

Memorandum

**TO: HONORABLE MAYOR AND
CITY COUNCIL**

FROM: Historic Landmarks Commission

SUBJECT: SEE BELOW

DATE: December 9, 2009

COUNCIL DISTRICT: 3

SNI: None

**SUBJECT: HL09-180, HISTORIC LANDMARK NOMINATION FOR THE KEN YING
LOW RESTAURANT SITE/STRUCTURE LOCATED AT 625 N. SIXTH
STREET**

RECOMMENDATION

The Historic Landmarks Commission (HLC) recommends (5-0-1; Peak absent) that the City Council adopt a resolution designating the Ken Ying Low Restaurant Site/Structure at 625 N. Sixth Street as Historic Landmark No. 180.

OUTCOME

Designation of the building as a Historic Landmark Site/Structure would provide recognition to the Ken Ying Low Site/Structure as an important contribution to one of San Jose's Chinatowns, known as Heinlerville. The landmark designation would also allow the property owner to be eligible for cost savings associated with the rehabilitation of buildings including tax exemptions for building permits. Designation of the structure as a Landmark would allow the owner to apply for the 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 any future improvements to the property approved with a Historic Preservation Permit.

BACKGROUND

The property owner, Natalia Davidenko, submitted an application for Historic Landmark designation of the Ken Ying Low Restaurant in February 2009. Based on their research for the San José Japantown Historic Context and Intensive Survey, dated October 10, 2006, Carey and

HONORABLE MAYOR AND CITY COUNCIL

December 9, 2009

Subject: HL09-180, Historic Landmark Nomination for the Ken Ying Low Restaurant Site/Structure

625 N. Sixth Street

Page 2

Company determined that the Ken Ying Low Restaurant qualifies as City Landmark Site/Structure and is eligible for the National Register of Historic Places (NR). On December 2, 2009, the Historic Landmarks Commission held a public hearing to consider the proposed Historic Landmark designation. The Commission voted to recommend the City Council adopt a resolution designating the Ken Ying Low Restaurant Site/Structure as Historic Landmark No. 180 (5-0-1; Peak absent).

ANALYSIS

The Ken Ying Low Restaurant Site/Structure has special historical, cultural and architectural value to the community - its quality derived from its contribution to a Chinatown known as Heinlenville (see the attached Historic Landmarks Commission Staff Report). The property meets the criteria for designation as a City Landmark Structure in conformance with San José's Historic Preservation Ordinance (Chapter 13.48 of the Municipal Code). Under the definition for historical significance within the City of San José Historic Preservation Ordinance, the building has historic, architectural, and aesthetic value of a historical nature. The building qualifies for City Landmark status based on: Criterion (1) Its character, interest or value as part of the local, regional, state or national history, heritage or culture for its contribution to Heinlenville.

The Ken Ying Low Restaurant Site/Structure also appears to be eligible for the National Register of Historic Places (NR) and the California Register of Historical Resources (CR) under NR Criterion A and CR Criterion 1, for historic patterns of development by contributing to Heinlenville.

POLICY ALTERNATIVES

The City Council could not designate the Ken Ying Low Restaurant as a City Landmark Site/Structure.

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

Cons: A decision not to designate the Ken Ying Low Restaurant in accordance with its eligibility as a City Landmark Site/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 Ken Ying Low Restaurant has been determined to meet the eligibility requirements for designation as a City Landmark Site/Structure. To follow through with formal designation process as proposed would promote the General Plan and Municipal Code objectives relative to historic preservation, as well as meet the property owner's request.

December 9, 2009

Subject: HL09-180, Historic Landmark Nomination for the Ken Ying Low Restaurant Site/Structure

625 N. Sixth Street

Page 3

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 property owner. 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.

The Historic Landmarks Commission held a public hearing on the proposed Historic Landmark Designation and Historical Property Contract December 2, 2009 as noted above. No members of the public spoke about the project.

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

Not Applicable.

HONORABLE MAYOR AND CITY COUNCIL

December 9, 2009

Subject: HL09-180, Historic Landmark Nomination for the Ken Ying Low Restaurant Site/Structure

625 N. Sixth Street

Page 4

BUDGET REFERENCE

Not applicable.

CEQA

Not a Project.

for Akoni Danielson
JOSEPH HORWEDEL, SECRETARY
Historic Landmarks Commission

For questions, please contact Principal Planner Darryl Boyd at 535-7858.

Attachments: HLC Staff Report
Carey & Company Report
State of California – Primary Record

STAFF REPORT
HISTORIC LANDMARKS COMMISSION

FILE NO.: HL09-180 - Ken Ying Low Restaurant

LOCATION: 625 N. 6th Street

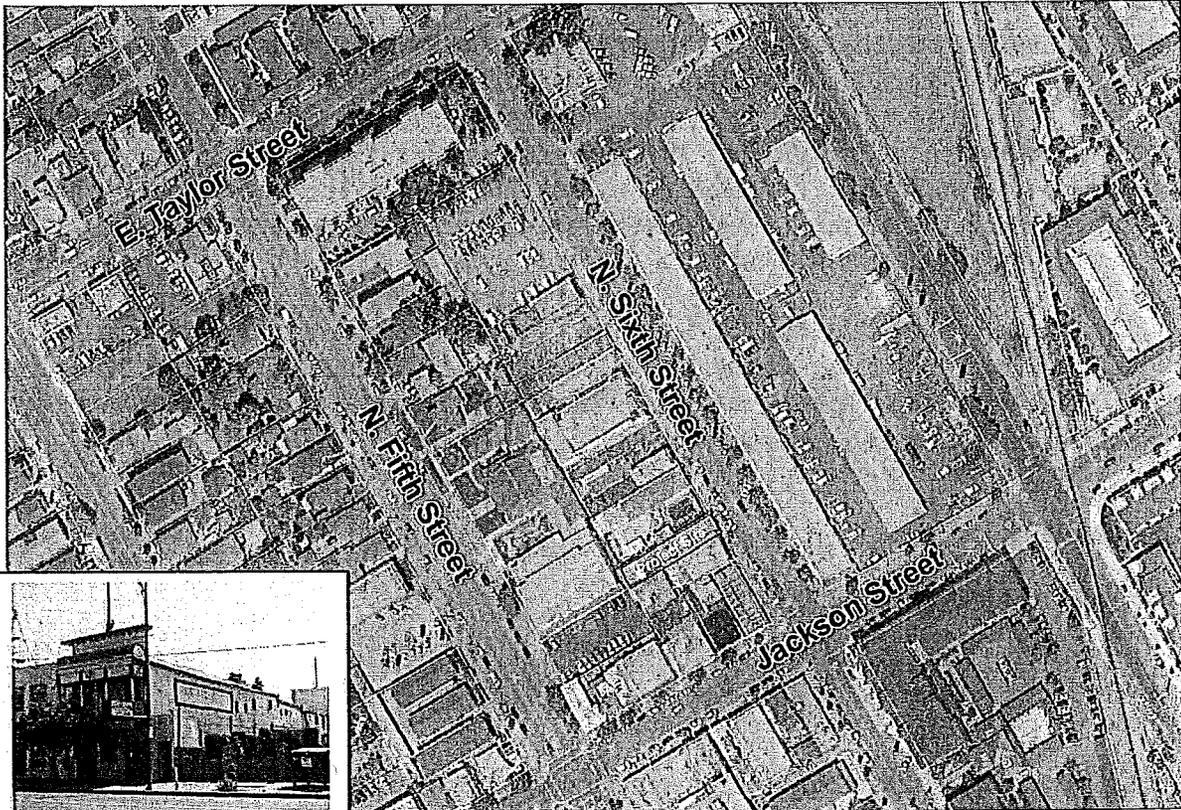
APPLICATION TYPE:

Historic Landmark Nomination (HL)

PROJECT DESCRIPTION:

Historical Landmark Nomination to designate the "Ken Ying Low Restaurant" on a 0.09-acre site as a landmark of special historic, architectural, cultural, aesthetic or engineering interest, or value of a historic nature.

Existing Zoning	LI- Light Industrial
General Plan	General Commercial
Council District	3
Annexation Date	Original City
Historic Classification	Eligible for National and California Registers
Historic Area	N/A
SNI	N/A
Redevelopment Area	Japantown
Specific Plan	N/A



OWNER/APPLICANT

Love and Affection Living Trust, N. Davidenko, Trustee
212 Lakeridge Way, San Ramon, CA 94582

BACKGROUND

In September 2004, the building, located at 625 N. Sixth Street was evaluated in a Department of Parks and Recreation (DPR) form and historic evaluation sheet. This two-story commercial building is rectangular in plan with a gable roof clad in asphalt shingles. The primary (east) facade faces Sixth Street and displays a false-front style parapet; a projecting balcony at the second floor level is covered by a metal-clad barrel vault roof.

The building at 625 N. 6th Street was built in 1887, but has undergone many additions and alterations during its lifetime. It began as a Japanese boarding house. The area bounded by 5th, 7th, Taylor and Jackson Streets, was a Chinatown known as Heinlenville from 1887 into the 1930s. In 1915 this building came to house the Ken Ying Low restaurant under Chinese ownership. When Heinlenville was razed in the 1930s, Ken Ying Low was one of the few Chinese establishments to remain.

This commercial property contributes to the Japantown historic district. It dates to an early period in Japantown's history, when the Japanese immigrants brought to Santa Clara County by agricultural work were establishing a permanent community in San Jose and when Hienlenville still existed nearby. It illustrates the interconnectedness of these two minority groups, which settled in close proximity to each other for security and tolerance. The restaurant was owned by Chinese Americans throughout much of its history, including the war years when there was little Japanese American presence in the area.

Designation of the structure as a City Landmark would allow the owner to apply for the 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.

ANALYSIS

I. Historic Landmark Criteria

In making the findings that a proposed landmark has special historical, architectural, cultural, aesthetic, or engineering interest or value of an historical nature, the Commission may consider, among other relevant factors, the following:

- (1) Its character, interest or value as part of the local, regional, state or national history, heritage or culture;
- (2) Its location as a site of a significant historic event;

- (3) Its identification with a person or persons who significantly contributed to the local, regional, state or national culture and history;
- (4) Its exemplification of the cultural, economic, social or historic heritage of the city of San José;
- (5) Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style;
- (6) Its embodiment of distinguishing characteristics of an architectural type or specimen;
- (7) Its identification as the work of an architect or master builder whose individual work has influenced the development of the city of San José;
- (8) Its embodiment of elements of architectural or engineering design, detail, materials or craftsmanship which represents a significant architectural innovation or which is unique.

Summary: The San José Japantown Historic Context and Intensive Survey, dated October 10, 2006 (see page 7 of study, attached), prepared by Carey and Company, recommended pursuing nomination five (5) properties identified as being potentially individually significant to the National Register of Historic Places (NR). Based on their research, Carey and Company determined that the Ken Ying Low Restaurant qualifies as City Landmark Site/Structure and is eligible for the NR (see Appendix C, attached). The building merits designation as a historic landmark based on its historical, cultural and architectural significance. The Ken Ying Low Restaurant building appears to be eligible for the NR and the California Register of Historical Resources (CR) under NR Criterion A and CR Criterion 1, for historic patterns of development by contributing to Heinlenville.

The Ken Ying Low Restaurant building has special historical and architectural value to the community - its quality derived from its contribution to Heinlenville. The property meets the criteria for designation as a City Landmark Structure in conformance with San José's Historic Preservation Ordinance (Chapter 13.48 of the Municipal Code). Under the definition for historical significance within the City of San José Historic Preservation Ordinance, the building clearly has historic, architectural, and aesthetic value of a historical nature. The building qualifies for City Landmark status based on: Criterion (1), Its character, interest or value as part of the local, regional, state or national history, heritage or culture for its contribution to Heinlenville.

GENERAL PLAN CONFORMANCE

The Landmark Designation for this structure conforms to, and furthers, the San Jose 2020 General Plan *Urban Conservation/Preservation Major Strategy*. This strategy recognizes that preservation activities contribute visual evidence to a sense of community. In particular, the *Historic, Archaeological, and Cultural Resources (HACR) Policy No. 2* 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.

CEQA

Not a project.

COMMUNITY OUTREACH

The proposed Landmark nomination and Historical Property Contract was initiated by the property owner. A public hearing notice for the project was 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 projects and the associated public hearings has been made available through the Planning Division web site, and staff has been available to answer questions.

RECOMMENDATIONS

Planning Staff recommends that the Commission, after holding a public hearing on the subject proposal, recommend that the City Council approve the proposed Landmark Designation of the Ken Ying Low Restaurant at 625 N. Sixth Street as Historical Landmark No. 180 at the City Council hearing scheduled for January 12, 2010 at 1:30 PM.

Project Manager: Lori Moniz

Approved by:

John Tankson

Date:

11/24/09

Attachments:

Location map

Department of Parks and Recreation (DPR) form

San José Japantown Historic Context and Intensive Survey, October 10, 2006

National Park Service article

BUILDING, STRUCTURE, AND OBJECT RECORD

*NRHP Status Code 3B, 5D2

Page 2 of 3 *Resource Name or # (Assigned by recorder) 625 N 6th St.

B1. Historic Name: Ken Ying Low Restaurant

B2. Common Name: Cuban International Restaurant

B3. Original Use: Restaurant B4. Present Use: Restaurant

*B5. Architectural Style: Commercial False Front

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

Built 1887. Has undergone various alterations over the years. Front facade altered, 1948.

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

*B8. Related Features:

None.

B9a. Architect: Unknwn b. Builder: Unknown

*B10. Significance: Theme Cultural neighborhood development Area Japantown, San Jose, CA

Period of Significance c.1890 - 1967 Property Type Restaurant Applicable Criteria A

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The building at 625 N. 6th Street was built in 1887 (Ishikawa says 1908), but has undergone many additions and alterations during its lifetime. It began as a Japanese boarding house for workers from Kumamoto-ken. The area bounded by 5th, 7th, Taylor and Jackson Streets, was a Chinatown known as Heinlenville from 1887 into the 1930s. A few Chinese businesses were established in the area outside of Heinlenville and in 1915 this building came to house the Ken Ying Low restaurant under Chinese ownership. The Ng family had operated a restaurant within Heinlenville under the same name. They were responsible for having the Nishura Brothers construct the distinctive balcony on the front facade, which was identical to the one found on their original restaurant. When Heinlenville was razed in the 1930s, Ken Ying Low was one of the few Chinese establishments to remain. It was first listed in city directories around 1935. In 1943, it retains the name, but appears to be under different ownership, with N.G. Guey listed as owner or proprietor. Similarly, Gim Wah, is listed at the restaurant in 1947. Though now functioning as a Cuban restaurant, it is recorded that it was a chop suey restaurant for some time, probably through most of its Chinese ownership, up through 1955. (see continuation sheet)

B11. Additional Resource Attributes: (List attributes and codes) HP6, HP36 CH

*B12. References:

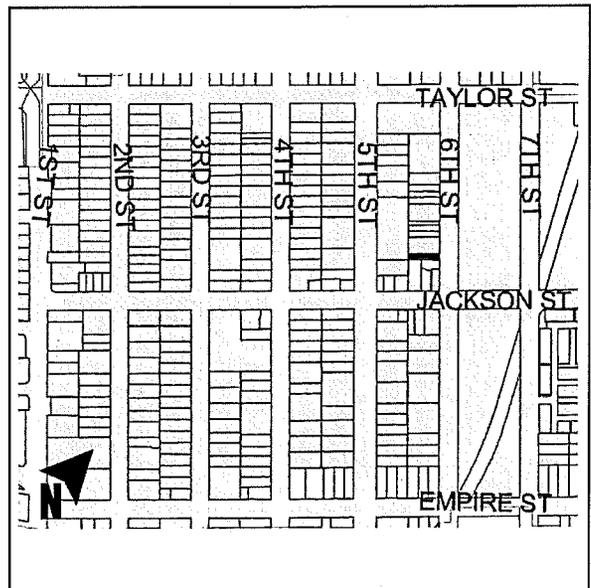
(see continuation sheet)

B13. Remarks:

*B14. Evaluator: Carey & Co., Inc.

*Date of Evaluation: 3/1/2006

(This space reserved for official comments.)



*Recorded by: Carey & Co., Inc.

*Date: 3/1/06

Continuation

Update

B10. Significance

This commercial property contributes to the Japantown historic district. It dates to an early period in Japantown's history, when the Japanese immigrants brought to Santa Clara County by agricultural work were establishing a permanent community in San Jose and when Hienlerville still existed nearby. It illustrates the interconnectedness of these two minority groups, which settled in close proximity to each other for security and tolerance. The restaurant was owned by Chinese Americans throughout much of its history, including the war years when there was little Japanese American presence in the area. Its current use as a restaurant reflects its historic use and its current Cuban ethnic affiliation is indicative of the continued presence of other ethnic minority groups in the neighborhood.

B12. References

Chinese Historical and Cultural Project. "Heinlerville, San Jose." Internet: <<http://www.chcp.org/heinlen.html>> accessed 2/24/06.

City of San Jose On-line Permits.

City of San Jose Deed Records.

Ishikawa, Tokio. San Jose Japantown, 1910-1935 (guide map and notes). 1996.

National Park Service. History of Japanese Americans in California: Historic Sites. Ken Ying Low Restaurant. Internet: <www.cr.nps.gov/history/onlinebooks/5views/5views3h45.htm> accessed 2/9/2006.

Polk City Directories. San Jose, 1915-1955.

Sanborn Fire Insurance Maps. 1891-1950.

United States Census records.

PRIMARY RECORD

Primary _____
HRI# _____
Trinomial _____
NRHP Status Code: 3B, 5D2

Other Listings _____
Review Code _____ Reviewer _____ Date _____

Page 1 of 3 Resource Name or #: (Assigned by recorder) 625 N 6TH ST

P1. Other Identifier: Ken Ying Low restaurant

*P2. Location: Not for Publication Unrestricted

*a. County: Santa Clara

*b. USGS Quad: San Jose West Date: 1980 T 7S ; R 1E ; NW 1/4 of SW 1/4 of Sec 5

c. Address 625 N 6TH ST City San Jose ZIP 95112-3240

d. UTM (Give more than one for large or linear resources Zone _____ mE/ _____ mN

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

APN # 24939022

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

This two-story commercial building is rectangular in plan with a gable roof clad in asphalt shingles. The primary (east) facade faces Sixth Street and displays a false-front style parapet; a projecting balcony at the second floor level is covered by a metal-clad barrel vault roof. This balcony is bordered by a metal railing and turned columns support the barrel vault roof. The building is clad in horizontal wood siding with brick veneer present at the facade on the first floor. The primary entry is located at the north east corner and is denoted by a sign reading "Cuban Restaurant" that projects perpendicular to the facade from the balcony. This entry consists of wood double-doors containing small lites; two other secondary doorways are located at either end of the facade. A door is also present located in the center of the second floor balcony facade. Windows located at the first and second floor of the primary facade are wood double-hung with metal grille coverings.

*P3b. Resource Attributes: (List attributes and codes) HP6, HP36 JA

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



P5b. Description of Photo:
Northeast facade, looking southwest.
April 2004.

*P6. Date Constructed/Age Sources:

Historic Prehistoric Both

1887/1920/50, Santa Clara County
Assessor

*P7. Owner and Address

CORPUS CHRISTOPHER & LINDIS
4217 WARBLER LOOP
FREMONT CA 94555-1155

*P8. Recorded By:

Carey and Co.
460 Bush Street
San Francisco, CA 94108

*P9. Date Recorded: 9/20/2004

*P10. Survey Type:

Intensive

*P11. Report Citation: (Cite survey report and other sources, or enter "none")

San Jose Japantown Historic Context and Reconnaissance Survey, Carey & Co., September 2004

*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 Photograph Record Other (list): _____