

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN JOSE AMENDING THE DESIGNATION OF A CITY
LANDMARK, PURSUANT TO THE PROVISIONS OF
CHAPTER 13.48 OF TITLE 13 OF THE SAN JOSE
MUNICIPAL CODE, FOR THE SAN JOSE WATER WORKS
LOCATED AT 374 WEST SANTA CLARA STREET**

File No. HL20-005

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, the City Council of the City of San José designated the San José Water Works on December 3, 1991 (HS91-57, Resolution No. 63381) under Chapter 13.48 of Title 13 of the San José Municipal Code as City Landmark No. 57; and

WHEREAS, under Chapter 13.48 of Title 13 of the San José Municipal Code, the San José Water Works was found to be significant because it is part of the local, regional, state or national history, heritage or culture, its location is the site of the oldest privately owned water utility company in California, its embodiment of distinguishing characteristics of the Moderne architectural type or specimen, and the original building's identification as the work of Binder and Curtis whose individual work has influenced the development of the City of San José; and

WHEREAS, the San José Water Works City Landmark contains the 1934 Main Office, 1913 Transformer House, 1913 Electrical Pump House (major alterations circa 1920 and 1984-1985), a 1985 breezeway, 1984-1985 Data Processing building, and a circa 1920-1943 Suction Basin (round, reinforced concrete cistern) altered in the 1980s; and

WHEREAS, the only contributing structures on the site are the Main Office and the Transformer House, and the other structures were either extensively remodeled and lack historic integrity or were constructed in the 1980s and do not contribute to the significance of the site; and

WHEREAS, since the designation of the San José Water Works in 1991, a Historic Preservation Permit (File No. HP16-002) was approved on May 11, 2016 to demolish the non-contributing structures on the property and to relocate the 1913 Transformer House to be positioned directly south of the Main Office; and

WHEREAS, said Chapter 13.48 of Title 13 provides that any property that has been designated as a City Landmark may have such designation amended by the City Council when the findings required for the designation in the first instance can be made with respect to the designation amendment; and

WHEREAS, the Property Owner, Google LLC, initiated the procedure pursuant to said Chapter 13.48 of Title 13 for consideration of such landmark designation amendment for the San José Water Works, located at 374 West Santa Clara Street; and

WHEREAS, a copy of the landmark designation amendment application File No. HL20-005 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, the application proposes to modify the boundary of the San José Water Works City Landmark located on a 0.96-gross acre parcel to a 0.31-gross acre parcel to contain the only two contributing structures, the Main Office and the Transformer House; and

WHEREAS, said Chapter 13.48 of Title 13 provides that before this Council may amend a landmark designation, it shall hold at least one public hearing on such proposed landmark designation amendment, and that before it holds said public hearing, the Director of Planning, Building and Code Enforcement shall set the public hearing of said landmark designation for the amendment to be considered at a public hearing before the Historic Landmarks Commission of the City of San José 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 March 17, 2021 at 6:30 p.m., conduct a public hearing on said landmark designation amendment and recommend approval of the amendment of boundary of the San José Water Works City Landmark to a 0.31-gross acre parcel, described hereinafter in Section 1 of this Resolution; 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 May 25, 2021 at 1:30 p.m., or as soon thereafter as said matter could be heard, this Council would, by teleconference using Zoom conference call that is open to the public and enables public comment, hold a public hearing on said landmark designation amendment, at which hearing any and all persons interested in said proposed amendment could appear and avail themselves of an opportunity to be heard and to present their views with respect to said proposed designation amendment; and

WHEREAS, the subject property is all that real property located within the City of San José at 374 West Santa Clara Street 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, this City Council of the City of San José has considered, approved, and certified the Final Environmental Impact Report for the Downtown West Mixed Use Plan (“FEIR”) and adopted related findings, a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations pursuant to the California Environmental Quality Act (CEQA) under separate Resolution No. [REDACTED] on [REDACTED], 2021 prior to making its determination on this Historic Landmark boundary adjustment or any other Project approvals; 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 amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN JOSE 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 amend the landmark designation hereinafter described as the San José Water Works, located at 374 West Santa Clara Street.

SECTION 2. Said landmark designation amendment is based on the following facts and criteria of the Historic Preservation Ordinance:

- The San José Water Works City Landmark will continue to contain the contributing buildings that convey the significance of the property and the landmark designation amendment will not affect the significance, integrity, and physical setting of the property and the property would continue to possess the special historical, architectural, and cultural value that originally qualified it for landmark designation.
- The San José Water Works City Landmark will continue to convey its association with the San José Water Works because it retains the Main Office building constructed in

1934 and is only the second company office building on the site since 1888. The Transformer House supports the significance of the site in representing the practical functionality of the business. The two buildings that contribute to the historic significance and integrity of the site will be retained and contained within the modified boundaries. The surrounding landscaping was planted in recent years and there are no heritage trees or mature vegetation on the site that contributes to the property's historic integrity of location, setting, feeling or association.

- The San José Water Works City Landmark will continue to convey its association with the San José Water Works because it retains the Main Office building and Transformer House which are the contributing physical representations of the historic significance of the water company established on the site in 1888. The 1934 Main Office building replaced the original wood frame business office on site, but it is situated in the same location.
- The San José Water Works City Landmark will continue to convey its association with the San José Water Works because it retains the Main Office building constructed in 1934. No changes are proposed to the building and it will retain its character defining features including the uniform, symmetrical design, reinforced concrete and stucco-clad construction; cast stone decorative elements: frieze band, diamond and chevron panels, sculptural pediment over the entry, and bas-relief patterns in water-related themes (clouds, raindrops, waves); red tile roof; "San José Water Company" integral signage; and modern-style decorative elements (e.g., frieze band, diamonds with flanking chevron panels). The landmark will retain its historic integrity of design, materials, and workmanship.
- The San José Water Works City Landmark will continue to convey its association with Binder and Curtis because it retains the Main Office building constructed in 1934. Binder and Curtis were responsible for the design of many of San José's prominent buildings, particularly between the 1920s and 1930s. Many of Ernest N. Curtis' designs from the 1930s to 1950 incorporated the imagery of the Spanish Colonial Revival style with white planar surfaces and red tiled roofs, as can be seen in the Civic Auditorium. The San José Water Works building combines this recurring style with the classical order and Moderne ornament and programmatic influences. These architectural influences represented in the building will remain. No changes are proposed to the building and it will retain its architect-designed features.

APPROVED SUBJECT TO THE FOLLOWING CONDITION:

1. The City Landmark boundary modification shall not be recorded until the non-contributing structures on the 0.96-gross acre parcel are removed and the Transformer House is relocated adjacent to the Main Office building in accordance with File No. HP20-002 to ensure continued protection for all contributing buildings

on site. The Permittee shall apply for a Historic Preservation Permit Adjustment when the demolition of the non-contributing structures and the relocation of the Transformer House has been completed to effectuate the new boundary as approved under HL20-005 with the recording of this Resolution.

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.

ADOPTED this ___ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI TABER, CMC
City Clerk



EXHIBIT "A"
HISTORIC BOUNDARY

REAL PROPERTY in the City of San Jose, County of Santa Clara, State of California, being a portion of Parcel A as shown on that certain Parcel Map filed for record on December 3, 1986, in Book 567 of Maps, page 46, Santa Clara County Records, described as follows:

BEGINNING at the northerly corner of said Parcel A, being on the southeasterly line of West Santa Clara Street;

Thence along said southeasterly line, South 60°05'31" West, 82.84 feet;

Thence South 30°01'06" East, 161.02 feet;

Thence North 59°58'54" East, 87.62 feet, to the northeasterly line of said Parcel A;

Thence along said northeasterly line, the following three courses:

1. Thence North 33°09'29" West, 25.50 feet;
2. Thence North 45°48'23" West, 13.33 feet;
3. Thence North 29°54'29" West, 122.57 feet, to the POINT OF BEGINNING.

Containing 13,441 square feet or 0.31 acres, more or less.

As shown on Exhibit "B" attached hereto and made a part hereof.

END OF DESCRIPTION

This legal description of land does not constitute a separately created parcel per requirements of the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

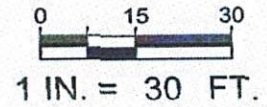
This legal description was prepared by me or under my direction in accordance with the Professional Land Surveyors Act.

Date: 6-12-2020

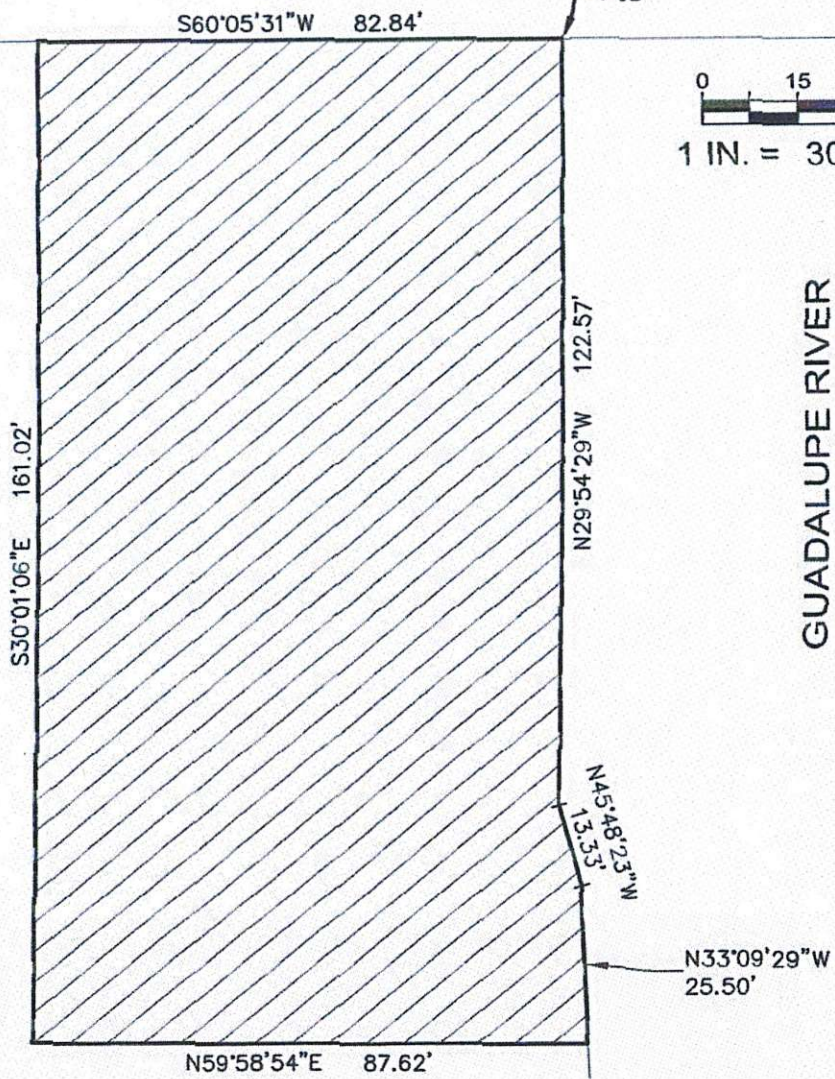

Tracy L. Giorgetti, LS 8720



WEST SANTA CLARA STREET



PARCEL B
567-M-46



GUADALUPE RIVER

N59°58'54\"E 87.62'

PARCEL A
567-M-46

LEGEND

POB POINT OF BEGINNING

SHEET 1 OF 1



Date:	2020-06-12
Designed:	RF
Drawn:	RF
Checked:	TG
Proj. Engr.:	VM
571900PL04	

1570 Oakland Road
San Jose, CA 95131
(408) 487-2200
HMHca.com

EXHIBIT "B"
PLAT TO ACCOMPANY DESCRIPTION:
HISTORIC BOUNDARY

SAN JOSE

CALIFORNIA

EXHIBIT "B" (File No. HL20-005)