



## **HISTORIC LANDMARKS COMMISSION**

### **AGENDA**

**April 1, 2020**

**One or more Commissioners may be teleconferencing or otherwise electronically participating from a remote location.**

**As of the date of this posting 3/25/20, Commissioner Saum, Boehm, and Arnold will be participating via teleconference.**

**Members of the public may view and listen to the meeting by following the instructions listed on page 2. Additional instructions are provided on page 2 to those members of the Public who would like to comment on agenda items.**

#### **Regular Meeting**

**6:30 p.m.**

**City Council Chambers**

**200 East Santa Clara Street**

**San José, CA 95113**

#### **Commission Members**

**Edward Saum, Chair**

**Paul Boehm, Vice Chair**

**Harriett Arnold**

**Anthony Raynsford**

**Stephen Polcyn**

**Rachel Royer**

**Eric Hirst**

**Rosalynn Hughey, Director**

**Department of Planning, Building & Code Enforcement**

### **Electronic device instructions:**

For participants who would like to join electronically from a PC, Mac, Ipad, iPhone or Android device, please click this URL: <https://zoom.us/j/382615844> . Please ensure your device has audio input and output capabilities. During the session, if you would like to comment, please use the ‘raise hand’ feature in Zoom conference call.

### **Telephone device instructions:**

For participants who would like to join telephonically please dial +1-877-853-5247 and when prompted, enter meeting ID: 382 615 844. Before or during the Commission meeting, email [PlanningSupportStaff@sanjoseca.gov](mailto:PlanningSupportStaff@sanjoseca.gov) or call 408-535-3505 and provide your name, phone number and what item(s) you would like to speak on.

### **Public Comments prior to meeting:**

If you would like to submit your comments prior to the meeting, please e-mail [planningsupportstaff@sanjoseca.gov](mailto:planningsupportstaff@sanjoseca.gov) or dial 408-535-3505. Comments submitted prior to the meeting will be considered as if you were present in the meeting.

### **Note**

To request an accommodation for City-sponsored meetings or events or an alternative format for printed materials, please call Support Staff at 408-535-3505 or 408-294-9337 (TTY) as soon as possible, but at least three business days before any meeting or event. If you requested such an accommodation, please identify yourself to the technician seated at the staff table. If you did not call in advance and do now need assistance, please see the technician.

### **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.*
- Anyone wishing to speak in favor of the proposal should prepare to come forward. After the proponents speak, anyone wishing to speak in opposition should prepare to come forward. *Each speaker will have two minutes.*
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The Commission will then close the public hearing.
- *The Historic Landmarks Commission will take action on the item.*

**The procedure for referrals is as follows:**

- Anyone wishing to speak on a referral should prepare to come forward. *Each speaker will have two minutes.*
- 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.**

An agenda and a copy of all staff reports have been placed on the table for your convenience. 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 inspection at the Planning, Building and Code Enforcement at San José City Hall, 200 E. Santa Clara Street, 3<sup>rd</sup> Floor Tower, San José, CA 95113 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**

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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.

- a. **HPA16-004-01, HIA86-031-01, & MA19-004.** Historic Landmark Designation Amendment (City Landmark designation #HL86-031), Historic Preservation Permit Amendment, and Historic Property Contract (California Mills Act contract) between the City of San Jose and Oakmont Senior Living of the Smith House to allow a reduction of the legal boundary of the Smith House historic landmark of 4.42 gross acre site to a smaller 0.44 gross acre site to encompass the Smith House and the associated tank house, pump house, and aviary structures and to allow a six-foot tall solid landscape wall to run along the new lot line at the rear, with an approximate five-foot setback from the historic building. CEQA: Exempt pursuant to CEQA Guidelines Section 15331 for Historical Resource Restoration/Rehabilitation. Council District 8.

*PROJECT MANAGER, RINA SHAH*

**Recommendation:** Deferred to the May 6, 2020 Historic Landmarks Commission meeting per Staff request.

**2. CONSENT CALENDAR**

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The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Historic Landmarks Commission, staff or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please make your request at this time

**No Items**

### 3. PUBLIC HEARINGS

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- a. [H19-009 & HP19-002](#). Site Development Permit and Historic Preservation Permit to allow the conversion of a 3,647-square foot single-family residence to a 5,548-square foot duplex, with a total addition of 181 square feet to the rear second story and attic, basement improvements, and removal of a detached accessory structure, for a property listed on the City's Historic Resources Inventory as a Contributor in the Reed City Landmark District, on a 0.14-gross acre site. CEQA: Exempt pursuant to CEQA Guidelines Section 15331 for Historical Resource Restoration/Rehabilitation and Section 15303 for New Construction or Conversion of Small Structures. Council District: 3

*PROJECT MANAGER, RINA SHAH*

**Recommendation:** Staff recommends that the Historic Landmarks Commission recommend that the Planning Director approve the Historic Preservation Permit.

- b. [H19-016 \(City View Plaza Office Project\)](#). Site Development Permit to allow the demolition of City View Plaza, removal of 31 ordinance size trees, and construction of an office development totaling approximately 3.8 million square feet of office and commercial space above a subterranean parking garage on an approximately 8.1 gross-acre site. The Draft Supplemental Environmental Impact Report (EIR) for the project is currently circulating for public comments, March 11 through April 24, 2020. As described in the Draft Supplemental EIR, the project would include the demolition of the former Bank of California building, listed on the City's Historic Resources Inventory as a Candidate City Landmark Building. The former Bank building was found to be eligible for City Landmark status and eligible for the California Register of Historical Resources and the National Register of Historic Places as documented in the SEIR. City View Plaza is San Jose's first redevelopment project and was identified as eligible, as a whole, for City Landmark status. Additionally, the SEIR identified other on-site buildings including the Wells Fargo building, the former United California Bank building, and the Bank of America building/tower, as individually eligible for the California Register of Historical Resources and as Candidate City Landmarks. Council District: 3

*PROJECT MANAGER, CASSANDRA VAN DER ZWEEP*

**Recommendation:** Review the Draft Supplemental Environmental Impact Report for the City View Plaza Office Project; receive public comments; and provide comments regarding the historic resources analysis and impacts.

### 4. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES

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**No Items**

## 5. OPEN FORUM

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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.

## 6. GOOD AND WELFARE

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- a. **Report from Secretary, Planning Commission, and City Council**
  - i. [Summary of communications received by the Historic Landmarks Commission.](#)
  - ii. Future Agenda Items: McCabe Hall, Saint James Park, CLG Report, Smith House, Citywide Design Guidelines
- b. **Report from Committees**
  - i. Design Review Subcommittee: No meeting held on March 19, 2020. Next meeting on April 15, 2020 may be postponed.
- c. **Approval of Action Minutes**
  - i. **Recommendation:** [Approval of Action Minutes for the Historic Landmarks Commission Meeting of March 4, 2020.](#)
- d. **Status of Circulating Environmental Documents**

See 3b. above

## 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.

## **CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D)**

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.