



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Historic Landmarks Commission

SUBJECT: SEE BELOW

DATE: May 7, 2009

COUNCIL DISTRICT: 3

SNI: 13th Street

SUBJECT

HL09-181, Historic Landmark Nomination for the Tommie Smith House, located at 55 N. Eleventh Street.

RECOMMENDATION

The Historic Landmarks Commission (HLC) recommends (6-0) that the City Council adopt a resolution designating the Tommie Smith House, located at 55 N. Eleventh Street, as Historic Landmark No. 181.

OUTCOME

Designation of the building as a City Landmark structure would establish the requirement for the issuance of a Historic Preservation (HP) permit to approve exterior changes proposed to the structure.

BACKGROUND

On April 7, 2009, the City Council initiated proceedings to nominate and consider the residence located at 55 North 11th Street as a City Landmark of special historic, architectural, cultural, aesthetic or engineering interest or value of a historic nature.

On May 6, 2009, the Historic Landmarks Commission held a public hearing to consider the proposed Historic Landmark designation and associated Historical Property Contract. The property owner, Brian C. Boguess spoke in favor of the designation and read a letter of support from Dr. Oscar Battle Jr., Emeritus, President of the African American Faculty and Staff Association for San José State University (attached). Ellen Rollins, founding member and Historian of the African American Heritage House Museum (AAHH) in San José spoke in favor of the designation. The Commission voted (6-0) to recommend the City Council adopt a resolution designating the Tommie Smith House as a Historic Landmark No. 181.

This structure is significant primarily for its association with Tommie Smith who won the Olympic gold medal in Mexico City in the summer of 1968. He and teammate John Carlos, who won the bronze medal, gave a "Black Power" salute while receiving their medals, a symbolic

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(silent gesture), that has created an iconic image associated with the Black Power and human rights movements.

Tommie Smith is a significant figure in the history of athletics and San José State University and the Olympic Games, and an iconic figure in the history of the civil and human rights movements in the United States. Tommie Smith remains a highly significant figure in San José, and his former home is an integral part of that history.

During his career, Smith set seven individual world records and also was a member of several world-record relay teams at San José State. He is a member of the National Track and Field Hall of Fame, was inducted into the California Black Sports Hall of Fame, and in 1999, received the Sportsman of the Millennium Award. Smith has maintained a life-long commitment to athletics, education, and human rights, and is co-author with David Steele of *Silent Gesture, The Autobiography of Tommie Smith*, published in February 2007 by Temple University Press in which he discusses events that took place in his home at 55 N. Eleventh Street on several occasions. On page 179 he writes about when he purchased the house:

It was a very scary year. I had no money, period. The year before I went to Mexico City, when I was training for the Olympics and working, I had bought the house that Denise and I were renting, for \$150 a month, on North 11th Street in San Jose. The man who had owned the house, a very nice old man who lived on the other side of town, decided that he didn't have a need for it any more and that his children didn't want it, so he'd sell it to us for \$35,000. The man at Bank of America knew my name and decided that he was all right with what I was doing and why. He said that even though we did not have any collateral, he agreed that it was a good property at a good price and gave us the loan. It was a blessing. But when I got back from Mexico City without a job, I still had house payments to make and a baby to feed. I swept up streets, did anything I could to stay alive, and I borrowed on the house and got myself in over my head.

Even though the property doesn't appear eligible for listing on the National or California Registers, the local Historic Evaluation Criteria allow the City Council to consider the significance of properties associated with living individuals. Based on the information in the historical evaluation prepared by Archives and Architecture for the property the building merits designation as a Historic Landmark based on its historical and cultural significance as follows: *Criterion (1), its character, interest or value as part of the local, regional, state or national history, heritage or culture, for its indirect association, through Tommie Smith, with the civil rights movement; and Criterion (3) Its identification with a person or persons who significantly*

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contributed to the local, regional, state or national culture and history for its association with former Olympian and civil rights activist Tommie Smith.

POLICY ALTERNATIVES

The City Council could opt to decline to designate the building as a City Landmark Structure. In such case, the structure could undergo exterior alterations in the future without the need of a Historic Preservation Permit, but would remain subject to the requirements of the site's Planned Development Zoning District Development Standards.

Pros: This alternative would not appear to confer any benefits, from a public policy perspective.

Cons: A decision not to designate the building in accordance with its eligibility as a City Landmark Structure would not further the objectives of the General Plan policies and the Historic Preservation Ordinance to promote and enhance the preservation of historically and architecturally significant sites and structures (see Fiscal/Policy Alignment section, below).

Reason for not recommending: On the basis of the evaluation prepared by qualified historical consultants, the house has been determined to meet the eligibility requirements for designation as a City Landmark Structure. To follow through with formal designation process as proposed would promote the General Plan and Municipal Code objectives relative to historic preservation.

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 has followed Council Policy 6-30: Public Outreach Policy. The Landmark nomination was initiated by the City Council during a public meeting. Public hearing notices for the project were published in a local newspaper, posted at the site, and mailed to all property owners and tenants within at least 500 feet of the subject site. Information about the proposed project and the associated public hearings has been made available through the Planning Division web site, and staff has been available to answer questions.

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The Historic Landmarks Commission held a public hearing on the proposed Historic Landmark Designation May 6, 2009 as noted above.

COORDINATION

City Council resolution to designate the Landmark has been coordinated with the City Attorney's Office.

FISCAL/POLICY ALIGNMENT

This project is consistent with City Council Policy: Preservation of Historic Landmarks, and the Historic, Archaeological, and Cultural Resources San José 2020 General Plan policies.

COST SUMMARY/IMPLICATIONS

Designation of the structure as a City Landmark will qualify the owner to apply for a Historical Property Contract 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 approved with HP permits. Under a Historical Property Contract, a property receives a lower tax bill based on the property's potential rental income rather than its full market value. The average per-house property tax reduction experienced by other cities in California reportedly ranges from approximately 200 to 400 dollars per year (the assessment formula is the same statewide). The property tax reduction in San José may be somewhat higher because of higher average property values.

In San José, the Historical Property Contract is an incentive that is available only to individually designated City Landmark Structures. There are approximately 150 City Landmark Structures in San José, out of a total of approximately 307,000 housing units. Currently there are approximately 27 existing approved Historical Property Contracts in the city.

BUDGET REFERENCE

Not applicable.

CEQA

Not a project

Jar *Alexis Amiel*
JOSEPH HORWEDEL, SECRETARY
Historic Landmarks Commission

For questions, please contact Project Manager Lori Moniz at 408-535-7841.

April 29, 2009

Brian C. Boguess
1054 LakeRidge Place
San Ramon, CA. 94582

RE: An Endorsement Letter Supporting the Architectural Plans and Your Vision to Preserve and Rehabilitate the House where Tommie Smith Lived while Attending San Jose State University.

Dear Mr. Boguess:

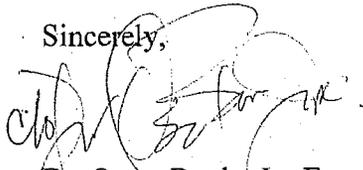
The members of the African American Faculty & Staff Association (AAFSA) extend an appreciation to you for attending our April 21, 2009 meeting and sharing your architectural plans and vision for preserving the house where Tommie Smith lived while attending San Jose State University. Thank you for supporting and helping make the Tommie Smith house a historic landmark. It can serve as a historical landmark for civil rights, student protests, student involvement, and freedom of speech, etc. To my knowledge, there is not an African American landmark in San Jose, California. Therefore, preserving the house in memory of Tommie Smith can serve as a historical landmark for the San Jose State University and the City of San Jose.

We are pleased to see that your plans for the house include a connection to San Jose State University to provide housing opportunities for students. Many students could appreciate the opportunity to live in a house named after Tommie Smith, who attended San Jose State University as a track star and later received his teaching credentials.

By developing your proposed project and rehabilitating the house, you give great honor to Tommie Smith's legacy, which also adds to the compliment of the statue of Tommie Smith on campus. I encourage you to follow through with your plans and make them a reality.

Please inform the African American Faculty & Staff Association if you need additional comments and for our presence at future meetings. We wish you continuous progress on your project and plans.

Sincerely,



Dr. Oscar Battle, Jr., Emeritus, President
African American Faculty & Staff Association
San Jose State University