

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DESIGNATING, PURSUANT TO THE PROVISIONS OF CHAPTER 13.48 OF TITLE 13 OF THE SAN JOSE MUNICIPAL CODE, THE NEIFING HOUSE, LOCATED AT 1169 MAGNOLIA AVENUE, AS A CITY LANDMARK OF SPECIAL HISTORICAL, ARCHITECTURAL, CULTURAL, AESTHETIC OR ENGINEERING INTEREST OR VALUE OF A HISTORIC NATURE**

**FILE NO. HL21-002  
APN: 261-20-040**

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

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

**WHEREAS**, the Director of Planning, Building and Code Enforcement initiated the procedure pursuant to said Chapter 13.48 of Title 13 for consideration of such landmark designation for “The Neifing House” located at 1169 Magnolia Avenue; and

**WHEREAS**, said Chapter 13.48 of Title 13 provides that before this Council may designate any building as a landmark, it shall hold at least one public hearing on such proposed designation, and that before it holds said public hearing, the Director of Planning, Building and Code Enforcement shall set the public hearing of said proposed

landmark designation to the Historic Landmarks Commission of the City of San José for its consideration at a public hearing and for its report and recommendation thereon; and

**WHEREAS**, within the time and in the manner provided by Chapter 13.48 of Title 13, the Historic Landmarks Commission did, on October 6, 2021 at 6:30 p.m., conduct a public hearing on said landmark designation and recommend approval of the designation of “The Neifing House,” located at 1169 Magnolia Avenue, San José, as a landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of a historic nature and made certain findings with respect thereto; and

**WHEREAS**, a copy of the City of San José Historic Landmark Nomination Form No. HL21-002 upon which such recommendation was made is on file in the Planning Division of the City of San José and available for review at 200 East Santa Clara Street, 3rd Floor, San José, CA, 95113, and on the Department of Planning, Building and Code Enforcement webpage ([www.sanjoseca.gov](http://www.sanjoseca.gov)); and

**WHEREAS**, within the time and in the manner provided by said Chapter 13.48 of Title 13, the Director of Planning, Building and Code Enforcement gave notice that on October 26, 2021 at 1:30 p.m., or as soon thereafter as said matter could be heard, this Council would, in the City Hall of the City of San José, 200 East Santa Clara Street, San José, California, hold a public hearing on said landmark designation, at which hearing any and all persons interested in said proposed designation could appear, in person or virtually, and avail themselves of an opportunity to be heard and to present their views with respect to said proposed designation; and

**WHEREAS**, the subject property is all that real property located within the City of San José at 1169 Magnolia Avenue and described in Exhibit "A," which exhibit is attached hereto and made a part hereof by this reference as if fully set forth herein; and

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

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

**SECTION 1.** In accordance with the provisions of Chapter 13.48 of Title 13 of the San José Municipal Code, the Historic Preservation Ordinance, this Council does hereby designate the hereinafter described “The Neifing House,” located at 1169 Magnolia Avenue, as a landmark of special historic, architectural, cultural, aesthetic or engineering interest or value of a historic nature.

**SECTION 2.** Said designation is based on Criterion 6 of the Historic Preservation Ordinance:

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

**Analysis:** The property embodies distinguishing characteristics of the Victorian-era Stick style of the late nineteenth-century era of residential architectural design. Strongly vertical, with high windows and angular lines, the style is characterized by its raised balloon framing that was revolutionary in its use of lumber and nails, instead of the more expensive post-and-beam construction. The Stick style uses wood trim (“sticks”) to trace the wooden understructure. In the subject property, this is achieved with vertical and horizontal trim that outlines the walls and gables. A wide wood water table wraps around the house and vertical wood trim has been applied to the exterior corners, extending from the water table up to the soffit to follow the long vertical members in the balloon

frame construction. Frieze boards emphasize the roof line and horizontal trim outlines the bottom of the eastern gable.

The subject property is an excellent local example of what is sometimes called “West Coast Stick,” or “Stick-Eastlake,” with design features including incised Eastlake-style wood trim, squared bay windows (otherwise known as box bays), and decorative panels set into the walls of the box bay. The gables with their decorative sunburst gable pediments are representative of the style, as is the distinctive and ornate wide front porch with its arched frieze with sunburst design and spindled columns and balustrades. Original architectural elements such as the numerous stained-glass windows, curvilinear window casings, Eastlake-style bargeboard, and original doors and hardware complete its historical character. A distinctive and unusual feature of the house, perhaps more representative of the Queen Anne period that followed Stick, is on the eastern façade, where a round four-lite bow window projects from the wall, topped by a cantilevered projecting gable.

An original historical photograph shows that the house at 1169 Magnolia Avenue has retained the majority of its defining characteristics and original materials. Representative of the Victorian houses that originally made up this neighborhood, in its intact nature, it provides a link to the past.

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

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ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk

**EXHIBIT "A"**

**LEGAL DESCRIPTION  
FOR  
THE NEIFING HOUSE  
1169 MAGNOLIA AVENUE  
SAN JOSE, CA 95126**

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The land referred to is situated in the County of Santa Clara, City of San Jose, State of California, and is described as follows:

Lot 79 and 80, as shown on that certain Map entitled "Map of Schiele Subdivision No. 2 Being a Part of Rancho Los Coches", which Map was filed for record in the Office of the Recorder of the County of Santa Clara, State of California, on May 26th, 1890 in Book E of Maps, at Page(s) 8 and 9.

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