

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DESIGNATING THE NORTH WILLOW GLEN CONSERVATION AREA, PURSUANT TO THE PROVISIONS OF CHAPTER 13.48 OF TITLE 13 OF THE SAN JOSE MUNICIPAL CODE, GENERALLY BOUNDED ON THE NORTH BY THE RIGHT-OF-WAY OF THE SOUTHERN PACIFIC RAIL LINE, ON THE EAST BY DELMAS AVENUE, ON THE SOUTH BY WILLOW STREET, AND ON THE WEST BY BIRD AVENUE AS AN AREA WITH IDENTIFIABLE ATTRIBUTES EMBODIED BY ARCHITECTURE AND HISTORY

File No. CA19-001

WHEREAS, Chapter 13.48 of Title 13 of the San José Municipal Code provides for the designation of a geographically definable area of urban or rural character with identifiable attributes embodied by architecture and history; and

WHEREAS, said Chapter 13.48 of Title 13 provides that any such geographically defined area that meets the definition set forth in Section 13.48.610 of the San José Municipal Code and the criteria of Section 13.48.620 of the San José Municipal Code may be nominated for designation as a Conservation Area by the City Council, the Planning Commission, the Historic Landmarks Commission, or by application of persons who own at least fifty-one percent of the parcels of land proposed to be included in the Conservation Area or the authorized agents of those property owners; and

WHEREAS, the City Council, upon nomination, adopted Resolution No. 79383 on January 28, 2020, initiating proceedings pursuant to said Chapter 13.48 of Title 13 for consideration of such Conservation Area designation; and

WHEREAS, said Chapter 13.48 of Title 13 provides that before this Council may designate any area as a Conservation Area, it shall hold at least one public hearing on such proposed designation, and that before it holds said public hearing, the Council shall refer said proposed designation to the Historic Landmarks Commission and the Planning Commission for public hearings, and for reports and recommendations to the City Council from the respective Commissions; and

WHEREAS, within the time and in the manner provided by Chapter 13.48 of Title 13, the Historic Landmarks Commission did on March 4, 2020, at the hour of 6:30 p.m., conduct a public hearing on the proposed Conservation Area designation and recommend approval of the designation of the North Willow Glen Conservation Area described in Section 1 of this Resolution, as a Conservation Area with identifiable attributes embodied by architecture and history, and made certain findings with respect thereto; and

WHEREAS, within the time and in the manner provided by Chapter 13.48 of Title 13, the Planning Commission did on March 11, 2020, at the hour of 6:30 p.m., conduct a public hearing on the proposed Conservation Area designation and recommend approval of the designation of the North Willow Glen Conservation Area described hereinafter in Section 1 of this Resolution, as a Conservation Area with identifiable attributes embodied by architecture and history, and made certain findings with respect thereto; and

WHEREAS, a copy of the City of San José Historic Nomination File No. CA19-001, upon which such recommendation was made, is on file in the Office of the City Clerk of the City of San José; 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 March 24, 2020, at 6:00 p.m., or as soon

thereafter as the 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 proposed Conservation Area 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, at the aforesaid time and place set for public hearing, or to which the public hearing was continued, this Council met, convened, and gave all persons full opportunity to be heard to present their views with respect to the proposed Conservation Area designation.

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

SECTION 1. In accordance with the provisions of Chapter 13.48 of Title 13 of the San José Municipal Code, this Council designates the North Willow Glen Conservation Area as a Conservation Area with identifiable attributes embodied by architecture and history. The North Willow Glen Conservation Area is that area of San José consisting of approximately 71.25 gross acres and which is generally bounded on the north by the Southern Pacific Rail Line right-of-way, on the east by Delmas Avenue, on the south by Willow Street, and on the west by Bird Avenue. Said location is more fully depicted and described in Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 2. The designation is based upon the following findings:

- A. The North Willow Glen Conservation Area possesses unique and distinct character, architectural styles, associations, and integrity which has been

maintained historically, and the area continues to contribute to the overall historic fabric of San José.

1. North Willow Glen Conservation Area was part of San José's first annexation to the Original City in 1911.
2. North Willow Glen Conservation Area represents an intact and consistent pattern of historic development beginning with the Horticultural Expansion in the 1880s continuing through World War II spanning a period of significance between 1885 to 1945; and
3. Over eighty percent (80%) of the buildings are Contributors in the North Willow Glen Conservation Area and has maintained a high level of physical integrity to its original architectural form and material representing the breadth of design of the period; and
4. About twenty percent (20%) of the properties in the North Willow Glen Conservation Area contain buildings that qualify individually for the San José Resources Inventory on their own merits, and a number of these buildings also are potential Candidate City Landmarks.

SECTION 3. The City Clerk is hereby directed to notify those persons designated in San José Municipal Code, Section 13.48.630.D, in the manner specified by said Section of the adoption of this resolution 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. Also, pursuant to Section 13.48.640 of the San José Municipal Code, the City's historic preservation officer shall cause properties located within the designated North Willow Glen Conservation Area approved and designated by City Council to be placed in the City's Historic Resources Inventory.

ADOPTED this ____ day of _____, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:


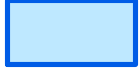
SAM LICCARDO
Mayor

ATTEST:


TONI J. TABER, CMC
City Clerk



StudyAreas

-  Greater Gardner Study Area
-  North Willow Glen Conservation Area (Proposed)



Strong Neighborhood Initiative Areas

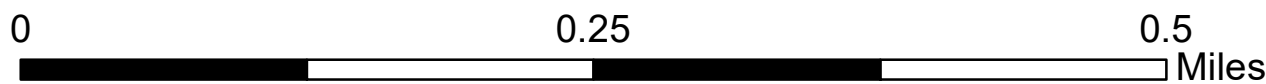
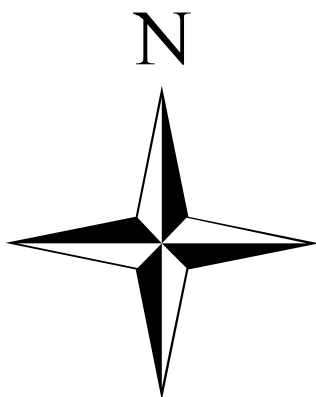
-  Greater Gardner

All Growth Areas 2040

-  Diridon Plan
-  Downtown

Historic Area

-  Guadalupe/Washington
-  Palm Haven



City of San Jose, PBCE-IT-GIS
January 2020

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EXHIBIT "A"
LEGAL DESCRIPTION FOR
NORTH WILLOW GLEN CONSERVATION AREA

BEGINNING at the point of intersection of the original centerline of Bird Avenue with the centerline of Hull Avenue, as the monument line and said centerline of which is shown upon that certain unrecorded map titled the "City of San José Department of Public Works Right of Way Map for Bird Avenue", dated August 1970, No. RS 2875;

Thence continuing southerly along said centerline of Bird Avenue, S 2° 45' 20" W, 1300.51 to the angle point of the centerline of Bird Avenue;

Thence continuing southeasterly along said centerline of Bird Avenue, S 36° 52' E, 406.96 feet to the point of intersection with the centerline of Snyder Avenue, as shown upon the Record of Survey as recorded on March 13, 1950 in Book 25 of Maps, at Pages 48, Records of Santa Clara County;

Thence continuing southeasterly along said centerline of Bird Avenue (formerly Willow Glen Avenue), S 36° 29' 03" E, 717.68 feet to the point of intersection with the original centerline of Willow Street, as shown upon the Record of Survey as recorded on December 1, 2016 in Book 899 of Maps, at Pages 39, Records of Santa Clara County;

Thence northeasterly along the original centerline of Willow Street, N 53° 49' 24" E, 701.86 feet to the point of intersection with the centerline of Shepherd Avenue;

Thence continuing northeasterly, N 53° 59' 00" E, 164.80 feet to the point of intersection with the centerline of Delmas Avenue, as shown upon the Amended Tract Map No. 9381 as recorded on January 15, 2003 in Book 757 of Maps, at Pages 18 and 19, Records of Santa Clara County;

Thence northerly along the centerline of Delmas Avenue (formerly Hunter Avenue), N 2° 13' E, 1790.58 feet more or less to the point of intersection with the southerly line of Lot 18, as shown upon the Map of the Property of the Odd Fellows Savings Bank, as recorded on October 8, 1884 in Book "B" of Maps, at Page 14, Records of Santa Clara County;

Thence continuing northerly along the centerline of Delmas Avenue, N 2° 13' E, 160.00 feet to the point of intersection with the centerline of Fuller Avenue, as shown upon the Map of Herschbach's Subdivision of Roosevelt Park, as recorded on December 12, 1922, in Book "R" of Maps, at Page 22, Records of Santa Clara County;

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Thence continuing north along the centerline of Delmas Avenue (formerly Hunter Avenue), N 2° 13' E, 70.00 feet to the point of intersection with the projected southerly line of Lot 2 of the "Map of the Thomas Subdivision of Lot 19 of the Odd Fellows Savings Bank Tract", recorded on May 15, 1905 in Book "K" of Maps, at Page 80, Records of Santa Clara County;

Thence leaving the centerline of Delmas Avenue, N 87° 47' W, 30.00 feet to the southeast corner of said Lot 2, and also being the southeast corner of Lot No. 104 as shown upon that certain map titled "Right of Way and Track Map Main Line of Southern Pacific Rail", filed with the State Board of Equalization as Map No. 872-43-98M, State of California, Valuation Department, San Francisco, California, and is also the southerly line of the Peninsula Corridor Joint Powers Board as described in Document No. 11181648, recorded December 27, 1991, Records of Santa Clara County;

Thence N 87° 47' W, 138.00 feet along the southerly line of Lot 2/Lot No. 104 to the southwest corner of Lot 2/Lot No. 104;

Thence along the projected westerly line of said Lot 2, S 2° 13' W, 10.00 feet to a line parallel with, and 35.00 feet northerly of the northerly line of Fuller Avenue as shown on the "Map of the Thomas Subdivision of Lot 19 of the Odd Fellows Savings Bank Tract", recorded on May 15, 1905 in Book "K" of Maps, at Page 80, Records of Santa Clara County;

Thence along said parallel line and its projection, N 87° 47' W, 680.00 feet, to the easterly line of Lot 12 as shown on "Map of the Thomas Subdivision No. 2 of Lot 20 of the Odd Fellows Savings Bank Tract", recorded on January 30, 1905 in Book "P" of Maps, at Page 39, Records of Santa Clara County;

Thence S 2° 13' W, 35.00 feet to the southeast corner of said Lot 12;

Thence N 87° 47' W, 40.00 feet, along the northerly line of Fuller Avenue to the southwest corner of said Lot 12;

Thence leaving said southwest corner, N 2° 13' E, 80.00 feet, along the westerly line of said Lot 12;

Thence northwesterly along the southerly line of the Peninsula Corridor Joint Powers Board as described in Document No. 11181648, recorded December 27, 1991, Records of Santa Clara County, and as shown upon that certain map titled "Right of Way and Track Map Main Line of Southern Pacific Rail", filed with the State Board of Equalization as Map No. 872-43-98M, State of California, Valuation Department, San Francisco, California, the following three (3) courses:

1. N 74° 04' 35" W, 84.40 feet, to a point 100.00 feet distant from said northerly line of Fuller Avenue;
2. N 74° 42' 4" W, 43.12 feet, to a point 109.76 feet distant from said northerly line of Fuller Avenue;
3. N 74° 04' 53" W, 43.23 feet, to a point 120.00 feet distant from said northerly line of Fuller Avenue;

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Thence N 68° 7' 46" W, 44.60 feet, to the northwesterly corner of Lot 7 of said subdivision and also being the northwest corner of Lot No. 77 as shown upon said State Board of Equalization Map;

Thence continuing along the southerly line of the Peninsula Corridor Joint Powers Board, N 87° 47' W, 116.50 feet more or less to the southwesterly corner of Lot No. 74;

Thence N 2° 44' 28" E, 60.13 feet to the northeasterly corner of Parcel 7B as shown on the Amending Record of Survey, as recorded on April 24, 1970 in Book 267 of Maps, at Page 32, Records of Santa Clara County;

Thence N 68° 31' 05" W, 155.76 feet to the southwest corner of Lot 10 of S.P.R.R. as shown on said Record of Survey;

Thence continuing northwesterly along the projected line of S.P.R.R., N 68° 31' 05" W, 31.71 feet with the intersection of the original centerline of Bird Avenue, as shown on said Record of Survey;

Thence southerly along said centerline of Bird Avenue, S 2° 44' 28" W, 280.30 feet more or less to the point of intersection with the centerline of Fuller Avenue, as shown on said Record of Survey;

Thence continuing southerly along said centerline of Bird Avenue, S 2° 46' 43" W, 319.98 feet to the point of intersection with the centerline of Hull Avenue and the **Point of Beginning**.

The described perimeter of the conservation area property contains approximately 71.25 acres more or less.

This description has been compiled from record data and not a field survey.

The above description of real property was prepared by me, or under my supervision, in conformance with the requirements of Section 8726 (g, k, l, m) of the Business and Professions Code of the State of California.



Steve G. Choy, PLS 6672