

# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Joseph Horwedel

**SUBJECT:** SEE BELOW

**DATE:** May 29, 2007

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Approved

*Ray Winer*

Date

*6/3/07*

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**COUNCIL DISTRICT:** 6

**SNI:** none

**SUBJECT: HL06-157. HISTORIC LANDMARK INITIATION FOR THE QUEEN ANNE VICTORIAN HOUSE LOCATED AT 1023 BIRD AVENUE.**

## RECOMMENDATION

Planning Staff recommends that the City Council:

1. Adoption of a resolution to initiate proceedings to consider the single family house located at 1023 Bird Avenue house as a landmark of special historic, architectural, cultural, aesthetic or engineering interest or value of a historic nature.
2. Refer the matter back to the Historic Landmarks Commission for its consideration at a public hearing, report and recommendation.
3. Adoption of a resolution setting a public hearing on Tuesday, August 14, 2007, at 1:30 p.m. for Council consideration of designating the Queen Anne Victorian House as a City Historic Landmark.

## OUTCOME

Initiation of the Historic Landmark Designation by the City Council would begin the process for 1) referral to the Historic Landmarks Commission for report and recommendation, and 2) a subsequent public hearing for Council action on the designation of the Historic Landmark.

## **BACKGROUND**

In February 2006 through April 2007, the single-family house, located at 1023 Bird Avenue, was evaluated in a Department of Parks and Recreation (DPR) form and Historic Evaluation Sheet. The cover letter and DPR form (attached) state that the c.1890s house meets the criteria for City Landmark designation under the Historic Preservation Ordinance, and appears eligible for the California Register of Historical Resources as a distinctive local example of Queen Anne Victorian residential architecture. The building owners, Keith and Pamela Shukait, submitted an application for Historic Landmark designation of the house in September 2006, using the research documented in the DPR form.

The subject site is a 0.19-acre parcel located in the R-1-8 single-family residence zoning district. A proposed planned development rezoning (File No. PDC03-060) is under review on the site, to allow retention of approximately 530 square feet of living space in the upper floor of a one-and-one-half story detached garage behind the primary residence. The existing living unit above the garage was constructed without permits by a previous property owner and is the subject of an open code enforcement case. Planning, Building and Code Enforcement staff is working with the current owner to resolve the enforcement issues. The garage is a free-standing structure and is not included in the City Landmark nomination of the primary residence on the site.

Designation of the structure as a City Landmark would establish the requirement for the issuance of Historic Preservation (HP) permits for City approval of any exterior changes proposed to the structure. The designation would also allow the owner to apply for property tax reduction under the Mills Act and for exemption from the Building and Structure construction tax and the Commercial-Residential-Mobile Home Park (CRMP) building tax for work done in conformance with approved HP permits.

## **ANALYSIS**

The primary building on the site is an Eastlake-style Queen Anne Victorian residence (circa 1890). The proposed City Landmark Designation for this structure conforms to the San Jose 2020 General Plan *Urban Conservation/Preservation* Major Strategy, which states that preservation activities contribute visual evidence to a sense of community. In particular, the *Historic, Archaeological and Cultural Resources Policy No. 11* states that the City should use the Area of Historic Sensitivity overlay and the landmark designation process of the Historic Preservation Ordinance to promote and enhance the preservation of historically or architecturally significant sites and structures.

Evaluation information included in the DPR form, completed by Archaeological Resource Management, provides the basis for initiation of City Landmark status. The house is a 2½-story single-family residence with a steeply pitched roof and is in excellent physical condition. The house exhibits numerous representative features of the Queen Anne style as it is described in American House Styles: A Concise Guide, by John Milnes Baker, A.I.A. (1994), including



turrets, towers, varied shingle work and wall surfaces, and liberal use of scrollwork such as porch brackets and window surrounds.

The house is not currently listed on the California Register of Historical Resources. However, based on the historical evaluation, the building appears to qualify for inclusion in the California Register under Criterion 3 (“Embodying the distinctive characteristics of a type, period, region, or method of construction, or representing the work of a master, or possessing high artistic values”) in that the house is a well preserved example of the Queen Anne type within the Victorian era of architectural design. Using the City’s historic evaluation criteria, the consultant’s evaluation for the project assigned the building a score of 86 points (Candidate City Landmark score range: 67 to 134 points).

#### ALTERNATIVES

Not applicable

#### PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this item does not meet any of the above criteria, staff will follow Council Policy 6-30: Public Outreach Policy. A notice of the public hearings for the Historic Landmark designation will be distributed to the owners and tenants of all properties located within 500 feet of the project site, published in a local newspaper, and posted on the City website.

#### COORDINATION

Preparation of the City Council resolution to initiate proceedings has been coordinated with the City Attorney’s Office.

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**FISCAL/POLICY ALIGNMENT**

This project is consistent with applicable General Plan policies as further discussed in the analysis section of this memorandum.

**COST SUMMARY/IMPLICATIONS**

Not applicable.

**BUDGET REFERENCE**

Not applicable.

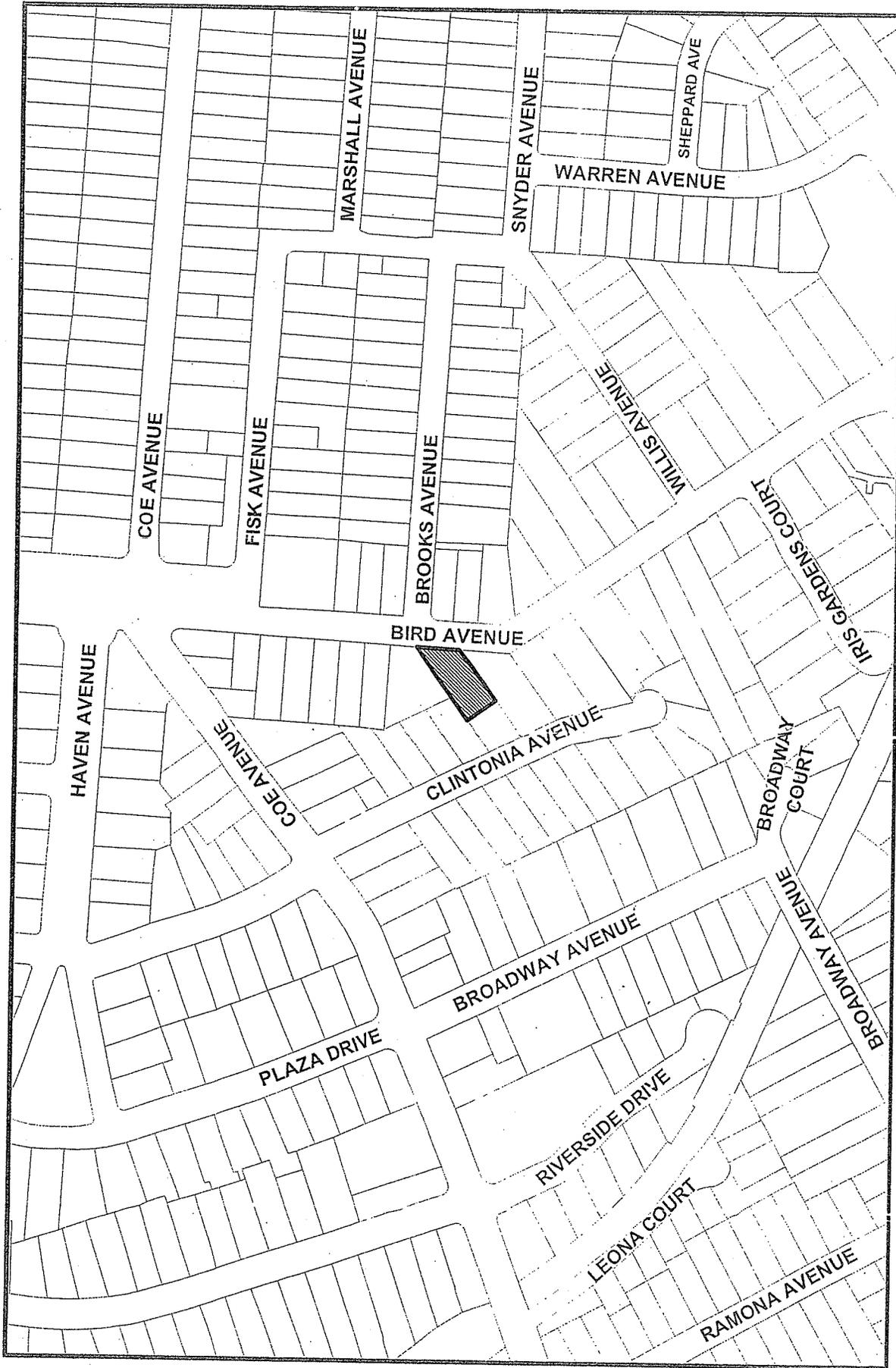
**CEQA**

Exempt, File No. HL06-157

  
*for* JOSPEH HORWEDEL, DIRECTOR  
Planning, Building and Code Enforcement

For questions please contact Sally Zarnowitz, Historic Preservation Officer, at 535-7834.

Attachments: Department of Parks and Recreation (DPR) form  
Location Map



File No: HL06-157

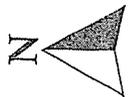
District: 6

Quad No: 99

Scale: 1" = 250'

Map Created On: 09/26/2006

Noticing Radius: 500 feet



**PRIMARY RECORD**

Primary # \_\_\_\_\_

HRI # \_\_\_\_\_

Trinomial \_\_\_\_\_

NRHP Status Code \_\_\_\_\_

Other Listings \_\_\_\_\_

Review Code \_\_\_\_\_ Reviewer \_\_\_\_\_ Date \_\_\_\_\_

Page 1 of 5 Resource Name or # 1023 Bird Avenue

P1. Other Identifier: Shukait Residence/Fleming Residence

P2. Location: \_\_\_\_\_ Not for Publication  Unrestricted \*a. County Santa Clara  
and (P2b and P2c or P2d. Attach a Location Map as necessary.)

\*b. USGS 7.5' Quad: San Jose West Date: 1979 T ; R ; 1/4 of 1/4 of Sec ; BM

c. Address: 1023 Bird Avenue City: San Jose Zip: 95125

d. UTM: 5 97 860mE/41 30 095mN

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

\*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries.)  
The residence at 1023 Bird Avenue is a large Queen Anne Victorian home with Eastlake detailing, constructed circa 1876. The two-and-a-half story house has a hipped roof with a gable-on-hip, a centered front facing gable, two large gabled roof dormers on the north and south sides of the house, and six small gabled dormers added after 1998. The steeply pitched roof has a slight boxed eave overhang with brackets, molding, and a wide frieze board. The full-width wrap-around porch is contained under a second floor balcony and is supported by turned spindles resting upon a decorative balustrade. Other decorative detailing includes verge boards, lacy spandrels, and knob-like beads.

See Continuation Sheet, Page 4

\*P3b. Resource Attributes: (List attributes and codes.) HP02 - Single Family Residence

\*P4. Resources Present:  Building  Structure  Object District  Element of District  Site  Other

P5a. Photo or drawing (Photo required for buildings, structures, objects.)



P5b. Description of Photo: (View, date, accession #)  
Oblique view of 1023 Bird Avenue from the northeast.

\*P6. Date Constructed/Age and Sources

Historic  Prehistoric  Both  
Constructed circa 1876

\*P7. Owner and Address:

Keith & Pam Shukait  
1023 Bird Avenue  
San Jose, CA 95125

\*P8. Recorded by:

Robert Cartier  
Archaeological Resource Management  
496 North 5<sup>th</sup> Street  
San Jose, CA 95112

\*P9. Date Recorded: 2/2/06

\*P10. Survey Type: (Describe)

\*P11. Report Citation: (Cite Survey Report and other sources, or enter "none.")  
Cartier, R. 2006 Historical and Architectural Evaluation of the Structure at 1023 Bird Avenue in the City of San Jose, County of Santa Clara.

\* Attachments:  None  Location Map  Sketch Map  Continuation Sheet  Building, Structure, and Object Record  
 Archaeological Record  District Record  Linear Feature Record  Milling Station Record  Rock Art Record  Artifact Record  Photographic Record  Other (List):

**BUILDING, STRUCTURE, AND OBJECT RECORD**

Page 2 of 5

\*NRHP Status Code \_\_\_\_\_

\*Resource Name or # (Assigned by recorder) 1023 Bird Avenue

B1. Historic Name: Fleming Residence

B2. Common Name: 1023 Bird Avenue

B3. Original Use: Single Family Residence B4. Present Use: Single Family Residence

\*B5. Architectural Style: Queen Anne Victorian, Eastlake

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

The structure has always been utilized as a residence; it was, however, converted into a duplex at one point and then converted back to a single family home. A rear stairway addition on the exterior of the west side has been removed as has a kitchen that was added to the interior of the second floor, returning the structure to its original design.

See Continuation Sheet, Page 4

\*B7. Moved?  No  Yes  Unknown Date: \_\_\_\_\_ Original Location: \_\_\_\_\_

\*B8. Related Features:

One related feature, a detached garage, is present on the property. The garage, with living space above, replaced an earlier garage on the property, and was built after 1998. This large three-car garage features a side gabled roof, with three prominent dormers. The roof is surfaced with octagonal composition shingles. The exterior walls of the garage are surfaced with horizontal wooden siding.

B9a. Architect: Unknown b. Builder: Unknown

\*B10. Significance: Theme Architecture and Shelter Area Willow Glen

Period of Significance 1870-1918 Property Type Residential home Applicable Criteria NA

The single family residence has a well established chronology (ca. 1876) and is in excellent physical condition. The property is currently owned by Keith and Pam Shukait, who purchased the home in 2005 from Mr. Stan Davis of Davis and Associates. Mr. Davis purchased the property in October 1997 for the purposes of renovating the home to match its original Victorian era style and using the home as a residence. Mr. Davis purchased the home from Robert and Deanna Escorcio (now Deanna Owens). The Escorcios purchased the home on January 31, 1995, and owned it for a period of approximately two years. The structure has always been used as a residence. The home was converted to a duplex at one time in the past and occupied by rental tenants. It has since been returned to its original single-family residence form.

See Continuation Sheet, Page 4

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

\*B12. References:

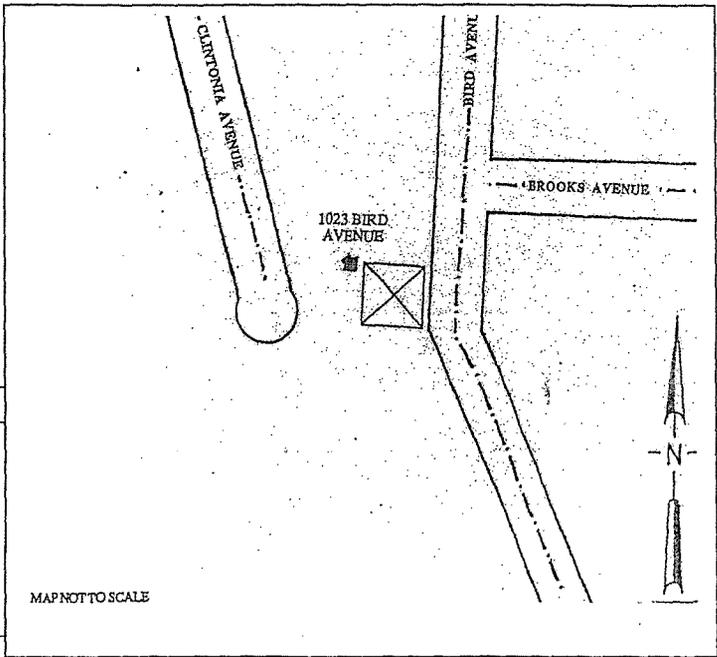
See Continuation Sheet, Page 5

B13. Remarks:

\*B14. Evaluator: Robert R. Cartier

\*Date of Evaluation: 2/2/06

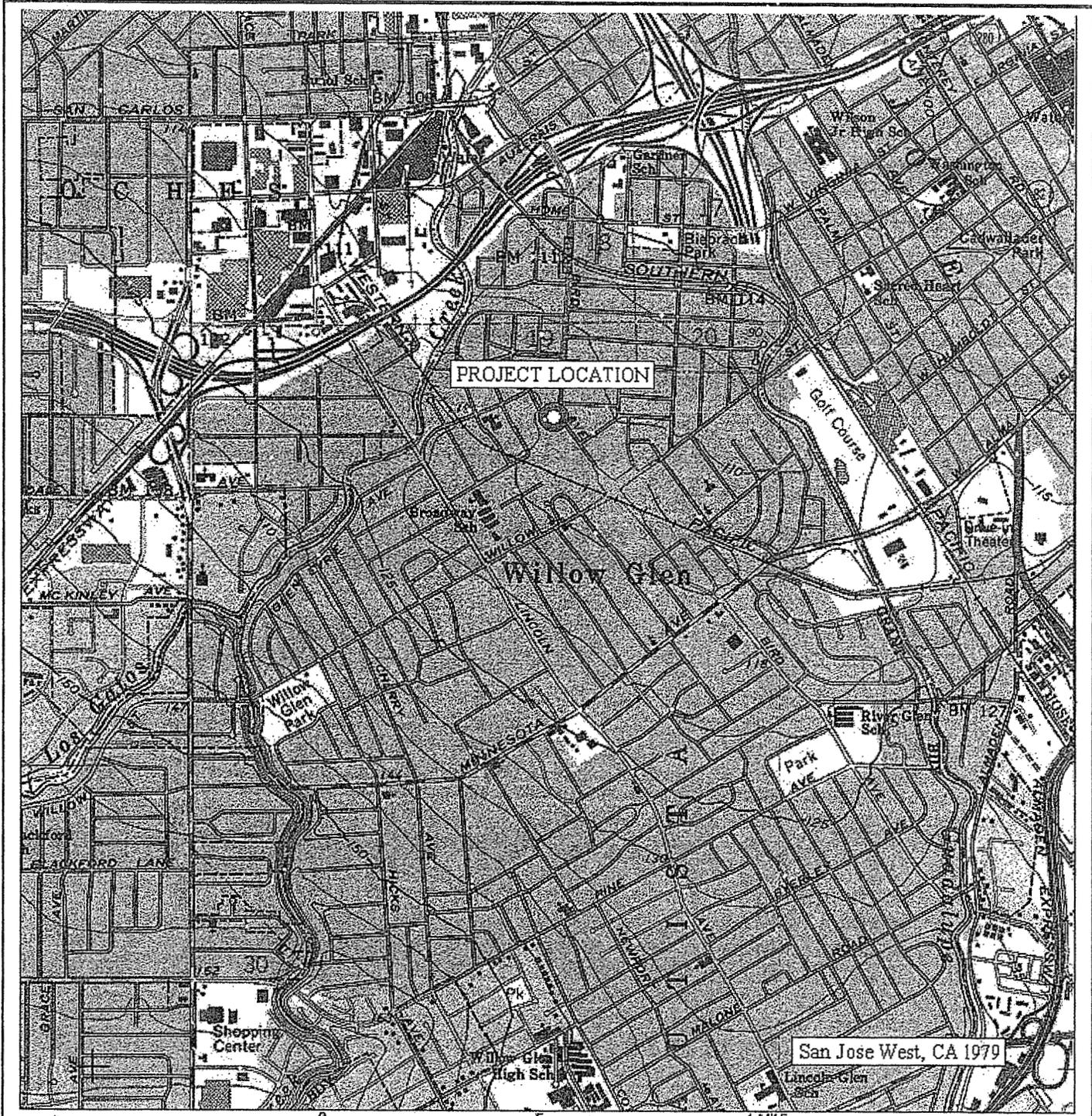
(This space reserved for official comments.)



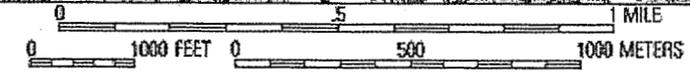
Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_

### LOCATION MAP

Page 3 of 5 Resource Name or # (Assigned by recorder) 1023 Bird Avenue  
\*Map Name: San Jose West \*Scale: 7.5 Minute \*Date of Map: 1979



TN MN  
15°



Printed from TOPOI ©2001 National Geographic Holdings (www.topo.com)

**CONTINUATION SHEET**

Page 4 of 5 \*Resource Name or # (Assigned by recorder) 1023 Bird Avenue  
\*Recorded by Archaeological Resource Management Date 2/2/06  Continuation  Update

Continued from P3a:

The exterior walls are surfaced with horizontal shiplap siding and patterned wood shingle wall-surface. Fenestration includes double-hung and casement sash windows, a wide shallow bay, and one large fixed pane window surrounded by a pattern of smaller leaded glass window panes.

Continued from B6:

The interior of the home has been heavily modified, however this modification was carefully designed to match the design/style of the period. In the kitchen, cabinets, counters, and fixtures have all been replaced with historically appropriate modern materials. The bathrooms feature tubs, sinks, and toilets of complimentary historic design. Throughout the home, many of the original moldings and other pieces of woodwork have also been replaced. New wallpaper in Victorian patterns has been added to many rooms, as well as flooring, light fixtures, and other decorative detailing.

A previous owner added a new foundation and electrical system approximately sixteen years ago. Robert and Deanna Escorcio (now Deanna Owens), previous owners, replaced the front porch in 1995 and made repairs to the second story deck which had been added above the porch at some unknown date (Owens, personal communication 1998). Deanna Owens also noted that at some point in the past there was a second fireplace in the parlor of the home (that is now walled off but is visible on the roof). The immediately previous owner, Mr. Stan Davis, added six small new dormers to the roof of the residence in after 1998. He also remodeled the interior of the home, replacing all major fixtures with historically appropriate modern materials. During his ownership of the property Mr. Davis also upgraded the plumbing, made additional upgrades to the electrical system, and moved the plumbing and electrical, where previously visible on the exterior of the house, to the interior as well as adding two new forced-air heating systems and removing the original fireplace and chimney.

Continued from B10:

At the time of the home's construction in 1876, Bird Avenue was an extension of Lincoln Avenue called Willow Glen Avenue (see attached 1887 Parcel Map), and the residence was situated on what has been identified as Hop Ranch in what was then North Willow Glen (Giarratana 1977). Attempts have been made to trace the original ownership of the home and its architect; however, the earliest records for the home go back only as far as 1887. It is possible that the home was built by the Fleming brothers -- George A. and Charles F. Fleming -- who, according to tax and bank records, owned the home in 1887. Charles Fleming is noted as residing in the home by the year 1889 according to City Directories; there is no record of George Fleming ever occupying the home. During the time that the Flemings owned the house, the property was listed as being located within the Fleming Subdivision which was part of the Odd Fellows Savings Bank Tract. The Fleming brothers owned the home for at least five years; they sold the property to H. C. Christensen on February 18, 1892 for \$1250.00 in gold coin.

The Fleming brothers were significant individuals in the local history of San Jose and Willow Glen, as George Fleming was one of the pioneers in the process of drying fruit. At the time that George began experimenting with fruit drying technology, American fruit did not rival imported fruit. George believed that there was a method by which fruit could be dried effectively, allowing American dried fruit markets to expand (Foote 1888: 538). After successfully creating a method of drying fruit in 1877, George enlisted the help of his brother, Charles, in operating a fruit drying business. The company expanded, and in 1887 they organized the George A. Fleming Company. This company was operated under the guidance of five individuals: George A. Fleming, President; Charles F. Fleming, Vice President and Treasurer; Thomas Cadwallader, Secretary; and R. D. Shaw and George T. McLaughlin who acted as superintendents at the Willows plant and the Campbell Station plant. The George A. Fleming Company produced raisin-cured prunes and several other dried fruits under the Black Diamond brand label (Foote 1888: 539).

Continued from B12:

Assessor's Office, County of Santa Clara

1998 Record search of assessed value and associated taxes for the structure at 1023 Bird Avenue for the years 1990-1998.

City Directories, County of Santa Clara

1876- Record search of City Directories on file at the California Room, Dr.  
1893 Martin Luther King, Jr. Main Library, San Jose Public Library, San Jose, California.

City of San Jose

2002 *San Jose's Historic Resources: An Inventory.*

Davis, Stan

1998 Personal communication with Archaeological Resource Management on the historical background of and current renovations to the structure at 1023 Bird Avenue in the City of San Jose.

Foote, H. S.

1888 *Pen Pictures from the Garden of the World.* Chicago: Lewis Publishing Company.

Giarratana, Elizabeth

1977 *Old Willow Glen: A Photographic Sketchbook.* Palo Alto, California: Consolidated Publications, Inc.

Owens, Deanna

1998 Personal communication with Archaeological Resource Management on the historical background of the home at 1023 Bird Avenue in the City of San Jose.

Parks and Recreation Department, City of San Jose

1975 *San Jose: An Inventory of its Historical and Architectural Heritage by San Jose Historic Landmarks Commission.* Parks and Recreation Department, City of San Jose, California, publishers.

Recorder's Office, County of Santa Clara

1998 Record search of recorded property information for the structure at 1023 Bird Avenue.

Shukait, Pam

2005 Personal communication with Archaeological Resource Management regarding modifications to the home at 1023 Bird Avenue in the City of San Jose.

Thompson and West

1876 *Historical Atlas Map of Santa Clara County, California.* San Francisco: Thompson and West.