hearing on said landmark designation and recommend approval of the designation of the Edwin and Mary Wilcox House, located at 1300 Pine Avenue, described hereinafter in Section 1 of this Resolution, as a landmark of special historical, architectural, cultural, aesthetic or engineering

interest or value of a historic nature and made certain findings with respect thereto; and

WHEREAS, a copy of the City of San José Historic Landmark Nomination Form No. HL18-001 upon which such recommendation was made is on file in the Planning Division of the City of San José and available for review; and

WHEREAS, within the time and in the manner provided by said Chapter 13.48 of Title 13, the Director of Planning, Building and Code Enforcement gave notice that on December 4, 2018 at 1:30 p.m., or as soon thereafter as said matter could be heard, this Council would, in the City Hall of the City of San José, 200 East Santa Clara Street, San José, California, hold a public hearing on said landmark designation, at which hearing any and all persons interested in said proposed designation could appear and avail themselves of an opportunity to be heard and to present their views with respect to said proposed designation; and

WHEREAS, the subject property is all that real property located within the City of San José at 1300 Pine Avenue and described in Exhibit "A," which exhibit is attached hereto and made a part hereof by this reference as if fully set forth herein; and

WHEREAS, at the aforesaid time and place set for hearing, or to which the hearing was continued, this Council duly met, convened, and gave all persons full opportunity to be heard and present their views with respect to said proposed landmark designation.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN JOSÉ AS FOLLOWS:**

**SECTION 1.** In accordance with the provisions of Chapter 13.48 of Title 13 of the San José Municipal Code, the Historic Preservation Ordinance, this Council does hereby designate the hereinafter described Edwin and Wilcox House, located at 1300 Pine Avenue, as a landmark of special historic, architectural, cultural, aesthetic or engineering interest or value of a historic nature.

**SECTION 2.** Said designation is based on the following criteria of the Historic Preservation Ordinance:

- **Criterion 1:** Its character, interest or value as part of the local, regional, state or national history, heritage or culture, in that the residential property contributed to the history of San Jose, its prominence reflecting a period of early orchard development from the valley's

Period of Horticultural Expansion (1869-1918). The Wilcox Ranch is associated with important twentieth-century agriculture in San Jose as a prune, apricot, and peach orchard;

- **Criterion 3:** Its identification with a person or persons who significantly contributed to the local, regional, state or national culture and history, in that Edwin Wilcox was a prominent local attorney, an orchardist who acted as a spokesperson for growers, and original founders of the Pacific Coast Fruit-Growers' Association; and Mary Wilcox was instrumental in forming the San Jose chapter of the American Association of University Women;
- **Criterion 4:** Its exemplification of the cultural, economic, social or historic heritage of the City of San José, in that the Wilcox House is representative of a successful lawyer/orchardist and an active clubwoman wife in Willow Glen during the Period of Horticultural Expansion;
- **Criterion 6:** Its embodiment of distinguishing characteristics of an architectural type or specimen, in that the subject property is an excellent example of a Federal-style Colonial Revival style;
- **Criterion 7:** Its identification as the work of an architect or master builder whose individual work has influenced the development of the City of San José, in that the Wilcox house is believed to be the work of local architect William Ernest Higgins;
- **Criterion 8:** Its embodiment of elements of architectural or engineering design, detail, materials or craftsmanship which represents a significant architectural innovation, or which is unique, in that the Colonial Revival architectural style was unusual in San José in 1917 and remains so today.

**SECTION 3.** The City Clerk is hereby directed to notify those persons designated in San José Municipal Code Section 13.48.110, Subsection L, in the manner specified by said Section and to direct the recordation of a Notice of Granting of this resolution in the Office of the Recorder of the County of Santa Clara.

**PASSED FOR PUBLICATION** of title this                      4th day of December 2018, by the following vote:

AYES:  
NOES:  
ABSENT:  
DISQUALIFIED:

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SAM LICCARDO  
Mayor

ATTEST:  

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TONI TABER, CMC  
City Clerk

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**FOR**  
**EDWIN AND MARY WILCOX HOUSE**  
**1300 PINE AVENUE**  
**HL18-001**

**Exhibit "A"**

**Legal Description**

A.P.N.: 439-S2-106

Real property in the City of San Jose, County of Santa Clara, State of California, described as follows:

PARCEL ONE:

PARCEL "B" AS FOLLOWS:

ALL OF PARCEL C, AS SAID PARCEL IS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON MARCH 8, 1961, IN BOOK 129 OF MAPS AT PAGE 5, SANTA CLARA COUNTY RECORDS.

EXCEPTING THEREFROM THE FOLLOWING AREA:

BEGINNING AT A POINT ON THE LINE COMMON TO PARCEL D AND PARCEL C, AS SAID LINE IS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON MARCH 8, 1961, IN BOOK 129 OF MAPS AT PAGE 5, RECORDS OF SANTA CLARA COUNTY, CALIFORNIA, BEING DISTANT THEREON SOUTH 28° 44' 53" EAST, 62.00 FEET FROM THE MOST NORTHERLY COMMON CORNER OF SAID PARCEL D AND SAID PARCEL C,

THENCE, FROM SAID POINT OF BEGINNING, SOUTH 09° 15' 07" WEST, A DISTANCE OF 39.00 FEET ALONG THE COMMON BOUNDARY BETWEEN PARCELS D AND C;

THENCE, CONTINUING ALONG SAID COMMON BOUNDARY, SOUTH 28° 44' 53", A DISTANCE OF 77.27 FEET TO THE SOUTHEASTERLY LINE OF SAID PARCEL C;

THENCE, ALONG SAID SOUTHEASTERLY LINE, NORTH 61° 15' 07" EAST, A DISTANCE OF 75.25 FEET TO THE MOST EASTERLY CORNER AND NORTHEASTERLY LINE OF SAID PARCEL C;

THENCE ALONG SAID NORTHEASTERLY LINE, NORTH 28° 44' 53" WEST, A DISTANCE OF 47.90 FEET;

THENCE, SOUTHWESTERLY LEAVING SAID NORTHEASTERLY LINE, SOUTH 61° 15' 07" WEST, A DISTANCE OF 58.36 FEET;

THENCE, NORTH 28° 44' 53" WEST, A DISTANCE OF 27.17 FEET;

THENCE, NORTH 09° 15' 07" EAST, A DISTANCE OF 11.56 FEET;

THENCE, NORTH 28° 44' 53" WEST, A DISTANCE OF 23.82 FEET TO THE POINT OF BEGINNING.

THIS LEGAL IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE BOUNDARY LINE ADJUSTMENT, CERTIFICATE NO. AT08-35, RECORDED AUGUST 22, 2008, AS DOCUMENT NO. 19963306 OF OFFICIAL RECORDS.