



HISTORIC LANDMARKS COMMISSION AGENDA

Wednesday, November 1, 2023

Regular Meeting

Commencing at 6:30 p.m.

Hybrid Meeting - City Hall Wing and Virtually

Wing Rooms 118, 119 & 120

First Floor, City Hall Wing

200 East Santa Clara Street

San José, California

Virtual Meeting: <https://sanjoseca.zoom.us/j/83676017189>

Commission Members

Paul Boehm, Chair

Rachel Royer, Vice Chair

Harriett Arnold

Adriana Ayala

Amy Brown

Lawrence Camuso

Edward Janke

Christopher Burton, Director

Department of Planning, Building & Code Enforcement

How to submit written Public Comment before the Historic Landmarks Commission meeting:

Send email to planningsupportstaff@sanjoseca.gov by 1:00 p.m. the day of the meeting. Those emails will be attached to the item on the Agenda. Please identify the Agenda Item Number in the subject line of your email. Public correspondence received after 1:00 p.m. may not be considered by the Commission due to time constraints. Public comments received after 1:00 p.m. should be presented during the hearing.

How to provide spoken Public Comment during the Historic Landmarks Commission by Teleconference Zoom Meeting:

1. By Phone: (888) 475 4499. Webinar ID is **836 7601 7189**. Click *9 to raise a hand to speak. Click *6 to unmute when called. Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free)
2. Online at: <https://sanjoseca.zoom.us/j/83676017189>
 - a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
 - b. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
 - c. When the Commission calls for the item on which you wish to speak, click on “raise hand.” Speakers will be notified shortly before they are called to speak.
 - d. When called, please limit your remarks to the time limit allotted.

How to request ADA accommodations or interpretation for the meeting

To request an alternative format agenda under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call Support Staff at 408-535-3505 or 1-800-735-2992 (TTY), as soon as possible, but at least three business days before any meeting or event. Accommodations: Any member of the public who needs accommodations should email the ADA Coordinator at ADA@sanjoseca.gov or by calling (408) 535-8430. Language interpretation services are available at no cost for community members. Please contact planningsupportstaff@sanjoseca.gov or call 408-535-3505 no less than one week prior to the meeting to request an interpreter.

Nhu cầu cho người khuyết tật được cung cấp theo yêu cầu. Email ADA@sanjoseca.gov. Gọi (408) 535-8430. Các dịch vụ thông dịch ngôn ngữ được cung cấp miễn phí cho các thành viên trong cộng đồng. Vui lòng liên lạc tới QuyHoach@sanjoseca.gov hoặc gọi số 408-793-4174 ít nhất một tuần trước cuộc họp để yêu cầu có thông dịch viên.

Adaptaciones para discapacitados serán proporcionadas a pedido. Mande correo electrónico ADA@sanjoseca.gov. Llame (408) 535-8430. Los servicios de interpretación de idiomas están disponibles sin costo para los miembros de la comunidad. Comuníquese con OficinadePlanificacion@sanjoseca.gov o llame al 408- 793-4100 al menos una semana antes de la reunión para solicitar un intérprete.

應要求提供殘疾人便利設施。電子郵件 ADA@sanjoseca.gov。致電 (408) 535-8430。社區成員可以獲得免費的口譯服務。請至少在會議前一周聯系 planningsupportstaff@sanjoseca.gov 或致電 408-535-3505 申請口譯服務

NOTICE TO THE PUBLIC

If you want to address the Commission, fill out a speaker card (located at the technician's station), and give the completed card to the technician. Please include the agenda item number for reference.

The procedure for public hearings is as follows:

- After the staff report, **applicants may make a five-minute presentation.**
- For members of the public who attended in person: Anyone wishing to speak of the proposal should prepare to come forward.
- For members of the public who attended by teleconference: The meeting technician will connect persons who desire to speak to the commission to the meeting, so they can be heard.
- Generally, each speaker will be given up to two minutes for public testimony, and speakers using a translator will have up to four minutes. At the discretion of the Chair, the time allotted to each speaker may be changed depending on the number of items on the agenda, number of speakers, and other factors. Speakers using a translator will have double the time allotted.
- After the public testimony, the applicant may make closing remarks for up to an additional five minutes.
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The Chair will then close the public hearing.
- The public hearing will then be closed, and the Historic Landmarks Commission will take action on the item. The Commission may request staff to respond to the public testimony, ask staff questions, and discuss the item.

The procedure for referrals is as follows:

- After the staff report, **applicants may make a five-minute presentation.**
- For members of the public who attended in person: Anyone wishing to speak on a referral should prepare to come forward.
- For members of the public who attended by teleconference: The meeting technician will connect persons who desire to speak to the commission to the meeting, so they can be heard.
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.

The Historic Landmarks Commission will comment on the referral item.

If a Commissioner would like a topic to be addressed under one of the Good and Welfare items, please contact Planning staff in advance of the Commission meeting.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public view by clicking the link associated specifically to documents on this agenda at the same time that the public records are distributed or made available to the legislative body.

AGENDA

ORDER OF BUSINESS

WELCOME

ROLL CALL

1. DEFERRALS

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time.

No Items

2. CONSENT CALENDAR

Notice to the public: There will be no separate discussion of individual Consent Calendar items as they are considered to be routine and will be adopted by one motion. If a member of the Commission requests debate, separate vote or recusal on a particular item, that item may be removed from the Consent Calendar by the Chair and considered separately. The public may comment on the entire Consent Calendar and any items removed from the Consent Calendar by the Chair. Staff will provide an update on the consent calendar. If anyone in the audience wishes to speak on one of these items, please make your request at this time. If you have joined by teleconference and wish to speak on one of these items, please use the 'raise hand' feature in Zoom or press *9 from a touch tone phone to raise a hand to speak.

No Items

3. PUBLIC HEARINGS

Generally, the Public Hearing items are considered by the Historic Landmarks Commission in the order in which they appear on the agenda. However, please be advised that the Commission may take items out of order to facilitate the agenda, such as to accommodate significant public testimony, or may defer discussion of items to later agendas for public hearing time management purposes. If anyone in the audience wishes to speak on one of these items, please make your request at this time. If you have joined by teleconference and wish to speak on one of these items, please use the 'raise hand' feature in Zoom or press *9 from a touch tone phone to raise a hand to speak.

- a. [HL23-001 & MA23-001](#): Applications for designation of 909 Schiele Avenue (Yoell House) as a City Landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of an historic nature and for a Historical Property (Mills Act) Contract between the City of San José and the property owners (Yah Yah Cason and Wendy Needham). Council District: 6. **CEQA**: Exempt pursuant to CEQA Guidelines Section 15331 for Historical Resources and Rehabilitation.

PROJECT MANAGER, RINA SHAH

Staff Recommendation: Staff recommends that the Historic Landmarks Commission recommend to the City Council that:

1. Adopt a resolution designating 909 Schiele Avenue (Yoell House) as a City Landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of an historic nature; and
 2. Adopt a resolution approving the Historical Property (Mills Act) Contract between the City of San José and property owners Yah Yah Cason and Wendy Needham for the property located at 909 Schiele Avenue.
- b. [HL23-002 & MA23-002](#): Applications for designation of 340 North 3rd Street (Chase House) as a City Landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of an historic nature and for a Historical Property (Mills Act) Contract between the City of San José and the property owners (David Tam and Sunny Wang). Council District: 3. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15331 for Historical Resources and Rehabilitation.

PROJECT MANAGER, RINA SHAH

Staff Recommendation: Staff recommends that the Historic Landmarks Commission recommend to the City Council that:

1. Adopt a resolution designating 340 North 3rd Street (Chase House) as a City Landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of an historic nature; and
 2. Adopt a resolution approving the Historical Property (Mills Act) Contract between the City of San José and property owners David Tam and Sunny Wang for the property located at 340 North 3rd Street.
- c. [MA23-003](#): Application for a Historical Property (Mills Act) Contract between the City of San José and the property owner (200 Edenvale Avenue Hotel Owner LLC) for the property located at 200 Edenvale Avenue (Hayes Mansion) Council District: 2. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15331 for Historical Resources and Rehabilitation.

PROJECT MANAGER, RINA SHAH

Staff Recommendation: Staff recommends that the Historic Landmarks Commission recommend to the City Council that:

1. Adopt a resolution approving the Historical Property (Mills Act) Contract between the City of San José and property owner 200 Edenvale Avenue Hotel Owner LLC for the property located at 200 Edenvale Avenue.

4. PLANNING REFERRALS

No Items

5. GENERAL BUSINESS

- a. [Modifications to the San José Historic Resource Inventory](#). *Deferred from 10/4/23.*
PROJECT MANAGER, DANA PEAK EDWARDS

Staff Recommendation: Staff recommends that the Historic Landmarks Commission **add** the following properties to the Historic Resources Inventory:

Candidate City Landmark (CCL)

1. 900 South 2nd Street (APN 472-16-039) Deferred from 8/02/2023 and 10/04/2023

Structure of Merit (SM)

2. 88 East Humboldt Street (APN 477-01-043) Deferred from 8/02/2023 and 10/04/2023
3. 165 East Humboldt Street (APN 477-01-057) Deferred from 8/02/2023 and 10/04/2023

Eligible for National Register (ENR), Eligible California Register (ECR) and Candidate City Landmark (CCL)

4. 1052 South 1st Street (APN 472-16-045) Part of 1010 South 1st Street (APN 472-16-061) *added to the Historic Resources Inventory on 8/02/2023* Deferred from 10/04/2023

- b. [Standing Committee for the Recognition of Culturally Diverse Properties](#)

Staff Recommendation: Discuss draft work program and implementation strategies.

- c. [2024 Santa Clara County Preservation Alliance Awards Night](#)

Staff Recommendation: Accept report from Chairman Boehm and discuss participation by the Historic Landmarks Commission in the event.

6. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES

No Items

7. OPEN FORUM

Members of the public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Commission. The Commission cannot engage in any substantive discussion or take any formal action in response to the public comment. The Commission can only ask questions or respond to statements to the extent necessary to determine whether to: (1) refer the matter to staff for follow-up; (2) request staff to report back on a matter at a subsequent meeting; or (3) direct staff to place the item on a future agenda. Each member of the public may fill out a speaker's card and has up to two minutes to address the Commission. If you have joined by teleconference and wish to speak on one of these items, please use the 'raise hand' feature in Zoom or press *9 from a touch tone phone to raise a hand to speak.

8. GOOD AND WELFARE

a. Report from Secretary, Planning Commission, and City Council

- i. Verbal update on the status of Planning approvals by the City Council, Planning Commission and Planning Director of projects with a historic resource component.
- ii. Summary of communications received by the Historic Landmarks Commission.
- iii. Next Meeting is December 6, 2023, in San Jose City Hall, Wing Rooms 118, 119, 120.

b. Report from Committees

- i. Design Review Subcommittee: No meeting was held on Thursday, September 21, 2023, or October 19, 2023. The next meeting is scheduled for Thursday, November 16, 2023, at 11:00 a.m.

c. Approval of Action Minutes

- i. [Recommendation: Approval of Action Minutes for the Historic Landmarks Commission Meeting of September 6, 2023. Deferred from 10/4/23.](#)

d. Status of Circulating Environmental Documents

No items

ADJOURNMENT

CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
- c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
- d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
- f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.