



HISTORIC LANDMARKS COMMISSION AGENDA

Regular Meeting

Wednesday, September 1, 2021

Commencing at 6:30 p.m.

Teleconferenced Meeting

*** 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.

Commission Members

Paul Boehm, Chair

Anthony Raynsford, Vice Chair

Harriett Arnold

Steve Nestle

Rachel Royer

Christopher Burton, 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/99046241275>. Please ensure your device has audio input and output capabilities.

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.

Telephone device instructions:

For participants who would like to join telephonically please dial US: +1 408-638-0968 or +1 213-338-8477 or 888-475-4499 (Toll Free) or 877-853-5257 (Toll Free) and when prompted, enter meeting ID: 990 4624 1275.

Before or during the Commission meeting, if you have any agenda questions or trouble logging into the Zoom meeting please email PlanningSupportStaff@sanjoseca.gov or call 408-535-3505 for assistance.

Public Comments prior to 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.

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 1-800-735-2992 (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.

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, please use the 'raise hand' feature in Zoom or click *9 to raise a hand to speak or contact 408-535-3505 to request to speak.

No Items

2. CONSENT CALENDAR

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, click *9 to raise a hand to speak, or contact 408-535-3505 to request to speak.

No Items

3. PUBLIC HEARINGS

No Items

4. PLANNING REFERRALS

- a. [H21-026 and HP21-005](#): Site Development and Historic Preservation Permit applications on a 0.34-acre site located at 17 South 4th Street for the SuZaco Project to allow the:
- demolition of the southwest and southeast façades and interior of the City Landmark at 142-150 East Santa Clara Street;
 - demolition of non-contributing building in Downtown Commercial Historic District at 130-134 East Santa Clara Street;
 - demolition of 17-19 South 4th Street; and
 - construction of a four and six-story building with approximately 72,500 square feet of commercial space largely within the Downtown Commercial Historic District.

PROJECT MANAGER, RINA SHAH

Staff Recommendation: Provide comments on the SuZaco Project (H21-026 and HP21-005) located on South 4th Street and East Santa Clara Street under the “Early Referral” City Council Policy on the Preservation of Historic Landmarks.

- b. [SP21-006 and T21-012](#): Special Use Permit and Tentative Map applications on a 0.93-gross acre site located at 1065 South Winchester Boulevard for the Winchester Mixed Use Project to allow the:
- demolition of the existing residence, barn, and accessory buildings;
 - construction of a six -story, mixed-use building consisting of 61 residential condominium units and 17,970-square feet of commercial space; and
 - subdivision of the parcel into four lots: one lot to contain 61 residential condominiums, one lot to contain nine commercial condominiums, one lot to contain residential and commercial uses, and one lot to contain the common area.

PROJECT MANAGER, MATIAS EUSTERBROCK

Staff Recommendation: Provide comments on the Winchester Mixed Use Project (SP21-006 and T21-012) located at 1065 South Winchester Boulevard under the “Early Referral” City Council Policy on the Preservation of Historic Landmarks.

- c. [H20-026](#): Site Development Permit application on a 0.18 site located at 17 East Santa Clara Street for the Eterna Tower Project to allow the:
- demolition of two existing commercial buildings (totaling 14,623 square feet) located at 17-25 East Santa Clara Street and 29-31 East Santa Clara Street;
 - construction of a new mixed-use project including approximately 5,400 square feet of area marked for the Future VTA BART Station, and 200 multi-family residential units; and
 - application of the Density Bonus for the provision of 22% affordable units, including incentives to eliminate the required parking and to reduce the required commercial space.

PROJECT MANAGER, LAURA MEINERS

Staff Recommendation: Provide comments on the Eterna Tower Project (H20-026) located at 17 East Santa Clara Street under Municipal Code Section [20.70.110\(c\)](#).

5. GENERAL BUSINESS

- a. [Comment on Notice of Preparation of Environmental Impact Report for Milligan Parking Lot Project](#)

PROJECT MANAGER, THAI CHAU-LE

Staff Recommendation: Provide comments on the Notice of Preparation for the proposed demolition of all on-site buildings, including the Forman's Arena, and construct an approximately 325-space surface parking lot at 130 North Autumn Street (Barack Obama Boulevard). The on-site Forman's Arena building is listed in the City's Historic Resources Inventory as individually Eligible for the National Register, California Register, and as a Candidate City Landmark.

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. If anyone wishes to speak, please use the 'raise hand' feature in Zoom or click *9 to raise a hand to speak or contact 408-535-3505 to request to speak

8. GOOD AND WELFARE

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

- i. Future Agenda Items: HP21-004 and SP21-012 Relocation of Poor House Bistro to 323 West St John Street; HL21-002 and MA21-002 Landmark Designation and Mills Act Contract for 1169 Magnolia Avenue; SP21-019 and SP21-020 420 South 2nd and 420 South 3rd Street; HP21-007 and SP21-031 Icon-Echo Project; Draft EIR for Cambrian Park Mixed Use Village
- ii. Summary of communications received by the Historic Landmarks Commission.

b. [Discuss draft agenda for Annual Retreat to be held on October 1, 2021](#)

c. Report from Committees

- i. Design Review Subcommittee: No meeting held on August 18, 2021. Next meeting on Thursday, September 16, 2021 at 11:00a.m.

d. Approval of Action Minutes

- i. **Recommendation:** Approval of Action Minutes for the Historic Landmarks Commission Meeting of [August 4, 2021](#).

e. Status of Circulating Environmental Documents

- i. Notice of Preparation of Environmental Impact Report for the for the BoTown Residential Project

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.