



## **HISTORIC LANDMARKS COMMISSION**

### **Action Minutes**

**Wednesday, June 7, 2023**

**Regular Meeting  
Commencing at 6:30 p.m.  
Hybrid Meeting – City Hall Tower and Virtually –**

**Conference Room: T-332  
Third Floor, City Hall Tower  
200 East Santa Clara Street  
San José, CA 95113**

<https://sanjoseca.zoom.us/j/83676017189>

### **Commission Members**

**Paul Boehm, Chair  
Anthony Raynsford, Vice Chair  
Harriett Arnold  
Adriana Ayala  
Lawrence Camuso  
Edward Janke  
Rachel Royer**

**Christopher Burton, Director  
Department of Planning, Building & Code Enforcement**

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

# AGENDA

## ORDER OF BUSINESS

### WELCOME

*Meeting called to order at 6:30 p.m.*

### ROLL CALL

### RECOGNITION OF ANTHONY RAYNSFORD FOR HIS SERVICE TO THE CITY OF SAN JOSE AND HISTORIC LANDMARKS COMMISSION

*The Historic Landmarks Commission presented Commissioner Raynsford with a certificate of commendation. Commissioners and City staff expressed appreciation, made remarks on his contributions and thanked him for his eight years of service on the commission.*

**PRESENT:** Commissioners Boehm, Raynsford, Ayala (*joined by video teleconference*), Camuso and Royer

**ABSENT:** Commissioners Arnold and Janke

### 1. DEFERRALS

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No Items

### 2. CONSENT CALENDAR

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No Items

### 3. PUBLIC HEARINGS

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No Items

#### 4. PLANNING REFERRALS

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- a. **PDC21-035, PD22-002, PT22-003 & ER21-284**: The Seely Avenue Mixed-Use Project on a 22.88-gross-acre site on Seely Avenue includes applications for Planned Development Zoning, Planned Development Permit and Vesting Tentative Map to rezone the site from the IP Industrial Park Zoning District to a Planned Development Zoning District, allow the demolition of all structures on site and the construction of up to 1,443 residential units, approximately 55,534 gross square-feet of ground-floor retail space, a 2.51-acre public park, the dedication of a 0.11-acre parcel for a municipal well, and the reconfiguration of two parcels into 48 parcels with up to 154 residential condominiums located at the Northeast corner of Montague Expressway and Seely Avenue (0 Seely Avenue, APN(s): 097-15-033 & 034), (CMS Investments LLC Etal, Owner). Council District: 4.

*DEVELOPMENT REVIEW PROJECT MANAGER, ALEC ATIENZA*

*ENVIRONMENTAL REVIEW PROJECT MANAGER, BETHELHEM TELAHUN*

**STAFF RECOMMENDATION: RECEIVE PUBLIC COMMENT AND PROVIDE RECOMMENDATIONS REGARDING INFORMATION TO BE INCLUDED IN THE ANALYSIS OF THE SEELY AVENUE MIXED-USE PROJECT LOCATED ON A 22.88 GROSS ACRE SITE (APN 097-15-033, 097-15-034, AND A PORTION OF 097-66-004) ON SEELY AVENUE (FILE NOS. PDC21-035, PD22-002 & PT22-003) UNDER THE CITY COUNCIL POLICY ON THE PRESERVATION OF HISTORIC LANDMARKS.**

*Chairman Boehm introduced the item. Alec Atienza, Development Review Project Manager, provided a brief overview of the staff report. The project consultant, Eric Schoennauer, introduced himself and provided the history, details and vision for the housing project. He pointed out the planned City park on the project site and the proposed location of a historic interpretive display about the Sakauye family. Mr. Schoennauer noted that the project team and the City are working with the Sakauyes on the family history to highlight.*

*Commissioners asked questions about the project. Vice Chairman inquired whether the applicant explored the possibility of moving one or two of the existing buildings (like the Sakauye house) into the planned park or designing the park around the existing structures. The applicant, Scott Youdall, commented that the Draft Environmental Impact Report will be studying project alternatives that include relocation and the process for the design of the planned park includes community input. Commissioner Royer inquired about the location of the proposed park in relation to the existing historic structures. Mr. Schoennauer commented that the Parks Department requires parks that are part of private developments to be visible from the street (rather than internal in a development) and that criteria informed the proposed location of the park. It was noted that the fruit stand is the closest existing building to the proposed park. Chairman Boehm inquired when the property was last used for agriculture. Mr. Youdall responded that the front half of the property with the fruit stand is still in agricultural use. Chairman Boehm inquired why all the buildings are being proposed for demolition.*

*Ben Leech, Preservation Action Council San José (Executive Director, stated that the project is before the Historic Landmarks Commission as an Early Referral and in the spirit of the policy there is significant opportunity to explore the project design through a cultural lens. He noted that it would be helpful if the historic report could include a clear*

*site plan that outlines the development chronology and additional research on the property's association with the Seely era and relationship to the Sakauye family to clarify the justification of the property's historic significance exclusively based on the Sakauye family. This would help to clarify what is and what is not a historical resource. Mr. Leech commented that the EIR should present a good faith effort to avoid significant impacts to historic resources which may include redesigning the project to incorporate the historic resources and/or relocating them to the park. He noted there is no question the property is a historical resource, but he questioned that the period of significance and Seely association with the property is less significant. Mr. Leech encouraged the applicant to offer a site visit to enhance understanding of the historic district, its contributing resources and context, and historic integrity. He encouraged the preservation of the collection of historic buildings and their agricultural open space context.*

*Lilian commented on the older trees on the site and expressed disappointment that their preservation is not considered part of the historic resource discussion. She noted that the site contains many older trees, and the proposed development should be designed to retain some of the trees.*

*Sally Zarnowitz concurred with many of the comments made by Ben Leech, appreciated being able to review the historic report and supported the significance of the property with its association with Japanese farming in the Santa Clara Valley and the Sakauye family. She commented that Appendix B of the historic report addresses some of the significance issues that are harder to find in the body of the report, but clarification is still needed on which are the contributing and noncontributing resources. Ms. Zarnowitz noted that Ed Sakauye donated farm equipment to the Japanese American Museum and that equipment would be important to the context of the history in the report. She agreed that the site visit would be a great idea.*

*Commissioner Ayala inquired whether the 1920s cottage could be reused in some manner. She noted the orchards and inquired whether they could be part of the proposed park. Commissioner Ayala inquired whether the Historic Landmarks Commission could review the wording of the historic interpretive display prior to it being formalized. Mr. Schoennauer responded that the design of City parks goes through a public review process and suggested that the Parks Department might confer with the Historic Landmarks Commission as part of the process.*

*Commissioner Royer encouraged the redesign/reconfiguration of the park to interpret and capture the former use of the site by including some of the historic structures and a garden element.*

*Vice Chairman Raynsford echoed some of the previous comments and commented that there could be additional information about the trees as part of the historic nature of the site. He commented that he had questions about the report and the Seely association and significance of the older Seely barn should be reexamined. Vice Chairman Raynsford commented that a conflict between developers and preservationist is often perceived and suggested that the consideration and incorporation of the historic resources could enhance the development and the different layers could make it distinctive, like the Peralta adobe enhanced the vibrancy of San Pedro Square. He suggested that preservation of original features on the site could change its whole atmosphere. Vice Chairman Raynsford asked for creative thought on keeping the traces of the farm.*

*Chairman Boehm commented that a mural would significantly add to the development – something that would incorporate a flavor of the property’s history. He commented that the property is one of the few remaining farms that represent the Valley of the Heart’s Delight and the area’s history for over a hundred years. Chairman Boehm commented that the historic resources and/or site interpretation could be blended into the development and the history could add a richness to the layered story of the project site and the Santa Clara Valley. The story of the Seely family’s support of the Sakauye family during internment is good story to tell and this story could be told through the historic houses that still remain. Chairman Boehm commented on the trees, which made the property what it is today. He concurred with the conclusion of the report that stated that the property qualifies for listing in the California Register of Historical Resources under criteria 1 and 2, and criteria 3 for the Sakauye house.*

*Comments were received and no action was taken by the Historic Landmarks Commission.*

## **5. GENERAL BUSINESS**

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a. **Additions to the Historic Resource Inventory.**

*Deferred from 5/3/23*

*PROJECT MANAGER, DANA PEAK EDWARDS*

**STAFF RECOMMENDATION: STAFF RECOMMENDS THAT THE HISTORIC LANDMARKS COMMISSION ADD THE FOLLOWING PROPERTIES TO THE CITY OF SAN JOSÉ HISTORIC RESOURCES INVENTORY:**

**1. ELIGIBLE FOR THE NATIONAL REGISTER, CALIFORNIA REGISTER AND CANDIDATE CITY LANDMARK (ENR, ECR, CCL)**

**2. 85 EAST HUMBOLDT STREET (APN 477-01-071)**

**3. 160 EAST VIRGINIA STREET (APN 472-18-059)**

**4. 1010 SOUTH 1ST STREET (APN 472-16-061)**

**5. 942 SOUTH 2ND STREET (APN 472-16-037)**

**6. 956 SOUTH 6TH STREET (APN 472-14-038)**

**CANDIDATE CITY LANDMARK (CCL)**

**7. 195 EAST VIRGINIA STREET (APN 472-18-062)**

**8. 702 SOUTH 1ST STREET (APN 472-17-019)**

**9. 1098 SOUTH 3RD STREET (APN 472-15-023)**

**ELIGIBLE NATIONAL REGISTER DISTRICT, CALIFORNIA REGISTER DISTRICT AND CANDIDATE CITY LANDMARK DISTRICT (ENRD, ECRD, CCLD)**

**10. 85 EAST HUMBOLDT STREET (APN 477-01-071)**

**11. 143 EAST VIRGINIA STREET (APN 472-18-007)**

**12. 146 EAST VIRGINIA STREET (APN 472-18-025)**

**13. 160 EAST VIRGINIA STREET (APN 472-18-059)**

14. 828 SOUTH 3RD STREET (APN 472-18-014)
15. 1102 SOUTH 3RD STREET (APN 477-01-078)
16. 831 SOUTH 5TH STREET (APN 472-18-060)
17. 1065 SOUTH 5TH STREET (APN 472-15-001)
18. NO ADDRESS (APN 472-15-022)
19. NO ADDRESS (APN 472-15-029)
20. NO ADDRESS (APN 472-18-056)
21. NO ADDRESS (APN 477-02-065)

**STRUCTURE OF MERIT (SM)**

21. 1102 SOUTH 3RD STREET (APN 477-01-078)
22. 718 SOUTH 1ST STREET (APN 472-17-018)
23. 724 SOUTH 1ST STREET (APN 472-17-017)
24. 734 SOUTH 1ST STREET (APN 472-17-015)
25. 802 SOUTH 1ST STREET (APN 472-17-006)
26. 950 SOUTH 1ST STREET (APN 472-16-053)
27. 900 SOUTH 2ND STREET (APN 472-16-039)
28. 944 SOUTH 2ND STREET (APN 472-16-036)
29. 982 SOUTH 2ND STREET (APN 472-16-033)
30. 1200 SOUTH 2ND STREET (APN 477-01-081)
31. 1230 SOUTH 2ND STREET (APN 477-01-038)
32. 1236 SOUTH 2ND STREET (APN 477-01-037)
33. 1009 SOUTH 3RD STREET (APN 472-16-011)
34. 750 SOUTH 5TH STREET (APN 472-25-094)
35. 904 SOUTH 6TH STREET (APN 472-14-043)
36. 984 SOUTH 6TH STREET (APN 472-14-058)
37. 1141 SOUTH 6TH STREET (APN 477-02-009)
38. 72 HOLLYWOOD AVENUE (APN 477-01-004)
39. 82 HOLLYWOOD AVENUE (APN 477-01-005)
40. 92 HOLLYWOOD AVENUE (APN 477-01-006)
41. 104 HOLLYWOOD AVENUE (APN 477-01-008)
42. 178 HOLLYWOOD AVENUE (APN 477-01-016)
43. 125 EAST HUMBOLDT STREET (APN 477-01-064)
44. 127 EAST HUMBOLDT STREET (APN 477-01-063)
45. 165 EAST HUMBOLDT STREET (APN 477-01-057)

**46. 140 EAST VIRGINIA STREET (APN 472-18-024)**

**STAFF RECOMMENDATION: STAFF RECOMMENDS THAT THE HISTORIC LANDMARKS COMMISSION REMOVE THE FOLLOWING PROPERTIES LISTED AS AN IDENTIFIED STRUCTURE (IS) FROM THE CITY OF SAN JOSÉ HISTORIC RESOURCES INVENTORY:**

- 1. 1220 SOUTH 2ND STREET (APN 477-01-039)**
- 2. 1248 SOUTH 2ND STREET (APN 477-01-036)**
- 3. 1115 SOUTH 6TH STREET (APN 477-02-006)**
- 4. 1129 SOUTH 6TH STREET (APN 477-02-007)**
- 5. 1133 SOUTH 6TH STREET (APN 477-02-008)**
- 6. 137 EAST HUMBOLDT STREET (APN 477-01-062)**
- 7. 143 EAST HUMBOLDT STREET (APN 477-01-061)**
- 8. 149 EAST HUMBOLDT STREET (APN 477-01-060)**
- 9. 157 EAST HUMBOLDT STREET (APN 477-01-059)**
- 10. 163 EAST HUMBOLDT STREET (APN 477-01-058)**

*This item was heard out of order after Item 5.a. to allow project consultant, Page & Turnbull to present the findings of the Martha Gardens Historic Resources Survey prior to Historic Landmarks Commission consideration of this item.*

*A representative of the 950 South 1<sup>st</sup> Street property owner inquired about the implications of listing on the Historic Resources Inventory. Chairman Boehm responded that a plan for proposed work would need to be submitted to the City and reviewed. Ms. Peak Edwards commented that commercial buildings go through a Planning process called an Adjustment and proposed changes would be reviewed to ensure that the work would be compatible with the building. She noted that if demolition were proposed that the building has been determined not to be a historical resource as defined by the state environmental laws so listing in the Historic Resources Inventory would not be a barrier to demolition and the listing would be considered as part of the general Planning process. Ms. Peak Edwards stated that the purpose of the listing is to inform the community of the property's historic status, so it is known in advance of any development proposals. The property owner's representative inquired about the possibility of altering the interior of the building and Ms. Peak Edwards responded that interior changes are not part of the historic review. Ben Leech commented that he was familiar with the building and one of the reasons it was identified as a Structure of Merit is the commercial signs.*

*Vice Chairman Raynsford made a motion to approve the listing of the properties eligible for the National Register, California Register and Candidate City Landmark (ENR, ECR, CCL), Candidate City Landmark (CCL), eligible National Register District, California Register District and Candidate City Landmark District (ENRD, ECRD, CCLD), and Structure of Merit (SM), with the exception of #27 (900 South 2<sup>nd</sup> Street APN 472-16-039), #30 (1200 South 2<sup>nd</sup> Street APN 477-01-081) and #46 (140 East Virginia Street APN 472-18-024) which were deferred for consideration to the August 2, 2023 Historic Landmarks Commission meeting. The motion was seconded by Commissioner Camuso and approved 5-0-2 (Commissioners Arnold and Janke absent).*

Commissioner Royer made a motion to defer the consideration of the proposed removal of properties listed as an Identified Structure (IS) from the City of San José Historic Resources Inventory to the August 2, 2023 Historic Landmarks Commission meeting. The motion was seconded by Vice Chairman Raynsford and approved 5-0-2 (Commissioners Arnold and Janke absent).

b. **Martha Gardens Historic Resources Survey**

**PROJECT MANAGER, DANA PEAK EDWARDS**

**STAFF RECOMMENDATION: RECEIVE PRESENTATION BY PAGE & TURNBULL ON THE FINDINGS OF THE MARTHA GARDENS HISTORIC RESOURCE SURVEY.**

*This item was heard out of order and before Item 5.a. Ms. Peak Edwards introduced Christina Dikas and Hannah Simpson with Page & Turnbull and the project consultants presented the findings of the Martha Gardens Historic Resources Survey.*

*Chairman Boehm inquired how many properties are proposed to be added to the Historic Resources Inventory in August. Ms. Peak responded that noticing occurred in May 2023 based on the draft report and the properties identified in the final survey report would be on the August 2, 2023 agenda. Chairman Boehm noted that he would look forward to DPR forms being completed for the buildings in the final draft where the classification was changed. He noted that 970 South 1<sup>st</sup> Street was identified in the final draft as a Structure of Merit. Chairman Boehm expressed excitement about the identification of the Eligible Martha Gardens Packing and Packaging Historic District. He recognized the changes that were made to the draft survey report following HLC review. Chairmain Boehm noted that his comments on the draft report in April were intended to recommend reevaluation of the identified properties as potential Candidate City Landmarks and not Structures of Merit, but he deferred to the professional opinion of the consultants.*

*Ben Leech, PACSJ Executive Director, commented that PACSJ reviewed the report and strongly concurs with the findings. He noted that the nature of a comprehensive survey is that there will be a difference of opinion on a small number of properties, but PACSJ was impressed with the level of archival research that was part of the windshield survey which enhanced the organization's understanding of the neighborhood.*

*Vice Chairman Raynsford commented that survey work is an ongoing, iterative process and the survey is a great step. He commented that it is wise to be more inclusive of Structures of Merit.*

*Commissioner Camuso commented that he is familiar with the area and many of the properties. He commented that the canning industry was very important and has major historical significance. Commissioner Camuso supported the recognition of the properties.*

*Commissioner Royer echoed previous comments and commented that it is exciting to see an eligible district coming out of the process. She expressed appreciation for considering Commissioner comments in the draft review process and incorporating them into the final report.*

*Commissioner Ayala commented that taking a deep dive into the neighborhood and Historic Resources Inventory helps the Commission to enhance its understanding and inquired which neighborhood would be surveyed next. Ms. Peak Edwards responded that*

*the Five Wounds Historic Resources Survey is in progress and the Alum Rock East neighborhood is forthcoming.*

*The presentation of findings was received and no action was taken by the Historic Landmarks Commission.*

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

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**No Items**

## **7. OPEN FORUM**

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Members of the public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Commission. The Commission cannot engage in any substantive discussion or take any formal action in response to the public comment. The Commission can only ask questions or respond to statements to the extent necessary to determine whether to: (1) refer the matter to staff for follow-up; (2) request staff to report back on a matter at a subsequent meeting; or (3) direct staff to place the item on a future agenda. Each member of the public may fill out a speaker's card and has up to two minutes to address the Commission. If you have joined by teleconference and wish to speak on one of these items, please use the 'raise hand' feature in Zoom or press \*9 from a touch tone phone to raise a hand to speak.

*Ben Leech, PACSJ Executive Director, commented that PACSJ will be circulating a petition to City Council to initiate the designation of the Burbank Theater as a City Landmark following its annexation into the City of San José. He reported that the building is vacant and for sale again. Mr. Leech commented that some of the wood frame outbuildings around Diridon Station that are part of the National Register Historic District, including the car cleaning shack, were recently removed and PACSJ is investigating that action. Mr. Leech commented that as Historic Landmarks Commissioners cycle off the commission, they are encouraged to join PACSJ as a member or subcommittee member.*

*Chairman Boehm reported on the success of the Santa Clara County Preservation Alliance Awards Night held on May 19, 2023. He noted that the City of San José hosted a table at the event and Chairman Boehm and Commissioner Camuso presented an award to the owners of 865 The Alameda. Chairman Boehm expressed hope that the Historic Landmarks Commission would participate in the event in 2024 and reported that Mayor Mahan delivered the introductory remarks and spoke positively about the importance of history to the community. Chairman Boehm noted comments from PACSJ member Gayle Frank (not present at the meeting) who remarked that the person on the Historic Landmarks Commission that she most respects for their professionalism is Vice Chairman Raynsford and again thanked him for his service.*

## **8. GOOD AND WELFARE**

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

- i. Verbal update on the status of Planning approvals by the City Council, Planning Commission and Planning Director of projects with a historic resource component.

- No update.*
- ii. Summary of communications received by the Historic Landmarks Commission.  
*No communications received.*
  - iii. There will be no Historic Landmarks Committee meeting in July 2023. Next Meeting is August 2, 2023 in San Jose City Hall, Wing Rooms 118-120.
- b. **Election of Chairman and Vice Chairman**  
*The Historic Landmarks Commission voted to reelect Commissioner Boehm as Chairman and to elect Commissioner Royer as Vice Chairman.*
- c. **Election of Design Review Subcommittee members**  
*The Historic Landmarks Commission appointed Commissioners Boehm and Royer to serve on the Design Review Subcommittee. One open position remains on this subcommittee.*
- d. **Report from Committees**
- i. Design Review Subcommittee: No meeting held on Thursday, May 18, 2023. Next meeting on Thursday, June 15, 2023 at 11:00 a.m.
- e. **Status Updates**
- i. Verbal update on First Christ Scientist Church  
*Ms. Peak Edwards reported that the City issued a compliance order on February 28, 2023 under Section 17.38.200 of the Municipal Code - Vacant or Abandoned Building and the owner failed to comply so a hearing was held before the appeals hearing board on April 27, 2023. She stated that staff recommended that the Appeals Hearing Board uphold the Director of Planning, Building and Code Enforcement's determination that compliance with the Compliance Order was not achieved by the Compliance Date and the property owner testified at the hearing. Ms. Peak Edwards reported the Board voted to approve the proposed order with one revision to hold the \$5,000 administrative penalty in abeyance until June 30, 2023, and only impose the penalty if the property owner fails to comply. She commented that her understanding is that the City would need a court order to do the necessary work and get reimbursed.*
  - ii. Verbal update on proposed demolition by neglect provisions  
*Ms. Peak Edwards reported that the Planning, Building and Code Enforcement Department submitted a budget request for resources to add additional staff to shore up the historic preservation program. She noted that the status of the request would not be determined until City Council adopts the fiscal year budget, so staff is waiting to determine whether it would be feasible to move forward with more comprehensive ordinance amendments that would include the demolition by neglect provisions. Ms. Peak Edwards commented that a path forward would be determined following the adoption of the budget by the City Council. Chairman Boehm commented that the item is a high priority.*
- f. **Approval of Action Minutes**
- i. **Recommendation: Approval of Action Minutes for the Historic Landmarks Commission Meeting of April 5, 2023. No meeting was held on May 3, 2023.**

*Commissioner Royer made a motion to approve the Action Minutes for the April 5, 2023, meeting. The motion was seconded by Commissioner Camuso and approved 5-0-2 (Commissioners Arnold and Janke absent).*

**g. Status of Circulating Environmental Documents**

**No items**

**ADJOURNMENT**

*Meeting adjourned at 8:51 p.m.*