



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Planning Commission

SUBJECT: NORTH WILLOW GLEN
CONSERVATION AREA

DATE: March 16, 2020

COUNCIL DISTRICT: 6

SUBJECT: FILE NO. CA19-001: CONSIDERATION OF PROPOSED NORTH WILLOW GLEN CONSERVATION AREA HISTORIC DESIGNATION ENCOMPASSING THE AREA 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

RECOMMENDATION

Adopt the resolution approving the designation of the area 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 the North Willow Glen Conservation Area, containing approximately 71.25 acres (see Attachment 1).

OUTCOME

Adoption of the Resolution will designate a Conservation Area in the portion of the Greater Gardner Strong Neighborhoods Initiative (SNI) Area, known as North Willow Glen.

BACKGROUND

On January 28, 2020, the City Council adopted a Resolution (Res No.79383) nominating a portion of the Greater Gardner SNI Area for designation as a Conservation Area and directed the Department of Planning, Building and Code Enforcement to initiate the required process and proceedings to establish the Conservation Area (see Attachment 2).

On March 4, 2020, the Historic Landmarks Commission (HLC) held a public hearing to consider this Council-initiated Conservation Area designation. Staff recommended approval of the proposed North Willow Glen Conservation Area. The HLC voted unanimously to recommend that the City Council approve the designation. (see Attachment 3).

On March 11, 2020, the Planning Commission held a public hearing to consider this Council-initiated Conservation Area designation. Staff recommended approval of the proposed North Willow Glen Conservation Area. The item stayed on the consent calendar. The Planning Commission voted unanimously to recommend that the City Council approve the designation. (see Attachment 4).

The City of San José, the Greater Gardner Neighborhood Advisory Committee (NAC), and the community collaboratively developed an *SNI Neighborhood Improvement Plan* for Greater Gardner, adopted in 2002. The Plan included a 29-point action plan. Action item No. 11, Improve Residential Properties included “*Evaluate Desirability of Neighborhood Conservation District.*” This item proposed that a conservation district designation would establish standards for the application of residential design guidelines. Renovations and small-scale additions would be reviewed by staff for sensitivity to building style and surrounding neighborhood character. In 2003, the City adopted the Citywide “*Your Old House*” design guidelines for historic properties and properties within City Landmark Districts and Conservation Areas. These guidelines will apply to the proposed North Willow Glen Conservation Area.

The City hired Archives and Architecture, LLC, a historic consulting firm, who conducted a historic resources survey of the Greater Gardner SNI area and provided the City with a “Historic Contextual Survey” report dated May 23, 2011, updated on March 10, 2019. The historic resources survey found a high concentration of historic properties contributing to the historic context of the area.

ANALYSIS

The proposed North Willow Glen Conservation Area is consistent with several General Plan policies that support historic preservation. The proposed Conservation Area would promote a greater sense of historic awareness and community identity and enhance the quality of urban living in the neighborhood and the City as a whole.

The findings required by Sections 13.48.620 and 13.48.630.B.4 of the Municipal Code for City Council designation of a Conservation Area are:

- a. The neighborhood or area has a distinctive character conveying: (1) a sense of cohesiveness through its design, architecture, setting, materials or natural features; and (2) its history; or
- b. The neighborhood or area reflects significant geographical or developmental patterns associated with different eras of growth in the City.

The historic resources survey work found that the proposed North Willow Glen Conservation Area qualifies as a Conservation Area as it represents an intact and consistent pattern of historic development beginning with the Horticultural Expansion spanning between 1885 to 1945. It was part of San José’s first annexation to the Original City in 1911.

The proposed North Willow Glen Conservation Area has a distinctive character and maintains a sense of cohesiveness through its urban typology, architecture, physical setting, preservation of original construction materials, and history, with at least 80% Contributors, and approximately 20% of the properties in the Conservation Area contain buildings that qualify individually for the San José Resources Inventory on their own merits; a number of these buildings also are potential Candidate City Landmarks.

CONCLUSION

The neighborhood would benefit from the designation as a Conservation Area, because the designation would encourage future development to maintain integrity with the historic nature of the area and encourage compatible new design consistent with the character-defining features, form and pattern of the historic neighborhood.

EVALUATION AND FOLLOW-UP

If the Council approves the proposed Conservation Area designation, then the properties located within the Conservation Area will be placed in the City's Historic Resources Inventory (HRI) as contributors or non-contributors. The single-family homes within the North Willow Glen Conservation Area boundary will be subject to Single-Family House Permits for all exterior changes and modifications. Duplexes, multi-family, and commercial properties will require the applicable Development Review permits.

CLIMATE SMART SAN JOSE

The recommendation in this memorandum has no effect on Climate Smart San José energy, water, or mobility goals. Adaptive reuse of historic buildings and historic preservation is a known green building strategy.

PUBLIC OUTREACH

Staff followed Council Policy 6-30: Public Outreach Policy to inform the public of the proposed designation of the North Willow Glen Conservation Area. The proposed project is consistent with City Council Policy 6-30: Public Outreach Policy.

A public hearing notice for the meeting dates for the Historic Landmarks Commission, Planning Commission and City Council was mailed on February 7, 2020, to the property owners and tenants of all properties located within 300 feet of the proposed Conservation Area boundary, and the notice was also published in the San José Post.

Of the 875 property owners who were noticed, 384 property owners are within the proposed North Willow Glen Conservation Area boundary. Some phone calls have been received from property owners requesting the meaning of being in a Conservation Area. No property owners have objected to the proposed designation. Staff has been available to discuss the proposal with interested community members. The staff memorandums were posted on the City's website.

COORDINATION

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

COMMISSION RECOMMENDATION/INPUT

On March 4, 2020, the Historic Landmarks Commission held a public hearing meeting and voted unanimously to recommend that the City Council designate the subject conservation area as the North Willow Glen Conservation Area.

On March 11, 2020, the Planning Commission held a public hearing meeting and voted unanimously to recommend that the City Council designate the subject conservation area as the North Willow Glen Conservation Area.

CEQA

Exempt pursuant to CEQA Guidelines Section 15262 for Feasibility and Planning Studies and Section 15331 for Historical Resource Restoration/Rehabilitation, implementing the California Environmental Quality Act of 1970, as amended. Formation of a Conservation Area is a planning overlay designation for historic preservation purposes and does not require a commitment to a course of action that will result in a physical change to the environment.

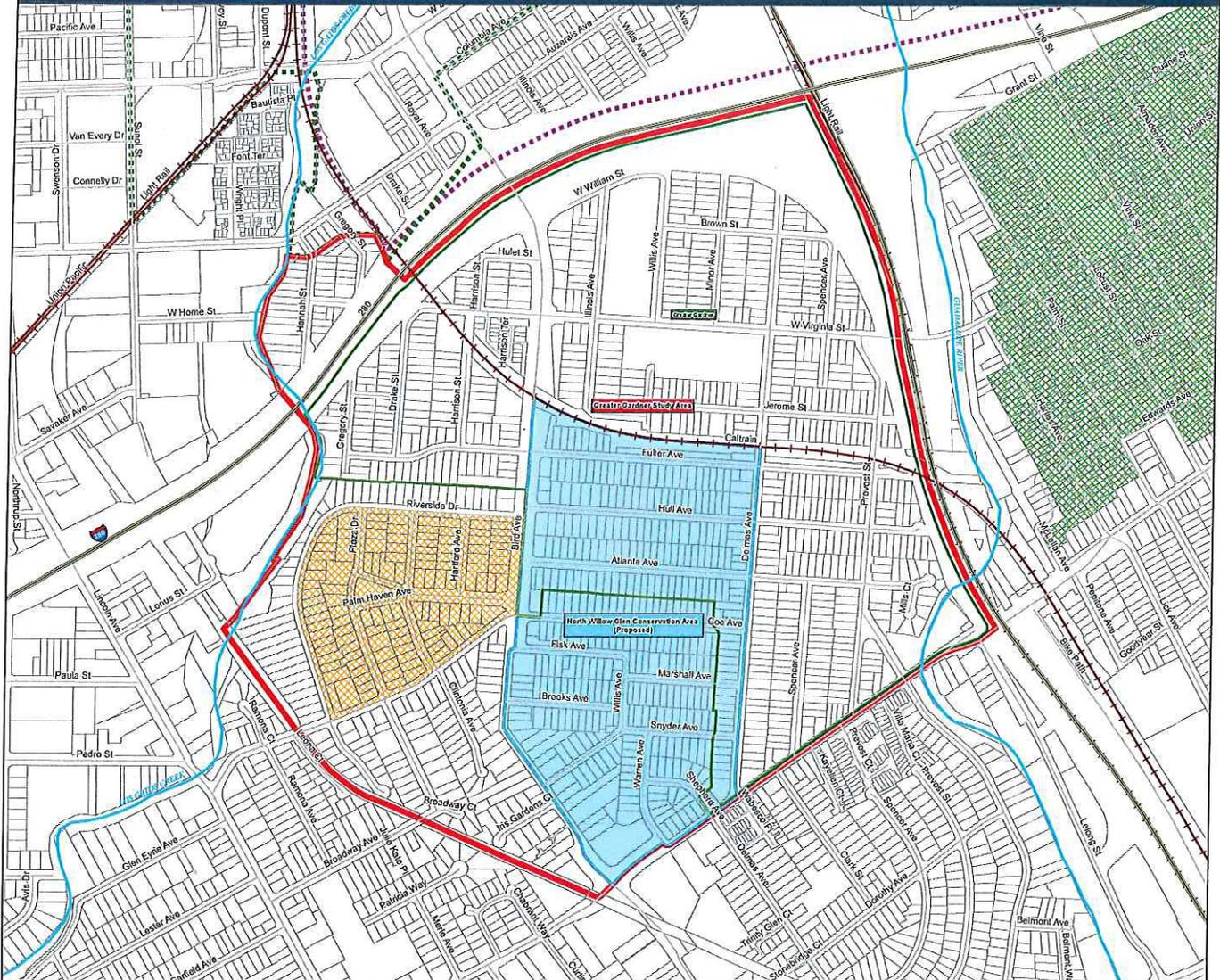
/s/
ROSALYNN HUGHEY, Secretary
Planning Commission

For questions, please contact Juliet Arroyo, Historic Preservation Officer, at (408) 535-7847.

Attachments:

1. Boundary Map & Legal Description
2. Council Nomination Memo and Resolution with attachments, dated January 28, 2020
3. Minutes, Historic Landmarks Commission, dated March 4, 2020
4. Minutes, Planning Commission, dated March 11, 2020

City of San Jose
**Proposed North Willow Glen
Conservation Area**



Study Areas

- 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



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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;

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;

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



COUNCIL AGENDA: 1/28/20
FILE: 20-086
ITEM: 2.9

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Rosalynn Hughey

SUBJECT: SEE BELOW

DATE: January 13, 2020

Approved

Date

1-16-20

COUNCIL DISTRICT: 6

**SUBJECT: NOMINATION OF NORTH WILLOW GLEN CONSERVATION AREA
(CA19-001)**

RECOMMENDATION

Adopt a resolution nominating a portion of the Greater Gardner Strong Neighborhoods Initiative Area for designation as the North Willow Glen Conservation Area and directing the Department of Planning, Building and Code Enforcement to initiate the required process and proceedings to establish the Conservation Area, including necessary outreach to community members and property owners.

OUTCOME

Adoption of the Council Resolution will initiate the process to establish a Conservation Area in the Greater Gardner Strong Neighborhoods Initiative (SNI) Area for the North Willow Glen portion 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. See attached boundary map (Attachment 1) and legal description for the proposed North Willow Glen Conservation Area (Attachment 2).

BACKGROUND

The City of San José, the Greater Gardner Neighborhood Advisory Committee (NAC), and the community collaboratively developed an *SNI Neighborhood Improvement Plan* for Greater Gardner, adopted in 2002. The Plan included a 29-point action plan. Action item No. 11, Improve Residential Properties included “*Evaluate Desirability of Neighborhood Conservation District.*” This item proposed that a conservation district designation would establish stricter standards for the application of residential design guidelines. Renovations

and small-scale additions would be reviewed by staff for sensitivity to building style and surrounding neighborhood character.

In 2003, the City adopted the Citywide “Your Old House” design guidelines for historic properties and properties within City Landmark Districts and Conservation Areas. These guidelines will apply to the proposed North Willow Glen Conservation Area.

In 2011, the historic consulting firm, Archives and Architecture, conducted a historic resource survey of the Greater Gardner area and found a high concentration of historic properties contributing to the historic context of the area. The California Department of Parks and Recreation forms have been prepared for the proposed North Willow Glen Conservation area and show properties that contribute to the significance of the area; some of the properties are also eligible as Candidate City Landmarks. Attachment 3 provides a description of the North Willow Glen significance statement.

A series of outreach meetings occurred after the survey work. In 2018, the Historic Landmarks Commission was updated about the survey work and the proposed Conservation Area(s) and recommended that City staff proceed with establishing one or more Conservation Areas. In May 2019, staff provided another update to the Historic Landmarks Commission on the proposed Conservation Areas, indicating that the proposed North Willow Glen Conservation Area would be moving forward.

ANALYSIS

The findings required by Sections 13.48.620 and 13.48.630B.4 of the Municipal Code for City Council designation of a Conservation Area are:

- a) The neighborhood or area has a distinctive character conveying: (1) a sense of cohesiveness through its design, architecture, setting, materials or natural features; and (2) its history; or
- b) The neighborhood or area reflects significant geographical or developmental patterns associated with different eras of growth in the City.

The historic resource survey work found that the proposed North Willow Glen Conservation Area qualifies as a Conservation Area. The proposed Conservation Area has a distinctive character and maintains a sense of cohesiveness through its urban typology, architecture, physical setting, preservation of original construction materials, and history.

The proposed North Willow Glen Conservation Area is consistent with several General Plan policies intended to support historic preservation. The proposed Conservation Area would promote a greater sense of historic awareness and community identity and enhance the quality of urban living in the neighborhood and the City as a whole.

The neighborhood as a whole would benefit by the designation as a Conservation Area, because the designation would encourage future development to maintain integrity with the historic nature of the area and encourage compatible new design consistent with the character-defining features of the existing historic neighborhood.

CONCLUSION

The community identified the need for conducting a historic resources survey of the Greater Gardner area and conducting a study to determine if all or part of the neighborhood should be a designated historic area. The next step toward accomplishing the community's goal for preservation is for the City Council to adopt a resolution initiating the proposed portion of the Greater Gardner SNI Area for designation as the proposed North Willow Glen Conservation Area and directing the Department of Planning, Building and Code Enforcement to initiate the required process and proceedings to establish the Conservation Area.

EVALUATION AND FOLLOW-UP

After the City Council nominates the area for designation as a Conservation Area and directs Planning staff to initiate the Conservation Area designation process, the next step is to conduct additional public outreach on the proposed Conservation Area.

The Historic Preservation Ordinance (Municipal Code Chapter 13.48, Part 5) requires a proposed Conservation Area to first be referred to the Historic Landmarks Commission and then to the Planning Commission for recommendations to the City Council before actual designation. The Historic Landmarks Commission, Planning Commission and subsequent City Council meetings are public hearings requiring public notice (300 feet) and publication in a newspaper of general circulation. Finally, the City Council will hold a public hearing and by written resolution approve, conditionally approve, modify, and approve, or deny the designation.

Staff is also separately working on the proposed Gardner Conservation Area to be initiated in the near future. The proposed Gardner Conservation Area is also within the Greater Gardner SNI and is north of the proposed North Willow Glen Conservation Area.

CLIMATE SMART SAN JOSE

The recommendation in this memorandum has no effect on Climate Smart San José energy, water, or mobility goals. Adaptive reuse of historic buildings and historic preservation is a known green building strategy.

HONORABLE MAYOR AND CITY COUNCIL

January 13, 2020

Subject: Nomination of North Willow Glen Conservation Area (CA19-001)

Page 4

PUBLIC OUTREACH

There has been public outreach for the Greater Gardner Conservation Area since the initial field survey work was done in 2011. There have been meetings of the neighborhood associations and Historic Landmarks Commission meetings about the proposed Conservation Area.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office.

COMMISSION RECOMMENDATION/INPUT

The Historic Landmarks Commission reviewed the survey materials and proposal to create a Conservation Area at meetings in 2017 and 2018 and found that the Greater Gardener area would be eligible as a Conservation Area and recommended to proceed with the designation process. Staff has updated the Commission at meetings in 2019 with the current proposal to proceed with the North Willow Glen Conservation Area designation.

CEQA

Exempt, CEQA Guidelines Section 15262. Feasibility and Planning Studies and 15331 Historical Resource Restoration/Rehabilitation. Formation of a Conservation Area is a planning overlay designation for historic preservation purposes and does not require a commitment to a course of action that will result in a physical change to the environment.

/s/

ROSALYNN HUGHEY, Director
Planning, Building and Code Enforcement

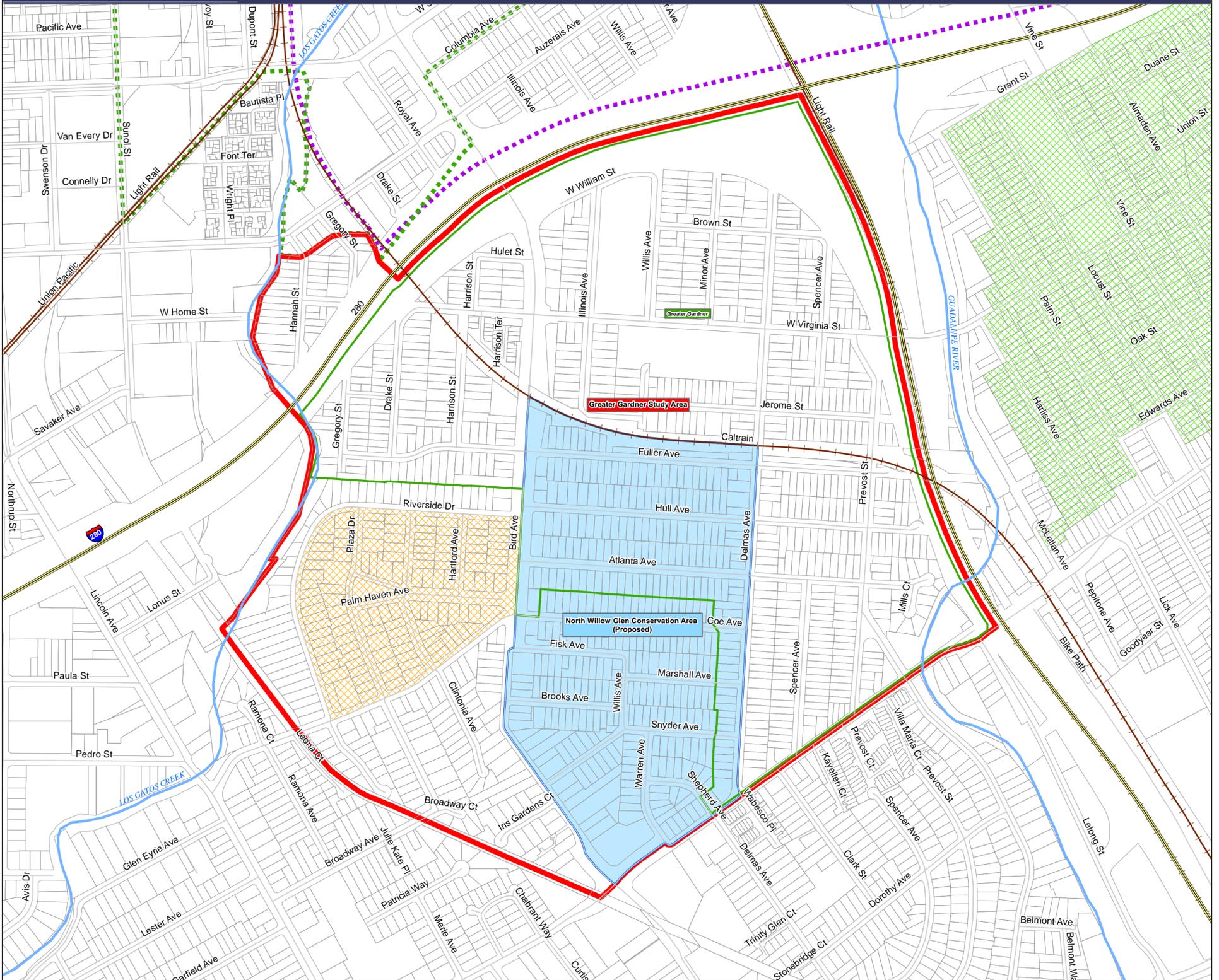
For questions please contact Juliet Arroyo, Historic Preservation Officer, at 408-535-7847.

Attachments:

- Attachment 1 - Proposed North Willow Glen Conservation Area Boundary Map
- Attachment 2 - Proposed North Willow Glen Conservation Area Legal Description
- Attachment 3 - Description of North Willow Glen



City of San Jose Proposed North Willow Glen Conservation Area



Study Areas

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

All Growth Areas 2040

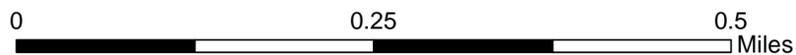
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- Downtown

Strong Neighborhood Initiative Areas

- Greater Gardner

Historic Area

- Guadalupe/Washington
- Palm Haven



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

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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;

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;

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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:

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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;

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

Attachment 3

Significance Statement, North Willow Glen (City of San Jose)

*Summary of Historic Context Survey/District Record for North Willow Glen
Greater Gardner Neighborhood evaluation by Franklin Maggi, dated 3/10/19*

The North Willow Glen neighborhood developed historically as a single-family residential area between the mid-1880s and the mid-1950s. The area encompasses the neighborhoods south of Interstate 280 between the Guadalupe River, Willow Street and Bird Avenue and including a small neighborhood known as Gregory Plaza west of Bird Avenue. The properties within this area are mostly small-lot residential properties, with a limited mix of commercial properties, which occurred during the first half of the twentieth century.

Majority of the single-family residential buildings in this neighborhood were constructed during the expansion of greater San Jose's residential neighborhoods in the downtown and beyond during the *Period of Horticultural Expansion (1870-1918)* and the *Interwar Period (1919-1945)*. The subject area is now a portion of the larger Greater Gardner SNI Neighborhoods.

The neighborhood retains an intact visual unity of similarly massed small houses with period detailing and continues to represent an earlier sense of time and place, reflective of residential development between 1885 and 1955 in San Jose. Much of the development during this period is associated with housing related to agricultural regions to the north and east.

Santa Clara Valley grew as an agricultural region, following the establishment of title to this area to owners that had acquired the land during the Mexican Period and/or by property transfers during the Early American Period. Historically, the neighborhood illustrates San Jose's growth beyond the southwest boundaries of the Original City for almost a century. The neighborhood, now known as the North Willow Glen historic residential area, remains today as a diverse mix of 19th century and early twentieth century residences.

The boundaries of the proposed North Willow Glen Conservation Area are well defined within its historic context statement, and the neighborhood has a unique and unified residential architecture that is recognizable within the city. The neighborhood maintains a high level of integrity to its evolution. Findings for designation as the conservation area can be made under The San Jose Historic Preservation Ordinance based upon:

- its representation of a comprehensive pattern of historic development within an area historically known as the Gardner Annexation to the southwest of the Original City;
- its association with residential development during the period 1885-1955; and
- its embodiment, within the boundaries of the neighborhood, of architectural styles that represent the breadth of design of the period.

The North Willow Glen neighborhood is deserving of a Conservation Area designation due to its unique and distinct character, architectural styles, associations, and integrity which has been maintained historically, and the area continues to contribute very well to the overall historic fabric of San José.

D1. Historic Name: North Willow Glen **D2. Common Name:** North Willow Glen

***D3. Detailed Description** (Discuss overall coherence of the district, its setting, visual characteristics, and minor features. List all elements of district.):

The North Willow Glen historic residential neighborhood developed as a single-family residential area between the mid-1880s and the mid-1950s. Originally located within portions of the Gardner Annexation and the Town of Willow Glen - southwest of the central core area of San José - it is now a portion of the larger Greater Gardner neighborhoods. During the *Early American Period (1846-1869)*, the area was mostly undeveloped, most of it consisting of undrained swamp land. Most of the single-family residential buildings in this neighborhood were constructed during the expansion of greater San José's residential neighborhoods in the downtown frame and beyond during the *Period of Horticultural Expansion (1870-1918)* and the *Interwar Period (1919-1945)*.

The neighborhood shares its development pattern with other older neighborhoods in the nearby downtown frame and old Willow Glen; however, this particular residential area has had less conversion to multi-family uses than other central-city neighborhoods, similar to the Willow Glen neighborhoods to the south and west. The neighborhood as a whole is now distinct within the larger city due to its architectural character. It retains an intact visual unity of similarly massed small houses with period detailing, and continues to represent an earlier sense of time and place, reflective of residential development between 1885 and 1955 in San José.

***D4. Boundary Description** (Describe limits of district and attach map showing boundary and district elements.):

The North Willow Glen historic residential neighborhood is generally bounded on the north by the right-of-way of the Peninsula Corridor Joint Powers Board, on the east by Delmas Avenue, on the south by Willow Street, and on the west by Bird Avenue, and excluding the property at the northeast corner of Willow and Bird Streets (see boundary map next page).

***D5. Boundary Justification:**

The North Willow Glen historic residential neighborhood is a visually distinct area within its greater vicinity. It consists of residential buildings constructed within the northern portion of the Town of Willow Glen and the southern portion of the Gardner Annexation of the City of San José. Most of the properties within the neighborhood were developed for residential use within a specified period, 1885-1955, and have form and detailing reflective of the period. It has strong neighborhood associations that contribute to the understanding of this historic place that is visually cohesive within the context of the downtown residential frame and the neighborhoods of Willow Glen.

This historic residential neighborhood is located in the southwest portions of the city's Greater Gardner Strong Neighborhoods Initiative (SNI) Planning Area. This planning area encompasses the neighborhoods south of Interstate 280 between the Guadalupe River, Willow Street and Bird Avenue and including a small neighborhood known as Gregory Plaza west of Bird Avenue. Most of the properties within this planning area are small-lot residential properties, with a limited mix of commercial properties. Most of the residential development occurred during the first half of the twentieth century.

***D10. Significance: Theme** Architecture and Shelter **Area** Portion of Greater Gardner SNI area

Period of Significance 1885-1955 **Property Type** Residential **Applicable Criteria** None

(Discuss district's importance in terms of its historical context as defined by theme, period of significance, and geographic scope.

Also address the integrity of the district as a whole.)

(See page 3, Continuation Sheet)

***B12. References:**

Archives & Architecture, *Historic Context Survey, Greater Gardner Neighborhoods*, San José, last updated March 10, 2019.

***D8. Evaluator:** Franklin Maggi, Architectural Historian

***Date:** 3/10/2019

Affiliation and Address: Archives & Architecture, PO Box 1332, San José, CA 95109



NORTH WILLOW GLEN CONSERVATION AREA BOUNDARY MAP (NOT TO SCALE)

(Continued from page 1 Section D10)

The North Willow Glen residential neighborhood derives its importance from being an intact representation of urban development with identifiable attributes embodied by its single-family residential architecture, pattern of development, and continued historic residential setting. The neighborhood is understandable within the historic periods of San Jose's Horticultural Expansion years, Interwar Period, and first years after World War II. During this time, the San José urban frame grew due to the establishment and evolution of Santa Clara Valley as an agricultural region - known worldwide for its orchard products. The period of significance begins about 1885, following the establishment of title to this area to owners that had acquired the land during the Mexican Period or by property transfers during the Early American Period, and extends to shortly after the end of World War II, when the neighborhood completed its build-out. Historically, the neighborhood illustrates San Jose's growth beyond the southwest boundaries of the Original City for almost a century.

The North Willow Glen residential neighborhood consists of properties located within a series of "tracts" southwest of the boundaries of San Jose's Original City of 1850. The city limits of San José were the result of a number of surveys that occurred in the late 1840s that created the greater downtown frame as we know it today.

With the acquisition of properties by the Southern Pacific Railroad Company through the larger Gardner Annexation during the first decades of the twentieth century, the portion of the Gardner neighborhoods south of the railroad right-of-way stabilized as a distinct neighborhood place during a period of residential development that continued until after World War II.

The beginning of the twentieth century saw renewed industrial development associated with the local dry-pack and canning industry and a period of residential growth as World War I approached, although the 1906 Earthquake and a Wall Street crash in 1907 tempered the vitality of the local economy. With new immigrants flowing into the area to work in the orchards and canneries, most of the remaining undeveloped land within the Original City filled with working-class homes, and new tracts were established in areas such as the Gardner Annexation as well as East San José, Burbank, Westside, and greater Willow Glen. Much of the development in the North Willow Glen neighborhood during this period is associated with this worker-class housing related to agricultural work centers to the north and east.

During and after the Interwar Period, San José entered a period of great prosperity, with population growth accelerating as the city expanded outward. A few remaining vacant parcels in the neighborhood were built out during this period. The neighborhood, now clearly working-class oriented, began to be more distinct as a place.

The neighborhood, now known as the North Willow Glen historic residential area, remains today as a diverse mix of 19th century and early twentieth century single-family residences. The boundaries of the neighborhood are well defined within the greater downtown frame, and the neighborhood has a unity of historic character that is recognizable within the city as a whole.

EVALUATION AND STATEMENT OF SIGNIFICANCE

Under San J José City Ordinance 27113, "conservation area" means a geographically definable area of urban or rural character with identifiable attributes embodied by: (1) architecture, urban design, development patterns, setting, or geography; and (2) history.

(Continued on next page)

(Continued from previous page)

The properties within the North Willow Glen residential neighborhood constitute a conservation area that meets the criteria for such designation as defined within the City's Historic Preservation Ordinance, having the integrity and visual sense of a historic place. Although there are some properties within the proposed conservation area that do not contribute to the historic fabric of the neighborhood, the neighborhood possesses integrity of location, design, setting, materials, workmanship, feeling, and association. The proposed conservation area's streetscapes of primarily twentieth century National, Queen Anne, Neoclassical, Craftsman, Spanish Revival, and Minimal Traditional cottages, and the area's similarity of scale and setbacks that, along with mature landscaping, provide a cohesive setting for the houses, convey a clear historical association with the development of the neighborhood.

The proposed North Willow Glen Conservation Area is recognizable in the present as an aesthetically pleasing concentration of historic residential architecture, physically surrounded by boundaries defined by changes in neighborhood development. This district has a sense of historical continuity within the public consciousness.

Findings for designation can be made under Ordinance 27113 based upon:

- its representation of a comprehensive pattern of historic development within an area historically known as the Gardner Annexation to the southwest of the Original City;
- its association with residential development during the period 1885-1955; and
- its embodiment, within the boundaries of the neighborhood, of architectural styles that represent the breadth of design of the period.

The North Willow Glen historic residential neighborhood as a place presents a unique and distinct experience of the visual aspects of neighborhood life in a community for most of the historic period during which it was developed. The neighborhood maintains a fairly high level of physical integrity to its evolution. Although there have been some changes to certain properties within the neighborhood as owners continue to renovate their buildings over time, most of these changes have not had an intrusive impact on the overall historic fabric of the neighborhood as a whole.

Historic Landmarks Commission Meeting
March 4, 2020
Meeting called to order at 6:35 p.m.

ROLL CALL:

All commissioners present.

PUBLIC HEARINGS:

3.a.

Commissioner Raynsford recused himself because he lives near this project.

Angela Wang, project manager, provided the staff report and commented that the current project was scaled down significantly from the prior project.

Applicant, Eugene Sim, principal architect of Sim Architects, presented the current project. He commented that the prior project was previously approved; however, the new project is reduced.

Mr. Sim stated that the current project respects the traditions and history of the site and attempts to apply current technology to approach the historical context instead of using the same forms and materials as in the past.

Mr. Sim explained that the bell tower in this iteration is the same size and scale as in the prior iteration of the project. The bell tower is a significant, iconic, urban design that is dedicated to the forebears of the parish.

Mr. Sim described the new design of the church as being more scalable from the street. The previous design had podium parking and a “civic-style” staircase. Shadow points have been mitigated in the new design. The entrance plaza spills over to the sidewalk, reinforcing the importance of East Santa Clara Street to the citizens of San Jose. The circular form of the church speaks to community. Additional features are: a statue of St. Patrick made with Italian marble, a frosted or rose window on the 8th Street side of the church building, and a meditation wall.

There were no comment cards from the public.

Commissioner Royer commented that the new design is very well thought out and respectful to the historical buildings and that she likes the contrast of the new design rather than the finishes in the old design with respect to the historical.

Commissioner Hirst commented that the new design is an improved iteration and a great fit for the space. The new project compliments the SJ skyline. He asked Mr. Sim to explain the change from concrete to acrylic plaster.

Mr. Sim explained that part of the reason was budgetary. He also opined that using GFRC would result in many joint lines. Instead, they are trying to create a simple authentic expression.

Commissioner Hirst commented that this is a beautiful project. He inquired about the height of the decorative fence.

Mr. Sim explained that city staff requested 6 feet. The church is concerned with security, but they want the space to be inviting. Trying to balance budget with the desire for transparent, decorative fencing.

Commissioner Polcyn commented that he likes the project a lot, especially the elevations to the public realm. The DRC had discussed scale of the building, landscaping, and relationship to historic buildings. This design is better than the original design. He inquired whether upkeep of the sidewalks and curbs are a task of the church or City.

Mr. Sim explained that he is leaving it up to staff to determine the ordinances which apply – replacing trees, etc.

Commissioner Polcyn inquired about the material of the meditation wall.

Mr. Sim explained that the meditation wall will be constructed of acrylic plaster.

Commissioner Polcyn inquired about the statue.

Mr. Sim explained that the marble for the statue comes from a historic quarry outside of Rome.

Commissioner Arnold commented that this is a fascinating project. She inquired about markers with regard to the historical context of St. Patrick's Church.

Rev. Huynh, pastor of Our Lady of La Vang Parish, explained that integrated into the project is a chapel which will be named St. Patrick's Chapel. In addition, the marble statue is a statue of St. Patrick. He spoke of the importance of remembering those people who came before and their stories.

Commissioner Arnold asked what the historical markers might look like.

Rev. Huynh, pastor of Our Lady of Vang Parish, explained that there will be a plaque outside St. Patrick's Chapel on the right front of the building.

Commissioner Boehm thanked Mr. Sim for the informative presentation and opined that this is basically a good project. He inquired about the mitigation measures in the report, especially the protection of older buildings (school) during construction.

Mr. Sim explained that the Diocese of San Jose selected the contractor and the older buildings on the site will be protected during construction.

Rev. Huynh, pastor of Our Lady of Vang Parish, explained that the parish invested a lot of money into the historical school 2 years ago and will protect the school.

Commissioner Boehm stated that there are specific suggestions in the report to protect the school. He asked if the grass area will be replaced with a multi-purpose room.

Mr. Sim explained that currently there is grass for church and public use. There are plans to replace the grass area with a multi-purpose room in the future.

Commissioner Boehm inquired about one of the school structures behind the grass area and asked if it is a storage facility.

Mr. Sim explained that that area was cleaned up recently as part of a capital improvement project. It does contain mechanical and utility elements and screens the back area.

Commissioner Boehm stated his preference for making the school visible and opined that the multi-purpose room will create an obstacle/obstruction. He stated that, with all due respect, he hopes the multi-purpose room does not get built. Commissioner Boehm stated that he loves the garden aspect of the project. The East Santa Clara Street elevation is the most concerning to him. He inquired about the facade of the church regarding materials (smooth or rough texture, color) and windows.

Mr. Sim described the facade materials as acrylic sand plaster and regular sand plaster which expand. The texture will be smooth and grey in color for a timeless appearance.

Chair Saum commented that he remembers this project going back 5 years. Each of the concerns are now gone. The project is a better project because of the reiterations. The site is rich in history and the project needs to reflect that.

Commissioner Boehm commented that he really appreciates the idea of a historical marker because this is such a historical site.

Commissioner Raynsford is now present.

3.b.

Chair Saum stated that January 28, 2020 should be the correct date for Attachment #2.

Rina Shah, Project Manager, provided the staff report, highlighting the architecture and history of North Willow Glen. She explained that over 80% of the buildings in the proposed conservation area are contributors with a high level of integrity and about 20% of the buildings would qualify for the HRI and possibly city, state, and/or national landmark status. Ms. Shah explained that North Willow Glen is a geographically defined area unified by boundaries with unique architectural styles which are characteristic of the area's heritage. She stated that staff recommends approval of the North Willow Glen Conservation Area to the City Council based on findings required per Section 13.48.620 and Section 13.48.630.B.4 of the Municipal Code.

Franklin Maggi, on behalf of Archives & Architecture, explained that the Greater Gardner area (consisting of about 1,000 properties) includes North Willow Glen (about 377 properties) and was City of San Jose SNI #6. Mr. Maggi spoke about the periods of significance in North Willow Glen's history. He recommended North Willow Glen as a conservation area. He stated that about 75% of the area's 377 properties are contributors.

Juliet Arroyo, Historic Preservation Officer, presented photos of a house (not within the proposed North Willow Glen boundary) with extensive exterior changes. She explained that the project was approved with a building permit and without any input from the planning department. The only mechanism currently to prevent this is to put properties on the HRI.

Several residents of the North Willow Glen area spoke of the hard work, group effort, persistence, and length of time (19 years) it has taken to get their neighborhood to this point in the city conservation area approval process. Several lamented the loss of city planning department staff due to the 2008 recession. The residents explained that their neighborhood was the original Willow Glen and lauded the importance of North Willow Glen to the history of San Jose. The neighbors expressed their appreciation of the HLC commissioners and the volunteer service they provide. They asked the staff to work on a mechanism for conserving the area north of the Southern Pacific railroad tracks.

Chris Wagner, City of San Jose resident, explained that he is a homeowner in the area and inquired about permits for exterior work in a conservation area.

Rina Shah, Project Manager, explained that a designated single-family home would need to follow the "Your Old House: Guide for Preserving San Jose Homes." These guidelines only apply to the exterior of the house and do not allow character-defining features to be changed.

Chair Saum explained that resources are available, and Ms. Shah provided her contact information to Mr. Wagner.

The Commissioners thanked Mr. Maggi and the residents for contextualizing the background of the neighborhood and commented that they would like to see this area protected.

Franklin Maggi, on behalf of Archives & Architecture, explained that there is a full DPR record and primary record for every contributing property in North Willow Glen. For non-contributing properties there is only a primary record.

Commissioner Raynsford inquired about the impact of the California High-Speed Rail project on this area.

*Harry *** explained that the rail project would possibly eliminate or reduce Fuller Park. Houses on Jerome Street and approximately 30 houses north of the tracks could be destroyed. Houses on Fuller Avenue near Bird Avenue might be affected.*

There was a comment that the San Jose City Council opted for further impact to this neighborhood rather than divided impact among other neighborhoods and that these city council members will not be in office when the rail project is implemented.

Juliet Arroyo, Historic Preservation Officer, acknowledged that there are many significant homes in the area east of North Willow Glen. Adding these homes to the HRI would be an easier and better solution than designating a conservation area. This topic will continue to be discussed at the CLG meeting in April. Ms. Arroyo noted that properties have been added to the HRI without notifying owners; in the future owners will be notified.

Commissioner Raynsford opined that it is urgent to think about a conservation area north of the railroad tracks in light of the comments regarding the California High-Speed Rail project. Conservation might not stop demolition but would cause more careful consideration.

Commissioner Boehm suggested a door-to-door campaign to encourage homeowners on the east side of North Willow Glen to add their homes to the HRI.

There was discussion regarding an area in Greater Gardner known as “Horseshoe” which was plagued with gangs in the past and has significantly changed for the better in the last ten years. The area is now known as the “Circle of Dreams.”

The commission voted unanimously (7-0) in favor of a motion that the Historic Landmarks Commission recommend approval of the North Willow Glen Conservation Area to the City Council for the following 2 reasons provided by Archives & Architecture:

The North Willow Glen area has:

- a) a sense of cohesiveness through its design, architecture, setting, materials, and natural features; and its history, and*
- b) the area reflects significant geographical and development patterns associated with different eras of growth in the City.*

3.c.

*Juliet Arroyo, Historic Preservation Officer, explained that this is a request before the Historic Landmarks Commission from PAC*SJ.*

*John Mitchell, representing PAC*SJ, commented that PAC*SJ would like the former Bank of California Building to be designated as a city landmark. He opined that it is a unique building and San Jose needs unique because San Jose has very few unique structures remaining.*

*John Frolli, representing PAC*SJ, commented that he’s a member of the local AIA; he has submitted a letter regarding this building to the AIA to bring it to their attention and generate interest. Mr. Frolli encouraged the Historic Landmarks Commission to propose City Landmark status of this building to the City Council. He opined that the EIR notes that the building is significant under several criteria: architect, architectural style, association with a specific time in San Jose’s history. PAC*SJ is seeking a National Register listing. PAC*SJ has been working with Jay Paul Company, developer, and is encouraged by their interest and ideas. PAC*SJ would like to see the design of the project accommodate the building where it is. Landmarking will help the process along.*

*Janette D’Elia, representing Jay Paul Company, stated that the developer has a good working relationship with PAC*SJ and has met with PAC*SJ concerning alternatives. Ms. D’Elia stated that an EIR with very detailed historical analyses and recommended mitigation will be published on March 11, 2020. The project is scheduled to come before the HLC at the April 1, 2020 meeting.*

Juliet Arroyo, Historic Preservation Officer, explained that this project will be agendaized as an early referral for the April 1, 2020 HLC meeting. HLC to study the project during the 45-day CEQA period.

Cassandra Van Der Zweep, project manager, commented that this is a discussion to talk about the landmark nomination of the former Bank of California Building. During the April 1, 2020 HLC meeting there will be a very robust conversation on the project's entirety.

The commissioners had the following comments on landmarking the former Bank of California Building:

- *Commissioner Hirst thinks the building is significant and landmark status should be explored.*
- *Commissioner Polcyn commented that the building style does not reflect Pelli's general work; Pelli was more of a high-rise architect. Because of that, the building is more interesting and notable. He believes the commission needs details and background confirmation regarding landmark status.*
- *Commissioner Arnold noted that the significance of the building was discussed at previous meetings. She commented that she would like the commission to focus on the consideration of landmark status and not other things that could make the decision murky.*

Chair Saum inquired if the HLC is making a motion that the city council consider landmark status. Or is the HLC directing staff to do essential research? Regarding the property owner and landmark status, what would be the result of an HLC recommendation?

*Juliet Arroyo, Historic Preservation Officer, clarified that no action will be taken tonight; this is a discussion. The applicant is PAC*SJ and PAC*SJ would need to fill out an application for landmark consideration. Landmark nominations require full public hearings and notices before going to city council.*

The commissioners had the following comments on landmarking the former Bank of California Building:

- *Commissioner Royer commented that whether one likes Brutalist architecture or not, the building is a very clear example of design by a master architect. Ms. Royer is open to PAC*SJ applying for landmark status.*
- *Commissioner Raynsford commented that a historian had been hired regarding the building. He opined that the building should not be considered less than just because the building is not typical of Pelli's style. Mr. Raynsford is not sure this building doesn't fit into Pelli's work. The shape of the former Bank of California building is similar to other*

Pelli works. The fact that it's a concrete brutalist building makes it more interesting, not less.

- *Commissioner Boehm inquired if the building must be 50 years old to be landmarked.*

Juliet Arroyo, Historic Preservation Officer, explained that there is no local age limit.

Commissioner Boehm commented that he had mixed feelings about landmarking the building. He mentioned that people haven't heard of Pelli. The style is one that some people like and some don't. He stated he is open to exploring landmark status and would like to move forward in exploration.

Juliet Arroyo, Historic Preservation Officer, explained that the city would require a formal application for landmark designation from PAC SJ and request for consideration.*

5. OPEN FORUM

There were no comment cards from the public.

*Chair Saum commented that the HLC received a memo from the City of San Jose (Jennifer ***) concerning a push from Sacramento regarding the approval process for residential projects. The City is looking at how to address this, as it could circumvent the process that North Willow Glen just went through. Jennifer will provide more information or a presentation.*

Juliet Arroyo, Historic Preservation Officer, explained that there are new state laws that are aimed at streamlining processes for residential projects which skip over local regulations. Some new laws would not allow the HLC to review projects and there is concern about what this does to historic preservation. Ms. Arroyo opined that the best strategy is to get all of these properties on the HRI. Ms. Arroyo suggested that perhaps a more holistic presentation could be offered with someone from the planning department and the HLC attending a study session regarding potential impacts on local review regarding the new state laws. This could also be included in the CLG annual work program.

6.a.i.

City View Plaza Project

Juliet Arroyo, Historic Preservation Officer, stated that the project is scheduled for the April 1, 2020 HLC meeting. CEQA staff sending out a mass email; public comment.

6.a.ii.

The Smith house will be before the HLC at the April 1, 2020 meeting.

*Commissioner Arnold confirmed that Ms. Arroyo had received her conflict of interest form.
***regarding what?*

6.b.

Proposed Barack Obama Boulevard

Bill Nelson, representing the committee for the proposed street, described a committee of 11 diverse individuals – all volunteers – who have been working on this project to honor the 44th U.S. president. The committee has received support from Jim Beall, a majority of the council, and the mayor. The committee has ranked streets that they feel appropriate. A downtown street is likely, and the committee is reaching out to stakeholders and seeking their support. The committee looks forward to positive recommendations from the HLC and the city council.

Ron Hanson, citizen of unincorporated San Jose, spoke of the overwhelming support Barack Obama received in Santa Clara County in his presidential campaigns. The street would celebrate a noteworthy event in history – the election of the first black president of the United States. He encourages the HLC to support this proposal.

6.c.

DRC met on Feb. 19, 2020 to review 3 projects.

- 1) 647 S. 6th Street is in a landmark district, so its adjacency can be considered.*
- 2) 840 The Alameda. The discussion was contentious. 848 The Alameda was originally Schurra's; it's next door historic. The owner/builder brought in a historian to show that 840 The Alameda is not historic. The owner remarked that he could be proposing a 7-story building. There were not any elevations/drawings of the block or the next-door landmark. The DRC's main concern is that the architects ignored the adjacencies. The Alameda right of way is historical; that should be important for the design. Juliet Arroyo, Historic Preservation Officer explained that staff could bring the project back to DRC or HLC. She opined that there should be a balance of the needs of the property owner and historic preservation. Ms. Arroyo explained that the owner has a design that is already approved, but they are re-thinking and going back to their original design. It's a permit adjustment. We do have a city council policy of early referral. The project owner is not doing anything to the landmark, but it's possible to take them to HLC. Commissioners commented that the context is the problem. It's a very controversial and highly visible site on The Alameda. The owner's attitude was one of doing what he wanted, so an HLC review would be good practice. It's the job of the HLC to comment. It should come before HLC; if it comes before DRC again it would just be going in a circle. It's not just about this property; it's about the street and the landmark next door. There should be*

something in the record about how properties there should be treated. Commissioner Raynsford commented that if the design is anything other than the approved design, HLC would like to review it. Commissioner Polcyn believes that some historic information was possibly misrepresented and/or wrong. The process and credibility vis-a-vis the San Jose Planning Department is disconcerting and odd. Commissioner Boehm asked why the project did not come to HLC first since it's next door to a landmark. Juliet Arroyo, Historic Preservation Officer, explained that it would have come before HLC if it were a landmarked building, but not if it's next to a landmark. Chair Saum and Vice-chair Boehm would support having this project come before HLC.

Commissioner Hirst expressed his desire to be more informed about what happens at DRC meetings. He would like to see visuals. He commented that it's a challenge to be informed if the City doesn't publish DRC minutes. Ms. Arroyo stated that she thinks the minutes are published going back 5 years. She will check.

- 3) Smith House. The landmarked building and outbuildings were on the same site, so the Smith House was put on its own parcel. There was a 6-foot high concrete wall erected 5 feet from the landmark building. It seemed like the owners were asking for forgiveness rather than permission. Commissioner Raynsford commented that possibly the owner was projecting that someone else would prefer to buy it if cordoned off. The wall has already been built; it's not worth asking to demolish. Mitigation efforts will be the planting of bushes to soften and hide the wall. Juliet Arroyo, Historic Preservation Officer, stated that the Smith House will come before the full commission on April 1, 2020 regarding the smaller legal description, wall, and Mills Act.*

6.d.

Commissioner Arnold asked why her copy of the Jan. 15, 2020 minutes were highlighted on page 9, line 5. Staff will check on that.

Commissioner Boehm expressed his thanks for making the changes in the minutes that he requested and stated that minutes become vital to stay informed.

The commission voted unanimously in favor of a motion to adopt the amended January 15, 2020 minutes with the exception of the highlighted portion. (7-0)

Commissioner Saum commented that the February 5, 2020 minutes were nicely detailed. There was nuance to some discussion and that was captured.

The commission voted unanimously in favor of a motion to adopt the February 5, 2020 minutes. (7-0)

Commissioner Polcyn commented about a draft EIR report for St. James Park.

Juliet Arroyo, Historic Preservation Officer, stated that 2 city projects would come before the HLC at the April 1, 2020 meeting: the St. James Park draft EIR report and McCabe Hall.

The meeting was adjourned at 9:12 p.m.

PLANNING COMMISSION

March 11, 2020

Action Minutes

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Griswold, Allen, Bonilla, Oliverio (arrived 6:42 pm), Yesney

ABSENT: Commissioners Ballard and Caballero

STUDY SESSION AND PUBLIC HEARING: TO BE HEARD AT 5:00 PM

1. CALL TO ORDER & ORDERS OF THE DAY

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

2. PUBLIC COMMENT

No Comments

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

3. DEFERRALS AND REMOVALS FROM CALENDAR

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. A list of staff-recommended deferrals is available on the Press Table.

Staff will provide an update on the items for which deferral is being requested. If you want to change any of the deferral dates recommended, or speak to the question of deferring these or any other items, you should say so at this time.

- a. **PP20-009.** An ordinance of the City of San José amending Chapter 20.190 of Title 20 of the San José Municipal Code to extend the applicability of City density bonus development incentives and to update the City’s density bonus ordinance in conformance with state law; amending Chapter 20.30, Chapter 20.40, Chapter 20.70, Chapter 20.75 and Chapter 20.200 to enumerate and add a definition for Permanent Supportive Housing and Low Barrier Navigation Center, and adding Chapter 20.195 to implement ministerial approvals required by California Government Code Section 65650 et. seq., 65660 et. seq., and 65913.4; and making non-substantive code changes. Council District Citywide. **CEQA:** Determination of Consistency with the Envision San Jose 2040 General Plan Final Program Environmental Impact Report (FEIR), adopted through Resolution No. 76041, and Supplemental EIR Resolution No. 77617, adopted on December 15, 2015, and Addenda thereto. Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the earlier approved programs and the Final Program EIRs adequately describe the activity for purposes of CEQA. The project does not involve new significant effects beyond those analyzed in the Final Program EIRs.

PROJECT MANAGER, DAVID YING

ACTION: COMMISSIONER YESNEY MADE A MOTION TO APPROVE THE STAFF RECOMMENDATIONS TO:

1. **DEFER TO THE MARCH 25, 2020 PLANNING COMMISSION MEETING PER STAFF REQUEST.**

COMMISSIONER BONILLA SECONDED THE MOTION (4-0-3; OLIVERIO, CABALLERO AND BALLARD ABSENT).

4. CONSENT CALENDAR

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Planning Commission, staff, or the public to have an item removed from the consent calendar and considered separately.

Staff will provide an update on the consent calendar. If you wish to speak on one of these items individually, please come to the podium at this time.

- a. **CP17-053 (Administrative Hearing).** Conditional Use Permit to allow the conversion of a single-family residence to child day care of up to 40 children and the demolition of a garage and shed on a 0.42-gross acre site located on south side of Williams Road, approximately 170 feet westerly of Keltner Avenue (3754 Williams Road) (Vladimir Jigounov and Maria Fomina, Owners). Council District 1. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15303 for New Construction or Conversion of Small Structures.

PROJECT MANAGER, LAURA MEINERS

ACTION: COMMISSIONER YESNEY MADE A MOTION TO APPROVE THE STAFF RECOMMENDATIONS TO:

- 1. CONSIDER THE EXEMPTION IN ACCORDANCE WITH CEQA, AND**
- 2. ADOPT A RESOLUTION APPROVING, SUBJECT TO CONDITIONS, A CONDITIONAL USE PERMIT TO ALLOW THE DEMOLITION OF AN APPROXIMATELY 783-SQUARE FOOT DETACHED GARAGE AND 211-SQUARE FOOT SHED AND ALLOW THE CONVERSION OF A 2,265-SQUARE FOOT SINGLE-FAMILY HOME INTO A DAY CARE CENTER WITH AN OUTDOOR PLAYGROUND AND ASSOCIATED PARKING ON AN APPROXIMATELY 0.42-GROSS ACRE SITE.**

COMMISSIONER BONILLA SECONDED THE MOTION (4-0-3; OLIVERIO, CABALLERO AND BALLARD ABSENT).

- b. [CA19-001](#). Consideration of proposed North Willow Glen Conservation Area Historic Designation encompassing the area 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. (City of San Jose, Applicant). Council District 6. **CEQA:** Exempt pursuant to CEQA Guidelines Section 15262 for Feasibility and Planning Studies and Section 15331 for Historical Resource Restoration/Rehabilitation, implementing the California Environmental Quality Act of 1970, as amended.

PROJECT MANAGER, RINA SHAH

ACTION: COMMISSIONER YESNEY MADE A MOTION TO RECOMMEND THAT THE CITY COUNCIL:

- 1. CONSIDER THE EXEMPTION IN ACCORDANCE WITH CEQA; AND**
- 2. ADOPT A RESOLUTION APPROVING THE DESIGNATION OF THE AREA 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 THE NORTH WILLOW GLEN CONSERVATION AREA.**

COMMISSIONER BONILLA SECONDED THE MOTION (4-0-3; OLIVERIO, CABALLERO AND BALLARD ABSENT).

5. PUBLIC HEARING

Generally, the Public Hearing items are considered by the Planning Commission in the order in which they appear on the agenda. However, please be advised that the Commission may take items out of order to facilitate the agenda, such as to accommodate significant public testimony, or may defer discussion of items to later agendas for public hearing time management purposes.

- a. [PP20-007](#). An ordinance of the City of San José amending various sections of Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to: (a) amend Part 4.5, including Section 20.30.460 to clarify maximum floor area tabulation; Sections 20.30.470 and 20.30.480 to clarify parking requirements; (b) amend Chapter 20.40, Section 20.40.230 to delete height

exception requirements, and move the exception requirements to Chapter 20.85, Section 20.85.010; (c) amend Section 20.50.010 to alter text for Industrial Park district; (d) amend Section 20.90.220 of Chapter 20.90 to clarify replacement parking requirements; amend Section 20.90.060 of Chapter 20.90 to add new parking requirements for indoor recreation uses in Table 20-190, and include minor text alterations to Table 20-210, and to make other technical, non-substantive, or formatting changes within those sections of Title 20 of the San José Municipal Code. Council District Citywide. **CEQA:** Determination of Consistency with the Envision San Jose 2040 General Plan Final Program Environmental Impact Report (FEIR), adopted through Resolution No. 76041, and Supplemental EIR Resolution No. 77617, adopted on December 15, 2015, and Addenda thereto. Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the earlier approved programs and the Final Program EIRs adequately describe the activity for purposes of CEQA. The project does not involve new significant effects beyond those analyzed in the Final Program EIRs.

PROJECT MANAGER, APARNA ANKOLA

ACTION: COMMISSIONER ALLEN MADE A MOTION TO RECOMMEND THAT THE CITY COUNCIL TAKE THE FOLLOWING ACTIONS:

- 1. CONSIDER THE DETERMINATION OF CONSISTENCY WITH THE ENVISION SAN JOSÉ 2040 GENERAL PLAN FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (FEIR), FOR WHICH FINDINGS WERE ADOPTED BY CITY COUNCIL THROUGH RESOLUTION NO. 76041 ON NOVEMBER 1, 2011, AND SUPPLEMENTAL EIR RESOLUTION NO. 77617, ADOPTED BY CITY COUNCIL ON DECEMBER 15, 2015, AND ADDENDA THERETO. PURSUANT TO SECTION 15168 OF THE CEQA GUIDELINES, THE CITY OF SAN JOSÉ HAS DETERMINED THAT THIS ACTIVITY IS WITHIN THE SCOPE OF THE EARLIER APPROVED PROGRAMS AND THE FINAL PROGRAM EIRS ADEQUATELY DESCRIBE THE ACTIVITY FOR PURPOSES OF CEQA. THE PROJECT DOES NOT INVOLVE NEW SIGNIFICANT EFFECTS BEYOND THOSE ANALYZED IN THE FINAL PROGRAM EIRS; AND**
- 2. ADOPT AN ORDINANCE OF THE CITY OF SAN JOSÉ AMENDING VARIOUS SECTIONS OF TITLE 20 (ZONING ORDINANCE OR ZONING CODE) TO AMEND PART 4.5, INCLUDING SECTION 20.30.460 TO CLARIFY MAXIMUM FLOOR AREA TABULATION; SECTIONS 20.30.470 AND 20.30.480 TO CLARIFY PARKING REQUIREMENTS; AMEND CHAPTER 20.40, SECTION 20.40.230 TO DELETE HEIGHT EXCEPTION REQUIREMENTS, AND AMEND AND MOVE TO CHAPTER 20.85, SECTION 20.85.010 AND NEW SECTION 20.85.040; AMEND SECTION 20.50.010 TO ALTER TEXT FOR INDUSTRIAL PARK DISTRICT; AMEND SECTION 20.90.220 OF CHAPTER 20.90 TO CLARIFY REPLACEMENT PARKING REQUIREMENTS; AMEND SECTION 20.90.060 OF CHAPTER 20.90 TO ADD NEW PARKING REQUIREMENTS FOR INDOOR RECREATION USES IN TABLE 20-190, AND INCLUDE MINOR TEXT ALTERATIONS TO TABLE 20-210, AND TO MAKE OTHER TECHNICAL, NON-SUBSTANTIVE, OR FORMATTING CHANGES WITHIN THOSE SECTIONS OF TITLE 20 OF THE SAN JOSÉ MUNICIPAL CODE.**

COMMISSIONER OLIVERIO SECONDED THE MOTION (5,0, 2; CABALLERO AND BALLARD ABSENT).

- b. [PP18-103](#). A Major Amendment to the Airport Master Plan for the Norman Y. Mineta San José International Airport to extend the plan horizon year from 2027 to 2037; update the aviation demand projections; and modify the facility development program, including airfield configuration changes recommended in the Runway Incursion Mitigation/Design Standards Analysis Study and an update to the layout and sizing of various landside facilities to adequately serve the projected 2037 demand located on Mineta San José International Airport, generally bounded by U.S. 101 to the north, the Guadalupe River and State Route 87 to the east, Interstate 880 to the south, and Coleman Avenue and De la Cruz Boulevard to the west. Council District 3. **CEQA:** Environmental Impact Report for the Amendment to the Norman Y. Mineta San Jose International Airport Master Plan.

PROJECT MANAGER, DAVID KEYON

ACTION: COMMISSIONER ALLEN MADE A MOTION TO RECOMMEND THAT THE CITY COUNCIL TAKE THE FOLLOWING ACTIONS:

- 1. ADOPT A RESOLUTION CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE AMENDMENT TO THE NORMAN Y. MINETA SAN JOSÉ INTERNATIONAL AIRPORT MASTER PLAN AND MAKING CERTAIN FINDINGS CONCERNING SIGNIFICANT IMPACTS, MITIGATION MEASURES, AND ALTERNATIVES, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS AND A RELATED MITIGATION MONITORING AND REPORTING PROGRAM, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL, QUALITY ACT, AS AMENDED.**
- 2. ADOPT A RESOLUTION APPROVING A MAJOR AMENDMENT TO THE AIRPORT MASTER PLAN FOR THE NORMAN Y. MINETA SAN JOSÉ INTERNATIONAL AIRPORT.**
- 3. APPROVE AN ORDINANCE AMENDING TITLE 25.04.300(B)(1) OF THE SAN JOSÉ MUNICIPAL CODE TO INCREASE THE MAXIMUM NUMBER OF AIR CARRIER GATES FROM 40 TO 42.**

COMMISSIONER YESNEY SECONDED THE MOTION (5, 0, 2; CABALLERO AND BALLARD ABSENT).

6. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES

No Items

7. GOOD AND WELFARE

- a. Report from City Council

On March 10, 2020, City Council took action on the following projects:

- i. Approved a Conforming Rezoning for Real Property located at 460 Lincoln Avenue (C19-028).*
- ii. Approved a Conforming Rezoning for Real Property located at 332 North Second Street (C19-037).*
- iii. Approved a Conforming Rezoning for Real Property located at 821 Coleman Avenue (C19-044).*

iv. *Approved General Plan Text Amendment, General Plan Amendment for Real Property Located at 625 Hillsdale Avenue, and General Plan Amendment for Real Property Located at 500 Nicholson Lane (Council Policy Priority #2- Mobilehome Conversions) (GPT19-003/GP19-005/GP19-006).*

v. *Approved Administrative Hearing on the Appeals of the Planning Director's Consideration of Harker Middle School Expansion Project Mitigated Negative Declaration in accordance with CEQA and approval of the Planned Development Permit (PD18-040).*

b. Review and Approve Action Minutes from [02/26/20](#).

Commissioner Oliverio made a motion to approve the 2/26/20 minutes.

Commissioner Allen seconded the motion (5, 0, 2; Caballero and Ballard absent)

c. Subcommittee Formation, Reports, and Outstanding Business

No Reports

d. Commission Calendar and Study Sessions

i. Study Session scheduled for 3/25/2020 Citywide Design Guidelines

e. The Public Record

No Reports

8. ADJOURNMENT

Meeting adjourned at 7:41pm.