



## **HISTORIC LANDMARKS COMMISSION**

### **AGENDA**

**May 6, 2020**

**\* COVID 19 NOTICE \***

**Consistent with the California Governor's Executive Order No. N 29 20, Resolution No. 79450 from the City of San José and the Santa Clara County Health Officer's March 16, 2020 Shelter in Place Order, the Historic Landmarks Commission will not be physically open to the public and the Historic Landmarks Commission will teleconference from remote locations.**

**Members of the public may view, participate, and listen to the meeting by following the instructions listed on page 2.**

**Regular Meeting  
6:30 p.m.**

**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**

## Note

### **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://sanjoseca.zoom.us/j/92778081346>. 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.

1. 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.
2. 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.
3. When the Chair 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.
4. When called, please limit your remarks to the time limit allotted.

### **Telephone device instructions:**

For participants who would like to join telephonically please dial +1-877-853-5247 and when prompted, enter meeting ID: 927 7808 1346. 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.

### **NOTICE TO THE PUBLIC**

#### **The procedure for public hearings is as follows:**

- After the staff report, *applicants may make a five-minute presentation.*
- The meeting technician will connect persons who desire to speak to the commission to the meeting so they can be heard. *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:**

- The meeting technician will connect persons who desire to speak to the commission to the meeting so they can be heard. *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.**

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

Welcome to the Historic Landmarks Commission Meeting. This meeting is being held via Zoom Conference Call due to the COVID-19 crisis. Members of the public may participate by following the instructions listed on the Agenda.

If you would like to provide public comment, you have two methods to identify to provide public comment. All members of the public will remain on mute until the individual identifies they would like to speak and you are unmuted.

For members of the public who wish to address the Commission on an item, please connect to the meeting either by Zoom or by telephone using the instructions on page 2 of this agenda

### 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 request to speak in the manner specified on p. 2 of this agenda.

- a. **HL20-001.** Historic Landmark Nomination consideration of the 170 Park Center Plaza building (former Bank of California) as a site with special historical, architectural, cultural, aesthetic, or engineering interest for value on a 0.6-gross acre site (170 Park Center Plaza). Council District: 3. CEQA: Exempt pursuant to CEQA Guidelines Section 15331 for Historical Resource Restoration/Rehabilitation.

**PROJECT MANAGER, RINA SHAH**

**Recommendation:** Dropped to be renoticed at a later date 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 wishes to speak on one of these items, please use the 'raise hand' feature in Zoom or contact 408-535-3505 to request to speak.

**No Items**

## 3. PUBLIC HEARINGS

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- a. The projects being considered are located on an approximately 4.42-gross acre parcel. (3556 San Felipe Road) (Oakmont of Evergreen LLC, Owner). Council District: 8. CEQA: Exempt pursuant to CEQA Guidelines Section 15331 for Historical Resource Restoration/Rehabilitation. *Dropped and renoticed from 4/1/20.*

**PROJECT MANAGER, RINA SHAH**

1. **HLA86-031-01 and HPA16-004-01**: Historic Landmark Designation Amendment and Historic Preservation Permit Amendment to reduce the current legal boundary of the Smith House and the associated tank house, pump house, and aviary structures, from a 2.15-gross acre parcel designated in 1986 (Assessor Parcel Number 659-04-056) to a smaller 0.44-gross acre parcel (File No. HLA86-031-01); and to allow construction of a six-foot tall solid wall along a new lot line at the rear, with an approximately five-foot setback at a rear corner of the proposed parcel (File No. HPA16-004-01). The lot split will separate the historic resource from new construction both currently located on a combined 4.42-gross acre parcel created when three parcels were merged into one (Assessor Parcel Number 659-04-056).
2. **MA19-004**. Historical Property Contract (California Mills Act contract) between the City of San José and the owners of the subject Smith House. The site is on a 0.44-gross acre.

**Recommendation:** Staff recommends that the City Council approve the following actions:

- a. Adopt a resolution amending the designation of the City Landmark (Smith House) with a reduced legal boundary; and
- b. Approve the Historic Preservation Permit Amendment to allow a six-foot tall solid wall along the new lot line at the rear of the City Landmark as shown in project plans; and
- c. Approve the proposed Historical Property Contract and adopt the draft Resolution

b. **FORMER BANK OF CALIFORNIA BUILDING AT 170 PARK CENTER PLAZA.**

*PROJECT MANAGER, JULIET ARROYO*

**Recommendation:** Review and consider the request for Historic Landmarks Commission (HLC) nomination of the former Bank of California building at 170 Park Center Plaza (Building) as a Historic City Landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of an historic nature, and to direct staff to prepare an application for HLC nomination consideration at a future meeting if the Commission wishes to act on the request and proceed with the nomination and designation process.

c. **DEACCESSION OF ITEMS IN CITY COLLECTIONS.**

*PROJECT MANAGER, KEN MIDDLEBROOK, HISTORY SAN JOSE*

**Recommendation:** No recommendation. Discuss the Deaccession of items in the City Collection. Potential action to be considered at a meeting on or after the June 3, 2020.

d. **CERTIFIED LOCAL GOVERNMENT REPORT FOR 2018-2019.**

*PROJECT MANAGER, JULIET ARROYO*

**Recommendation:** Review and accept the proposed the Certified Local Government annual report to the State Office of Historic Preservation for the reporting period 2018-2019.

**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. If anyone wishes to speak, please connect to the meeting either by Zoom or by telephone using the instructions on page 2 of this agenda.

## 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: Fountain Alley Building, McCabe Hall, Saint James Park, Citywide Design Guidelines, Downtown West, Station Area Plan, North First Street Urban Village, Historic Survey Update.
  - iii. Alameda Park/Schiele Avenue potential Conservation Area
- b. **Report from Committees**
  - i. Design Review Subcommittee: No meeting held on April 15, 2020. Next meeting on May 20, 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](#) and [April 1, 2020](#).
- d. **Status of Circulating Environmental Documents**

## 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.