



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Historic Landmarks
Commission

SUBJECT: SEE BELOW

DATE: November 13, 2018

COUNCIL DISTRICT: 6

**SUBJECT: HISTORIC LANDMARK DESIGNATION (FILE NO. HL18-001) AND
HISTORICAL PROPERTY CONTRACT (FILE NO. MA18-001) FOR THE
“EDWIN AND MARY WILCOX HOUSE” AT 1300 PINE AVENUE**

RECOMMENDATION

The Historic Landmarks Commission voted unanimously to recommend that the City Council:

- a. Adopt a resolution designating the “Edwin and Mary Wilcox House” located at 1300 Pine Avenue 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 (California Mills Act Contract) between the City of San José and property owners, Penelope and Stephen Thompson, for the “Edwin and Mary Wilcox House, located at 1300 Pine Avenue. (APN: 439-52-106), on the subject 0.81-gross acre site.

OUTCOME

Designation of the subject property as a City Landmark would preserve the integrity of the area and its recognized historic value, as well as ensure preservation of a unique architectural Colonial Revival style not typical in San José. Adoption of the Mills Act would result in a reduced property tax rate for the property owner over a ten-year period, provided that the property owner uses the savings for the preservation, restoration and rehabilitation of the Landmark property.

BACKGROUND

On May 16, 2018, the property owners of 1300 Pine Avenue submitted an application to nominate their house as a City Landmark and if designated, to enter into a Mills Act Contract. The property qualifies for City Landmark based on meeting the following six of the eight criteria enumerated in Section 13.48.110(H) of the San Jose Municipal Code:

- **Criterion 1:** Its character, interest or value as part of the local, regional, state or national history, heritage or culture, in that the distinctive characteristics of the Colonial Revival style that is expressed through its preserved materials and overall design are unique to San Jose;
- **Criterion 3:** Its identification with a person or persons who significantly contributed to the local, regional, state or national culture and history, in that the original property owners were significant contributors to the community;
- **Criterion 4:** Its exemplification of the cultural, economic, social or historic heritage of the City of San José, in that the Wilcox House is representative of a successful lawyer/orchardist and an active clubwoman wife in Willow Glen during the Period of Horticultural Expansion;
- **Criterion 6:** Its embodiment of distinguishing characteristics of an architectural type or specimen, in that the subject property is an excellent example of a Colonial Revival style;
- **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, in that the Wilcox house is believed to be the work of local architect William Ernest Higgins;
- **Criterion 8:** Its embodiment of elements of architectural or engineering design, detail, materials or craftsmanship which represents a significant architectural innovation or which is unique, in that the Colonial Revival architectural style was unusual in San José in 1917 and remains so today.

On November 7, 2018, the Historic Landmarks Commission held a Public Hearing on the proposed Landmark Designation and Historical Property Contract for the “Edwin and Mary Wilcox House” located at 1300 Pine Avenue. Planning staff recommended that the Historic Landmarks Commission recommend approval of the City Landmark designation and Historical Property Contract to the City Council.

Staff commented that the overall integrity of the house, the Wilcox’s contribution to the community, the architectural Colonial Revival style which adds to the rich architectural history of the City, and the cultural value of the house would make the property a strong candidate for City Landmark designation as well as a Historical Property Contract.

Public Testimony

The property owner, Stephen Thompson, gave public testimony explaining briefly his efforts to restore the house. The historical consultant, Krista Van Laan of Archives & Architecture, LLC, gave testimony, explaining her extensive research on the house and its history that merits designation as a City Landmark based on several criteria under the Historic Preservation Ordinance.

Staff and Planning Commission Discussion

The Commission noted that the “Edwin and Mary Wilcox House” is well-maintained and in good condition, but needs an ongoing special maintenance due to its age. Commissioner Boehm asked for clarification of the height of the new fence along Pine Avenue frontage. Staff responded that the fence height was limited to the maximum allowable height of three feet, due to the fence location in the front setback area, pursuant to the City’s zoning regulations for a single-family residence property. Commissioner Saum agreed that trimming the hedges at the Pine Avenue frontage and

adding the fence at the street frontage would be an appropriate item in the work plan and would allow public view of the property. He also questioned the need for painting the building again in year nine. The property owner explained that maintenance and painting of the large house with careful detailing is time consuming and extensive and would require repainting again in that timeframe.

The Commissioners commended the applicants' efforts and unanimously recommended that the City Council designate the house to the City Landmark status and approve the Mills Act Contract. The proposed improvements include the following, as recommended by the Historic Landmarks Commission:

Year 1: Repair and sand 12,000 square feet of exterior siding or clapboard.

Year 2: Paint the exterior of the whole house – including all siding and trim surfaces.

Year 3: Upgrade electrical wiring and plumbing for the bathrooms and wiring and subpanels for the house, as necessary.

Year 4: Replace the sewer line from the house to the street and patch and grade the surfaces as necessary.

Year 5: Grade and level the 300-foot circular driveway to prevent water from flowing back into the foundation. Reuse driveway bricks and add new as necessary to make it look continuous. Trim the hedges along Pine Avenue street frontage to reflect the heritage of the property (for public view) and maintain the perimeter vegetation and landscaping without encroaching on to new areas.

Year 6: Install a new three-foot tall fence and gate with historic plaque along street frontage in public view and repair and restore historic lights and hardware around the property, as necessary.

Year 7: Repair foundation work that needs to be examined and patched on the older front portion of the home.

Year 8: Re-roof the entire house and address downspouts for restoration.

Year 9: Repaint the exterior of the house including repainting twelve thousand square feet of exterior wood siding (clapboard).

Year 10: Sand and paint exterior wood windows and columns, as necessary for maintenance.

ANALYSIS

A complete analysis, including the General Plan and the Historic Preservation Ordinance conformance, is contained in the attached Historic Landmarks Commission staff report.

EVALUATION AND FOLLOW UP

If the proposal is approved, the subject site will be deemed a City Landmark and the County Assessor will determine the appropriate tax reduction which the property owner would be

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required to invest in the Landmark, pursuant to the Historical Property Agreement. All work on the exterior of the house would require issuance of a Historic Preservation Permit/Adjustment.

POLICY ALTERNATIVES

The City Council could opt to disapprove the recommended designation of the "Edwin and Mary Wilcox House" as a City Landmark. If the building is not designated a City Landmark, the owners would not be required to obtain a Historic Preservation Permit to demolish or otherwise alter the building, but may still be subject to CEQA review.

PUBLIC OUTREACH

Staff followed the public notification requirements of Section 13.48.110 of the San Jose 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 an unacceptable negative effect on adjacent property or properties 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/

ROSALYNN HUGHEY, Secretary
Historic Landmarks Commission

For questions please contact Martina Davis, Interim Division Manager, at 408-535-7888.

Attachments: November 7, 2018 Historic Landmark Commission Staff Report and Attachments
Revised Exhibit "C" Ten Year Preservation Plan



HISTORIC LANDMARKS COMMISSION STAFF REPORT

File Nos.	HL18-001 and MA18-001
Application Type	Historical Landmark Nomination and Historical Property Contract
Applicant	Penelope and Stephen Thompson
Location	1300 Pine Avenue (APN: 439-52-106)
Zoning	R-1-8 Single Family Residence
Council District	6
Historic Area	N/A
Historic Classification	N/A
Annexation Date	December 9, 1960 (Meridian No. 23)
CEQA	Exempt per CEQA Guidelines Section 15331

APPLICATION SUMMARY:

File No. HL18-001: Historical Landmark Nomination to designate the Edwin and Mary Wilcox House as a landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of an historic nature; and

File No. MA18-001: Historical Property Contract (California Mills Act) between the City of San Jose and the property owners for the subject 0.81-gross acre site.

RECOMMENDATION:

Planning staff recommends that the Historic Landmarks Commission recommend that the City Council approve the proposed City Landmark Designation and Historic Property Contract (California Mills Act).

PROJECT DATA

GENERAL PLAN CONSISTENCY	
General Plan Designation	Residential Neighborhood <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent
Consistent Policies	LU-13.1, LU-13.13
Inconsistent Policies	None

SURROUNDING USES			
	General Plan Land Use	Zoning	Existing Use
North	Residential Neighborhood	R-1-8 Single-Family Residence	Single-Family Residence
South	Residential Neighborhood	R-1-8 Single-Family Residence	Single-Family Residence
East	Neighborhood/Community Commercial	R-1-8 Single-Family Residence	Single-Family Residence
West	Residential Neighborhood	R-1-8 Single-Family Residence	Single-Family Residence

RELATED APPROVALS	
Date	Action
12/9/1960	Subject property was incorporated ((Meridian No. 23).
8/16/1990	Building permit (No. 9001289) to add dining room and remodel the kitchen.
7/11/2008	Lot Line Adjustment (File No. AT08-035) between two parcels APNs 439-52-088 and 439-52-087.
9/2/2008	Building permit (No. 64692) to add 200 square feet to the first floor and 500 square feet to the second floor with 300 square feet finished basement and a new 920 square feet second floor balcony addition.

PROJECT DESCRIPTION

On May 16, 2018, the property owners of 1300 Pine Avenue submitted an application to designate their single-family residence as a City Landmark and to enter into a Mills Act Contract to restore, rehabilitate and maintain the property over a 10-year period in consideration for a reduced property tax rate in return for restoration and maintenance over a 10-year period.

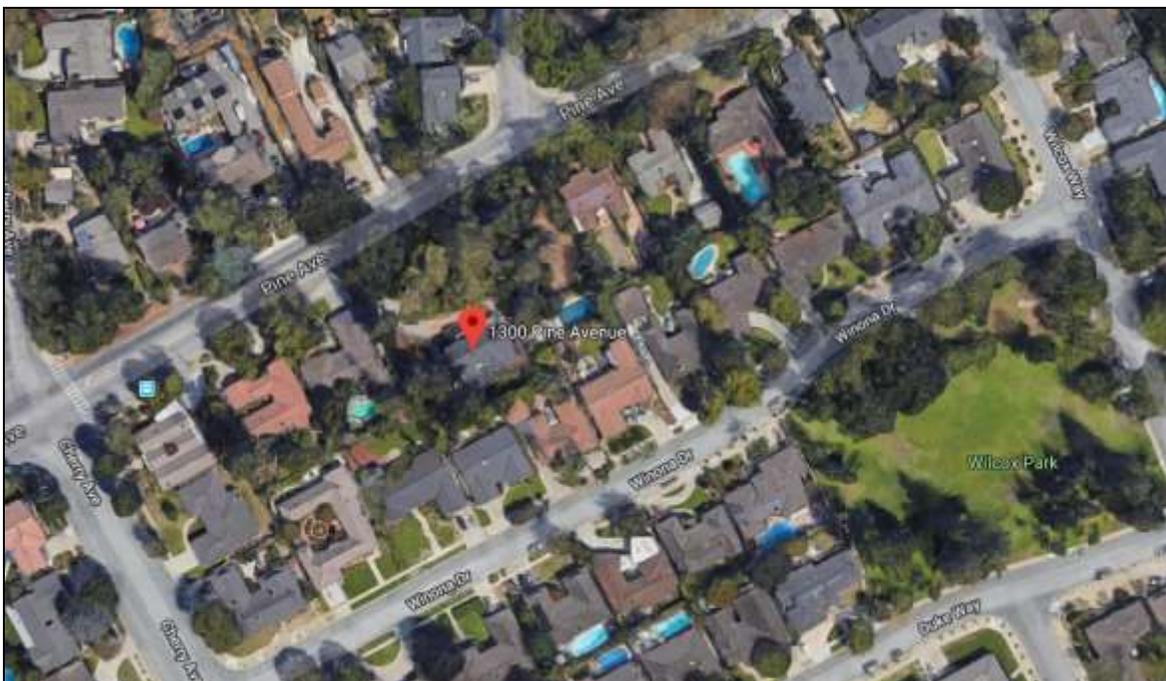


Figure 1: Location Map

The subject house is located on the south side of Pine Avenue, approximately 350 feet east of Cherry Avenue, at 1300 Pine Avenue (see Figure 1). The house is surrounded by single-family homes on all sides.

The subject residence is estimated to have been built in circa 1917 and designed most likely by William Ernest Higgins, a prominent architect, for San José attorney and orchardist Edwin A. Wilcox and his wife, Stanford graduate, Mary S. Wilcox. The residence is located at 1300 Pine Avenue in Willow Glen neighborhood area. Although Wilcox was a prominent local attorney, he considered himself to be an orchardist as well, and from 1894 onwards bought adjacent land parcels to expand his orchard estate and by 1910 the couple had about 40 acres of contiguous land parcels which they developed into orchards.

Edwin Wilcox died in 1934 and in 1946, Mary Wilcox established a trust called the Edwin A. and Mary Simpson Wilcox Research Fund. In 1940, Mary had the frontage property along Pine Avenue and Cottle Avenue subdivided into a development called "Orchard House Tract." and in 1946 deeded about 15 acres of her property to Stanford University. After her death in 1954, a portion of the ranch was given to Willow Glen high school site, two acres in middle of the ranch property were developed into a public park (Wilcox Park) per Mary Wilcox's wishes, a portion behind the ranch was developed into a public street (Winona Drive). The rest was subdivided into parcels with street names after Mary Simpson Wilcox's family members. The house and three lots behind the house were deeded to Jane Lausche and caretaker Lucille Barsoske. In 1960 the house was sold to Raymond and Esther Grove who lived in the house until 1968. The house was empty for four years. The new owners Daniel and Becky Worsham moved in 1972 and lived in the house for the next 45 years. Daniel Worsham was the founder of Pacific Western Systems, a semiconductor company, and he sold the house to the current owners, Stephen and Penelope Thompson, shortly before his death in January 2017.

The architecture of the house exhibits unique and distinctive architectural characteristics of the Federal Colonial Revival style, a style not typically found in San José (See Figure 2). The front façade has walls covered with horizontal board siding, or clapboard, low-pitched shingled roof, rows of singly paced double-hung sash windows with decorative wood shutters and symmetrical brick chimneys, on both the east and west ends of the center block, extend above the roof ridge. The entrance façade includes a large central porch, a square portico projecting about ten feet from the front of the house with a brick floor and a wide brick step. Two pairs of Tuscan columns support the entablature, on top of which is a balcony with a solid wooden short wall. The boxed cornices on the porch, like those of the upper story, are trimmed with dentil molding. The front door is a rectangular solid wood door with six raised panels. Above the door is a semi-elliptical fanlight, or sunburst light, combined with a pair of sidelights arranged symmetrically on either side of the door. The arched door surround is flanked by square pilasters.

On the west side of the house is a porte-cochere, about three-quarters the height of the central wing, with a gabled roof and distinctive arched openings on three sides. There is a room above the porte-cochere, indicated by a horizontal row of small single-paned windows with decorative shutters. The two-story eastern wing has had modifications on north, east and south sides. See further below for the analysis of the additions.



Figure 2: Front Façade

ANALYSIS

Designated City Landmark structures would require the issuance of Historic Preservation (HP) Permits for City approval of any exterior changes proposed to the structure. If the Council approves a Landmark designation, then the Council can consider the Mills Act Contract for the property. The Mills Act Contract reduces property taxes for property owners of designated historic properties, in exchange for a commitment to spend the property tax savings over a ten-year period on maintenance, restoration, and rehabilitation of the property.

The proposed City Landmark Nomination and Historic Property Contract were analyzed with respect to: 1) conformance with the Envision San Jose 2040 General Plan; and 2) conformance with the Historic Preservation Ordinance.

Envision San José 2040 General Plan Conformance

The proposed designation is consistent with the site's General Plan Land Use/Transportation Diagram designation of Residential Neighborhood, which applies to established single-family residential neighborhoods in which the subject single-family residence is located.

Additionally, the proposed project promotes the following 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 Edwin and Mary Wilcox House is not listed on the City of San Jose's Historic Resources Inventory. The designation of this house as a historic landmark and approval of the Mills Act contract will preserve the integrity of this area and its recognized historic value, as well as ensure the preservation of a unique architectural style not typical in San Jose. There are approximately half a dozen properties located within the immediate neighborhood of the subject property that are listed in the City's Historic Resources Inventory.

Approval of a Mills Act contract will provide the home owners with a tax relief and the home owner is required to reinvest those savings into the restoration and maintenance of the house. Furthermore, the designation of this site as a landmark would require careful review, by the City and the Historic Landmarks Commission, prior to any exterior alterations to the landmark.

Historic Preservation Ordinance Conformance for Historic Landmark Nomination

Per the Historic Preservation Ordinance (Municipal Code Chapter 13.48), the Commission may consider, among other relevant factors, the following 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.

Based on the information in the historic evaluation prepared by Krista Van Laan of Archives & Architecture, LLC dated April 15, 2018 and revised September 17, 2018, the Edwin and Wilcox House merits designation as a City Landmark based on several criteria under the Historic Preservation Ordinance.

The property meets the criteria for designation as a City of San Jose Historic Landmark Structure based on:

- **Criterion 1:** Its character, interest or value as part of the local, regional, state or national history, heritage or culture, in that the distinctive characteristics of the Federal Colonial Revival style that is expressed through its preserved materials and overall design are unique to San Jose. The residential property also contributes to the history of San José, its prominence reflecting a period of early orchard development from the valley's Period of Horticultural Expansion (1869-1918). The property itself is associated with important early twentieth-century agriculture in San José, as the Wilcox Ranch was an ongoing prune, apricot, and peach orchard;

- **Criterion 3:** Its identification with a person or persons who significantly contributed to the local, regional, state or national culture and history, in that the original property owners were significant contributors to the community. The Wilcox family is notable in the context of early San José personages who provided a unique contribution to the agricultural development during the late nineteenth and early twentieth century. Edwin Wilcox was a well-known local attorney, and an orchardist, and made a point of aligning himself with the growers and acting as a spokesperson for them. He was one of the original founders of the Pacific Coast Fruit-Growers' Association, a grower's cooperative whose charter was to band growers in California, Oregon, and Washington to enable them to get the highest prices possible for their fruit.

Mary Wilcox also contributed to the City. She was instrumental in helping to form the San José chapter of the American Association of University Women (AAUW) and also responsible for the bequest that specified the development of Wilcox Park for the city of San José. She also established the Edwin A. and Mary Simpson Wilcox Research Fund at Stanford;

- **Criterion 4:** Its exemplification of the cultural, economic, social or historic heritage of the City of San José, in that the Wilcox House is representative of a successful lawyer/orchardist and an active clubwoman wife in Willow Glen during the Period of Horticultural Expansion;
- **Criterion 6:** Its embodiment of distinguishing characteristics of an architectural type or specimen, in that the subject property is an excellent example of a Federal-style Colonial Revival with a side-gabled roof, a broad symmetrical façade and accentuated front entrance with a large central porch, a square portico projecting about ten feet from the front of the house with a brick floor and a wide brick step. The exterior façade walls have horizontal board siding, or clapboard, and the house has typical characteristics of Colonial Revival architectural style which includes a low-pitched shingled roof, cornices with dentil molding, windows that are double-hung with decorative shutters, placed singly in symmetrical rows, two pairs of Tuscan columns which support the front portico with a solid wooden short wall balcony above. The distinctive porte-cochere on the west side of the house has a gabled roof, with distinctive arched cutouts on three sides. A semicircular driveway leads to the porte-cochere and the house is deep set on the site with mature trees and landscaping.
- **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, in that the Wilcox house is believed to be the work of local architect William Ernest Higgins. The house shares many external and interior characteristics with those known to have been designed by W.E. Higgins in 1916-1917 prior to his partnership with local architect Frank Delos Wolfe. Higgins's work was well known among society leaders in Santa Clara and San José during this period, and Mary Wilcox was closely involved with civic leader Maude Davy, whose daughter Dorothy Gross had a highly acclaimed house designed by Higgins in 1916 (the Gross/Low house);
- **Criterion 8:** Its embodiment of elements of architectural or engineering design, detail, materials or craftsmanship which represents a significant architectural innovation or which is unique, in that the Colonial Revival architectural style was unusual in San José in 1917 and remains so today. Mary Wilcox, raised in the Midwest, may have been responsible for the selection of the style. A limited number of Colonial Revival houses of similar designs were built in San José between 1916 and the early 1920s. Unique to the Wilcox house is the distinctive porte-cochere on the west side of the house. It has a gabled roof, and distinctive arched cutouts on three sides. Arched doorways and entrances were a signature feature of William Higgins, who frequently added them to a style that would not otherwise have an arched element.

Historic Preservation Ordinance Conformance for Mills Act Historical Property Contract

The Historic Property Contract Program is an incentive for ownership and rehabilitation of City Landmarks. It is a contract between the City of San Jose and the owner of a designated City Landmark, which allows the owner to enjoy a reduced property tax rate from the County Assessor in exchange for the preservation and, in some cases, restoration and rehabilitation, of the owner's historic property. The purpose of the agreement is to provide greater protection for the City Landmark property than is otherwise provided by the historic preservation regulations in the City Municipal Code. The County Assessor sets the property tax rate based on an appraisal of the market value of the land and improvements. A property under contract will receive a property tax reduction based on an appraisal of the rental value of the land and improvements. A work plan is required and focuses on restoring and maintaining the property to its original form as much as possible. The Historic Property Contract work plan proposed for this property is as follows:

Year 1: Repair and sand twelve thousand square feet of exterior siding or clapboard.

Year 2: Paint the exterior of the whole house – including all siding and trim surfaces.

Year 3: Upgrade electrical wiring and plumbing for the bathrooms and wiring and subpanels for the house, as necessary.

Year 4: Replace the sewer line from the house to the street and patch and grade the surfaces as necessary.

Year 5: Grade and level the 300-foot circular driveway to prevent water from flowing back into the foundation. Reuse driveway bricks and add new as necessary to make it look continuous. Trim the hedges along Pine Avenue street frontage to reflect the heritage of the property and maintain the vegetation without encroaching on to new areas.

Year 6: Install new fence and gate with historic plaque along street frontage and repair and restore historic lights and hardware around the property, as necessary.

Year 7: Repair foundation work that needs to be examined and patched on the older front portion of the home.

Year 8: Re-Roof the entire house and address downspouts for restoration.

Year 9: Repaint the exterior of the house including repainting twelve thousand square feet of exterior wood siding (clapboard).

Year 10: Sand and paint exterior wood windows and columns, as necessary for maintenance.

All work is subject to an Historic Preservation permit and is required to meet the Secretary of Interior's Standards for the treatment of Historic properties with buildings for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.

Required Findings of Historic Property Contract

In accordance with the Historic Preservation Ordinance, the City Council may approve a Historic Property Contract pursuant to making certain findings. Planning staff recommends that the Historical Landmarks Commission recommend the City Council make the following findings and approve the proposed Historical Property Contract:

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

Analysis: Preservation of specific structures of historic significance advances the goals of the Envision San José 2040 General Plan, specifically Historic Preservation Policy LU-13.13. The proposed contract is consistent with General Plan’s historic, archeological and cultural resources policies the contract serves as incentives toward fostering the rehabilitation of the subject building of historic significance.

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 proposed contract provides greater protection for the landmark property in that it will allow the owner, in partnership with the City, to use property tax relief to rehabilitate and maintain the property in accordance with the preservation plan (see Exhibit C of the attached draft Resolution of the Historic Property Contract).

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

Analysis: The proposed contract incorporates the required provisions for Historic Property Contract listed in Section 13.48.520 of the San José Municipal Code.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The environmental impacts of the project will not have a negative effect on historic properties. 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.

PUBLIC HEARING NOTIFICATION

Staff followed the public notification requirements of Section 13.48.110 of the San Jose 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: , Acting Division Manager for Rosalynn Hughey, Planning Director

Date:

Attachments:
Pine Avenue Nomination Letter dated 9/17/18
State Department of Parks and Recreation form (DPR523A), dated revised September 17, 2018
Draft Resolution for HL18-001
Draft Resolution for MA18-001
Draft Historical Contract and 10-Year Preservation Plan for MA18-001

Owner/Applicant:
Penelope and Stephen Thompson 1300 Pine Avenue San Jose, CA 95125



ARCHIVES
ARCHITECTURE &

September 17, 2018

Penelope and Stephen Thompson

1300 Pine Ave.

San José CA 95125

RE: Revised City Landmark Nomination – Edwin and Mary Wilcox House

APN#: 439-52-106

Dear Penelope and Stephen:

Please find enclosed revised DPR523 forms prepared for your property at 1300 Pine Avenue in San José. These forms are for your use in submitting an application to the City of San José for City Landmark status for your residential property.

Your house is a distinctive example of residential Colonial Revival architecture, believed to be the work of the local architect William Ernest Higgins, recognized as a master architect in San José. The house was constructed in 1917 for Edwin A. and Mary S. Wilcox, who lived on the surrounding forty acres of orchard property they called the Ranch. Edwin Wilcox was a prominent San José attorney and an orchardist, actively involved in supporting the rights and interests of the fruit growers. The Wilcoxes lived in the house until Edwin's death in 1934 and Mary's death in 1958, after which it was occupied by the Raymond and Esther Grove family from 1960-1968. During the 1960s, a portion of the Ranch property was developed into Wilcox Park, based on the terms of Mary Wilcox's will. Daniel and Becky Worsham lived in the house from 1972 until you purchased the home in 2017.

We reviewed your house using the City of San José Landmark designation criteria, which is used to consider historical significance for properties within the San José city jurisdiction. The actual nomination process and decision by the San José City Council is based on the requirements of Chapter 13 of the San José Municipal Code (Section 13.48.110 / Procedure for designation of a landmark).

We believe the property is eligible for individual designation as a San José City Landmark based on the following criteria as set out in Municipal Code 13.48.110 (H):

- 1) *Its character, interest or value as part of the local, regional, state or national history, heritage or culture;*

This residential property contributes to the history of San José, its prominence reflecting a period of early orchard development from the valley's Period of Horticultural Expansion (1869-1918). The property itself is

associated with important early twentieth-century agriculture in San José, as the Wilcox Ranch was an ongoing prune, apricot, and peach orchard.

By the mid-1880s, as canneries, commercial dryers, and most importantly, the local railroad became established, nearly all of the Willow Glen farms had been turned into fruit orchards, growing fruits of all types, and especially prunes, which had been introduced to the Santa Clara Valley in 1854 when French immigrant and nurseryman Louis Pellier brought them from France.

Edwin Wilcox was one of many gentleman farmers in the Santa Clara Valley--men of means who owned and ran orchards. He said that he “practiced law to help the ranch along, and vice versa.” Both he and his mother were involved in orcharding: his ties to the orchard life originated in childhood when he helped his household by picking prunes. As soon as he was financially solvent, in 1894, he began buying Willow Glen orchard property, with his mother managing the orchard, until he had a medium-sized orchard of forty acres, with paid employees, that lasted at least until his death in 1934.

3) *Its identification with a person or persons who significantly contributed to the local, regional, state or national culture and history;*

The Wilcox family is notable in the context of early San José personages who provided a unique contribution to the agricultural development during the late nineteenth and early twentieth century.

Edwin Wilcox was a prominent local attorney, but he always considered himself to be an orchardist as well, and throughout his career made a point of aligning himself with the growers and acting as a spokesperson for them. He was one of the original founders of the Pacific Coast Fruit-Growers’ Association, a grower’s cooperative whose charter was to band growers in California, Oregon, and Washington to enable them to get the highest prices possible for their fruit.

Mary Wilcox also contributed to the City. She was instrumental in helping to form the San José chapter of the American Association of University Women (AAUW) and also responsible for the bequest that specified the development of Wilcox Park for the city of San José. She also established the Edwin A. and Mary Simpson Wilcox Research Fund at Stanford.

4) *Its exemplification of the cultural, economic, social or historic heritage of the City of San José;*

The Wilcox House is representative of the lifestyle of a successful lawyer/orchardist and an educated clubwoman wife in Willow Glen during the Period of Horticultural Expansion.

6) *Its embodiment of distinguishing characteristics of an architectural type or specimen;*

The subject property is an excellent example of a Federal-style Colonial Revival with a side-gabled roof and a broad symmetrical façade and accentuated front entrance. Covered with horizontal board siding, or clapboard, it has a low-pitched shingled roof.

Typical of Colonial Revival houses, the windows are double-hung with decorative shutters, placed singly in symmetrical rows. The focal point of the front elevation is its large central porch, a square portico projecting about ten feet from the front of the house with a brick floor and a wide brick step. Two pairs of Tuscan columns support the entablature, on top of which is a balcony with a solid wooden short wall. The boxed cornices on the porch, as well as those on the upper story, are trimmed with dentil molding.

The front door is a style common to Colonial Revival, rectangular solid wood door with six raised panels and a fanlight above. The semi-elliptical fanlight, or sunburst light, is combined with a pair of sidelites arranged symmetrically on either side of the door.

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*

The Wilcox house is believed to be the work of Santa Clara architect William Ernest Higgins. The house shares many external and interior characteristics with those known to have been designed by W.E. Higgins in 1916-1917 prior to his partnership with local architect Frank Delos Wolfe. Higgins's work was well known among society leaders in Santa Clara and San José during this period, and Mary Wilcox was closely involved with civic leader Maude Davy, whose daughter Dorothy Gross had a highly acclaimed house designed by Higgins in 1916 (the San José City Landmark Gross/Low house).

William Ernest Higgins (1871-1936) was born into a pioneer family in Santa Clara. He worked at a number of jobs before becoming a draftsman with William Binder in 1910 and received his architecture license in 1913 at the age of forty-two before landing his first major project, renovating the Santa Clara Woman's Club. This led to commissions for prominent Santa Clara and San José families before he partnered with acclaimed San José architect Frank Wolfe. The prolific firm of Wolfe & Higgins was in business from the end of 1917 to 1931, during which time the firm produced more than 500 projects. Little remains of the work of Higgins prior to the partnership, but the characteristics of the Wilcox house are a strong match to the other buildings that have been documented as the solo work of William Higgins in 1916 and 1917.

A number of Higgins designs are today San José City Landmarks, including the Gross/Low House at 1156 McKendrie St. (as a sole practitioner), the Richards House at 184 S. Thirteenth Street (with Frank Delos Wolfe), and the San José Woman's Club at 75 S. Eleventh St. (with Carl Wolfe).

A number of Higgins designs are today San José City Landmarks, including the Gross/Low House at 1156 McKendrie St. (as a sole practitioner), the Richards House at 184 S. Thirteenth Street (with Frank Delos Wolfe), and the San José Woman's Club at 75 S. Eleventh St. (with Carl Wolfe).

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 Colonial Revival architectural style was unusual in San José in 1917 and remains so today. Mary Wilcox, raised in the Midwest, may have been responsible for the selection of the style. A limited number of Colonial Revival houses of similar designs were built in San José between 1916 and the early 1920s.

Unique to the Wilcox house is the distinctive porte-cochère on the west side of the house. It has a gabled roof, and distinctive arched cutouts on three sides. Arched doorways and entrances were a signature feature of William Higgins, who frequently added them to a style that would not otherwise have an arched element.

Nomination for City Landmark status can be made by a property owner. Following notification from the Director of Planning, Building, and Code Enforcement that your application is complete, the procedure for the designation for your property is initiated. A public hearing before the Historic Landmarks Commission will take place, and following that hearing, a report with recommendations will be submitted to the City Council, who will then hold a public hearing to formally consider the designation.

In order for the designation to take place, the San José City Council must make findings that the property has historical, architectural, cultural, aesthetic, or engineering interest or value of a historical nature, and that its designation as an individual city landmark conforms to the goals and policies of the Envision San José 2040 General Plan. In reviewing the possible historical values associated with the property at 1195 Willow Street, we consider the following statement applicable:

The residential property at 1300 Pine Avenue, San José, has special historical, architectural and aesthetic interest and value to the community, due to the distinctive design of the residence, which is a rare and fine example of local Colonial Revival style residential architecture, and its association with persons important to San Jose's past.

The City of San José could reasonably make the following findings in designating your property a city landmark:

Sincerely,

A handwritten signature in black ink that reads "Krista Van Laan" followed by a stylized flourish.

Krista Van Laan, Architectural Historian
Archives & Architecture LLC

Enclosures (DPR523 series recording forms)

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____
Review Code _____ Reviewer _____ Date _____

Page 1 of 27 *Resource Name or #: (Assigned by recorder) Edwin and Mary Wilcox House

P1. Other Identifier: None

*P2. Location: Not for Publication Unrestricted

*a. County Santa Clara and (P2c, P2e, and P2b or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad San José West Date 1980 photorevised T.7S.; R.1E.; Mount Diablo B.M.

c. Address 1300 Pine Avenue City San José Zip 95125

d. UTM: (Give more than one for large and/or linear resources) Zone 10S.; 597342 mE/ 4128087 mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

Assessor's Parcel Number: 439-52-106,
south side of Pine Avenue about 55 feet from the southern end of Lupton Avenue.

*P3a Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The house at 1300 Pine Avenue is a two-story single-family residence on a large tree-lined lot in the Willow Glen residential district of San José. Estimated to have been built circa 1917, the house is, through its form and detailing, an excellent example of a Federal-style Colonial Revival with a side-gabled roof and a broad symmetrical façade and accentuated front entrance. Covered with horizontal board siding, or clapboard, it has a low-pitched shingled roof and rows of singly placed double-hung sash windows with decorative shutters. Distinctive features include the large square portico with upper walled balcony, dentil molding under the porch and roof eaves, and a porte-cochère with arched entrances. The house maintains its original character-defining features in the front central and west wings and landscaping.

Once the grand residence of San José attorney and orchardist Edwin A. Wilcox and his wife, Stanford graduate Mary S. Wilcox, the house today sits on more than eight-tenths of an acre

(Continued on next page, DPR523L)

*P3b. Resource Attributes: (List attributes and codes) HP2. Single-family property

*P4 Resources Present: Building Structure Object Site District Element of District Other (Isolates, etc.)



P5b. Description of Photo: (View, date, accession #)

Front façade, viewed facing south, February 2018

*P6. Date Constructed/Age and Sources:

Historic Prehistoric Both

1917, real-estate listing and city directories, 101 years old

*P7. Owner and Address:

Stephen and Penelope Thompson
1300 Pine Avenue
San José CA 95125

*P8. Recorded by: (Name, affiliation, and address)

Krista Van Laan
Archives & Architecture, LLC
PO Box 1332
San José, CA 95109-1332

*P9. Date Recorded: April 15, 2018.
Revised Sept. 17, 2018.

*P10. Survey Type: (Describe) Intensive

*P11. Report Citation: (Cite survey report and other sources, or enter "none.") None

*Attachments: NONE Location Map Continuation Sheet Building, Structure and Object Record Archaeological Record District Record Linear Feature Record Milling State Record Rock Art Record Artifact Record Photograph Record Other (List)

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*Recorded by Krista Van Laan *Date April 15, 2018 Continuation Update

(Continued from previous page)

amidst lush vegetation. The house is on the southern side of Pine Avenue, facing north-northwest; it is set back 137 feet from the street, as it was when built. A wide semicircular driveway in front of the house is accessed by two gates on the west and north corners. The property is filled with mature trees including maples, oaks, and redwoods, many exceeding fifty feet in height. Two very large maple trees grow in the front yard.

The lot is 35,181 square feet in size, with 166.7 feet of frontage on Pine Avenue. The edge of the property along Pine Avenue is lined with shrubbery and trees that partially obscure the view of the house from the street.

The subject property's parcel is far larger than those of surrounding homes. This is because parts of the orchard land surrounding the Wilcox home and yard were sold starting in 1918, with the final subdivision occurring after Mary Wilcox's death in 1958. In 1940, the Orchard House Tract was developed from a portion of the Wilcoxes' land, with nine lots to the northeast of the subject property on Pine Avenue and ten more lots on Cottle Avenue south of Pine Avenue. Most of the lots measured 50 by 150 feet and houses are set back approximately sixty feet from the street. In the mid-1960s, all of the surrounding orchard land was developed to create similarly sized lots. Wilcox Park, in the center of what the Wilcoxes called The Ranch, was created according to Mary Wilcox's wishes.

A 6,482 square-foot parcel, known as Parcel B, is attached to the east side of the subject property. Parcel B has been sold with the subject property since the first sale of the house in 1960; it is addressed as 1298 Pine Avenue and is not included in the proposal for landmarking. In 2008, 4,454 square feet were shifted from the southern half of Parcel B and added to the square footage of the subject property. That shift created an L-shaped extension that currently encompasses a swimming pool which was added in 1970.

The house was built in 1917, according to a 1959 real estate listing. Polk City Directories show that Edwin and Mary Wilcox began living at the property in 1917.

The style of the house is consistent with other Colonial Revival houses built in San José in the late 1910s. Colonial Revival was the dominant style for housing across the United States between 1910 and 1930 and its popularity lasted up into the 1960s. However, this style was, and still is, relatively uncommon in San José. The clapboard siding was also less common in San José than the far more prevalent stucco of the late 1910s and 1920s.

There are no records to indicate the identities of the architect and builder of the Wilcox House. A limited number of Colonial Revival houses of similar design were built in San José between 1916 and the early 1920s, the work of architects Warren Skillings (1860-1939), Charles McKenzie (1874-1957), and William Ernest Higgins (1871-1936). The exterior and interior of the house at 1300 Pine Avenue indicate that it was likely designed by prominent Santa Clara architect William Ernest Higgins. Higgins is best known for the work he did as part of the San José architectural firm of Wolfe & Higgins, when he partnered with San José master architect Frank Delos Wolfe and later Wolfe's son Carl Jay Wolfe. The prolific firm of Wolfe & Higgins was in business from the end of 1917 to 1931, during which time the firm produced more than 500 projects. Little remains of the work of Higgins prior to the partnership, but the characteristics of the Wilcox house are a strong match to the other buildings that have been documented as the solo work of William Higgins in 1916 and 1917.

The center wing of the Wilcox House is a simple two-story rectangular block with side-gables. The shingled gabled roofs have a slight overhang and dentil molding under the boxed cornice. Symmetrical brick chimneys on both the east and west ends of the center block extend above the roof ridge. The house faces to the north-northwest. (This report will refer to the frontal elevation as the north side, and the back as the south side, with eastern and western wings.)

Typical of Colonial Revival houses, the windows are double-hung with decorative shutters, placed singly in symmetrical rows. Both the original windows and those that have been added

(Continued on next page)

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*Resource Name or #: (Assigned by recorder)

Edwin and Mary Wilcox House

*Recorded by Krista Van Laan

*Date April 15, 2018

Continuation

Update

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during renovations are 6/1; that is, they have six panes in the upper sashes and a single pane in the lower.

The focal point of the front elevation is its large central porch, a square portico projecting about ten feet from the front of the house with a brick floor and a wide brick step. Two pairs of Tuscan columns support the entablature, on top of which is a balcony with a solid wooden short wall. The boxed cornices on the porch, like those of the upper story, are trimmed with dentil molding.

The front door is a rectangular solid wood door with six raised panels. Above the door is a semi-elliptical fanlight, or sunburst light, combined with a pair of sidelites arranged symmetrically on either side of the door. The design of the leaded glass panes in the sidelites echoes the semi-elliptical shape of the fanlight. The arched door surround is flanked by square pilasters.

On the west side of the house is a porte-cochère, about three-quarters the height of the central wing, with a gabled roof and distinctive arched cutouts on three sides. A double French door leads from the porte-cochère into the house; next to the door is the exposed brick wall of the chimney.

There is a room above the porte-cochère, indicated by a horizontal row of small single-paned windows with decorative shutters extends across the front and back below the eaves, aligned on the bottom with the second story windows on the eastern gable of the central wing. On the front façade of the porte-cochère, a wood flower box supported by brackets projects from below the central window.

The west side of the porte-cochère has a large pointed window configuration under the eave, a central multi-paned window flanked by sidelites that angle downward to follow the line of the roof. The central window has sixteen panes separated by thin muntins and another bracketed wood flower box underneath.

The two-story eastern wing has had modifications on all sides. On the north side (front) of the eastern wing, in 1990, 200 square feet were added to create a single-story breakfast room with a shed roof that projects outward past the front façade of the central wing. The front of the room extension has a row of four 6/1 closely spaced windows with one decorative shutter on each of the right and left sides of the row. A pair of windows and door with ten glass panes were added to the breakfast room addition on the east side.

Above the breakfast room extension on the original front façade of the eastern wing is a single 6/1 sash window similar to those on the lower row of the central wing front elevation. The boxed cornice on the roof of the eastern wing has no dentil molding; this may have been removed during renovations.

A second-story balcony with wrought-iron balustrade, added during a renovation that was completed in 2010, wraps around the eastern and southern sides of the house. On the eastern side, the balcony is supported by two pairs of Tuscan pillars that are of similar design to those on the front porch, creating a covered entrance to the side door. The balcony above the pillars curves outward. Dentil molding under the projecting porch roof has been added to match that of the original front porch.

A bay window (a conversion from an earlier standard window) is on the right side of the first floor on the eastern elevation; to the left are a multi-paned glass door with a 1/1 sash window beside it. This window and door and the hanging lamp beside the door remain of the original configuration of the first floor on the eastern wing. On the second story of the eastern elevation are an original sash window above the bay window and an attic window with louvered vents below the eaves. A pair of 6/1 sash windows is on the southeast side of the second floor; these windows were installed during a renovation completed in 2010 when a room was added to the back of the second floor.

(Continued on next page)

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The southern (rear) elevation shows extensive renovations. The eastern end was lightly modified in 1966 when the owners updated the kitchen interior and enclosed a back porch to add a powder room and laundry room. From 2008 to 2010, the entire rear of the house was extended on both floors, not only to add more square footage but also to make it more accessible. The owners extended the back to house an elevator that went from the basement to the second floor and added a second-story walkway that extended from the eastern side of the house across the full width of the rear. Two gables on the southern elevation were added during the enlargement, enclosing an original second-story cantilevered sleeping porch and second-story balcony. The extended rear portion of the house has second-story windows and first-story French doors that are compatible with the original windows and doors. Brick steps lead from the central back entrance to the yard; a low brick wall enclosing flower beds extends the width of the house.

The second-story balcony extends from the eastern side of the house across the entire back of the house, supported by Tuscan pillars. Like the balcony on the eastern side of the house, the central entrance is framed by two pairs of pillars with a semicircular projection of the balcony. A switchback staircase on the eastern end of the rear façade leads from the second-story balcony to the yard.

The fenced back yard is landscaped with a well-tended lawn, a variety of trees and shrubs, and flowers in brick beds. In the southwest corner of the yard is a pergola made with pillars of a style similar to those on the house; this does not appear to be original to the house. The entire property is well-kept and with its large trees and private yard space, seems to be little changed since the Wilcoxes resided at 1300 Pine Avenue.

Much of the interior of the house retains its original features and fixtures. The foyer, living room including fireplace, and dining room are unchanged, with original oak floors and arched entries throughout including arched multi-paned French doors and arched built-in cabinet doors. The foyer features a distinctive staircase with original curved railings and volute handrail, a signature feature of architect William Ernest Higgins.

The house and site are in excellent condition.

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*Resource Name or #: (Assigned by recorder)

Edwin and Mary Wilcox House

*Recorded by Krista Van Laan

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Continuation

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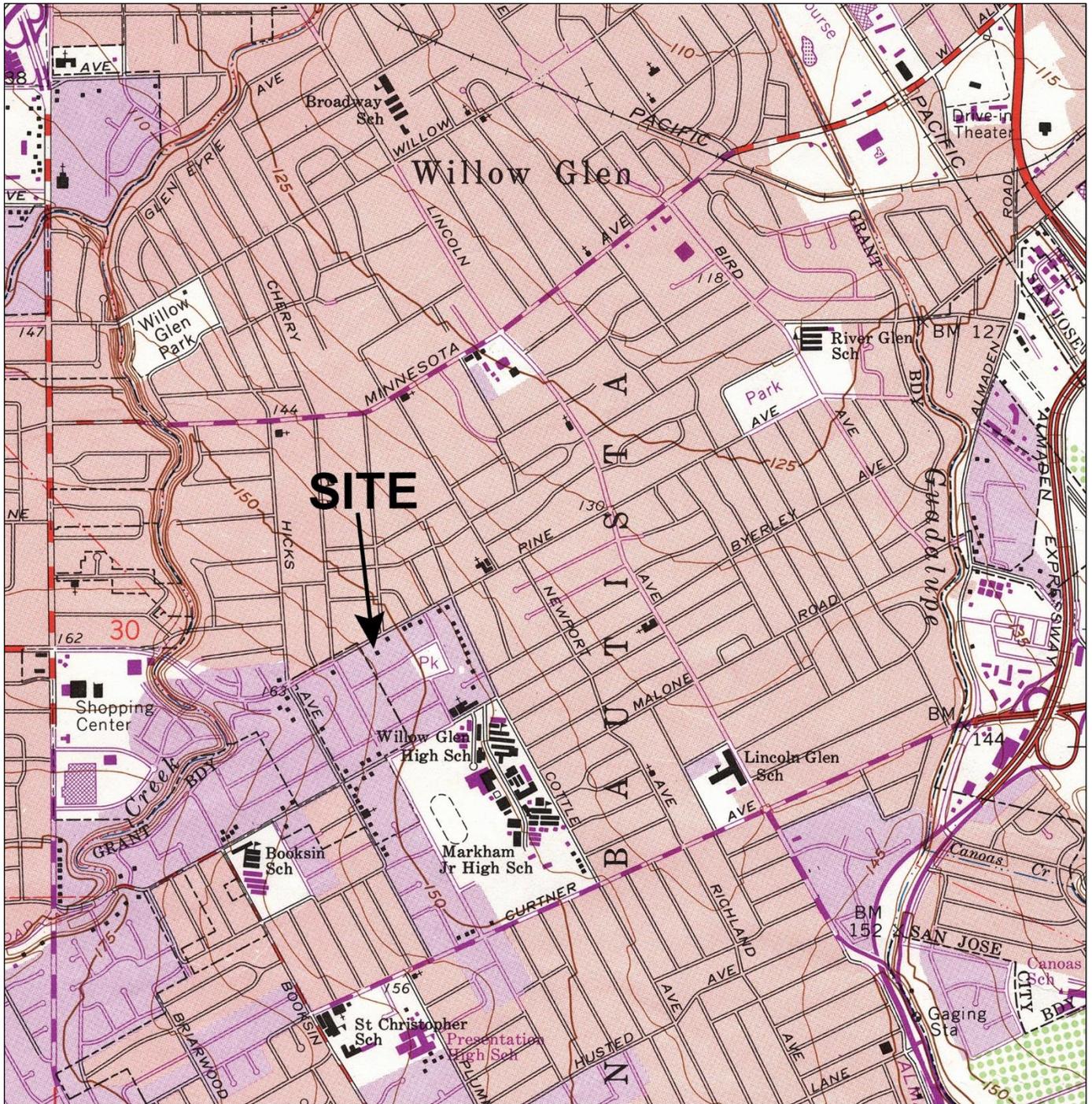
(Continued from previous page)



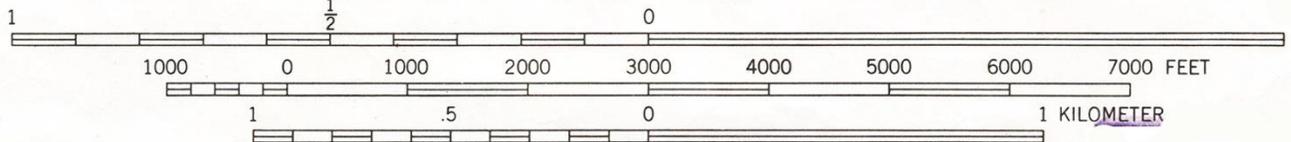
Front elevation viewed facing south-southeast. The distinctive porte-cochère with arched entrances is original to the house.



Mature maples and foliage in the front yard beside the circular driveway of the Wilcox house.



SCALE 1:24 000



CONTOUR INTERVAL 5 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

**State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE, AND OBJECT RECORD**

**Primary #
HRI #**

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*NRHP Status Code 3CS/5S3

*Resource Name or # (Assigned by recorder) Edwin and Mary Wilcox House

B1. Historic Name: Edwin and Mary Wilcox House

B2. Common Name: N/A

B3. Original use: Single-family residential

B4. Present Use: Single-family residential

*B5. Architectural Style: Colonial Revival

*B6. Construction History: (Construction date, alterations, and date of alterations)

Constructed circa 1917 (no permit available). Alterations done in 1966, 1990, and 2008-2010 to add square footage to east side of front façade first floor and to extend the rear (south side) of the house. Second-story balcony added to wrap around east and south sides of the house.

*B7. Moved? No Yes Unknown Date: N/A

Original Location: N/A

*B8. Related Features: None

B9a Architect: Unknown, believed to be William Ernest Higgins

b. Builder: Unknown

*B10. Significance: Theme Architecture and Shelter

Area Willow Glen

Period of Significance 1917-1958

Property Type Residential

Applicable Criteria (3)

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The two-story house at 1300 Pine Ave. in the Willow Glen neighborhood of San José is estimated to have been constructed in 1917 for San José attorney Edwin A. Wilcox and his wife Mary. In 1894, Edwin Wilcox had begun accumulating orchard land south of Pine Avenue and west of Cottle Avenue in Willow Glen. By 1913, the Wilcoxs owned close to forty acres of orchard land they called "The Ranch" and in 1917, they moved from downtown San José to live on The Ranch, residing there until Edwin's death in 1934 and Mary's in 1958. Mary Wilcox left most of the orchard property to Stanford University, with the condition that at least two acres was to be reserved for a public park. That park is today Wilcox Park.

The Wilcox land lay within the original boundaries of *Rancho San Juan Bautista*, which had been granted to José Agustin Narváez in 1844, and patented to him in 1865. By the late 1860s, the forty acres in the vicinity of the subject parcel were owned by Jonathan and Grace Lupton. Jonathan Lupton, born in Yorkshire, England in 1800, came to the United States where he met and married eighteen-year-old Grace Jane Hays in 1834. The couple lived first in Missouri, and in 1848, they came to California, first to Sutter Creek where Jonathan did mining, then to San José where they acquired a substantial amount of farmland in "The Willows," today Willow Glen. The Luptons had eight children, including Jonathan, Jr., who married Alicia Hicks of the nearby Hicks farming family (Hicks Avenue is named for Alicia's father) and settled on land close to his parents' farm. Jonathan Sr. died in 1871.

(Continued on next page, DPR523L)

B11. Additional Resource Attributes: (List attributes and codes) N/A

*B12. References:

Board of Trustees Records, Stanford University Special Collections & University Archives

Brainard, H., *Brainard Atlas of Santa Clara County*. 1886.

Correspondence, photographs, and memorabilia from Russ Grove. Conversations with Russ, Jim, Tom, and Kathy Grove.

(References Continued on page 12)

B13. Remarks: Proposed San José City Landmark

*B14. Evaluator: Krista Van Laan

*Date of Evaluation: April 15, 2018. Revised Sep. 17, 2018.

(This space reserved for official comments.)



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In an 1876 map, the Luptons' daughter Mary and her husband J. Coburn are shown as owners of twenty acres next to one of Grace Lupton's parcels. The Coburn parcel is the land upon which the Wilcox home was later built.

The Coburns had a daughter Lola, born in 1861. The Coburn land passed to Lola, who, in 1882, married twenty-seven-year-old Oscar Ulysses Allison. Within five years, Oscar was locally known as a successful orchardist with twenty acres of apricots, prunes, and peaches, and had acquired additional orchard property nearby. The Allisons had a son, Charles, in 1884, and a daughter, Grace, in 1888.

In 1884, Lola's grandmother Grace Lupton died, having outlived all of her children except for Jonathan Jr. Probably through inheritance, Lola and Oscar Allison acquired the twenty-acre portion of the Lupton property next to their own orchard.

In January of 1894, Oscar restructured the land the Allisons owned in the Lupton tract and sold fifteen acres of it to Edwin Wilcox. The property now included a triangular section that gave it frontage on Pine Avenue and eliminated five acres on the southern end. Edwin in turn deeded four lots in the Freyschlag subdivision to Oscar Allison, closer to downtown and near Keyes Avenue.

Although Wilcox was a prominent local attorney by this time, he considered himself to be an orchardist as well, and throughout his career made a point of aligning himself with the growers. He said that he "practiced law to help the ranch along, and vice versa." Wilcox's widowed mother, Mary E. Wilcox, helped manage the orchard, which, by 1896, was listed as yielding twenty-one tons of apricots, twenty-two and a half tons of plums, and ten tons of prunes in addition to peaches, apples, pears, and cherries.

Lola died in April of 1894, only thirty-three years old, leaving a ten-year-old son and six-year-old daughter. The Allisons' daughter Grace went to live with Oscar's brother's Marion's family and at the age of twenty-two, despite coming from farming wealth on both parents' sides, was a servant in the home of San José newspaper editor J.F. Thompson, after which her whereabouts are unknown. Son Charles married and worked in real estate in Marin.

Edwin Wilcox continued to acquire land surrounding his orchard. In 1898, he bought fourteen more acres from Oscar Allison, this time the part of the original Lupton estate next to the parcel Wilcox had bought in 1894. Oscar Allison's whereabouts after 1898 are also unknown.

In 1909 Edwin married Mary Sheal Simpson and in 1910, the Wilcoxes bought fourteen more acres from neighboring farmers Edward and Emma Weaver, extending their property to Cottle Avenue. In 1913, the Wilcoxes bought ten acres that fronted Pine Avenue from neighbor Clara Smith. Between 1909 and 1918, they parceled off and sold some of their land including three-quarters of an acre on the corner of Pine and Cottle Avenues to Fred Sundquist, so by 1924, they owned close to forty connected acres of orchard land, with almost 900 feet of frontage on Pine Avenue. The north-northwest corner of this acreage is where the Wilcoxes had their home, and that eight-tenths of an acre today is the location of the subject property.

The earliest available topological maps of 1897 show that there was a building on the site in the same spot where the house is today. The original structure may have been the home of the Coburns or the Allisons, who were presumed to have a house at that location. Although the land was in Edwin Wilcox's possession since 1894 and he married Mary in 1909, the couple did not start living permanently at The Ranch until 1917, suggesting that they had a home built at that time. It is no longer possible to determine whether the current house was built on top of an earlier house foundation or if instead the previous structure was demolished to make way for the current house.

Edwin Augustin Wilcox (1868-1934) was a prominent attorney who practiced in San José for more than forty years. One of the busiest and most well-regarded lawyers in the city, he was described in a 1907 *San Jose Mercury* article as "a man of more than ordinary ability in

(Continued on next page)

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legal lore, a strong pleader and one who never deserts the interests of his clients until every possible move has been made."

Edwin was born in Fort Wayne, Indiana to physician Edwin Augustin Wilcox, Sr., and his wife Mary E. Wilcox, both originally from Pennsylvania. When Edwin was one year old, his family moved to California, living first in Los Angeles, and then moving to San José in 1874 when Edwin was six years old.

The elder Wilcox died in 1877 at the age of fifty. Mary, widowed at thirty-seven with a nine-year-old son and perhaps not financially well off, moved several times and at least once was known to have taken a boarder into their apartment. Edwin worked in the orchards picking and selling prunes. Mary saw to it that Edwin attended school, and in 1890, he received a Bachelor of Arts degree from the University of the Pacific in San José, where he was an active member of the Phi Kappa Psi fraternity.

Edwin Wilcox went on to study law at the University of Michigan, following in the footsteps of his slightly older cousin and friend, James Wilfred McKinley, who had also received his law degree from the University of Michigan. McKinley was a judge on the Superior Court from 1889-1897 and later became City Attorney of Los Angeles.

Edwin received his law degree in 1893 and was admitted to the California Supreme Court shortly after graduation. He got his start in San José by going into practice with James R. Welch, a Phi Kappa Psi fraternity brother and fellow alumnus of the University of the Pacific. From 1894 to 1897, Welch was city attorney of San José (and later a Judge in the Superior Court), which was undoubtedly a help to Wilcox as he furthered his career. Welch also may have been an influence in other ways: he was a fruit grower and member of the voting board of the California Prune and Apricot Growers Association, and an ardent supporter of the causes that were important to the growers. Wilcox, who began buying orchard property in The Willows at this time, also became an advocate for the growers. Wilcox also began buying and selling real estate and holding mortgages, a practice that resulted in his later accumulating quite a bit of wealth.

Edwin Wilcox spent most of his career in private practice, with a focus on probate and estate work. He continued to make contacts and gain renown as an attorney; he became chairman of the local YMCA and joined the Masons and Elks and other fraternal organizations deemed critical to a successful businessman. In 1895, he was involved in the formation of a Bar Association in San José, of which he was later on the board of trustees. In the 1890s, he was part of a high-profile case, Jarman v. Rea, in which he, along with well-known local attorney Delphin M. Delmas, represented Councilman Jack Jarman, who won a suit against political boss James Rea for slander.

In 1896, after years of moving regularly, Edwin and his mother settled into a two-story house at 80 North Eleventh St. (demolished in the 1990s). This was to become Mary E. Wilcox's home until her death in 1921, and the home of Edwin for the next twenty-one years.

In 1899, Wilcox was one of the original members of the Pacific Coast Fruit-Growers' Association, a grower's cooperative whose charter was to band growers in California, Oregon, and Washington to enable them to get the highest prices possible for their fruit. Wilcox's associate D.M. Delmas was one of the founders of the Association, another local attorney who made it his business to be involved in the orchard industry. Wilcox became a spokesperson for the growers, a role that lasted the rest of his life. In 1906, the *San Jose Mercury* interviewed him in a lengthy article titled "E.A. Wilcox Urges Prune Growers to Hold Up Prices."

In 1909, Edwin Wilcox, at the age of forty-one, married thirty-eight-year-old Mary Sheal Simpson, a high-school teacher who lived with her parents in Grand Rapids, Michigan. The Wilcox and Simpson families had both lived in Fort Wayne, Indiana, where Edwin was born in 1868 and Mary four years later. Their families were intertwined; Wilcox's cousin James

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Wilfred McKinley was the son of Harriet Simpson McKinley, probably a relative of Mary's, and other Simpsons show up in the family trees of both Mary and Edwin.

Mary was not merely a high-school teacher; she was a Stanford University graduate. The prestigious university was one of the few that admitted women and had from the beginning. Mary graduated in 1901 with a degree in English literature. The 1901 yearbook contains a poem by Mary that expresses her love for the school; this love would later lead to her large bequest to the university.

After their wedding, Mary moved to San José and the couple resided on North Eleventh Street with Edwin's mother, Mary E. Wilcox. The new Mrs. Wilcox became involved in organizations that were meaningful to her: she was instrumental in helping to form the San José chapter of the American Association of University Women (AAUW) in 1909, then called the Association of Collegiate Alumnae. Mary served as the chapter's fourth president in the 1913-1914 term, gaining recognition for starting and successfully funding the Student Loan Fund program. She was a member of the Monday Club, a woman's literary club, and very active in the Outdoor Art League, an organization of civic-minded women who fought when necessary to beautify and protect their local environment.

Starting in 1917, Mary and Edwin Wilcox were listed in the Polk city directories as residing at the property at Pine Avenue while Edwin's mother continued to live at the house on North Eleventh Street. Mary Wilcox began to entertain; society columns in the *San Jose Mercury* from 1918 and later show her hosting dinners and frequent meetings of the clubs she belonged to at what was called her "charming suburban home."

Edwin died unexpectedly on March 24, 1934, just twelve days after his sixty-sixth birthday, when a cold turned into pneumonia. He had been actively working right up until his illness. The legal community was deeply affected by his death, and the local Bar Association moved for adjournment of the superior court on the following Monday when they announced his loss.

Mary Wilcox withdrew from most of her activities after Edwin's death. She stayed in the house at 1300 Pine Ave.; her unmarried cousin Elizabeth Brewster came to live with her in the late 1930s, but Brewster died in 1941, and Mary otherwise lived alone. Jane Lausche of Ohio, a first cousin once removed on her mother's side, became her most trusted contact and a frequent visitor. Jane was the wife of the popular Ohio politician, Frank Lausche, who was a five-term governor of Ohio before winning election to the U.S. Senate in 1956, an office he kept until 1969. He sometimes accompanied his wife on her visits to San José.

Mary began making plans to deal with her extensive property. In 1936, she sold a large parcel next to her house at 1296 Pine Ave. to young attorney Moise Robidoux and his wife Genevieve. In 1940, she had the frontage property along Pine Avenue and Cottle Avenue subdivided into a development called "Orchard House Tract."

In 1946, Mary, in declining health and wanting to be relieved of the responsibility of administering her estate, approached Stanford University and proposed to give the university the orchard property and the bulk of her estate to establish a trust called the Edwin A. and Mary Simpson Wilcox Research Fund. Jane Lausche would be executor and would be given the house. Mary requested in her will that the house would always be kept as a private residence. The three lots behind the house were deeded to Jane and caretaker Lucille Barsoske.

Stanford wound up with about fifteen acres of The Ranch (The new Willow Glen High School took a portion of the Wilcox property for the school site). Jane Lausche did her best to see that Mary's wishes were followed. Mary had had strong ideas on how the land should be developed, including the creation of a public park that would be at least two acres in the middle of The Ranch property. Mary had sketched out a plan for the subdivision and received approval from the Planning Commission. She wanted a street developed behind her house (today Winona Drive) and she wanted the streets to be named after her family. She also

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wanted the architecture to be restricted to traditional styles, a wish that was not as easy to enforce.

Stanford sold the property in 1959 to the Pickman Investment Co. for \$155,000. The development of the property, completed in the 1960s, was done more or less according to Mary's wishes, including the creation of Wilcox Park on Wilcox Way between Winona Drive and Duke Way. Wilcox Way and Simpson Way, of course, were named for Edwin and Mary. Robsheal Drive, originally designated as Sheal Drive in Mary's sketch, ended up being named after Robert Sheal, Jane Lausche's father and Mary's first cousin.

Jane Lausche sold the house in 1960 to Raymond and Esther Grove and their family of six children. Raymond (Ray) Clark Grove, born in Cedarville, California in 1903 to stock buyer David Grove and his wife Louella, came to San José in the 1920s, where he obtained work in the dried fruit industry. In 1933, he married twenty-five-year-old stenographer Esther Marie Pfeiffer of San José. Esther's father, Franklin Pfeiffer, was an orchardist; her mother Mary Estrade Pfeiffer, was the daughter of vineyard owners and wine manufacturers Prosper and Elizabeth Estrade. Ray and Esther Grove moved their residence often as their family grew and Ray established himself as a buyer for the Richmond-Chase Cannery (later California Canner and Growers) of San José. When the Groves moved to 1300 Pine Ave., the large home with its expansive grounds and elegant interior was exciting for the family, who had come from a more modest house nearby in Willow Glen. The property behind their new house was unfenced and not yet developed when the family moved in, and the children could roam the land that had originally been The Ranch.

The Groves sold the property in 1968. The house remained empty until 1972 when new owners Daniel and Becky Worsham moved in. Daniel Worsham was a Silicon Valley innovator, founder and president of Pacific Western Systems. Born in 1932, he joined the Marines and was a Purple Heart and Bronze Star recipient during his service in the Korean War. After the war, he studied mechanical engineering at Stanford University and worked for Fairchild and Siliconix in 1959 and the 1960s before forming Pacific Western Systems, a dedicated semiconductor equipment maker, in 1967. Worsham was president until his retirement. The Worshams lived in the house for forty-five years, raising eight children. The house was sold to its current owners, Stephen and Penelope Thompson, shortly before Daniel Worsham's death on January 27, 2017.

Survey status

The subject property is not listed in the City of San José Historic Resources Inventory.

Build history and alterations

The subject property is determined to have been built in 1917.

The establishment of the build date is based on a real estate listing owned by the Grove family (not part of this document), as well as San José city directories, which show the Wilcoxes living on the property starting in 1917, even though they had owned the land since 1894. Topological maps suggest that there was a structure in the same spot prior to 1917. The Wilcox house may have been a major remodel based on an existing house, or a new build.

Willow Glen was unincorporated until 1927 and was annexed into the City of San José in 1936. Build records prior to that time do not exist. There is no Sanborn map available of the subject property, because 1300 Pine Avenue was beyond the dense developed area associated with those maps. Assertions about the original structure and fabric of the house are based on a visual assessment of the house, as well as interviews with the Grove family and drawings belonging to the Grove family (not part of this document). These drawings were done in the 1960s after the Groves acquired the house from Mary Wilcox's estate. The Groves believe the house exterior was in as-built condition at the time.

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Alterations to exterior:

1966-050593-000-BD: In 1966, back porch behind kitchen enclosed for half-bath/laundry. This alteration did not significantly affect the integrity of the house.

Permit 1990-091677-000-BD: In 1990, 200 square feet were added to extend the front of the kitchen. See below under "Design" for a discussion of its effect on the integrity of the house.

Permit PC#2008-009641-RS: In 2008, substantial modifications were made to the easterly and southerly facades of the house. See below under "Design" for a discussion of its effect on the integrity of the house.

Integrity

The subject property maintains most of its historic integrity as per the National Register's seven aspects of integrity.

Location. The house is on its original location on Pine Avenue in the Willow Glen neighborhood of San José.

Design. The house retains much of its original design. It is a striking Federal-style Colonial Revival, marked by features such as clapboard siding, a front door with fanlight, rows of singly placed double-hung sash windows with decorative shutters, and an accentuated front entrance- a large central porch with an upper walled balcony supported by pillars. A distinctive and unusual feature is the porte-cochère; on the western side of the house, it has large arched openings on three sides and a room on top.

Alterations and modifications were made to the eastern wing and the entire rear of the house, reducing the structure's integrity. The following renovations must be noted:

1990 (Permit PC#1990-091677-000-BD): On the northeast corner of the house, 200 square feet were added to extend the front of the kitchen outward past the front façade of the central wing. The 1990 extension has a sloping shed roof. (Early drawings of the house that belong to the Grove family show that the extension appears to be a continuation of an original shallow projection with a shed roof.) The front elevation has a row of four 6/1 closely spaced windows with one decorative shutter on each of the right and left sides of the row. A bay window replaced a standard window and a pair of windows and a door with ten glass panes were added to the extension on the east side. The projection extends significantly farther than did the original.

The addition has a minimal effect on the integrity of the design due to the fact that it appears to be the same height and roof slope as the original projection, and it was constructed with materials and fenestration compatible with the original design.

2008-2010 (Permit PC#2008-009641-RS): Completed in 2010, extensive renovations were made to the eastern wing and the entire back of the subject property. Interior changes included extending and adding rooms, enlarging and finishing the basement, and adding an elevator. These modifications changed the exterior of the house significantly, extending the back of the house and adding a second-story balcony that wraps around the eastern and southern sides of the house. The balcony is supported by pairs of Tuscan pillars that were designed to match the pillars on the front porch. Two projecting gables on the southern elevation were added, enclosing an original second-story cantilevered sleeping porch and second-story balcony. New windows and French doors have been added to the eastern and southern elevations.

The modifications do not fully follow the Secretary of the Interior's Standards for Rehabilitation. Standards 9 and 10 apply specifically to new additions:

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(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The renovations have been designed to be compatible in terms of massing, size, scale, and architectural features, but the changes are not reversible. The renovations are primarily in the back of the house, where they cannot be seen from the street. They have minimal effect on the outstanding Colonial Revival front façade, and the distinctive porte-cochère on the westerly side.

Setting. The Wilcox house is on a generous-sized lot with mature trees and foliage in a large yard that has had little change since the Wilcoxes originally lived there. The shrubs and trees that enclose the property give it a private setting. The original circular driveway is still in front of the house.

Materials. The house's preserved materials, in particular the lapboard (clapboard) siding.

Workmanship. The house has a distinctive character and composition that is expressed through its preserved workmanship and Colonial Revival design.

Feeling. The subject property retains its early twentieth-century residential scale and feeling. Surrounded by large mature trees and foliage on more than eight-tenths of an acre, the house evokes the feeling of Willow Glen orchard life in the early twentieth century.

Association. The subject property continues, through the design strength of its original form, massing and detailing, to illustrate its associations with significant patterns of early orchard development from the Santa Clara Valley's Period of Horticultural Expansion (1869-1918).

Evaluation

The subject property appears to be eligible for Landmark status in the City of San José based on the following criteria as set out in Chapter 13 of the San José Municipal Code Section 13.48.110(H), Procedure for designation of a landmark.

1) Its character, interest or value as part of the local, regional, state or national history, heritage or culture;

This residential property contributes to the history of San José, its prominence reflecting a period of early orchard development from the valley's Period of Horticultural Expansion (1869-1918). The property itself is associated with important early twentieth-century agriculture in San José, as the Wilcox Ranch was an ongoing prune, apricot, and peach orchard.

By the mid-1880s, as canneries, commercial dryers, and most importantly, the local railroad became established, nearly all of the Willow Glen farms had been turned into fruit orchards, growing fruits of all types, and especially prunes, which had been introduced to the Santa Clara Valley in 1854 when French immigrant and nurseryman Louis Pellier brought them from France.

Edwin Wilcox was one of many gentleman farmers in the Santa Clara Valley--men of means who owned and ran orchards. He said that he "practiced law to help the ranch along, and vice versa." Both he and his mother were involved in orcharding: his ties to the orchard life originated in childhood when he helped his household by picking prunes. As soon as he was financially solvent, in 1894, he began buying Willow Glen orchard

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property, with his mother managing the orchard, until he had a medium-sized orchard of forty acres, with paid employees, that lasted at least until his death in 1934.

3) Its identification with a person or persons who significantly contributed to the local, regional, state or national culture and history;

The Wilcox family is notable in the context of early San José personages who provided a unique contribution to the agricultural development during the late nineteenth and early twentieth century.

Edwin Wilcox was a prominent local attorney, but he always considered himself to be an orchardist as well, and throughout his career made a point of aligning himself with the growers and acting as a spokesperson for them. He was one of the original founders of the Pacific Coast Fruit-Growers' Association, a grower's cooperative whose charter was to band growers in California, Oregon, and Washington to enable them to get the highest prices possible for their fruit.

Mary Wilcox also contributed to the City. She was instrumental in helping to form the San José chapter of the American Association of University Women (AAUW) and also responsible for the bequest that specified the development of Wilcox Park for the city of San José. She also established the Edwin A. and Mary Simpson Wilcox Research Fund at Stanford.

4) Its exemplification of the cultural, economic, social or historic heritage of the City of San José;

The Wilcox House is representative of the lifestyle of a successful lawyer/orchardist and an educated clubwoman wife in Willow Glen during the Period of Horticultural Expansion.

6) Its embodiment of distinguishing characteristics of an architectural type or specimen;

The subject property is an excellent example of a Federal-style Colonial Revival with a side-gabled roof and a broad symmetrical façade and accentuated front entrance. Covered with horizontal board siding, or clapboard, it has a low-pitched shingled roof.

Typical of Colonial Revival houses, the windows are double-hung with decorative shutters, placed singly in symmetrical rows. The focal point of the front elevation is its large central porch, a square portico projecting about ten feet from the front of the house with a brick floor and a wide brick step. Two pairs of Tuscan columns support the entablature, on top of which is a balcony with a solid wooden short wall. The boxed cornices on the porch, as well as those on the upper story, are trimmed with dentil molding.

The front door is a style common to Colonial Revival, rectangular solid wood door with six raised panels and a fanlight above. The semi-elliptical fanlight, or sunburst light, is combined with a pair of sidelites arranged symmetrically on either side of the door.

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

The Wilcox house is believed to be the work of Santa Clara architect William Ernest Higgins. The house shares many external and interior characteristics with those known to have been designed by W.E. Higgins in 1916-1917 prior to his partnership with local architect Frank Delos Wolfe. Higgins's work was well known among society leaders in Santa Clara and San José during this period, and Mary Wilcox was closely involved with civic leader Maude Davy, whose daughter Dorothy Gross had a highly acclaimed house designed by Higgins in 1916 (the San José City Landmark Gross/Low house).

William Ernest Higgins (1871-1936) was born into a pioneer family in Santa Clara. He worked at a number of jobs before becoming a draftsman with William Binder in 1910 and

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received his architecture license in 1913 at the age of forty-two before landing his first major project, renovating the Santa Clara Woman's Club. This led to commissions for prominent Santa Clara and San José families before he partnered with acclaimed San José architect Frank Wolfe. The prolific firm of Wolfe & Higgins was in business from the end of 1917 to 1931, during which time the firm produced more than 500 projects. Little remains of the work of Higgins prior to the partnership, but the characteristics of the Wilcox house are a strong match to the other buildings that have been documented as the solo work of William Higgins in 1916 and 1917.

A number of Higgins designs are today San José City Landmarks, including the Gross/Low House at 1156 McKendrie St. (as a sole practitioner), the Richards House at 184 S. Thirteenth Street (with Frank Delos Wolfe), and the San José Woman's Club at 75 S. Eleventh St. (with Carl Wolfe).

- 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 Colonial Revival architectural style was unusual in San José in 1917 and remains so today. Mary Wilcox, raised in the Midwest, may have been responsible for the selection of the style. A limited number of Colonial Revival houses of similar designs were built in San José between 1916 and the early 1920s.

Unique to the Wilcox house is the distinctive porte-cochère on the west side of the house. It has a gabled roof, and distinctive arched cutouts on three sides. Arched doorways and entrances were a signature feature of William Higgins, who frequently added them to a style that would not otherwise have an arched element.

California Register Eligibility

The subject property appears to be eligible for the California Register under Criterion (1) as the property is associated with events that have made a significant contribution to the broad patterns of the orcharding history in Willow Glen.

The subject property appears to be eligible for the California Register under Criterion (2) as it is associated with the lives of Edwin and Mary Wilcox, persons important to local history.

The subject property appears to be eligible for the California Register under Criterion (3) for its embodiment of the distinctive characteristics of the Colonial Revival style as designed by a local master architect.

The subject property is not eligible for the National Register due to the modifications that have diminished its integrity. However, historical resources that do not retain sufficient integrity to meet the criteria for listing in the National Register may still be eligible for listing in the California Register.

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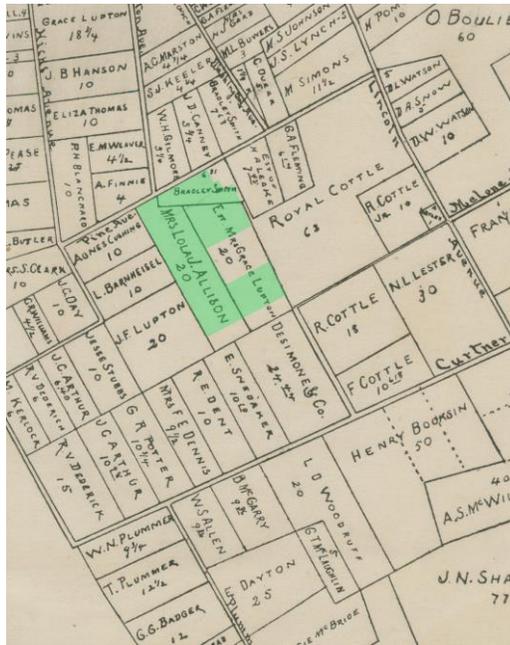


Thompson & West map, ca. 1876 depicting the land belonging to the Coburns. (Mary Coburn was the daughter of Jonathan and Grace Lupton). The green overlay on the map shows the location of the subject property today; the white rectangle represents the Wilcox house.

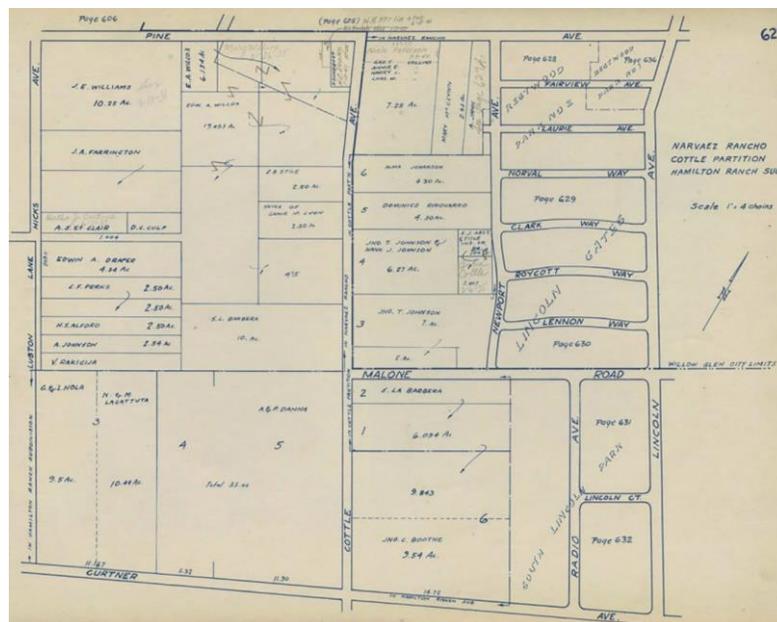
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The Brainard Atlas map of The Willows, ca. 1886: The Coburn property was inherited by the Coburns' daughter Lola (Coburn) Allison. Edwin A. Wilcox later purchased most of the Allison parcel as well as most of the adjacent Lupton parcel and that belonging to Bradley Smith. The green overlay shows the Wilcox property boundaries as they later looked in 1924.



Thomas Brothers Block Book, 1924, depicting the Wilcox property.

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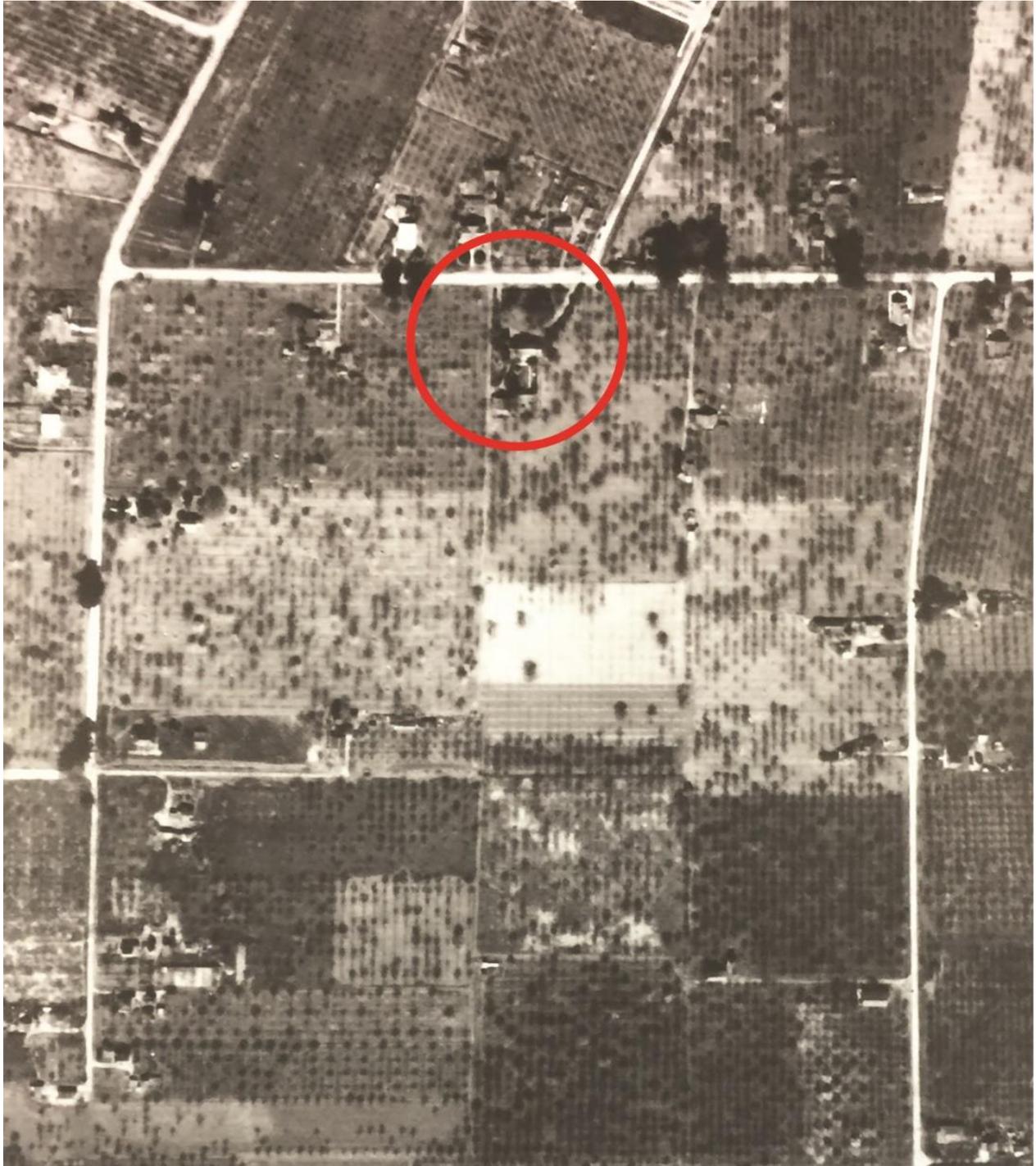
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The 1932 aerial map shows The Ranch with the Wilcox residence circled. The circular driveway, still in place today, can be clearly seen in the aerial.

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The Wilcox house in the early 1960s after Ray and Esther Grove bought it, unchanged from the years the Wilcoxes owned it.

Photograph courtesy of Russell Grove.

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Front elevation of Wilcox House today, viewed facing south-southeast.

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Aerial view from 1968, after the Wilcox property had been subdivided and developed. In Mary's will, she asked that the house always be kept as a single-family residence and in the 1960s, it retained its trees and foliage (circled in red) as the surrounding lots filled quickly with new houses. Wilcox Park was created in the mid-1960s.

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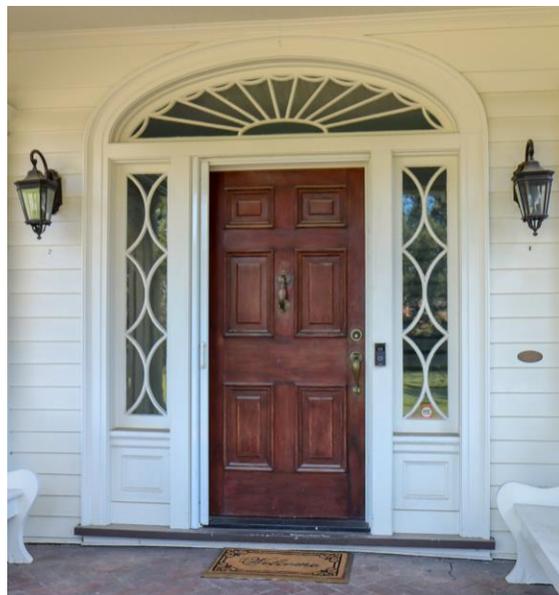
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Front porch.



The paneled wooden front door and the door surround with fanlight and sidelites are typical features of the Colonial Revival style.

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Closeup of original dentil molding under the eaves of the front porch and upper roof.



West wing with porte-cochère.

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Eastern side of the house. The side door and the sashed window beside it and the attic vent are original. The pillared wraparound terrace and extended back of the house were added during renovations that occurred between 2008-1010.



Side view of eastern wing.

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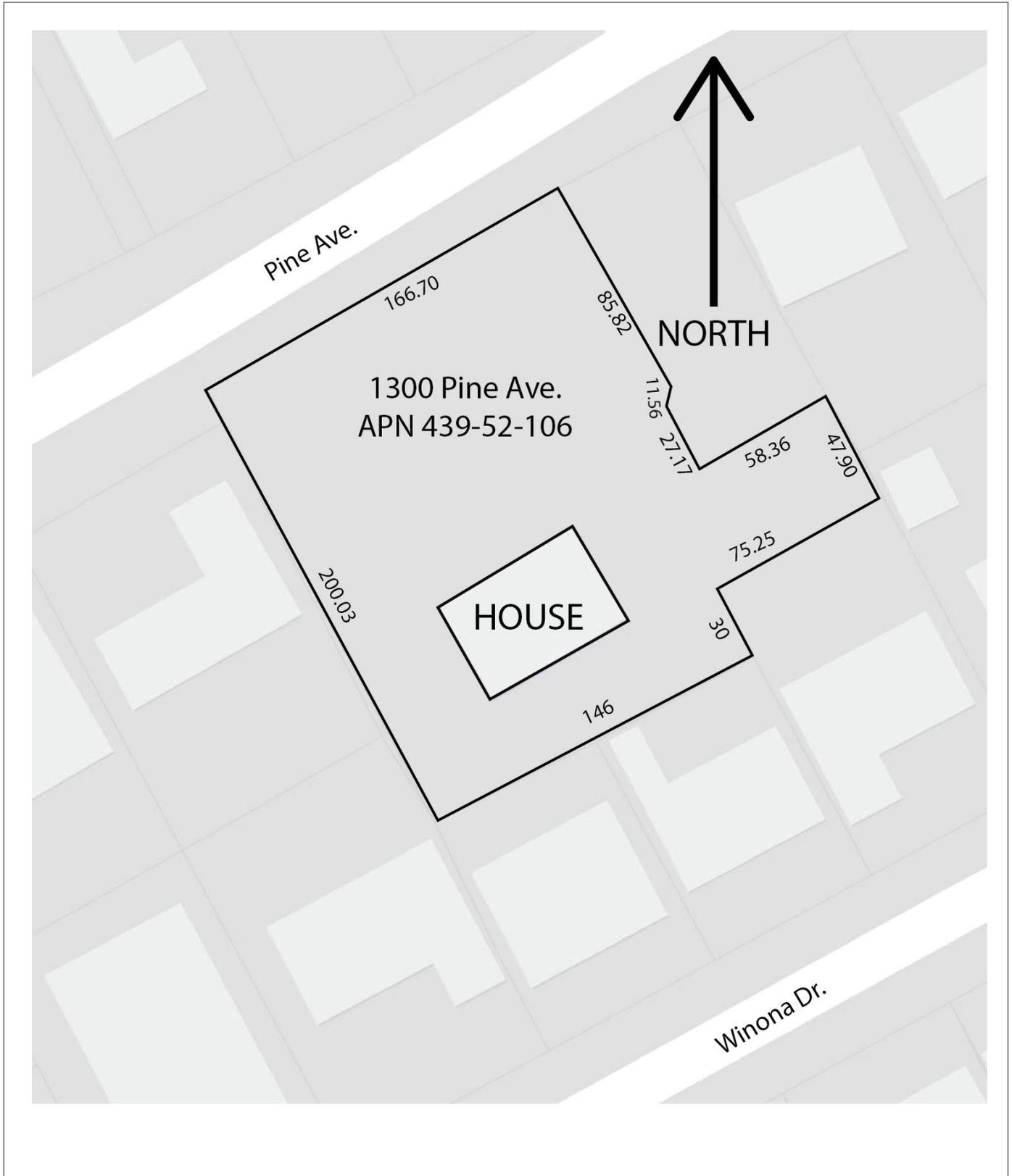
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Back of house with port-cochère. View facing north.



Back of house, view facing northeast, extension of house and added wraparound terrace and staircase.



RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSÉ DESIGNATING, PURSUANT TO THE PROVISIONS OF CHAPTER 13.48 OF TITLE 13 OF THE SAN JOSÉ MUNICIPAL CODE, THE EDWIN AND MARY WILCOX HOUSE, LOCATED AT 1300 PINE AVENUE AS A CITY LANDMARK OF SPECIAL HISTORICAL, ARCHITECTURAL, CULTURAL, AESTHETIC OR ENGINEERING INTEREST OR VALUE OF A HISTORIC NATURE

HL18-001

WHEREAS, Chapter 13.48 of Title 13 of the San José Municipal Code provides for the designation of structures and/or sites of special historical, architectural, cultural, aesthetic or engineering interest or value of a historical nature as landmarks by the City Council of the City of San José; and

WHEREAS, said Chapter 13.48 of Title 13 provides that any historic property can be nominated for designation as a City Landmark by the City Council, the Historic Landmarks Commission, or by application of the owner or the authorized agent of the owner of the property for which designation is requested; and

WHEREAS, the Director of Planning, Building and Code Enforcement initiated the procedure pursuant to said Chapter 13.48 of Title 13 for consideration of such landmark designation for the Edwin and Mary Wilcox House located at 1300 Pine Avenue; and

WHEREAS, said Chapter 13.48 of Title 13 provides that before this Council may designate any building as a landmark, it shall hold at least one public hearing on such proposed designation, and that before it holds said public hearing, the Director of Planning, Building and Code Enforcement shall set the public hearing of said proposed landmark designation to the Historic Landmarks Commission of the City of San José for its consideration at a public hearing and for its report and recommendation thereon; and

WHEREAS, within the time and in the manner provided by Chapter 13.48 of Title 13, the Historic Landmarks Commission did, on November 7, 2018 at 6:30 p.m., conduct a public hearing on said landmark designation and recommend approval of the designation of the Edwin and Mary Wilcox House, located at 1300 Pine Avenue, described hereinafter in Section 1 of this Resolution, as a landmark of special historical, architectural, cultural, aesthetic or engineering

interest or value of a historic nature and made certain findings with respect thereto; and

WHEREAS, a copy of the City of San José Historic Landmark Nomination Form No. HL18-001 upon which such recommendation was made is on file in the Planning Division of the City of San José and available for review; and

WHEREAS, within the time and in the manner provided by said Chapter 13.48 of Title 13, the Director of Planning, Building and Code Enforcement gave notice that on December 5, 2018 at 1:30 p.m., or as soon thereafter as said matter could be heard, this Council would, in the City Hall of the City of San José, 200 East Santa Clara Street, San José, California, hold a public hearing on said landmark designation, at which hearing any and all persons interested in said proposed designation could appear and avail themselves of an opportunity to be heard and to present their views with respect to said proposed designation; and

WHEREAS, the subject property is all that real property located within the City of San José at 1300 Pine Avenue and described in Exhibit "A," which exhibit is attached hereto and made a part hereof by this reference as if fully set forth herein; and

WHEREAS, at the aforesaid time and place set for hearing, or to which the hearing was continued, this Council duly met, convened, and gave all persons full opportunity to be heard and present their views with respect to said proposed landmark designation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN JOSÉ AS FOLLOWS:

SECTION 1. In accordance with the provisions of Chapter 13.48 of Title 13 of the San José Municipal Code, the Historic Preservation Ordinance, this Council does hereby designate the hereinafter described Edwin and Wilcox House, located at 1300 Pine Avenue, as a landmark of special historic, architectural, cultural, aesthetic or engineering interest or value of a historic nature.

SECTION 2. Said designation is based on the following criteria of the Historic Preservation Ordinance: *[This section to be updated to reflect actual City Council action taken.]*

- Criterion 1. The character, interest or value of the house as part of the local, regional, state or

national history, heritage or culture for the recognized historic context;

- Criterion 3. Its identification with a person or persons who significantly contributed to the local, regional, state or national culture and history;
- Criterion 4. Its exemplification of the cultural, economic, social or historic heritage of the City of San José;
- Criterion 6. The structure embodies distinguishing characteristics of an architectural type or specimen as an example of the California Colonial Revival style;
- Criterion 7. It is the work of architects Wolfe & McKenzie, whose individual work has influenced in the development of the City of San José; and
- Criterion 8. Its embodiment of elements of architectural or engineering design, detail, materials or craftsmanship which represents a significant architectural innovation or which is unique.

SECTION 3. The City Clerk is hereby directed to notify those persons designated in San José Municipal Code Section 13.48.110, Subsection L, in the manner specified by said Section and to direct the recordation of a Notice of Granting of this resolution in the Office of the Recorder of the County of Santa Clara.

PASSED FOR PUBLICATION of title this _____ day of _____ 2018, by the following vote:

AYES:
NOES:
ABSENT:
DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI TABER, CMC
City Clerk

EXHIBIT "A"
LEGAL DESCRIPTION
FOR
EDWIN AND MARY WILCOX HOUSE
1300 PINE AVENUE
HL18-001

Exhibit "A"

Legal Description

A.P.N.: 439-S2-106

Real property in the City of San Jose, County of Santa Clara, State of California, described as follows:

PARCEL ONE:

PARCEL "B" AS FOLLOWS:

ALL OF PARCEL C, AS SAID PARCEL IS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON MARCH 8, 1961, IN BOOK 129 OF MAPS AT PAGE 5, SANTA CLARA COUNTY RECORDS.

EXCEPTING THEREFROM THE FOLLOWING AREA:

BEGINNING AT A POINT ON THE LINE COMMON TO PARCEL D AND PARCEL C, AS SAID LINE IS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON MARCH 8, 1961, IN BOOK 129 OF MAPS AT PAGE 5, RECORDS OF SANTA CLARA COUNTY, CALIFORNIA, BEING DISTANT THEREON SOUTH 28° 44' 53" EAST, 62.00 FEET FROM THE MOST NORTHERLY COMMON CORNER OF SAID PARCEL D AND SAID PARCEL C,

THENCE, FROM SAID POINT OF BEGINNING, SOUTH 09° 15' 07" WEST, A DISTANCE OF 39.00 FEET ALONG THE COMMON BOUNDARY BETWEEN PARCELS D AND C;

THENCE, CONTINUING ALONG SAID COMMON BOUNDARY, SOUTH 28° 44' 53", A DISTANCE OF 77.27 FEET TO THE SOUTHEASTERLY LINE OF SAID PARCEL C;

THENCE, ALONG SAID SOUTHEASTERLY LINE, NORTH 61° 15' 07" EAST, A DISTANCE OF 75.25 FEET TO THE MOST EASTERLY CORNER AND NORTHEASTERLY LINE OF SAID PARCEL C;

THENCE ALONG SAID NORTHEASTERLY LINE, NORTH 28° 44' 53" WEST, A DISTANCE OF 47.90 FEET;

THENCE, SOUTHWESTERLY LEAVING SAID NORTHEASTERLY LINE, SOUTH 61° 15' 07" WEST, A DISTANCE OF 58.36 FEET;

THENCE, NORTH 28° 44' 53" WEST, A DISTANCE OF 27.17 FEET;

THENCE, NORTH 09° 15' 07" EAST, A DISTANCE OF 11.56 FEET;

THENCE, NORTH 28° 44' 53" WEST, A DISTANCE OF 23.82 FEET TO THE POINT OF BEGINNING.

THIS LEGAL IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE BOUNDARY LINE ADJUSTMENT, CERTIFICATE NO. AT08-35, RECORDED AUGUST 22, 2008, AS DOCUMENT NO. 19963306 OF OFFICIAL RECORDS.

RESOLUTION NO.

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSÉ
APPROVING A HISTORICAL PROPERTY CONTRACT WITH
PENELOPE AND STEPHEN THOMPSON FOR EDWIN AND MARY
WILCOX HOUSE LOCATED AT 1300 PINE AVENUE (APN: 439-52-
106)**

MA18-001

WHEREAS, California Government Code Section 50280, et seq. and Chapter 13.48 of Title 13 of the San José Municipal Code authorize the City of San José to enter into agreements with the owners of qualified historical property to provide for the use, maintenance and restoration of such historical property so to retain its characteristics as property of historical significance; and

WHEREAS, Penelope and Stephen Thompson possess fee title in and to that certain real property, together with associated structures and improvements thereon, generally located at the street address 1300 Pine Avenue (hereinafter referred to as the “Historic Landmark”) and

WHEREAS, on June 23, 1992, the City Council of the City of San José adopted its Resolution No. 63855 thereby declaring and designating the Historical Landmark as a historical landmark structure pursuant to the terms and provisions of Chapter 13.48 of the San José Municipal Code; and

WHEREAS, the City of San José and Penelope and Stephen Thompson, for their mutual benefit, now desire to enter into an agreement both to protect and preserve the characteristics of historical significance of the Historical Landmark and to qualify the Historical Landmark for an assessment of valuation pursuant to the provisions of Chapter 3, of Part 2, of Division 1 of the California Revenue and Taxation Code; and

WHEREAS, within the time and in the manner provided by said Chapter 13.48 of Title 13, the Historic Landmarks Commission did, on November 7, 2018 at 6:30 p.m., conduct a public hearing on a Historical Property Contract for the Historical Landmark attached hereto as Exhibit “B” and HLC recommendation (hereinafter “Agreement”); to approve the agreement; and

WHEREAS, a copy of the Agreement upon which such recommendation was made is on file in the Office of the City Clerk of the City of San José; and

WHEREAS, the subject property upon which the Historical Landmark is situated is all that real property described in Exhibit "A," which is attached hereto and made a part hereof by this reference as if fully set forth herein; and

WHEREAS, within the time and in the manner provided by said Chapter 13.48 of Title 13, the Council did give notice that on December 4, 2018 at 1:30 p.m., or as soon thereafter as said matter could be heard, this Council would, in the City Hall of the City of San José, 200 East Santa Clara Street, San José, California, hold a public hearing on said Agreement at which hearing any and all persons interested in said Agreement could appear and avail themselves of an opportunity to be heard and to present their views with respect to said proposed Agreement; and

WHEREAS, at the aforesaid time and place set for hearing, or to which the hearing was continued, this Council duly met, convened, and gave all persons full opportunity to be heard to present their views with respect to said proposed Agreement.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN JOSÉ THAT:

SECTION 1. In accordance with the provisions of Chapter 13.48 of Title 13 of the San José Municipal Code, this Council does hereby approve the Historical Property Contract with Penelope and Stephen Thompson, owners of the Edwin and Mary Wilcox house located at 1300 Pine Avenue and makes the following findings:

- a. The Agreement is consistent with the General Plan, in that preservation of specific structures or special areas is a part of the Envision San José 2040 General Plan Historic Preservation Policy LU-13.13 to 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; and
- b. The Agreement would provide greater protection for the Historical Landmark property than is otherwise provided by the provisions of San José Municipal Code Chapter 13.48 in that the owner, in partnership with the City, may use property tax relief to rehabilitate

and maintain the property in accordance with the preservation plan, Exhibit “C” of the Agreement; and

- c. The Agreement complies with the requirements of Section 13.48.520 of Chapter 13.48 of Title 13 of the San José Municipal Code Contracts incorporate the Municipal Code’s required provisions for Historical Property Contracts, including the following: A description of the Landmark Property subject to the Agreement, a provision that the term of the Agreement is a minimum period of ten years, specific conditions requiring preservation of the Landmark, provision for the periodic examination of property, and a requirement that the property owner annually expend an amount equal to a minimum of 10% of the annual tax savings resulting from the Contract, and a provision that the Agreement is binding upon—and shall inure to the benefit of—all successors in interest of the owners in the property.

SECTION 2. Pursuant to the San José Municipal Code, Chapter 13.48, the City Clerk is hereby directed to notify the owner of the Historical Landmark subject to the Agreement and directed to record the Agreement in the Office of the Recorder of the County of Santa Clara.

ADOPTED this ____ day of ____ 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI TABER, CMC
City Clerk

EXHIBIT "A"

**LEGAL DESCRIPTION
FOR
EDWIN AND MARY WILCOX HOUSE
1300 PINE AVENUE**

Exhibit "A"

Legal Description

A.P.N.: 439-52-106

Real property in the City of San Jose, County of Santa Clara, State of California, described as follows:

PARCEL ONE:

PARCEL "B" AS FOLLOWS:

ALL OF PARCEL C, AS SAID PARCEL IS SHOWN ON THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON MARCH 8, 1961, IN BOOK 129 OF MAPS AT PAGE 5, SANTA CLARA COUNTY RECORDS.

EXCEPTING THEREFROM THE FOLLOWING AREA:

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THIS LEGAL IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE BOUNDARY LINE ADJUSTMENT, CERTIFICATE NO. AT08-35, RECORDED AUGUST 22, 2008, AS DOCUMENT NO. 19963306 OF OFFICIAL RECORDS.

EXHIBIT “B”

**HISTORICAL PROPERTY CONTRACT
FOR
EDWIN AND MARY WILCOX HOUSE
1300 PINE AVENUE
MA18-001**

THIS AGREEMENT (“Agreement”) is made and entered into this ____ day of _____, 2018, by and between the City of San Jose, a municipal corporation (hereinafter referred to as the “CITY”) and Penelope and Stephen Thompson (hereinafter referred to as the “OWNERS”).

R E C I T A L S

WHEREAS, California Government Code Section 50280, *et seq.* and Chapter 13.48 of the San Jose Municipal Code authorize CITY to enter into contracts with the owner of a qualified historical property to provide for the use, maintenance and restoration of such historical property so as to retain its characteristics as property of historical significance; and

WHEREAS, OWNER possesses fee title in and to that certain real property, together with associated structures and improvements thereon, known as the Edwin and Mary Wilcox House, located at 1300 Pine Avenue (hereinafter such property and structures shall be referred to as the “Historical Landmark” or the “Historical Landmark Property”), and a legal description of the Historical Landmark Property is attached hereto as Exhibit “A” and incorporated herein by this reference; and

WHEREAS, on June 23, 1992, the City Council of the City of San José adopted its Resolution No. 63855 thereby declaring and designating the Historical Landmark as a historical landmark structure pursuant to the terms and provisions of Chapter 13.48 of the San José Municipal Code; and

WHEREAS, CITY and OWNER for their mutual benefit, now desire to enter into this Agreement both to protect and preserve the characteristics of historical significance of the Historical Landmark and to qualify the Historical Landmark for an assessment of valuation

pursuant to the provisions of Chapter 3, of Part 2, of Division 1 of the California Revenue and Taxation Code.

AGREEMENT

NOW, THEREFORE, CITY and OWNERS, in consideration of the mutual covenants and conditions set forth herein, do hereby agree as follows:

1. Effective Date and Term of Agreement. This Agreement shall be effective and commence on _____ (the “Effective Date”), and shall remain in effect for a term of ten (10) years thereafter. Each year upon the anniversary of the Effective Date, such initial term will automatically be extended as provided in Section 2 below, subject to cancellation as provided in Section 6 below.

2. Renewal. Each year on the anniversary of the Effective Date of this Agreement (hereinafter referred to as the “Renewal Date”), a year shall automatically be added to the initial term of this Agreement unless notice of nonrenewal is mailed as provided herein. If OWNERS desire in any year to not renew the Agreement, OWNER shall serve written notice of nonrenewal of this Agreement on CITY in advance of the annual Renewal Date of this Agreement. Unless such notice is served by OWNERS to CITY at least ninety (90) days prior to the annual Renewal Date, one (1) year shall automatically be added to the term of the Agreement as provided herein. If OWNER serves notice to CITY of nonrenewal in any year, the Agreement shall remain in effect, and the Historical Landmark Property shall remain enforceably restricted, for the balance of the term then remaining, either from its original execution or from the past renewal of the Agreement, whichever may apply. The Director of Planning, Building and Code Enforcement shall record the Notice of Nonrenewal and file a copy with the Assessor of Santa Clara County. Nonrenewal shall not be deemed a cancellation pursuant to Section 6 of this Agreement.

3. Standards for Historical Property. During the term of this Agreement, the Historical Landmark shall be subject to the following conditions, requirements and restrictions:

a. OWNERS shall preserve and maintain the characteristics of historical significance of the Historical Landmark in no less than equal to the condition of the Historical Landmark Property as of _____. OWNERS of the Historical Landmark Property shall allow CITY to inspect the interior and exterior of the Historical Landmark Property to determine

with OWNERS the specific conditions of the Historical Landmark Property requiring preservation, restoration and/or rehabilitation to conform to the rules and regulations of the Office of Historic Preservation of the California Department of Parks and Recreation, the United States Secretary of the Interior Standards for Rehabilitation, the California State Historical Building Code, and the requirements of CITY as of the Effective Date. Attached hereto as Exhibit “B”, and incorporated herein by this reference, is a list of those minimum standards and conditions for maintenance, use and preservation of the Historical Landmark, which shall apply to such Historical Landmark Property and with which OWNER shall comply fully throughout the term of this Agreement.

b. OWNERS shall, where necessary or required, restore and rehabilitate the Historical Landmark Property in full accordance with the rules and regulations of the Office of Historic Preservation of the State Department of Parks and Recreation, the United States Secretary of the Interior Standards for Rehabilitation, the California State Historical Building Code, and the requirements of CITY, including any permits or approvals granted pursuant to Chapter 13.48 of the San Jose Municipal Code. Without limiting the forgoing, OWNER shall perform all of the restoration and rehabilitation activities of the Historical Landmark Property set forth on Exhibit “C,” attached hereto and incorporated herein by this reference, within any timelines that may be set forth in said Exhibit C.

c. OWNERS shall allow reasonable periodic examinations, by prior appointment, of the interior and exterior of the Historical Landmark Property by CITY and the County of Santa Clara as may be necessary to determine OWNERS’ compliance with this Agreement, which periodic examinations shall occur at least five (5) years after the Effective Date of this original Agreement and then at least every five (5) years thereafter.

d. OWNERS shall annually expend an amount equal to a minimum of ten percent (10%) of the tax savings attributed to this Agreement to the preservation and maintenance of the Historical Landmark Property, and make this documentation available to the CITY at the time of the respective periodic examination described above.

4. Force Majeure. OWNERS shall not be held responsible for repair or replacement of the Historical Landmark if damaged or destroyed through “Acts of God,” such as flood, tornado, lightning, earthquake or fire or other cause resulting therefrom; CITY shall, however, have the right to cancel this Agreement pursuant to terms of Section 6, Cancellation.

5. Provisions of Information of Compliance. OWNERS hereby agree to furnish CITY with any and all information requested by CITY that may be necessary or advisable to determine compliance with the terms and provisions of this Agreement. OWNERS shall retain, store and preserve during the term of this Agreement all records that are related to or that evidence the eligibility of the Historical Landmark or OWNERS' compliance with the terms and provisions of this Agreement.

6. Cancellation. CITY, following a duly noticed public hearing, may cancel this Agreement or bring any action in court necessary to enforce this Agreement (including without limitation an action to enforce this Agreement by specific performance or injunction) if it has been determined by enforcement staff with CITY's Planning, Building and Code Enforcement Department that OWNERS have breached any of the provisions or conditions of this Agreement, has allowed the Historical Landmark Property to deteriorate to the point that it no longer meets the standards for a qualified historical property, or has otherwise failed to restore or rehabilitate the Historical Landmark Property or Historical Landmark in the manner specified in this Agreement. In the event of cancellation pursuant to this Section 6, OWNERS may be subject to payment of those cancellation fees set forth in the California Government Code. Prior to any procedures set forth in this Section, CITY shall give notice of breach to OWNERS, and OWNERS shall have one hundred and twenty (120) days to cure such breach to the reasonable satisfaction of CITY.

7. Binding Effect of Agreement. This Agreement shall be binding upon, and inure to the benefit of, all successors in interest of OWNERS. A successor in interest shall have the same rights and obligations under this Agreement as OWNERS.

8. Notice. Any notice required to be given by the terms of this Agreement shall be provided at the address of the respective parties as specified below or at any other address as may be later specified by the parties hereto.

CITY: City Clerk
City of San José
200 East Santa Clara Street
San José, CA 95113

OWNERS: Penelope and Stephen Thompson
1300 Pine Avenue
San Jose, CA 95125

9. General Provisions.

a. None of the terms, provisions or conditions of this Agreement shall be deemed to create a partnership between the parties hereto and any of their heirs, successors or assigns, nor shall such terms, provisions or conditions cause them to be considered joint ventures or members of any joint enterprise.

b. OWNERS agree to and shall hold CITY and its elected officials, officers, agents and employees harmless from liability from damage or claims for damage for personal injuries, including death, and claims for property damage which may arise from the direct use or operations of OWNERS or those of OWNERS' contractor, subcontractor, agent, employee or other person acting on OWNERS' behalf which relate to the use, operation and maintenance of the Historical Landmark. OWNER hereby agrees to and shall defend the CITY and its elected officials, officers, agents and employees with respect to any and all actions for damages caused by, or alleged to have been caused by, reason of OWNERS' activities in connection with the Historical Landmark. This hold harmless provision applies to all damages and claims for damages suffered, or alleged to have been suffered, by reason of the operations referred to in this Agreement regardless of whether or not the CITY prepared, supplied or approved the plans, specifications or other documents for the Historical Landmark.

c. In the event that any of the provisions of this Agreement are held to be unenforceable or invalid by any court of competent jurisdiction, or by subsequent preemptive legislation, the validity and enforceability of the remaining provisions, or portions thereof, shall not be affected thereby.

“CITY”

CITY OF SAN JOSE, a municipal corporation

APPROVED AS TO FORM:

ROSA TSONGTAATARRII
Senior Deputy City Attorney

By _____
TONI TABER, CMC
City Clerk

“OWNERS”

By _____
Penelope Thompson

By _____
Stephen Thompson

DRAFT

EXHIBIT "A"

LEGAL DESCRIPTION

1300 Pine Avenue

Exhibit "A"

Legal Description

A.P.N.: 439-S2-106

Real property in the City of San Jose, County of Santa Clara, State of California, described as follows:

PARCEL ONE;

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EXHIBIT “B”

OWNER shall, where necessary, restore and rehabilitate the Historical Landmark and shall do so only in full accordance and compliance with the rules and regulations of the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings, as the same may be amended from time to time.

A summary of the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (the “Standards”) is provided below for convenient reference. OWNER shall comply with the Standards in effect when OWNER commences any rehabilitation or restoration work on the Historical Landmark.

The Standards (Department of the Interior Regulations, 36 CFR 67) pertain to historic buildings of all materials, construction, types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building’s site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

- 1) A property shall be used for its historic purposes or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- 2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- 3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural element from other buildings, shall not be undertaken.
- 4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- 5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- 6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.

- 7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials, shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- 8) Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- 9) New additions, exterior alterations or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- 10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

DRAFT

**EXHIBIT “C”
TEN YEAR PRESERVATION PLAN
FOR
EDWIN AND MARY WILCOX HOUSE
MA18-001**

OWNER shall annually expend an amount equal to a minimum of 10% of the tax savings attributed to this Agreement for the preservation and maintenance of the Historical Landmark. The rehabilitation of the Historical Landmark shall be completed on or before the 10th anniversary of the Effective Date of this Agreement, and such rehabilitation shall include all of the following tasks:

Scope of Work

Year	Description
1	Repair and sand twelve thousand square feet of exterior siding or clapboard.
2	Paint the exterior of the whole house – including all siding and trim surfaces.
3	Upgrade electrical and plumbing for the bathrooms, and wiring and subpanels for the whole house, as necessary.
4	Replace the sewer line from the house to the street and patch and grade the surfaces as necessary.
5	Grade and level the 300-foot circular driveway to prevent water from flowing back into the foundation. Reuse driveway bricks and add new as necessary to make it look continuous. Trim the hedges along Pine Avenue street frontage to reflect the heritage of the property and maintain the vegetation without encroaching on to new areas.
6	Install new fence and gate with historic plaque along street frontage and repair and restore historic lights and hardware around the property, as necessary.
7	Repair foundation work that needs to be examined and patched on the front older portion of the home.
8	Re-Roof the entire house and address downspouts for restoration.
9	Repaint the exterior of the house including repainting twelve thousand square feet of exterior wood siding (clapboard).
10	Sand and paint exterior wood windows and columns, as necessary for maintenance.

After the 10th Anniversary date of the Effective Date of this Agreement, the property owner shall expend a minimum of 10% of the tax savings attributed to this Agreement for the continued preservation and maintenance of the Historic Landmark. More specifically, the property owner shall perform and complete, without limitation, the following tasks each year: Maintenance, Painting, and Repairs.

EXHIBIT "C"
TEN YEAR PRESERVATION PLAN
FOR
EDWIN AND MARY WILCOX HOUSE
MA18-001

OWNER shall annually expend an amount equal to a minimum of 10% of the tax savings attributed to this Agreement for the preservation and maintenance of the Historical Landmark. The rehabilitation of the Historical Landmark shall be completed on or before the 10th anniversary of the Effective Date of this Agreement, and such rehabilitation shall include all of the following tasks:

Scope of Work

Year	Description
1	Repair and sand twelve thousand square feet of exterior siding or clapboard.
2	Paint the exterior of the whole house – including all siding and trim surfaces.
3	Upgrade electrical and plumbing for the bathrooms, and wiring and subpanels for the whole house, as necessary.
4	Replace the sewer line from the house to the street and patch and grade the surfaces as necessary.
5	Grade and level the 300-foot circular driveway to prevent water from flowing back into the foundation. Reuse driveway bricks and add new as necessary to make it look continuous. Trim the hedges along Pine Avenue street frontage to reflect the heritage of the property (for public view) and maintain perimeter landscaping and vegetation without encroaching on to new areas.
6	Install new three-foot tall fence and gate with historic plaque along street frontage in public view and repair and restore historic lights and hardware around the property, as necessary.
7	Repair foundation work that needs to be examined and patched on the front older portion of the home.
8	Re-Roof the entire house and address downspouts for restoration.
9	Repaint the exterior of the house including repainting twelve thousand square feet of exterior wood siding (clapboard).
10	Sand and paint exterior wood windows and columns, as necessary for maintenance.

After the 10th Anniversary date of the Effective Date of this Agreement, the property owner shall expend a minimum of 10% of the tax savings attributed to this Agreement for the continued preservation and maintenance of the Historic Landmark. More specifically, the property owner shall perform and complete, without limitation, the following tasks each year: Maintenance, Painting, and Repairs.