CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Historic Landmarks Commission

SUBJECT: SEE BELOW

DATE: November 18, 2022

COUNCIL DISTRICT: 3

SUBJECT: CITY LANDMARK DESIGNATION (FILE NO. HL22-002) AND HISTORICAL PROPERTY (MILLS ACT) CONTRACT (FILE NO. MA22-002) FOR "THE FRIEND HOUSE" AT 777 EAST WILLIAM STREET

RECOMMENDATION

The Historic Landmarks Commission (HLC) voted 5-0-2 (Commissioners Royer and Ayala absent) to recommend that the City Council take all of the following actions:

a. Adopt a resolution designating 777 East William Street the "Friend House" as a City Landmark of special historic, architectural, aesthetic or engineering interest, or value of a historic nature; and

b. Adopt a resolution to approve the Historical Property Contract (Mills Act Contract) between the City of San José and property owners, Alfred and Erin Linke, for the property located at 777 East William Street (APN: 467-50-069) on a 0.27-gross acre site.

OUTCOME

Designation of the subject property as a City Landmark would preserve the historic integrity of a Dutch Colonial Revival style and recognize its historic and architectural interest. Approval of the Mills Act Contract would result in a reduced property tax rate for the property over a ten-year period, provided that the property owner uses the property tax savings for the preservation, restoration, and rehabilitation of the City Landmark.

BACKGROUND

On August 12, 2022, the property owners, Alfred and Erin Linke, of 777 East William Street submitted an application to nominate the property as a City Landmark and if designated, to enter into a Mills Act Contract.

On November 2, 2022, the HLC held a public hearing on the proposed Landmark Designation and Historical Property (Mills Act) Contract for "The Friend House" located at 777 East William Street.

Staff provided a brief overview of the "Friend House" and Krista Van Laan, historic consultant of Archives and Architecture gave a brief summary of the historic report and stated that the integrity of the single-family residence was intact. The one-story residence was built in 1925 and is a distinctive example of the Dutch Colonial Revival style and its architectural characteristics contribute to the rich architectural history and culture of the City of San José. She further stated that the house was built by Wolf and Higgins who had built several buildings in the City. There were no members of the public who provided their comments.

The HLC made findings that the "Friend House" is a good example of the Dutch Colonial Revival style. The Commissioners agreed that it needs ongoing special maintenance and has a unique architectural style that merits preservation. Chair Boehm asked the applicants if they could trim the hedge in the front yard to place the historic plaque, such that it would be visible from the public street and sidewalk. The applicants then requested that had been contemplating the same thought and asked whether they could be placed in the planting strip along the sidewalk. Dana Peak, Historic Preservation Officer stated that since this was a private application, it had to be installed on private property. Chair Boehm further asked whether the house had been inspected for foundation repairs as requested in the 10-year Mills Act Contract. The applicants responded that they hadn't yet had the inspection of the house, but they will soon. They also went on to say that for them this was their "forever" house and they intend to preserve it.

The HLC made the findings that 777 East William Street meets the City Landmark designation criteria in Section 13.48.110(H) and the Historical Property Contract requirements of Section 13.48.540 of the San José Municipal Code and unanimously recommended that the City Council approve the City Landmark designation and the Mills Act Contract.

For further details about the HLC public hearing, please refer to the attached draft minutes (Attachment 2).

ANALYSIS

The property at 777 East William Street qualifies for City Landmark designation because it meets the following designation criteria in Section 13.48.110(H) of the San José Municipal Code:

Criterion 6: Its embodiment of distinguishing characteristics of an architectural type or specimen.

Analysis: The house at 777 East William Street, and the original garage that reflects the design of the house, embody distinguishing characteristics of the Dutch Colonial Revival style of the 1920s era of residential architectural design. Like other Dutch Colonial Revival homes of the 1920s, the house features a side gambrel roof with a wide shed dormer. The house has a central elaborated porch with column groups and fanlight over the front entrance, characteristic of the Colonial Revival style. The garage, like the other original Wolfe & Higgins garages, matches the style and appearance of the main house. The architectural firm of Wolfe & Higgins added a unique and unusual touch to

the Dutch Colonial Revival house by designing it with a Spanish-style chimney with scrolled brackets and decorative cartouche.

Criterion 7: Its identification as the work of an architect or master builder whose individual work has influenced the development of the City of San José.

Analysis: The house and garage contribute to the uniqueness of the Naglee Park area as the work of the twentieth-century San José architectural firm, Wolfe & Higgins. Partners, Frank Delos Wolfe, William Ernest Higgins, and later, Carl Wolfe, are locally recognized as master architects whose work influenced the physical development of San José. During its fourteen years of existence, the firm of Wolfe & Higgins was responsible for more than five hundred works, including San José City Landmarks like The Realty Building at 19 North 2nd Street, the San José Woman's Club at 75 South 11th Street, the Dreischmeyer House at 1195 Willow Street, and the Louis and Sarah Richards house at 184 South 13th Street. The firm also designed the iconic Venetian Court Apartments in Capitola, listed on the National Register of Historic Places. In addition, Frank Wolfe was the architect of record for many other City Landmarks.

William Higgins was the primary architect for the George and Mary Friend house. In 1917, he designed a similar Dutch Colonial Revival home for Wilmer and Dorothy Gross. That house located at 1156 McKendrie Street is today a San José City Landmark. Higgins was one of the few local architects who specialized in the Dutch Colonial Revival style, which is rare in San José.

The architects of the firm of Wolfe & Higgins, both individually and as a partnership, had perhaps a greater influence than anyone else on the built environment of San José. Besides the landmarks mentioned, the architects brought new styles to San José. Frank Wolfe brought his unique version of the Prairie school of architecture to San José, which today is a known Western site of Prairie architecture. Wolfe & Higgins were among the first to introduce the Spanish Revival style to San José, and their iconic designs can be seen all over the city.

The property at 777 East William Street qualifies for a Historical Property Contract because it meets the following criteria in Section 13.48.540 of the San José Municipal Code:

The proposed contract is consistent with the General Plan.

The preservation and rehabilitation of City Landmarks advance the goals of the Envision San José 2040 General Plan, specifically Historic Preservation Goal 13 and Policies LU-13.6 and LU-13.13. The Mills Act contract, in conjunction with the City Landmark designation, would promote a greater sense of historical awareness of the early twentieth-century construction methods and architecture of the Dutch Colonial Revival style house. The architectural features of the house contribute to the historic context and sense of place in its setting in the Naglee Park Conservation Area.

The Mills Act contract would require the property owner to commit to a ten-year work plan to invest in the maintenance and rehabilitation of the house. In conjunction with the City Landmark designation, the work would conform with the requirements of the Historic Preservation Ordinance, the Secretary of the Interior's Standards for the Treatment of Historic Properties, and "Your Old House Guide for Preserving San José Homes." The Mills Act contract would require the property owners to commit to a ten-year work plan to invest in the maintenance and

rehabilitation of the house. These requirements would address Historic Preservation Policy LU-13.6.

The proposed contract would provide greater protection for the landmark property than is otherwise provided by the provisions of Municipal Code Chapter 13.48.

The Mills Act contract would provide greater protection for the City Landmark because the Historical Property Contract includes a schedule of maintenance and improvements the owner would agree to complete over a ten-year period.

The complete analysis is contained in the attached HLC staff report.

CONCLUSION

The City Landmark designation and a Mills Act contract for 777 East William Street would preserve the sense of place and historic integrity of the Dutch Colonial Revival style and would promote awareness of its historic significance as a Dutch Colonial Revival house constructed in 1925.

City Landmark designation would require a Historic Preservation Permit for exterior changes to the house and ancillary construction on the lot. The work would need to conform with the requirements of the Historic Preservation Ordinance, the Secretary of the Interior's Standards for the Treatment of Historic Properties, and "Your Old House Guide for Preserving San José Homes." The Mills Act Contract would require the property owners to commit to a ten-year work plan to invest in the maintenance and rehabilitation of the house.

EVALUATION AND FOLLOW UP

If the Landmark application is approved, 777 East William Street will be designated a City Landmark and the property will be added to the Historic Resources Inventory. Future work on the exterior of the house will require the issuance of a Historic Preservation Permit and conformance with all applicable standards and guidelines.

If the Mills Act Contract is approved, the County Assessor will recalculate the property taxes using a formula in the Mills Act and Revenue and Taxation Code and the schedule of proposed maintenance as well as improvements included in the Historical Property Agreement will be completed over a ten-year period.

CLIMATE SMART SAN JOSE

The recommendation in this memorandum for File Nos. HL22-002 and MA22-002 will have no negative effect on the Climate Smart San José energy, water, or mobility goals.

POLICY ALTERNATIVES

The City Council could vote to deny the City Landmark designation of 777 East William Street ("The Friend House"). If the property is not designated a City Landmark, the property owners would not be required to preserve and maintain the house and it would not be eligible for a Mills Act Contract.

PUBLIC OUTREACH/INTEREST

Staff followed the public notification requirements of Section 13.48.110 of the San José Municipal Code. A public hearing notice for the project was published in a local newspaper and posted at the site. Information about the proposed designation and the associated public hearings has been made available through the Planning Division website, and staff has been available to answer questions.

COORDINATION

This memorandum was coordinated with the City Attorney's Office.

CEQA

The environmental impacts of the project will not have a negative effect on the subject property or adjacent property in that the project has been determined exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15331. The project is limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

/s/
Christopher Burton, Director
Planning, Building and Code Enforcement

For questions, please contact Robert Manford, Deputy Director, at (408) 535-7900

Attachments:

Historic Landmarks Commission Staff Report with Attachments dated November 2, 2022

Historic Landmarks Commission Minutes dated November 2, 2022

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

HISTORIC LANDMARKS COMMISSION
STAFF REPORT

File Nos.	**HL22-002 and MA22-002**
Application Type	**City Landmark Designation and Historical Property (Mills Act) Contract**
Applicants	**Alfred and Erin Linke**
Location	**777 East William Street**
APN	**467-50-069**
Zoning District	**R-1-8 Single Family Residence**
Council District	**3**
Historic Area	**Naglee Park Conservation Area**
Historic Resource Inventory	**Identified Structure (IS)** **City Conservation Area (CNS)**
Annexation Date	**Original City**
CEQA	**Exempt per CEQA Guidelines Section 15331 for Historical Resources and Rehabilitation**

APPLICATION SUMMARY:

File No. HL22-002: Application for designation of 777 East William Street (George and Mary Friend House) as a City Landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of an historic nature; and

File No. MA22-002: Application for Historical Property (Mills Act) Contract for 777 East William Street between the City of San José and the property owner.

RECOMMENDATION:

Staff recommends the Historic Landmarks Commission recommend to the City Council the following actions:

1. Adopt a resolution to designate 777 East William Street (George and Mary Friend 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 to approve the Historical Property (Mills Act) Contract between the City of San Jose and property owners Alfred and Erin Linke for the property located at 777 East William Street.

PROJECT DATA

GENERAL PLAN CONSISTENCY			
General Plan Designation	**Residential Neighborhood** ☒ **Consistent** ☐ **Inconsistent**		
Consistent Policies	LU-13.6, LU-13.13		
Inconsistent Policies	None		
SURROUNDING USES			
	General Plan Land Use	**Zoning**	**Existing Use**

North	Open Space, Parklands and Habitat	R-1-8 Single Family Residence	Open Space
South	Open Space, Parklands and Habitat	R-1-8 Single Family Residence	William Street Park
East	Residential Neighborhood	R-1-8 Single Family Residence	Single-family residence
West	Residential Neighborhood	R-1-8 Single Family Residence	Single-family residence

RELATED APPROVALS	
3/27/1850	Original City
10/22/1953	Building Permit No. 1953-017813 for a recreation room addition
8/5/1986	Building Permit No. 1986-040706 for a mechanical permit
6/21/2002	Building Permit No. 2002-044823 for kitchen expansion and electrical and plumbing upgrades
8/19/2019	Building Permit No. 2019-134929 for reroofing

PROJECT LOCATION AND DESCRIPTION

The subject 0.27-gross acre property is located at 777 East William Street on the northwest side of East William Street, approximately 150 feet northeast of South 16th Street and East William Street intersection, in the Naglee Park Conservation Area (see Figure 1). The property is surrounded by open space and William Street Park to the north and south, and single-family residences to the east and west, respectively.



Figure 1: Location Map

On August 12, 2022, the property owners, Alfred and Erin Linke, submitted applications to designate the house at 777 East William Street (George and Mary Friend House) as a City Landmark and to enter into a Historical Property (Mills Act) Contract to restore, rehabilitate and maintain the property for a minimum of 10 years.

The building proposed for City Landmark designation is a Dutch Colonial Revival style house constructed in 1925 in the Naglee Park Conservation Area (see Figure 2, Figure 3, Figure 4 and Figure 5).



Figure 2: South (Front) Façade at 777 East William Street

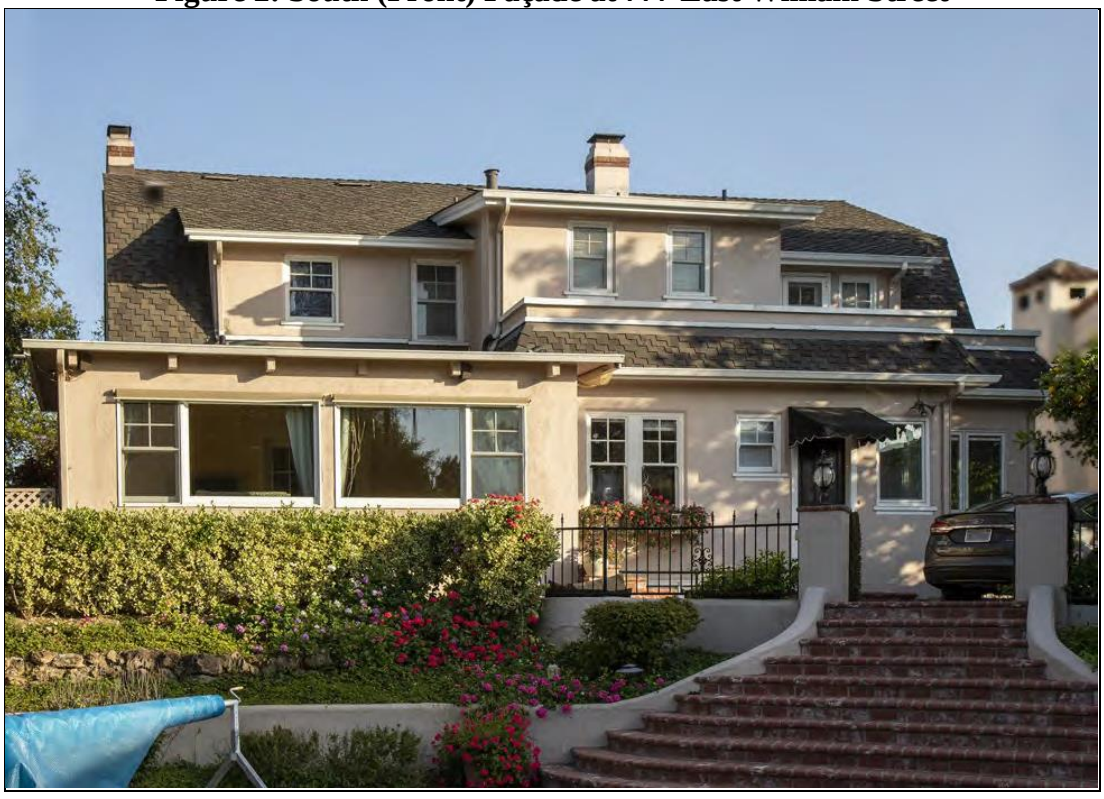


Figure 3: North (Rear) Façade



Figure 4: West Façade



Figure 5: East Facade

The property was documented and evaluated by a qualified historic resources consultant, Krista Van Laan of Archives and Architecture. The Department of Parks and Recreation (DPR) 523 series forms are included as Attachment 1 of this report. The following is a summary of the architectural description, character-defining features and history of the house.

The house is a two story, wood frame building sheathed in stucco with a stippled texture. It has a symmetrical front façade and a steeply pitched side-gambrel roof. The roof clad with composition shingle is symmetrical with two slopes on each side where the upper slope is shallower than the lower slope. The house has a dominant, wide shed roof dormer that projects five feet from the lower slope of the roof and forms an open pediment with a boxed cornice and cornice returns trimmed with dentil molding and exposed rafters on the porch ceiling. Six classical columns, three on each side, support the roof below an entablature trimmed with dentil molding.

The focal point of the front façade is the ornate entry porch. The front entrance is in an arched surround below a semi-elliptical fanlight, or sunburst lite; the door is paneled wood centered between two high vertical sidelites with panes of hammered glass. The sidelites are casement window that open behind frames that contain removable screens.

The house maintains its original wood-frame windows trimmed with four-over-one sash windows in double and triple sets in simple wood casings. Vertical basement windows are surrounded by brick window wells on the western and northern sides of the house.

The house is a distinctive example of the Dutch Colonial Revival style with the following character-defining features:

- Steeply pitched side-gambrel roof
- Rectangular building form
- Symmetrical front façade
- Stucco clad exterior
- Wide shed dormer rising from the lower slope of the gambrel roof
- Accentuated front entrance porch supported by two sets of columns (three on each side) under an open pediment
- Four-over-one sash wood frame windows in double and triple sets
- Decorative chimney
- Garage with a front gambrel roof with boxed eaves and a pair of quarter-round slatted vents

The immediate setting of the house consists of a shallow front yard facing East William Street, rising on a slight upward slope. A low brick retaining wall surrounds the front yard, which is enclosed by hedges and a central arched wrought iron fence. The front of the house is planted with short shrubs and a pair of crape myrtle trees.

The house and garage were designed in 1925 for by local master architects Wolfe & Higgins. The firm was in business from 1917 to 1931 and was one of the most important and prolific architectural firms in the Santa Clara Valley. It originally consisted of partners Frank Delos Wolfe (1862-1926) and William Ernest Higgins (1871-1936), with Wolfe's son Carl (1888-1931) assuming the partnership upon Wolfe's death. Today, all three of the partners are recognized locally as master architects. The house is believed to be primarily the work of William Higgins. Charles Fremont Keesling (1861-1943) was a prolific builder in San José. Keesling was a favor-ite of architect Frank Wolfe and worked on more than twenty residences and schools for Wolfe and Wolfe & Higgins.

The house was built for George Cox Friend (1866-1953) who was born and raised in Chesterfield County, Virginia, son of Dr. George William Friend and Lelia Aiken Friend. At the of age nineteen, he moved to Texas, then to Los Angeles, where he struggled to support himself by washing windows and shining shoes in a Los Angeles hotel. Friend moved to the Sacramento Valley where he worked the harvests. In 1890, attracted by the discovery of gold in Alaska, Friend made his way to the Iditarod mining district deep in the interior and became a prospector. He was one of the early "sourdoughs," or prospectors, in the that area and worked the mines for thirteen years before striking it rich. In 1912, Friend, now a millionaire, left Alaska to visit California and Virginia and visited those he had known in his days working in the fields in Sacramento and in the hotel in Los Angeles. During this trip, he stopped in the Bay area to visit one of the friends from those days. In 1913, Friend sold all of his Alaska holdings except for some claims in the Iditarod district, and moved to San José, where he bought a house on South 17th Street and a fruit orchard.

Once living in San José, he met the widowed Mary Pender (1876-1967). Born Mary Angelina "Minnie" Thompson to James and Agnes Thompson of Modesto, Mary had been a schoolteacher before becoming the wife of fruit buyer and orchardist David Pender in 1900. They lived on their orchard property on what is today Meridian Avenue until David Pender died of heart trouble in 1912, leaving Mary with a five-year-old daughter, Mernon, and infant son, David. Friend married Mary Pender in 1919 and she and her children moved into his house on South 17th Street. They had one child, George Jr., who died in 1920.

On June 17, 1925, George and Mary Friend bought the parcel which is now 777 East William Street. They sold the South 17th Street house with the proviso that they would live there for a few months while their new house was being built. They hired the prominent San José architectural firm of Wolfe & Higgins to design their new house. On October 27, 1925, a builder's contract was filed with contractor Charles F. Keesling for $10,500 for a seven-room house on East William Street.. George Friend retired from orcharding in 1930. In 1938, the Friends decided to travel and bought a smaller house in San José and leased the William Street house to William and Theresa Butler and their children Betty, Jeanne, and David.

TheFriends finally sold the subject property to the Butlers on July 7, 1941. George Friend died in San José in 1953. Mary Friend died in 1967, aged 91, in Placerville. The Butlers lived in the house another ten years until 1951. William Paul Butler (1887-1951) was the superintendent of the San José Hospital, a position he had held since 1932. William Butler died on January 5, 1951Six months later, Theresa Butler sold the subject property to Vernon and Antoinette Cristina and moved to San Francisco.

Vernon and Antoinette Cristina lived in the house from 1951 to 1976. Vernon Cristina (1915-1994) grew up in San José and was the son of rancher/land developers Salvatore and Annie Cristina. He married Antoinette Sunseri (1918-2016) in 1939. Antoinette Sunseri Cristina was born in Ne-braska to parents Joe and Anna Sunseri, who had moved to San José when Antoinette was two years old. Cristina became a partner in the Garden City Transpor-tation Company, a trucking company, with Antoinette's relatives, Bob and Joe Minardi. He became heavily involved in politics and was active in the Santa Clara County Republican Central Committee.

In 1966, Cristina was the Santa Clara County campaign chair for Ronald Reagan's gubernatorial nomination. When Reagan won the election in 1967, he appointed Vernon Cristina as Chair of the California Highway, a position Cristina held for two terms before stepping down in 1974 at age sixty-eight. He then ran an automobile dealership, Cristina Toyota, until he sold it in 1976 as well as the house at 777 East William Street. Vernon Cristina died in San José in 1994. Antoinette Cristina passed away in 2016.

Build History and Exterior Alterations

- Built 1925.
- 1953: Rec room addition in rear of house.
- Unknown date, between 1950-1960: Swimming pool built in back yard.
- Unknown date: Storage room added to eastern side of garage.
- 2019: Reroof with composite shingles.

Naglee Park Conservation Area

The house at 777 East William Street located in the Naglee Park Conservation Area which is bounded by East Santa Clara Street on the north, South 11th Street on the west, Coyote Creek on the east, and East William Street on the south.. East William Street runs from the southwest to northeast, so the property faces southeast (see Figure 6).



Figure 6: Naglee Park Conservation Area Map

The conservation area is noted for its early twentieth century houses designed in an eclectic variety of architectural styles including bungalows and the Spanish Colonial Revival styles, many architect designed. The subject property is surrounded by a compatible residential setting, with adjacent houses of similar scale and setback, and a good number of houses of the same era and architectural style.

ANALYSIS

The applications for City Landmark designation and a Mills Act contract were analyzed with respect to conformance with: 1) the Envision San José 2040 General Plan; and 2) the Historic Preservation Ordinance.

Envision San José 2040 General Plan Conformance

The proposed City Landmark designation and Mills Act contract would promote the following goal and policies of the General Plan with respect to historic preservation:

Historic Preservation Goal LU-13 - Landmarks and Districts: Preserve and enhance historic landmarks and districts in order to promote a greater sense of historic awareness and community identity and contribute toward a sense of place.

Analysis*: The proposed City Landmark designation and Mills Act contract for 777 East William Street would promote a greater sense of historic awareness of the early twentieth century construction methods and architecture of the Dutch Colonial Revival style house. The architectural features of the house contribute to the historic context and sense of place in its setting in the Naglee Park Conservation Area..*

Historic Preservation Policy LU-13.6: Ensure modifications to candidate or designated landmark buildings or structures conform to the Secretary of the Interior's Sandards for the Treatment of Historic Properties and/or appropriate State of California Requirements regarding historic buildings and/or structures, including the California Historical Building Code.

Analysis*: City Landmark designation would require a Historic Preservation Permit for exterior changes to the house and ancillary construction on the lot. The work would need to conform with the requirements of the Historic Preservation Ordinance, the Secretary of the Interior's Standards for the Treatment of Historic Properties, and "Your Old House Guide for Preserving San José Homes." The Mills Act contract would require the property owner to commit to a ten-year work plan to invest in the maintenance and rehabilitation of the house. These requirements would support Historic Preservation Policy LU-13.6.*

Historic Preservation Policy LU -13.13: Foster the rehabilitation of buildings, structures, areas, places, and districts of historic significance. Utilize incentives permitting flexibility as to their uses; transfer of development rights; tax relief for designated landmarks and districts; easements; alternative building code provisions for the reuse of historic structures; and financial incentives.

Analysis*: A Mills Act Contract for 777 East William Street would implement Historic Preservation Policy LU -13.13 by utilizing a property tax incentive to foster the preservation and rehabilitation of the house which has architectural significance as a Dutch Colonianl Revival house constructed in 1925.*

Historic Preservation Ordinance Conformance for City Landmark Designation

In accordance with Historic Preservation Ordinance Section 13.48.110(H), the Historic Landmarks Commission should consider, among other relevant factors, the following eight criteria in making the findings that a proposed Landmark has special historical, architectural, cultural, aesthetic, or engineering interest or value of an historical nature:

1. Its character, interest or value as part of the local, regional, state or national history, heritage or culture;
2. Its location as a site of a significant historic event;
3. Its identification with a person or persons who significantly contributed to the local, regional, state or national culture and history;
4. Its exemplification of the cultural, economic, social or historic heritage of the city of San José;
5. Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style;

6. Its embodiment of distinguishing characteristics of an architectural type or specimen;
7. Its identification as the work of an architect or master builder whose individual work has influenced the development of the city of San José; and
8. Its embodiment of elements of architectural or engineering design, detail, materials or craftsmanship which represents a significant architectural innovation or which is unique.

The property was documented and evaluated by a qualified historic resources consultant, Krista Van Laan of Archives and Architecture. The Department of Parks and Recreation (DPR) 523 series forms are included as Attachment 1 of this report. Based on the documentation and evaluation of the propertyagainst the significance criteria for landmark designation , the house at 777 East William Street is eligible under the following two of the eight significance criteria. The draft resolution to designate the property is included as Attachment 2 of this report.

Criterion 6: Its embodiment of distinguishing characteristics of an architectural type or specimen.

Analysis: The house at 777 East William Street, and original garage that reflects the design of the house, embody distinguishing characteristics of the Dutch Colonial Revival style of the 1920s era of residential architectural design. Like other Dutch Colonial Revival homes of the 1920s, the house features a side gambrel roof with a wide shed dormer. The house has a central elaborated porch with column groups and fanlight over the front entrance, characteristic of the Colonial Revival style. The garage, like the other original Wolfe & Higgins garages, matches the style and appearance of the main house. The architectural firm of Wolfe & Higgins added a unique and unusual touch to the Dutch Colonial Revival house by designing it with the Spanish-style chimney with scrolled brackets and decorative cartouche.

Criterion 7: Its identification as the work of an architect or master builder whose individual work has influenced the development of the City of San José.

Analysis: The house and garage contribute to the uniqueness of the Naglee Park area as the work of a twentieth-century San José architectural firm, Wolfe & Higgins. Partners, Frank Delos Wolfe, William Ernest Higgins, and later, Carl Wolfe, are locally recognized as master architects whose work influenced the physical development of San José. During its fourteen years of existence, the firm of Wolfe & Higgins was responsible for more than five hundred works, including San José City Landmarks like The Realty Building at 19 North 2nd Street, the San José Woman's Club at 75 South 11th Street, the Dreischmeyer House at 1195 Willow Street, and the Louis and Sarah Richards house at 184 South 13th Street. The firm also designed the iconic Venetian Court Apartments in Capitola, listed on the National Register of Historic Places. In addition, Frank Wolfe was the architect of record for many other City Landmarks.

William Higgins was the partner who was the primary architect for the George and Mary Friend house. In 1917, he had designed a similar Dutch Colonial Revival home for Wilmer and Dorothy Gross. That house locatedat 1156 McKendrie Street is today a San José City Landmark. Higgins was one of the few local architects who specialized in the Dutch Colonial Revival style, which is rare in San José.

The architects of the firm of Wolfe & Higgins, both individually and as a partnership, had perhaps a greater influence than anyone else on the built environment of San José. Besides the landmarks mentioned, the architects brought new styles to San José. Frank Wolfe brought his unique version of the Prairie school of architecture to San José, which today is a known Western site of Prairie architecture. Wolfe and Higgins were among the first to introduce the Spanish Revival style to San José, and their iconic designs can be seen all over the city.

Historic Preservation Ordinance Conformance for Mills Act Contract

The Mills Act is state legislation that grants cities and counties the authority to enter into contracts with the owners of qualified historic properties who actively participate in the restoration and maintenance of their historic properties while receiving property tax relief. In the City of San José, qualified historic properties are those that have been designated as a City Landmark. Property taxes are recalculated using a formula in the Mills Act and the Revenue and the Taxation Code.

The minimum duration for a Mills Act Contract is ten years. Mills Act contracts renew automatically every year after the initial ten-year period unless the property owner or City opts to end the contract. Mills Act contracts include a schedule of proposed maintenance and improvements that the owner agrees to complete. Such proposed maintenance and improvements are typically spread over a ten-year period. All work is required to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties and "*Your Old House* Guide for Preserving San José Homes." The purpose of the Mills Act is to provide a long-term incentive for the restoration, rehabilitation and preservation of historic buildings that obligates current and future owners to the maintenance and care of the property.

Required Findings of Mills Act Contract (Historical Property Contract)

Part 4 of the Historic Preservation Ordinance establishes a procedure for the administration of Mills Act (Historical Property) contracts pursuant to Section 50280 et seq. of the California Government Code, as amended, known as the California Mills Act of 1972.

Section 13.48.540 sets forth the findings the City Council mayapprove a historical property contract. Outlined below are the required findings followed by staff analysis. The draft resolution to approve the Historical Property (Mills Act) Contract between the City of San Jose and property owners Arthur Kao and Rachel Sussman for the property located at 777 East William Street is included in this memorandum as Attachment 3.

1. **The proposed contract is consistent with the General Plan**.

   Analysis: The preservation and rehabilitation of City Landmarks advances the goals of the Envision San José 2040 General Plan, specifically Historic Preservation Goal 13 and Policies LU-13.6 and LU-13.13. The Mills Act contract, in conjunction with the City Landmark designation, would advance Historic Preservation Goal 13 by promoting a greater sense of awareness of the early twentieth century construction methods and architecture of the Dutch Colonial Revival style house and garage and preserving a sense of place in its setting in the Naglee Park Conservation Area. The Mills Act contract would require the property owner to commit to a ten-year work plan to invest in the maintenance and rehabilitation of the house and garage. In conjunction with the City Landmark designation, the work would be required to conform with the Historic Preservation Ordinance, the Secretary of the Interior's Standards for the Treatment of Historic Properties, and "Your Old House Guide for Preserving San José Homes." These requirements would support Historic Preservation Policy LU-13.6. The Mills Act contract would implement Historic Preservation Policy LU -13.13 by utilizing a property tax incentive to foster the preservation and rehabilitation of the house and garage which have architectural significance as represented in its Dutch Colonial Revival style character-defining features.

2. **The proposed contract would provide greater protection for the landmark property than is otherwise provided by the provisions of Municipal Code Chapter 13.48.**

   Analysis: The Mills Act contract would provide greater protection for the City Landmark because the Historical Property Contract includes a schedule of maintenance and improvements the owner would agree to complete the following over a ten-year period:

Year 1: Repair roof, eaves, flashing, fascia board and patch holes of house and garage. Install historic bronze plaque to display in front of the house.

Year 2: Repair roof, eaves, flashing, fascia board and patch holes of house and garage, insulate garage and restoration of wood windows of garage to return to working condition.

Year 3: Restore all wood windows of house and return to working condition which may include, but not be limited to, freeing windows that are painted shut, restoring weights, and restoring/installing sash locks and sash lifts. Replace vinyl/plastic window at office.

Year 4: Continue to restore all wood windows of house and return to working condition which may include, but not be limited to, freeing windows that are painted shut, restoring weights, and restoring/installing sash locks and sash lifts.

Year 5: Repair foundation and waterproof basement to prevent leaks, as necessary, clean up and add insulation to attic.

Year 6: Upgrade electrical wiring (including adding ground wires at outlets, replacing external conduit, replacing older wiring) and lighting fixtures of the house and garage.

Year 7: Upgrade HVAC, heating cooling systems, upgrade plumbing and address sewer smell.

Year 8: Refinish interior floors, repair and maintenence of entry porch, columns, landing and front yard landscape.

Year 9: Reroof house and garage, replace and repair as necessary exterior awnings.

Year 10: Repaint exterior of house and garage.

3. **The proposed contract complies with the required provisions of Historical Property Contracts listed above.**

   Analysis: The proposed Historical Property Contract includes a description of the landmark property; a minimum contract period of ten years; specific conditions requiring preservation of the landmark property including the required 10-year work plan as outlined above and conformance with the Secretary of the Interior Standards for Rehabilitation, the California State Historical Building Code, and the requirements of the City; provision for the periodic examination of the interior and exterior of the landmark property for at least five years by the City of San José and the County of Santa Clara to determine the owner's compliance with the contract; a requirement that the property owner(s) annually expend an amount equal to a minimum of ten percent of the tax savings attributed to the contract to the preservation and maintenance of the landmark property, and make this documentation available to the City of San José at the time of the periodic examination; a provision that the contract is binding and applies to all successors in interest to the owner(s) who entered into the contract; and a provision requiring recordation of the contract with the Santa Clara County recorder's office within six months of the effective date of the contract.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The proposed project is exempt from provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15331 of the State CEQA Guidelines. The project is limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

PUBLIC HEARING NOTIFICATION

Staff followed the public notification requirements of Section 13.48.110 of the San José Municipal Code. A notice of this hearing appeared in a newspaper of general record at least 10 days prior to the hearing, a mailing of the notice to the property owner and occupants and posting the notification of the hearing along the frontage of the site. The staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

Project Manager: Rina Shah, Planner
Approved by: /s/ Robert Manford, Deputy Director for Christopher Burton, Planning Director

Attachments:
1. State Department of Parks and Recreation forms (DPR 523A & B), prepared by Archives and Architecture (Krista Van Laan), June 6, 2022
2. Draft Resolution for HL22-002
3. Draft Resolution for MA22-002
4. 10-Year Preservation Plan for MA22-002

Owner/Applicant Address:
Erin and Alfred Linke 777 East William Street San Jose, CA 95112

HL22-002 & MA22-002

Links to the Attachments 1 - 4

Click on the title to view document

Attachment 1: State Department of Parks and Recreation forms (DPR 523A & B), prepared by Archives and Architecture (Krista Van Laan), June 6, 2022
Attachment 2: Draft Resolution for HL22-002
Attachment 3: Draft Resolution for MA22-002
Attachment 4: 10-Year Preservation Plan for MA22-002

HISTORIC LANDMARKS COMMISSION

November 2, 2022

Action Minutes

* COVID-19 NOTICE *

Consistent with AB 361 and City of San Jose Resolution Number 80628, 80659, 80685 and 80724, this meeting will not be physically open to the public and the Historic Landmarks Commission Members will be teleconferencing from remote locations.

WELCOME

Meeting called to order at 6:33 p.m.

ROLL CALL

Present: Commissioners Boehm, Raynsford, Arnold, Camuso, and Janke
Absent: Commissioners Ayala and Royer

1. DEFERRALS

No Items

Access the video, agenda, and related reports for this meeting by visiting the City's website at: https://www.sanjoseca.gov/your-government/departments/planning-building-code-enforcement/planning-division/commissions-and-hearings/historic-landmarks-commission

2. CONSENT CALENDAR

No Items

3. PUBLIC HEARINGS

a. **HL22-001 & MA22-001**. Application for designation of 485 South 16th Street (Mark and Hazel Hopkins House) as a City Landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of an historic nature in the Naglee Park Conservation Area and application for Historical Property (Mills Act) Contract for 485 South 16th Street between the City of San José and the property owners. (Lee Eric ET AL, Owner). Council District 3. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15331 for Historical Resources and Rehabilitation.
PROJECT MANAGER, *RINA SHAH*

Staff Recommendation: Staff recommends the Historic Landmarks Commission recommend to the City Council approval of the following actions:

1. Adopt a resolution designating 485 South 16th Street (Mark and Hazel Hopkins 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 proposed Historical Property (Mills Act) Contract between the City of San Jose and property owners Eric Lee and Kelli Nakamura for the property located at 485 South 16th Street.

Chair Boehm introduced the item and Rina Shah, Project Manager, provided an overview of the project and staff report.

Ms. Shah noted the subject house at 485 South 16th Street is located within the Naglee Park Conservation Area, and it was built in 1914 in the Craftsman architectural style by Walter Latta and designed by Oliver Vrooman. She stated the property is associated with Dr. Mark Hopkins and the house maintains character-defining features such as deep overhanging eaves with exposed rafter tails, knee braces below the front bargeboard, prominent central gabled dormer, rafter and bargeboards with decorative hooked ends and a recessed side porch with square pier and columns and a porte cochere. Ms. Shah stated that based on the historic evaluation report prepared by Krista Van Laan of Archives and Architecture, the house qualifies as a City Landmark under Criterion 6 of the Historic Preservation Ordinance for its embodiment of distinguishing characteristics of an architectural type or specimen - Craftsman architectural style. She stated the project includes an application for a Mills Act contract and that the proposal is consistent with the General Plan, would provide greater protection for the landmark property than is otherwise provided by the provisions of the Historic Preservation Ordinance, and the preservation and rehabilitation of City Landmarks advances the goals of the Envision San José 2040 General Plan - specifically Historic Preservation Goal 13 and Policies LU-13.6 and LU-13.13. Ms. Shah stated that a Mills Act contract would require the property owners to commit to a ten-year work plan to invest in the

maintenance and rehabilitation the house. She stated that any work would be required to conform with the Historic Preservation Ordinance, the Secretary of the Interior's Standards for the Treatment of Historic Properties, and "Your Old House Guide for Preserving San José Homes." Ms. Shah stated that the project has been determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15331 for the preservation of historical resources.

Ms. Shah introduced the project historic resources consultant, Krista Van Laan, who summarized some of the interesting aspects of the house. She noted the Craftsman style architecture of the house and commented that Craftsman style houses in San José are usually more diminutive. Ms. Van Laan noted that the subject house is oversized with a wide front façade and heavy features including a 48-inch front wide front door and an oversized central dormer in a split roof. She stated that the house sits on a raised lot, which makes it even more distinctive in the neighborhood. Ms. Van Laan stated that the architect who designed the house was Oliver Vrooman and that while almost no work of his remains today, he was very successful in the early 1900s. She noted that he designed two houses for presidents of the University of the Pacific and the Butcher House. Ms. Van Laan commented that one of the house's most notable feature is its notched rafter end pattern that is seen on the barge board and beams and rafters throughout the house. She noted that this feature was also mentioned in Jack Douglas's book "Tales of Naglee Park." Ms. Van Laan stated that the house has had very few owners and was built for Mary Elizabeth Howlett in 1914 who lived in the house at the same time for a while with Dr. Mark and Hazel Hopkins, who lived in the house the longest. She noted that the McEnerys also owned the house, but they did not live in it and the McClure family lived in the house for more than forty-five years. Ms. Van Laan stated that with so few owners, the house maintains a high level of historic integrity and the interior contains original fixtures, wallpaper and even some books and other belongings passed down from original owners.

Chair Boehm called for Commissioner questions.

Commissioner Arnold commented that it is a beautiful house, and she went by to see the house. She appreciated Ms. Van Laan's presentation.

Commissioner Camuso expressed thanks to the property owners for making the application for landmark designation and to Ms. Van Laan for the overview of the house. He noted that the house is a wonderful example of Craftsman style architecture in a historic neighborhood and wished the owners enjoyment of the house.

Commissioner Janke commented that this is the type of house you drive by ask why it had not already been landmarked. He commented that the house is worthy of designation and congratulated the property owners for applying for landmark designation.

Vice Chair Raynsford thanked and commended the applicants and Krista Van Laan. He commented that the 10-year work plan looks feasible and excellent.

Chair Boehm inquired whether the foundation of the house had been inspected. Property owner Eric Lee responded that he had not retained a specialist to inspect the foundation, but he did have a structural engineer look at it and areas of work were identified that need to be completed and the needed work appears to be fairly significant in nature. Chair Boehm commented that it is smart to divide the 10-year work plan into two parts for the foundation work to spread the cost over two years. He inquired whether there is a fence in front of the house along the sidewalk so the bronze plaque could be placed where it would be visible and readable from the sidewalk. Property owner Eric Lee stated that

the plaque would be placed in a visible location, and he does not intend to install a fence in front of the house. Chair Boehm inquired if the property owners intended to keep the house for at least ten years because the Commission is considering a 10-year work plan. Mr. Lee responded that the house would be their "forever home."

Commissioner Camuso inquired whether the concrete driveway and the retaining wall are original to the property. Property owner Eric Lee responded that they are original and the retaining wall extends beyond the parcel to land that used to be part of the property. Commissioner Camuso stated that the original concrete has a wonderful patina that should be maintained. Krista Van Laan replied that it seems to be original, but she had not compared it to the old photographs that are included in the historic report. She commented that many of the fixtures in the yard are original.

Chair Boehm opened the public comment.

Paul Soto from Horseshoe congratulated the new owners on the beautiful Craftsman style home. He commented that the Naglee Park Conservation Area was named after General Naglee who was a general in the war against Mexico. Mr. Soto commented that Naglee came to San José when it was under the sovereignty of Mexico and Naglee killed off as many Mexicans as he could in order to establish control. He commented that Naglee participated in the Battle of Santa Clara which was a decisive battle and he stated that an articulation of the correct history of who the districts are named after is just as important as articulating the aesthetic value of the houses that occupy those spaces. Mr. Soto commented that this would provide a proper perspective on the histories of places so that they are not romanticized.

Chair Boehm closed the public comment.

Property owner Eric Lee thanked staff and stated that he and his wife Kelli Nakamura are long time Bay Area residents, born in the Bay Area, and they are passionate about and love old homes. He stated that they plan to make the house their "forever home" and to maintain its historic qualities. Mr. Lee stated that they have spoken to the descendants of the Hopkins and are in contact with Tom Hopkins and Jeff McClure (descendent of Peggy McClure) who all cherished the house. He stated that they want to preserve the integrity of the house to make sure that it will last another 100 years. Kelli Nakamura commented that so much in the interior of the house is original, including the library.

Vice Chair Raynsford made a motion to approve the staff recommendation. The motion was seconded by Commissioner Arnold and approved (5-0-2; Commissioners Ayala and Royer absent).

b. **HL22-002 & MA22-002.** Application for designation of 777 East William Street (George and Mary Friend House) as a City Landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of an historic nature in the Naglee Park Conservation Area and application for Historical Property (Mills Act) Contract for 777 East William Street between the City of San José and the property owner (Alfred Linke and Erin Linke, Owners). Council District 3. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15331 for Historical Resources and Rehabilitation.
PROJECT MANAGER, *RINA SHAH*

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

1. Adopt a resolution designating 777 East William Street (George and Mary Friend 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 Jose and property owners Alfred and Erin Linke for the property located at 777 East William Street.

Chair Boehm introduced the item and Rina Shah, Project Manager, provided a brief overview of the project and staff report.

Ms. Shah noted the subject house at 777 East William Street is located within the Naglee Park Conservation Area. She stated the house maintains Dutch Colonial Revival features and was built in 1925 by Charles Keesling and designed by Wolfe & Higgins. Ms. Shah stated the house is associated with George Friend who was a prospector that struck it rich in the Iditarod mining district and his wife Mary, who was a teacher. She stated that the house maintains the following character-defining features including a steeply pitched side-gambrel roof, rectangular building form, symmetrical front façade, stucco clad exterior, wide shed dormer rising from the lower slope of the gambrel roof, accentuated front entrance porch supported by two sets of columns (three on each side) under an open pediment, four-over-one sash wood frame windows and a decorative chimney. Ms. Shah stated that based on the historic evaluation report prepared by Krista Van Laan of Archives and Architecture, the house qualifies as a City Landmark under Criterion 6 and 7 of the Historic Preservation Ordinance for its embodiment of distinguishing characteristics of an architectural type or specimen - Dutch Colonial Revival architectural style, and its identification as the work of master architects Wolfe and Higgins. She stated the project includes an application for a Mills Act contract and that the proposal is consistent with the General Plan, would provide greater protection for the landmark property than is otherwise provided by the provisions of the Historic Preservation Ordinance, and the preservation and rehabilitation of City Landmarks advances the goals of the Envision San José 2040 General Plan, specifically Historic Preservation Goal 13 and Policies LU-13.6 and LU-13.13. Ms. Shah stated that a Mills Act contract would require the property owners to commit to a ten-year work plan to invest in the maintenance and rehabilitation the house. She stated that any work would be required to conform with the Historic Preservation Ordinance, the Secretary of the Interior's Standards for the Treatment of Historic Properties, and "Your Old House Guide for Preserving San José Homes." Ms. Shah stated that the project has been determined to be exempt from the provisions of CEQA per Section 15331 for preservation of historical resources.

Ms. Shah introduced the project historic resources consultant, Krista Van Laan, who provided a short overview of the history of the house and its architectural style. Ms. Van Laan noted that the house and garage both exhibit Dutch Revival style characteristics such as the side gambrel roof, a very wide shed dormer and a central porch with an open pediment on top of classical columns. She commented that Colonial Revival style architecture is fairly rare in San José and Dutch Revival style architecture is even more rare. Ms. Van Laan stated that the house was designed by great local architects Wolfe and Higgins and that William Higgins had designed at least one other Dutch Revival style house early in his career, which is now a City Landmark. She stated that the Friend house has additional features that make it unique. Ms. Van Laan stated that the Wolf and Higgins partnership began in 1917 and they started working almost exclusively in the

Spanish Revival style. She noted that the east façade has a chimney designed in the Spanish Revival style with terracotta relief work, scrolled brackets and a decorative element on the top. Ms. Van Laan stated that the garage has a similar roof and features as the main house which is typical of Wolfe and Higgins designs. She discussed the various owners of the house , including George Friend, a gold miner in the Iditarod, and Vernon Christina and his wife Antionette. Ms. Van Laan stated that the property is eligible for its embodiment of distinguishing characteristics of an architectural type or specimen with the distinguishing characteristics of the Dutch Colonial Revival style of the 1920s era of residential design and is eligible for its identification as the work of an architect or master builder - Wolfe and Higgins.

Chair Boehm called for Commissioner questions.

Commissioner Arnold commented that the building is another beautiful home, and she went by the house to view it. She expressed appreciation for the work of Krista Van Laan and commended the property owners.

Commissioner Janke inquired about the chimney and asked if it had been added or redesigned since it is not in keeping with the Dutch Colonial Revival style. Krista Van Laan stated she believed it was original because it is typical of chimneys designed by Wolf and Higgins, the firm that designed the house. She noted that Frank Wolfe tended to mix the aspects of different styles together in his early designs and the chimney makes the house interesting.

Commissioner Camuso commented that the application involved another jewel of Naglee Park and he has known the house most of his life since he grew up in the neighborhood. He congratulated the property owners and noted that the house is beautifully maintained and has a wonderful style.

Vice Chair Raynsford commented that it is a great project and he commended Krista Van Laan and the applicants. He agreed that many houses from that era are eclectic, rather than pure, and having the Spanish Colonial Revival elements mixed in makes the house interesting. Vice Chair Raynsford commented on the 10-year work plan and appreciated the proposed work to restore the original windows with the sashes.

Chair Boehm inquired whether the foundation of the house had been inspected. Property owner Erin Linke stated that after the 2017 flood, there was extensive work done on the foundation, so she did not expect to uncover too many problems. Chair Boehm inquired about the placement of the bronze plaque and wanted to ensure that it could be read from the sidewalk. Ms. Linke commented that she had seen in other cities where plaques have been placed in the park strip and noted that the hedges conceal an older fence. Dana Peak Edwards, Historic Preservation Officer, responded that the privately owned plaque would not be allowed on a public right-of-way and suggested that it could be placed on the brick retaining wall. Chair Boehm responded that the retaining wall is low and encouraged the placement of the plaque at eye level, maybe near the stairs. He asked that the owners consider trimming the hedge so the plaque could be seen from the sidewalk.

There was no public comment.

Chair Boehm called for Commissioner comments.

Commissioner Camuso commented on the restoration of the wood sash windows and pre-1930 glass which is wavy. He asked that the owners take caution to keep and protect the original glass. The property owner Alfred Linke responded that the glass is original/wavy and they plan to hire a specialist to restore the windows and glass. Erin Linke added that

glass from older windows available at salvage yards can also be used for replacement glass.

ChairBoehm called for final remarks from the property owners. Erin Linke commented that she is from the East Coast and was looking for an older home with character because that is something that she prizes. She is looking forward to making it pristine by respecting all the architectural elements and making it shine. Ms. Linke added that the house is their "forever" home. She commented that she is in contact with Barry Christina, who grew up in the house, to bring some of the architectural elements in the house up to date.

Commissioner Camuso make a motion to approve the staff recommendation. The motion was seconded by Commissioner Janke and approved (5-0-2; Commissioners Ayala and Royer absent).

c. **HP21-005.** Historic Preservation Permit to allow the demolition of the roof, two walls and building interior (street-fronting facades to remain) and the removal of the exterior plaster cladding of a City Landmark building at 142-150 East Santa Clara Street and the infill construction of a six-story building on the property located on the southwest corner of East Santa Clara Street and South Fourth Street intersection (17 South 4th Street) (Sunstone Fund III LLC, Owner). Council District 3. CEQA: Supplemental Environmental Impact Report (SEIR) to the Downtown Strategy 2040 Final EIR for the SuZaCo Mixed-Use Project (ER21-085).
PROJECT MANAGER, *DANA PEAK EDWARDS*

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

1. The findings required under Section 13.48.240 of the Historic Preservation Ordinance cannot be made for the proposed work on the City Landmark (HL92-70) located at 142-150 East Santa Clara Street; and
2. The denial of the Historic Preservation Permit would cause immediate and substantial hardship on the applicant because the rehabilitation of the City Landmark (HL92-70) located at 142-150 East Santa Clara Street in accordance with Chapter 13.48 would be structurally and economically infeasible and unreasonable in light of the feasible uses of such property.
3. The Historic Preservation Permit (File No. H21-005) be approved under Section 13.48.260 (Hardship) of the Historic Preservation Ordinance.

Chair Boehm introduced the item and Dana Peak Edwards, Project Manager, summarized the staff report and introduced the applicant, Ted McMahon. Mr. McMahon and architect Steve Stenton presented an overview of the project, key points and the design rationale to the Historic Landmarks Commission (HLC).

Chairman Boehm called for Commissioner questions.

Commissioner Janke noted that the applicant team made a comment in the presentation

that the addition was designed to be of the same scale as the historic building. He noted that the massing and scales of the two elements of the building are completely different. Commissioner Janke stated that the scale of the City Landmark is predominately brick and the scale of the new construction is a mass timber framing system. He commended the applicant for setting back the new construction from the historic façade on the East Santa Clara Street façade and he supported the visual difference between the two buildings. Commissioner Janke noted a Philadelphia project designed by the firm Mitchell/Giurgola that incorporated a historic building. He noted that Giurgola, designed Australia's Parliament House in Canberra.

Commissioner Camuso commented that proposed demolition is disturbing, but he expressed support of the project design. He noted that the original façade would be the predominate feature from the street level and the new building with the setback would not take away from the historic facades. Commissioner Camuso inquired what is existing presently between the two new buildings. Ms. Peak Edwards noted that there is a non-contributing building in the historic district that is proposed to be demolished.

Commissioner Arnold noted the setback of the new building and the original facades which would be preserved and visible from the street. She commented that the design was okay.

Vice Chair Raynsford was skeptical that the new building would be in conformance with the design guidelines and cited several passages from the guidelines. He noted three different visual layers in the design including the glass, the main structural system and a second structural system in a different color and stated that he did not see the visual relationship with the historic facades. Vice Chair Raynsford commented that the design of the new building would be incompatible with the downtown design guidelines and the historic façades. He inquired about how the discussion of crime in the applicant's hardship submittal relates to the infeasibility of building rehabilitation. Mr. McMahon responded that the broader context of the block and the lack of redevelopment has created pedestrian and public safety issues that constrain rental value and return. He explained that when exploring what to do with the building the constraints are the location (intersection with the crime statement), Ellis Act and rental control issues, and decades of deferred maintenance. Vice Chair Raynsford commented that the historic district is a remnant of the historic downtown and is not large. He noted it has a certain scale and density that causes him to be concerned not just about the proposed development, but about future development in the historic district and how the entire texture of that denser old downtown might be significantly lost.

Chair Boehm inquired when the applicant acquired the property. Ted McMahon responded that he purchased the property at the end of 2017 and he purchased the other two parcels over the next two years. Chair Boehm inquired if the applicant knew the building was a designated landmark when he purchased the property. Mr. McMahon responded he did know. Chair Boehm inquired about the financial conditions today with regard to rate increases and economic headwinds. Mr. McMahon responded that the company has a vested, long-term interest in the block and he noted the challenge is to stich the blocks between San Pedro Square, SOFA and the City Landmark back together and to create vibrancy in that area. Chair Boehm commented that he does not think the new construction is compatible with the historic facades. He noted that the HLC has two new Commissioners since the project was reviewed under the City Council Policy for the Preservation of Landmarks and these Commissioners have different points of view. Chair Boehm commented that just because the new construction should be differentiated from

the old does not mean that similar materials could not be used to make the building more compatible. He inquired whether the applicant looked at different design options and obtained any cost estimates for different building designs and materials. Mr. McMahon responded that the applicant team did note the comments of the HLC and the developer discussed the comments with the project architect. He commented that the project team decided that the simplicity of the proposed design was important and would allow the street level historic façades to pop. Mr. McMahon noted other development examples on the West Coast and nationally that also created contrast. Steve Stenton, project architect, stated that the intent of the design was to respect the prominence of the historic façade, but not to overpower it and the setback of the new building is an important part of that approach. Chair Boehm noted that one's attention would be drawn to the people inside the new building and not the historic facades when viewed from a building across the street. He inquired about the glass opening proposed to be created in the historic façade on South 4th Street. Mr. Stenton responded that it responds to the glass above and it would allow views into the ground floor food and beverage space. He noted that the façade currently contains windows and a door that were added, and the modified façade was seen as an opportunity to visually activate the ground floor of the South 4th Street side of the building.

Public comment was received as follows:

Paul Soto, barrio Horseshoe, requested that the HLC defer its recommendation to the City Council until Commissioners review the recording of the Planning Commission meeting where the project was recently considered. He asserted that the applicant was criticized by the Planning Commission for fear mongering by discussing crime in relation to the project. Mr. Soto asserted that no one has a constitutional right to safety and that the assertion was racist in nature. He commented that the Planning Commission already made a recommendation on the project to the City Council and that the Planning Commission wanted the input of the HLC. Mr. Soto asserted there was a protocol violation because the Planning Commission was not able to make an informed decision without the recommendation of the HLC

*Mike Sodergren, Preservation Action Council San Jose (PAC*SJ), commented that just because someone draws up a plan that meets the 2040 General Plan goals does not mean that it should be approved, especially on the basis of a financial hardship. He asserted that doing so would establish a precedence for demolition. Mr. Sodergren commented that the project is trying to fix a cultural problem on the streets, which is wrong. He commented that the applicant purchased the building knowing it was a designated City Landmark and chose not to conform to the requirements of the Historic Preservation Ordinance and is now asking the City to approve a financial hardship based on a self-inflicted act by purchasing the building. Mr. Sodergren asserted that the HLC should not be discussing the economic feasibility of a project. He commented that the applicant evicted the tenants that were in the building and that CEQA does not consider financial gain.*

Tony Quintero commented that he has been involved in the development of downtown and its historic buildings and that it would be a big mistake for the HLC to recommend approval of the project. He asserted that there are some serious problems and misinformation that need to be examined and that people who know what is going on with real estate in downtown San José would not be happy if the project were approved.

Robert Manford, Deputy Director of Planning, responded to the commenter about Planning Commission protocol. He stated that as long as the HLC is able to make a recommendation to City Council, there is no violation of protocol. He noted that the municipal code does not require any specific sequence for project review and the Planning Commission can review a project in its entirety and the HLC can review the historic preservation component of projects. Mr. Manford stated that Planning staff previously came to the HLC, Planning Commission and City Council with ordinance revisions to allow concurrent project review, so the Historic Preservation Permit is not isolated from the rest of the project. Ms. Peak Edwards added that the HLC is the expert body on historic resources and the Planning Commission considers broader matters, and the recommendation of the HLC goes directly to the City Council and not the Planning Commission.

Commissioner Janke commented that the since the new construction is setback, from the sidewalk it would not be strongly perceived. He asserted that new construction that tries to replicate the type of fenestration (brick, terracotta, etc.) of the historic building would be disingenuous and would evoke a false historicism, and the trellis across the roof would be an inviting feature that allows the use of the rooftop.

Commissioner Camuso commented that in general he supported the overall design and believed that the historic aspects of the building should not be mimicked. He commented that the new construction works because from the street level it would visually "disappear."

Commissioner Arnold noted that she is concerned about the demolition of historical fabric and wondered whether the hardship request would open the floodgates for future demolition. She appreciated the setback of the new construction.

Vice Chair Raynsford commented that he agreed that the new construction should not imitate or compete with the historic building, and it should be restrained and setback. He did not agree that the new construction would be restrained or would disappear. Vice Chair Raynsford commented that the new construction is a bold design and the glass façade with a different volume and visible structural system would clash with the historic facades below. He commented that he did not find the hardship case plausible, and he thought that the project location has been unfairly characterized as being unsafe and that aspect of the discussion was unhelpful. Vice Chair Raynsford asserted that the argument that the area needed to be sanitized was disturbing.

Chair Boehm noted that the hardship documentation was submitted in December 2021 and he commented that it would be difficult for the project to pencil out today. He commented that the HLC provided prior comments under the Early Referral process and the applicant did not come back with any options or alternatives, or any feasibility or financial investigation of any alternatives. Chair Boehm commented that the HLC is in place to protect landmarks, not to approve their demolition and the proposal is facadism which is not adaptive reuse.

Commissioner Janke stated that these are tough issues which are at the core of the HLC's responsibilities. He commented that hardship is self-inflicted and if the project was not feasible in December 2021, the hardship would be greater now and what does that mean to the viability of the project. Commissioner Janke focused on the existing historic façades at street level and commented that the restoration of the historic facades and the setback and transparency of the new construction allows him to support the project. He commented that the devil is in the details as to how the project would be

executed.

Commissioner Janke made a motion to approve the staff recommendation and the motion was seconded by Commissioner Arnold. The motion was defeated (2-3-2; Commissioners Arnold, Boehm and Raynsford opposed; Commissioners Ayala and Royer absent).

Commissioner Raynsford made a motion to deny the application for the HP Permit. The motion was seconded by Commissioner Arnold and approved (3-2-2; Commissioner Camuso and Janke opposed; Commissioners Ayala and Royer absent).

4. PLANNING REFERRALS

No Items

5. GENERAL BUSINESS

a. **Additions to the Historic Resource Inventory**
PROJECT MANAGER, *DANA PEAK EDWARDS*

Staff Recommendations:

1. Staff recommends that the Historic Landmarks Commission add the following properties to the City of San José Historic Resources Inventory as Identified Structures (IS):
    a. 884-88 East Santa Clara Street (APN 467-30-005)
    b. 942-948 East Santa Clara Street (APN 467-30-059)
    c. 1047 East Santa Clara Street (APN 467-11-028)
    d. 1070-72 East Santa Clara Street (467-32-013)
    e. 1167-69 East Santa Clara Street (APN 467-10-046)
    f. 1201-1215 East Santa Clara Street (APN 467-10-012)
    g. 25 North 14th Street (APN 467-15-090)
    h. 1121-25 East Santa Clara Street (APN 467-11-037)
    i. 1572 Meridian Avenue (APN 429-47-061)
    j. 1357 Kooser Road (APN 569-06-008)
    k. 1625 The Alameda (APN 261-54-001)
    l. 777 North First Street (APN 259-05-073)
    m. 398 West San Carlos Street (APN 264-26-093)
    n. 990 Meridian Avenue (APN 264-02-045)
    o. 282 Willow Street (APN 434-06-012)

p. 414-44 East William Street (APN 472-29-094)

q. 325 Willow Street (APN 264-39-113)

r. 2397 Summer Street (APN 484-40-041)

s. 198 Wabash Avenue (APN 274-20-098)

Chair Boehm introduced the item and commented that he could not be more proud and happy about the proposed additions to the Historic Resources Inventory (HRI), particularly the Cesar Chavez houses and the Sacred Heart Church.

*Dana Peak Edwards stated that this item advances the 2017 San José City Council on the Historic Survey Strategy which directed staff to proactively identify historic resources and to update the HRI to allow the City to preserve more historic structures. She noted that properties are generally identified through public and private projects analyzed in the environmental review process, publications and historic resources surveys and context statements. Ms. Peak Edwards stated that the properties proposed to be added to the HRI to implement San José City Council direction were identified by Ben Leech, the Executive Director of PAC*SJ and after independent review and concurrence were recommended for inclusion in the HRI by the City's Historic Preservation Officer. She noted that the staff report and Attachment 3 outline and describe the identified properties.*

Chair Boehm called for Commissioner questions.

Commissioner Camuso commented that he was thrilled and agreed with all the proposed additions to the HRI, especially the Sacred Heart Church.

Commissioner Janke commented that the list was robust and thorough, and agreed that the properties should be added.

*Commissioner Arnold thanked staff and PAC*SJ and noted her excitement.*

Vice Chair Raynsford echoed the comments of the other Commissioners and was pleased the properties would be added.

Public comment was received as follows:

*Paul Soto thanked staff and PAC*SJ, especially Ben Leech. He commented that the listing of the Low Rider magazine office would be extremely significant to preserving the integrity and dignity of the Chicano experience and the spaces and places where it was created. Mr. Soto expressed the importance of protecting the cultural significance of these buildings where the low rider movement was marketed to the world. He commented on the significance of Sacred Heart Church and noted his brother was married in that church in 1995. Mr. Soto noted Father Antonio Soto and how he convened the Council of Priests in 1965. He commented that Father Antonio Soto was the first Mexican priest ordained in Santa Clara County since 1846. Mr. Soto noted Father Antonio Soto was the founder of Guadalupe Church and he convened the Council of Priests at Sacred Heart Church, and that is significant in the history of the Chicano experience and movement.*

Dan Valasquez spoke as a representative of the family that is the property owner and opposed the listing of 1167-1169 East Santa Clara Street in the HRI. He commented that the house is a duplex for low-income student housing and a shell of what it used to be. Mr. Valasquez commented that renovations to maintain the house would be costly, would

create a hardship on the family and the area would be gentrified. He commented that the house was once dilapidated and has been renovated with a lot of Home Depot material.

*Ben Leech, PAC*SJ, expressed appreciation for the recognition that HRI additions are an important and ongoing exercise and that PAC*SJ is happy to contribute to the effort which is a City Council directive to add properties to the HRI. He hoped that staff would speak to the concerns of the individual property owners who have reasonable concerns about what it means for a property to be listed on the HRI. Mr. Leech noted that being listed on the HRI does not obligate any work to be done on a building and is recognition that this is historic fabric that contributes to a sense of place in the community. He commented that the list was compiled from several sources including previous historic reports, and conversations with neighborhood stakeholders, like Paul Soto, who is rightly concerned that the diverse significance of the history in San José needs to be recognized. Mr. Leech expressed that he is excited about the ongoing effort to compile both known resources and newly identified resources that will continue to shape what is considered historic and significant.*

Lorraine Quinones called in from the East Los Angeles area in support of Mr. Soto. She spoke in reference to 282 Willow Street, the original Low Riders magazine headquarters and commented that it is a significant building to all low riders and San José, which is a big part of the low rider community. Ms. Quinones echoed the comments that were shared about the preservation of 282 Willow Street and the importance of honoring the history and legacy to support cultural identity and celebration. She noted that the magazine had a humble beginning in 1977 and we are still talking about it today.

Flavio Huizar, member of the Sacramento Low Rider Commission and Chair of the California Low Rider Alliance, commented on 282 Willow Street. He expressed that the Chicano experience is huge when you look at things that are going on in California right now with the removal of cruising ordinances. Mr. Huizar commented that low riding is an expression of the Chicano culture and community, and San José is known as the birthplace of low riding. He commented that the magazine was an expression of the culture throughout California, Arizona and New Mexico. Mr. Huizar commented that he wanted to make sure that the places where the Chicano and low riding experience impacted people's lives are preserved. He expressed support for Mr. Soto and the preservation of places that reflect the Chicano experience.

David Polanco, resident of San José for 53 years, local union electrician and President of the United Low Rider Council in San José, expressed support of the listing of 282 Willow Street in the HRI. He commented that the building represents the ingenuity and groundbreaking things that come out of Silicon Valley. Mr. Polanco commented that Low Rider magazine introduced a culture locally, as well as globally, and the movement is not just Chicanos, but it is multi-cultural. He commented that the magazine put San José on the map throughout the years and San José is known as one of the pillars of the low rider culture, and the listing the property in the HRI would be a positive step forward in preserving low rider culture.

Jerry Thompson, Modesto Cruisers Council, commented that anything historical is always a positive thing and expressed support of the listing of 282 Willow Street and the Cesar Chavez houses in the HRI. He commented that the younger generations will see those buildings and plaques and will be able to learn about the historic significance from different generations. Mr. Thompson commented that the low rider community is part of the culture of California and San José is ground 0 for the spread of the culture worldwide.

Sandra commented on 1167-1169 East Santa Clara Street and expressed that the house does not have the same significance as the Low Rider magazine headquarters and the Cesar Chavez houses. She requested that the property not be approved for listing on the HRI and commented that the family sees the financial hardship that would be brought on by the limitations of the use of historical buildings and does not want that to happen to the house. Sandra commented that house provides low-income housing and serves students at San Jose State University.

Christina Romero, Los Angeles Low Rider community and former San José resident, commented that there is so much cultural significance to 282 Willow Street and the Cesar Chavez houses. She commented that low riding is a special activity and passion that many people in San José and across the state share and Low Rider magazine highlighted that culture and provided a historical reference and recognition. Ms. Romero hoped that someday the building could be converted into a museum that showcases the low rider culture and San José culture and everything that the magazine contributed. She expressed support for Paul Soto and the proposed listing of 282 Willow Street in the HRI.

Ricardo Cortez, San José native, artist and new member of the San José Low Rider Council, commented that San José is always overlooked in spearheading low rider culture across the globe. He commented that historical murals from the 1960s and 1970s have been erased . Mr. Cortez commented that the proposed listing shows how important the building is and the meaning behind it to the fabric of San José. He commented that it cannot be erased and should be preserved for future generations as a cornerstone to our local community and its significance across the county and the world.

*Mike Sodergren, PAC*SJ, commented that the organization fights for affordable housing every day which is often contained within historic buildings. He commented that he understood the concerns of the family opposed to the listing of 1167-1169 East Santa Clara Street, but he hoped they will have a better understanding how the listing could be good for the preservation of affordable housing. Mr. Sodergren expressed excitement for the proposed HRI additions and the diversity of the city. He commented that he sees the historic buildings as the backdrop for telling San José's whole story and thanked staff for the work.*

James Marshall commented on the proposed listing of the Sacred Heart Church. He commended the recommendation, but he had questions about the proposed HRI listing: 1) does the proposed listing include the church and the office (former rectory); and 2) how would the proposed listing in the HRI affect any future proposals to repair or remodel the church.

Mark Cermano, 50-year resident of San José and publisher/owner of Impalas magazine/tour, supported the proposed listing of 282 Willow Street in the HRI. He commented that the low rider community has a lot of roots in San José and it is an honor to say that the culture is still alive after 45 years. Mr. Cermano noted that the history is an inspiration to the young generation, and the Low Rider magazine headquarters will be recognized for its historical significance.

Tony Quintero, San José State University graduate, former California educator and long-time resident of San José, commented that this is a cultural issue and the history and culture of Latinos has been so maligned that the HLC needs to help and to recognize the pride Latinos have in their culture. He commented that it is important for young people to understand how Latinos were leaders in the low rider movement which is still here today, and it is important for the City to take a role in improving the participation of Latinos.

Mr. Quintero noted that there have been so many disappointments where Latinos have seen other people respected and honored and their heroes ignored. He commented that the City has a tremendous opportunity to make a statement and to show its commitment to all the people and cultures of San José that need to be recognized.

Kelly Lowry questioned the historical relevance of some of the properties proposed for listing in the HRI, particularly 1167-1169 East Santa Clara Street, since it is serving as low-income housing.

Angela Hearring, parent and advocate and champion for all things Bay Area, commented that she is an allay of the Sacramento Low Rider Commission and advocated for the listing of 282 Willow Street in the HRI. She commented that the building is significant because of the creation of the history within its walls. Ms. Hearring commented that the Low Rider magazine was established with the intention to educate, inform and share what was going on in the community socially and culturally while highlighting the beauty of low riders. She commented that the Low Rider magazine carried a major significance in San José and the listing would facilitate its preservation for future generations to learn from the stories the building has to tell.

Steven Martinez, South Bay Visions, born on the Eastside of San José and local photographer, stated that one of his main goals in the community is to document the rich cultural history of low riding in San José. He noted he is also a board member of the United Low Rider Council of San José and stated one of the organization's missions is to document this history and let others know about it. Mr. Martinez supported the addition of 282 Willow Street to the HRI and noted that it is important to recognize the importance of the original Low Rider magazine headquarters and its historical impact across the globe.

Ms. Peak Edwards clarified that the proposal to add properties to the HRI is not designating or formally landmarking these properties. She stated that the properties are proposed to be added as potentially significant buildings, Identified Structures, that would still need to be documented and evaluated by a qualified historic resources consultant to determine whether they meet the significance criteria for landmark designation.

Ms. Peak Edwards responded to the comments on 1167-1169 East Santa Clara Street and stated that the property was identified in the East Santa Clara Street/Alum Rock Avenue Historic Context and that the house was constructed in 1888 in the Queen Anne style. She stated that it was built for retired doctor Benjamin Allen and his family and it represented the former residential character of East Santa Clara Street prior to its early-twentieth century evolution into a major commercial corridor. Ms. Peak Edwards stated that the property would need to be documented and the historic integrity of the building fabric and architectural features would need to be evaluated. She noted that there would not be any additional permitting for commercial, industrial and multi-family properties which are already required to obtain an Adjustment permit when exterior changes are proposed to these classifications of buildings. Ms. Peak Edwards commented that it appears that the building is used for multi-family residential and the listing would not require any additional permits for this classification. She noted that there are no requirements to maintain a property beyond what is required by the City's standard municipal codes.

Ms. Peak Edwards responded to the questions on the Sacred Heart Church. She stated that the proposed listing only includes the parcel that contains the church. Ms. Peak

Edwards noted that the church is not a single-family property so there would be no additional permitting required as a result of the HRI listing.

Commissioner Camuso commented that was great to hear from so many members of the low rider community and expressed excitement about the proposed listing of 282 Willow Street on the HRI.

Vice Chair Raynsford also expressed excitement about the outpouring of support for the Low Rider building. He commented that the neighborhood surrounding the Sacred Heart Church is really interesting and it feels like a separate village. Vice Chair Raynsford noted it is an area that should be investigated in the future. He inquired whether owner consent is required for landmark designation. Ms. Peak Edwards responded that owner consent is not required by ordinance, but the City Council could take it into consideration when deciding whether or not to landmark a building. Vice Chair Raynsford clarified that there would be no financial burden or restriction of use for 1167-1169 East Santa Clara Street if the property was listed on the HRI.

Chair Boehm clarified that none of the properties are proposed for landmark designation at this time. He encouraged the property owners to explore the financial incentives for historic resources.

Commissioner Janke made a motion to approve the staff recommendation. The motion was seconded by Vice Chairman Raynsford and approved 5-0-2 (Commissioners Ayala and Royer absent).

b. **Adaptive Reuse Incentives**.

Staff Recommendation: Establish a Standing Committee to make future recommendations to the Historic Landmarks Commission and City Council on adaptive reuse incentives with the goal of making adaptive reuse a City Council Policy and codifying incentives to facilitate compatible rehabilitation instead of demolition and substantial alteration of historic resources.

Chairm Boehm provided background on the item. Commissioner Janke noted that he would like to devote his time to helping the initiative move forward.

Public comment was received as follows:

*Mike Sodergren, PAC*SJ, commented that the Planning Commission Chair referred to the SuZaCo Mixed Use Project as an adaptive reuse project, as opposed to demolition or facadism. He noted that a definition of terms needs to be infused into the city bodies that are considering land use decisions that impact historic properties. Mr. Sodergren suggested that there be a financial element and that what other jurisdictions have done should be examined. He queried how historic properties should be valued in instances where demolition is proposed and a statement of overriding consideration is involved. Mr. Sodergren commented that the key is going to be to fund the ordinance and funding could come from those projects where demolition is approved.*

Chair Boehm suggested that the definition of adaptive reuse provided by Robert Vasquez, Omgivning Architects, at the HLC Annual Retreat be used - adaptive reuse is the process of using existing buildings for another purpose. Robert Manford, Planning Deputy Director, added that without compromising the historic integrity or character-defining features of a building should be added to the definition. Commissioner Janke commented

that the motivator for adaptive reuse is economic and encouraged the inclusion of economic incentives.

Vice Chair Raynsford made a motion to approve the staff recommendation and noted the work may include financial incentives. The motion was seconded by Commissioner Arnold and approved 5-0-2 (Commissioners Ayala and Royer absent).

c. **National Historic Preservation Month/Preservation Awards Night.**
Deferred from 10/5/22.

Staff Recommendation: Establish Standing Committee to plan activities to celebrate National Historic Preservation Month and/or recommend recipients for a preservation award at the Santa Clara County Preservation Alliance's Preservation Awards Night.

Chair Boehm provided background on the item and outlined a list of questions and considerations that the subcommittee should consider.

Public comment was received as follows:

Paul Soto commented expressed appreciation for the diligence in asking the questions and commented that he did not want to run into future issues like the Fallon statue. He commented that particular histories are legitimized because of the exercise of power. Mr. Soto asserted that history should be contextualized and thanked the Chair for his circumspection on how to approach the awards, how we should honor history and what is worthy of acknowledgement.

Commissioner Arnold made a motion to approve the staff recommendation. The motion was seconded by Commissioner Janke and approved 5-0-2 (Commissioners Ayala and Royer absent).

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 connect to the meeting either by Zoom or by telephone using the instructions on page 2 of this agenda.

Paul Soto thanked the HLC and staff for its important work, and for respecting his work. He noted appreciation for respecting the history of the Sacred Heart Church and the neighborhood connections.

*Mike Sodergren, PAC*SJ, reported back to the HLC that PAC*SJ worked tirelessly with Westbank to secure an agreement on the Valley Title building to pull back the veneer and investigate what is remains underneath tof the original exterior surface of the Hale Brothers Department store and to secure better documentation and memorialization of that historic building. He extended thanks on behalf of PAC*SJ for its patience in the appeal process and reported that the appeal was dropped.*

Chair Boehm reported that there has been ongoing discussions about moving some of the buildings related to the approved development of the project at 1065 South Winchester Boulevard to History Park.

8. GOOD AND WELFARE

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

i. Summary of communications received by the Historic Landmarks Commission.

No items

ii. Verbal reports on Historic Landmarks Commission 2022 Annual Workplan Goals.

Commissioner Arnold reported that she made a brief presentation last year and that she met with staff twice to work on developing a plan. She reported that she developed a four-year plan anchored in the San José Historic Context Statement themes and periods of San José. Commissioner Arnold stated that the effort is a recognition of a sense of place and it is the places that matter, so she came up with the working title of My San José. She stated that Year 1 (Historic Preservation 101 - Community Education) would start in January 2023 and would get back to basics and provide foundational historic preservation information to set the context for talking about property identification. Commissioner Arnold reported that Year 2 (Property identification for Town Building in Early San José 1846-1873) would start in January 2024 – and focus on meeting with historic preservation, history and neighborhood groups, and Year 3 – (Property identification for The Garden City and Valley of Heart's Delight 1871-1970) would start in January 2025. She reported that Year 4 (Property identification for Planning and Building the Modern City 1920-1982) would start in January 2026 and noted that there are subthemes to consider within each of the time periods. Commissioner Arnold reported that she now needs a subcommittee to help implement the plan and she would prepare a written report. She reported that she would be meeting again with staff and that is important that the community engagement is inclusive. Commissioner Arnold noted that the City will have a new mayor and council members in January and they will need to understand the work of the HLC. She requested that the formation of a subcommittee to carry out the work be agendized on the next HLC meeting. Commissioner Janke expressed interest in serving on the subcommittee.

Vice Chair Raynsford reported that he prepared a written memorandum on the demolition by neglect proposed ordinance modifications. Daniel Zazueta, Deputy City Attorney, commented that he reviewed the memo and noted it was well written and contains many examples from other jurisdictions. Mr. Zazueta provided potential options for the HLC: the HLC could write a letter to the City Council to ask the

Council to take up the item or it could to ask staff to present it to the City Council. Vice Chair Raynsford requested that the memorandum be agendized on the next HLC meeting for action. Mr. Zazueta encourage Commissioners to review the memorandum and come to the next HLC meeting prepared with any questions or potential modifications.

Chair Boehm expressed appreciation for the work of Commissioner Arnold and Vice Chair Raynsford.

iii. Next Meeting is December 7, 2022.

No comments

b. **Report from Committees**

i. Design Review Subcommittee: No meeting held on October 20, 2022. Next meeting on Thursday, November 17, 2022 at 11:00 a.m.

No reports

c. **Approval of Action Minutes**

i. **Recommendation:** Approval of Action Minutes for the Historic Landmarks Commission Meeting of **October 5, 2022**.

No corrections were made to the minutes. The minutes stand as approved.

d. **Status of Circulating Environmental Documents**

No items

ADJOURNMENT

Chairman Boehm adjourned the HLC meeting at 10:41p.m.