



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Historic Landmarks
Commission

SUBJECT: SEE BELOW

DATE: May 10, 2012

COUNCIL DISTRICT: 3

SUBJECT: HL11-200 & MA11-004, HISTORIC LANDMARK NOMINATION (HL) AND MILLS ACT HISTORICAL PROPERTY CONTRACT (MA) FOR 285 EAST ST. JAMES STREET, THE STILLER HOUSE

RECOMMENDATION

The Historic Landmarks Commission recommends that the City Council approve: (1) the proposed Landmark Designation and (2) the proposed Historic Property Contract (4-0-1, Commissioner Colombe absent).

ANALYSIS

On May 2, 2012, the Historic Landmarks Commission held a public hearing on the proposed Landmark Designation and Historic Property Contract for the Stiller House located at 285 East St. James Street. The applicant provided testimony to the Commission, encouraging support for the nomination and contract. No one from the public gave testimony on these items.

The Commission expressed appreciation to the property owner for nominating the property as a Historic Landmark. Commissioners commented that the scope of the preservation plan could be a model for future contracts.

The Commissioners present unanimously voted to recommend the Landmark designation and the Historic Property Contract. The staff report containing an analysis of this proposal has been distributed to the Council under separate cover.

/s/
JOSEPH HORWEDEL, SECRETARY
Historic Landmarks Commission

For questions please contact Laurel Prevetti at 408-535-7901.

STAFF REPORT
HISTORIC LANDMARKS COMMISSION

FILE NO.: HL11-200 & MA11-004, 285 East St. James Street, Stiller House

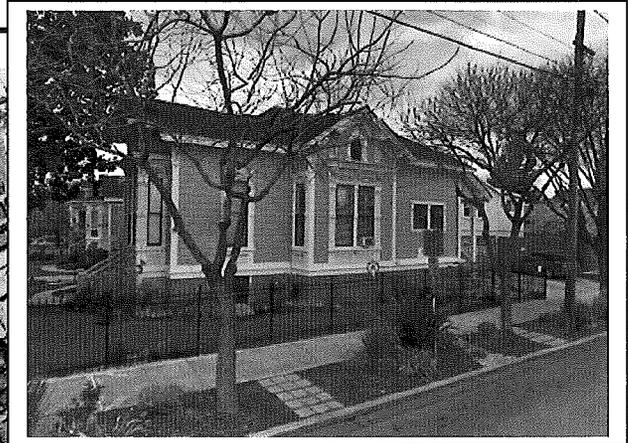
APPLICATION TYPE:

Historic Landmark Nomination (HL) and Mills Act Historical Property Contract (MA)

PROJECT DESCRIPTION:

1. Nomination of the subject building as a designated City Landmark Structure
2. Historical Property Contract (Mills Act) to allow partial property tax relief to rehabilitate and maintain the subject building and related features

Existing Zoning	R-M Residence District
General Plan	Residential Neighborhood
Council District	3
Annexation Date	Original City
Historic Classification	Eligible for California Register
Historic Area	N/A
SNI	13 th Street
Redevelopment Area	SNI



OWNERS/APPLICANTS

Alex Vaz Waddington, 285 East St. James Street, San José, CA 95112

BACKGROUND

On October 26, 2011, the property owner of the multi-family residence at 285 East St. James Street, Alex Vaz Waddington, submitted an application for City Landmark designation. The Stiller House, a distinctive Italianate residence within the Horace Mann neighborhood, is an extremely fine example of late nineteenth century Italianate residential architecture and is distinguished among local residential architecture from San Jose's period of *Horticultural Expansion* (1870-1918).

The carpenter/builder of the residence was Reinhold Charles Stiller. Although he is not well known, his work is exemplary in this building. It can be construed that he was a local master carpenter from the Victorian-era of residential development.

If the Stiller House is designated as a City Landmark District, any exterior changes proposed to the structure would require the issuance of Historic Preservation (HP) permits. Designation of the residence as a City Landmark would enable the owner to apply for a Historical Property Contract property tax reduction under the Mills Act. A Mills Act Contract is being considered concurrently with the Landmark designation. If so designated, the property would also be eligible for an exemption from the Building and Structure construction tax and the Commercial-Residential-Mobile Home Park (CRMP) building tax for work approved with HP permits.

A Historical Property Contract is an incentive for ownership of designated City Landmark structures. It allows the owner of a landmark structure to enjoy a reduced property tax rate in exchange for the preservation, and in some cases restoration and rehabilitation, of the owner's historic property (see attached article). Please refer to the Analysis section, below, for additional discussion of Historical Property Contracts.

ANALYSIS

I. Historic Landmark Designation (HL11-200)

In accordance with Section 13.48.110 of the San José Municipal Code regarding the procedure for designating a landmark, prior to recommending approval or modified approval of a proposed designation as a city landmark, the Historic Landmarks Commission shall find that said proposed landmark has special historical, architectural, cultural, aesthetic, or engineering interest or value of an historical nature, and that its designation as a landmark conforms with the goals and policies of the general plan.

Based on the information in the historical evaluation prepared by Archives and Architecture for the property, the Stiller House at 285 East St. James Street clearly merits designation as a City of San Jose Historic Landmark Structure in conformance with San José's Historic Preservation Ordinance (Chapter 13.48 of the Municipal Code) based on its historical, cultural and architectural significance. The building qualifies for City Landmark status primarily based on Criteria 1 and 6 of the Historic Preservation Ordinance as discussed below. Please refer to the attached evaluation form for a more detailed discussion and analysis of the building. Consistent with the National Register of Historic Places eligibility findings, the building qualifies for City Landmark status based on the following criteria:

Criterion 1: Its character, interest or value as part of the local, regional, state or national history, heritage or culture as a distinctive building within the Horace Mann neighborhood.

Criterion 6: Embodiment of distinguishing characteristics of an architectural type or specimen. The Stiller House embodies distinguishing characteristics of the Italianate building type within the late nineteenth century era of residential architectural design. It is an extremely fine example of a Italianate era residence built during San José's Period of Horticultural Expansion (1870-1918).

The National Register of Historic Places (NR) and California Register (CR)

The house at 285 East St. James Street maintains most of its historic integrity per the National Register's seven aspects of integrity: location, design, setting, materials, workmanship, feeling, and association. The house maintains its original location at the corner of East St. James and N. Seventh Streets, in the Horace Mann neighborhood.

The house appears eligible under CR Criterion 3, (embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values). The Stiller House is distinctive within this setting; a one-story, highly detailed Italianate residence. The carpenter/builder was Reinhold Charles Stiller. Although he is not well known, his work is exemplary in this building. It can be construed that he was a local master carpenter from the Victorian-era of residential development. The building is distinguished among local residential architecture from San Jose's period of *Horticultural Expansion*.

Summary

The residential property at 285 East St. James Street, San José, has special historical, architectural and aesthetic interest and value to the community, for its contribution to the setting of Horace Mann neighborhood and for the distinctive design of the residence, which is an extremely fine example of late nineteenth century Italianate residential architecture.

II. Mills Act Historical Property Contract (MA11-004)

The Historic Landmark Preservation Agreement is an incentive for ownership and rehabilitation of City Landmarks. It is a contract between the City of San Jose and the owner of a designated

City Landmark, which allows the owner to enjoy a reduced property tax rate from the County Assessor in exchange for the preservation, and in some cases restoration and rehabilitation, of the owner's historic property. The purpose of the agreement is to provide greater protection for the City Landmark property than is otherwise provided by the historic preservation regulations in the City Municipal Code. The County Assessor sets the property tax rate based on an appraisal of the market value of the land and improvements. A property under contract will receive a property tax reduction based on an appraisal of the rental value of the land and improvements.

Required Provisions of Historical Property Contracts

Municipal Code Chapter 13.48 requires provisions of Historical Property Contracts as follows:

- A. A description of the Landmark Property subject to the Contract;
- B. A provision that the term of the Contract is a minimum period of ten years;
- C. Specific conditions requiring preservation of the Landmark Property and, where appropriate, restoration and rehabilitation of the Landmark Property to conform to the requirements of the City, and the rules and regulations of the Office of Historic Preservation of the State of California Department of Parks and Recreation;
- D. Provision for the periodic examination of the interior and exterior of the Landmark Property by the City of San Jose, Santa Clara County Assessor, and the State Board of Equalization as may be necessary to determine the owner's compliance with the Contract.
- E. A requirement that the property owner annually expend an amount equal to a minimum of 10% of the tax savings attributed to the Contract to the preservation and maintenance of the Landmark Property; and
- F. A provision that the Contract is binding upon, and shall inure to the benefit of, all successors in interest of the owners; and that a successor in interest shall have the same rights and obligations under the Contract as the original owners who entered into the Contract.

In addition to the Municipal Code provisions above, State legislation requires the City Clerk to record a Historic Property Contract with the County Recorder by December 31st of any calendar year in order to be effective during the following calendar year.

The Mills Act Historical Property Contract is a standardized form document, the majority of which is the same for each individual property. The proposed year-by-year repairs, upgrades, and maintenance are described in the Preservation Plan (Exhibit "C" of the contract). The Preservation Plan differs from property to property, based on the specific needs of each individual historical building and situation. Exhibit C with the proposed Preservation Plan is attached to this report.

The Preservation Plan (Exhibit "C") includes an itemized list of proposed upgrades, maintenance, and repair tasks for the first ten years of the Historical Property Contract. Each of the Preservation Plans identifies specific work that is planned to be performed. However, the Preservation Plan should be viewed as an outline of anticipated work which will be done to preserve and enhance the historic resource based on the annual tax savings in accordance with

the Historical Property Contract. For any given year, other preservation work that would represent a similar expenditure may be substituted as different site-specific needs arise over time. All work being done to meet the requirements of the Contract remains subject to approval of any applicable permits, including Historic Preservation Permits, Amendments, and Adjustments and building permits. Any work being reviewed under a Historic Preservation Permit process undergoes design review to ensure compatibility with the guidelines.

Required Findings of Historic Property Contracts

In accordance with Municipal Code Chapter 13.48, the City Council may approve a Historic Property Contract only if the following findings are made. Planning staff recommends that the Historic Landmarks Commission recommend the City Council make the following findings and approve the proposed Historical Property Contract, based on the text added in italics.

A. *The proposed Contract is consistent with the General Plan.*

Preservation of specific structures or special areas is a part of the San Jose 2040 General Plan *Policy LU-13.13* to foster the rehabilitation of buildings, structures, areas, places, and districts of historic significance. Utilize incentives permitting flexibility as to their uses; transfer of development rights; tax relief for designated landmarks and districts; easements; alternative building code provisions for the reuse of historic structures; and financial incentives.

B. *The proposed Contract would provide greater protection for the Landmark property than is otherwise provided by the provisions of Municipal Code Chapter 13.48;*

The proposed Contract provides greater protection for the proposed Landmark property than is otherwise provided by the provisions of Municipal Code because the owner, in partnership with the City, may use property tax relief to rehabilitate and maintain the property in accordance with the preservation plan, Exhibit "C".

C. *The proposed Contract complies with the required provisions of Historical Property Contracts listed above.*

The proposed Contracts incorporate the required provisions for Historical Property Contracts listed in Section 13.48.520 of the San José Municipal Code. Furthermore, the Historic Property Contract incorporates the required provisions of State law requiring the City to inspect the landmark property prior to bringing a contract to Council for consideration and to inspect the landmark property at least every 5 years thereafter for compliance with the contract.

GENERAL PLAN CONFORMANCE

The Landmark Designation for the Stiller House conforms to, and furthers, the Envision San Jose 2040 General Plan. Historic sites and structures provide an educational link to San José's past and foster a sense of place and community identity for San José. The preservation of appropriate remnants of a city's past provides multiple benefits important to the health and

progress of the city. Historical resources:

- Are instructive, telling the story of a community's past;
- Provide a sense of civic identity and unique character;
- Are typically an interesting and pleasing aesthetic in the urban environment;
- Can generate economic advantage for a property or neighborhood;
- Give a community a sense of permanency. A place with a clear past can expect to also have a definite future;
- Once lost, cannot be recovered.

Staff considers the project consistent with the applicable goals and policies of the General Plan; in particular:

Goal LU-13 – Landmarks and Districts. Preserve and enhance historic landmarks and districts in order to promote a greater sense of historic awareness and community identity and contribute toward a sense of place.

Policy LU-13.6 Ensure modifications to candidate or designated landmark buildings or structures conform to the Secretary of the Interior's Standards for Treatment of Historic Properties and/or appropriate State of California requirements regarding historic buildings and/or structures, including the California Historical Building Code.

Policy LU -13.12 Develop and encourage public/public and public/private partnerships as a means to support, expand, and promote historic preservation.

Policy LU -13.13 Foster the rehabilitation of buildings, structures, areas, places, and districts of historic significance. Utilize incentives permitting flexibility as to their uses; transfer of development rights; tax relief for designated landmarks and districts; easements; alternative building code provisions for the reuse of historic structures; and financial incentives.

Goal LU-16 – Sustainable Practices. Preserve, conserve, and/or rehabilitate historic structures as a means to achieve the City of San José's environmental, economic, and fiscal sustainability goals.

Policy LU -16.5 Utilize the aesthetic and cultural qualities of historic resources of all types as means of promoting San José as a place to live, work and visit consistent with the City's economic development goals.

The landmark designation process of the Historic Preservation Ordinance promotes and enhances the preservation of historically or architecturally significant sites and structures. In addition, the proposed historical property contracts specifically further the objectives.

CEQA

The environmental impacts of the project will not have an unacceptable negative effect on adjacent property or properties in that the project has been determined exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15331. The project is limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

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 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

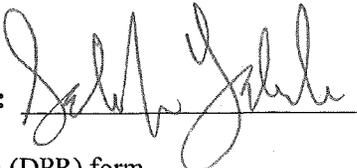
HL11-200 – Landmark Designation

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 Stiller House at 285 East St. James Street as Historical Landmark No. 200 at the City Council hearing scheduled for May 22, 2012 at 1:30 PM.

MA11-004 – Mills Act Historical Property Contract

Planning staff recommends that the Historic Landmarks Commission, after holding a public hearing on the subject proposal, recommend that the City Council make the following findings and approve the Historic Property Contract of the Stiller House at 285 East St. James Street at the City Council hearing scheduled for May 22, 2012 at 1:30 PM.

- The proposed contract is consistent with the San José 2040 General Plan;
- The proposed contract would provide greater protection for the landmark property than is otherwise provided by the provisions of Chapter 13.48 of the Municipal Code; and
- The proposed contract complies with the requirements of Section 13.48.520 of the San José Municipal Code.

Project Manager: Lori Moniz Approved by:  Date: 04-26-12

Attachments: Department of Parks and Recreation (DPR) form
Article regarding Mills Act
Draft Proposed Preservation Plan (Exhibit "C")

A R C H I V E S & A R C H I T E C T U R E , L L C

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August 22, 2011

Alex Vaz Waddington
285 East St. James St.
San José CA 95112

RE: City Landmark Nomination – 285 East St. James St., San José (APN 467-02-040)

Dear Alex:

Please find enclosed the DPR523 forms prepared for your property at 285 East St. James St. in San José. These forms were prepared for your use in submitting an application to the City of San José for City Landmark status for your residential property.

We believe your house to be a distinctive representative of late nineteenth century Italianate residential architecture in San José. While not located in an area that has been identified as a historic district it is located in San José's Original Survey, and is representative of the early development of the downtown frame prior to the expansion of the city limits during the first part of the twentieth century. The forms that are attached to this letter provide a history of the building and a detailed visual description of the architectural features of the house. Although we were unable to confirm the architect, we noted that the house was initially owned by a carpenter-builder, and we believe it was constructed by him during his brief time in San Jose during 1888.

We reviewed your house using the City of San José landmark designation criteria, which is used to consider historical significance for properties within the San José city jurisdiction. The actual nomination process and decision by the San José City Council is based on the requirements of Chapter 13 of the San José Municipal Code (Section 13.48.110 / *Procedure for designation of a landmark.*) We believe the property is eligible for individual designation as a San José City Historic Landmark.

The property is currently listed on the City of San José Historic Resources Inventory as an Identified Structure (IS.) We noted that the house, although modified somewhat at the rear, has sufficient integrity to its period of significance to be considered a historic resource. The period of significance is 1888.

Nomination for City Historic Landmark status can be made by a property owner. Following notification from the Director of Planning, Building and Code Enforcement that your application is complete, the procedure for the designation of your property is initiated. A public hearing before the Historic Landmarks Commission will take place, and following that hearing, a report with

recommendations will be submitted to the City Council, who will then hold a public hearing to formally consider the designation.

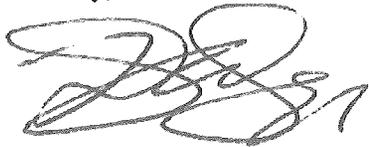
In order for the designation to take place, the San José City Council must make findings that the property has historical, architectural, cultural, aesthetic, or engineering interest or value of an historical nature, and that its designation as an individual city landmark conforms to the goals and policies of the San José General Plan. In reviewing the possible historical values associated with the property at 285 East St. James St., we consider the following statement applicable:

The residential property at 285 East St. James St., San José, has special historical, architectural and aesthetic interest and value to the community, for its contribution to the setting of San Jose's Horace Mann neighborhood, and for the distinctive design of the residence, which is an extremely fine example of late nineteenth century Italianate residential architecture.

The City of San José could reasonably make the following findings in designating your property a city historic landmark:

- *It has character, interest and value as a part of local and regional history and heritage and is a distinctive building within the Horace Mann neighborhood;*
- *It is the embodiment of elements of architectural design, detail, and craftsmanship which represents a significant architectural innovation in San José; and*
- *It embodies distinguishing characteristics of the Italianate residential type within the late nineteenth century era of residential architectural design.*

Sincerely,



Franklin Maggi, Architectural Historian
Archives & Architecture

Enclosures

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary #
HRI #
Trinomial
NRHP Status Code

Other Listings
Review Code

Reviewer

Date

Page 1 of 15

*Resource Name or #: (Assigned by recorder)

Stiller House

P1. Other Identifier: None

*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 1980 photorevised T.7S.; R.1R.; Mount Diablo B.M.

c. Address 285 E. St. James St. City San Jose Zip 95112

d. UTM: (Give more than one for large and/or linear resources) Zone 10S; 598612mE/ 4133431mN

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

Assessor's Parcel Number: 467-02-040,

northwest corner of East St. James and North Seventh Streets.

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

This 1888 Victorian-era house, built in the Italianate style, embodies through its form and detailing, a distinctive carpenter-built design. Located in the downtown residential frame, it is recognizable in the neighborhood for its unique detailing. The composition of form and materials distinguishes this house from others in the Horace Mann neighborhood and greater San José. It represents what is probably one of the high-points of the work of the carpenter/owner, whose career as a builder occurred mostly in San Francisco. Victorian-era building elements of this house include ornate detailing at the porch, eaves and gable ends on what would otherwise be a typical late-1880s small vernacular dwelling. These embellishments, which have been preserved for over 120 years, signify a house that is easily distinguished within a neighborhood of many other similarly aged properties.
(Continued on page 2, DPR523L)

*P3b. Resource Attributes: (List attributes and codes) HP3. Multiple family property

*P4 Resources Present: Building Structure Object Site District Element of District Other (Isolates, etc.)



P5b. Description of Photo: (View, date, accession #)

View facing northwest,
February 2011.

*P6. Date Constructed/Age & Sources:
 Historic Prehistoric Both

1888, SC County Deeds.

*P7. Owner and Address:

Alex Vaz Waddington
285 E. St. James St.
San Jose, CA 95112

*P8. Recorded by: (Name, affiliation, and address)

F. Maggi & J. Kusz
Archives & Architecture, LLC
PO Box 1332
San Jose CA 95109-1332

*P9. Date Recorded: 8/17/2011

*P10. Survey Type: (Describe)
Intensive

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

None

*Attachments: NONE Location Map Sketch Map Continuation Sheet Building, Structure and Object Record Archaeological Record
 District Record Linear Feature Record Milling State Record Rock Art Record Artifact Record Photograph Record Other (List)
DPR 523A * Required information

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary #
HRI #
Trinomial

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*Resource Name or # (Assigned by recorder) Stiller House

*Recorded by Franklin Maggi & Jessica Kusz

*Date 8/17/2011

Continuation Update

(Continued from page 1, DPR523a, P3a Description)

The site features consist of a corner lot house with a modest front and street side yard that is currently landscaped with lawn, mature trees, and small to medium-sized foundation shrubbery with ornamental plants mixed throughout. A short wrought iron fence lines the property with a gate and narrow brick walkway leading up to the wooden porch steps. An early detached carriage house with a second story unit is located in the rear yard along North Seventh Street. The garage doors and primary windows appear to be original and well maintained. The north section of the structure was added in the mid-1990s. Between the house and garage is a concrete slab serving as both the driveway and walk way to the rear of the house.

The house has a raised, one-story, rectangular original main mass with shallow full-height bay windows on the street facades. The wood frame house appears to be balloon framed and is raised approximately 3 to 4 feet above grade on a basement, with a brick perimeter foundation that appears to be original. The roof is primarily a large, full length truncated hip, with intersecting cross gables set over the bay windows.

The roof is covered with composition shingles; remnants of a masonry chimney extend from the roof at east elevation, but looks to be capped off with a sheet metal china cap. The gutters are inset ogee trim gutters, possibly new metal gutters, set in the fascia trim. A one-story rear porch originally spanned the width of the north elevation, and appears to be original but may have been rebuilt recently and now is partially enclosed; it uses compatible forms and materials, and is covered with a pent shed roof.

The exterior includes many materials and details that are consistent throughout the house design. As common for a Victorian-era design of the 1880s, especially Italianates, the eaves are moderate in depth and boxed with flat-board soffits. Under the eaves are wide frieze bands bordered by an architrave trim; this frieze band is set high above the window heads and is punctuated by ornate brackets at the corner and gable rake soffits. The main walls are clad in channel rustic siding. Flat boards trim the main corners; which extend to the frieze and are capped by arched brackets along the eave and under the gabled raked soffit.

The front façade is asymmetrical, featuring distinctive trim at the soffit and extensive detail at the front porch, gable pediment, bay window, and window hoods. A water table trim wraps the house on all sides above horizontal trim set over the brick foundation; the brick appears to be in good condition and may have been re-pointed and structurally reinforced from inside the basement.

Windows consists primarily of 1/1 double-hung wood units set in pairs and individually. The primary windows are trimmed with decorative fluted vertical casings that replicate pilasters extending up to window hoods with decorative scroll brackets and ornate solid transom panels. The casing is accented with bead molding punctuated by pellet molding, chevron trim at the top, and decorated brackets. The sills have solid panels below with top trim.

The entry has an asymmetrically placed inset porch with flat roof set in front of the south-west corner of the main hip roof. The porch steps align with the front door. This tall door appears original, and has a large arched glass pane above three inset panels. The window is framed by flat columns with pellet molding, topped by flat corbel ornaments, and the top curve of the windows is framed by starburst moldings. The door alcove has fluted columns matching those at the windows, and has a slight recess and step-up from the plane of the front façade. It is believed that the step-up was greater originally, but the porch floor was raised in a recent remodeling. The flooring of the porch is consistent with what would have been original, and the ceiling of the porch is finished with bead board. The coupled windows within the front porch match those on the other parts of the street façade, but have doubled engaged columns at their outside edge. The outer porch columns have matching fluted columns with scroll brackets. The porch baluster has carved newel posts which might be original, but could also be replicas.

(Continued on next page)

(Continued from previous page)

A front facing accent pediment gable is set over a front wing at the corner of the house to the right of the porch, and has a square bay window below. This front wing is fully embellished with ornament. The window set at the front of the bay is framed by tall narrow windows that fill the side, and rise to an entablature with flat roof above. The outer columns are doubled and frame an ornate frieze. Above the projecting bay half way back to the plane of the front wall, a portion of the gable end rises up under a deep eave that jogs out from the main roof rake, and that is braced by large doubled scrolled brackets. Centered in this front gable is an arched attic window trimmed with pellet molding, two rosettes, and a finial at the top.

The Seventh Street east elevation has a jog in plan where a large square bay extends the original dining room outward. Within this bay, the main doubled window set covers only a portion of the outer wall, and the side flanking windows are larger than those found in the front bay. The trimwork and entablature above the window set is also similar, but lacks depth as the wall rises up into the gable. This gable also has an attic window surrounded by ornate trim molding. This side elevation includes an additional window on the side of the front wing, and a replicated set of windows with two-over-two double hung sash at the rear corner of the building where the original kitchen windows have been replaced.

The interior side elevation contains three window groupings. These windows are unadorned beyond their flat board trim, and some maybe replacements. A set of steps fill the setback and provide access to the entry of the residential unit above the garage.

The rear elevation has replacement steps at the side rising up from the street entry, with the portion of the original porch near the center enclosed. It could not be determined if this enclosure is original, as some historic Sanborn maps show the rear porch fully open. This enclosure is clad with matching channel rustic siding and brackets that match those of the rest of the building. The northwest corner of the building at the rear has an addition that cantilevers out over the entry to the remodeled porch. The additional is differentiated from the original house; it has flat plywood siding and multi-pane windows, but can be considered compatible with the original house

The detached garage and additional residential unit was built sometime after 1915. The street elevation contains two sets of hinged garage doors with upper glass lites, and wood double-hung windows at the second story. The siding is beveled, and the building has a simple front-gabled roof. The upstairs addition to the rear, constructed in the mid-1990s, is cantilevered over the backyard, and although finished with matching siding, has modern windows.

The property is well-kept and in excellent condition.

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
LOCATION MAP

Primary #
HRI #
Trinomial

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*Resource Name or # (Assigned by recorder)

Stiller House

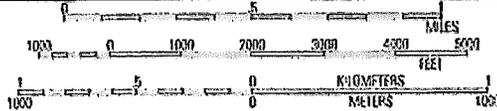
*Map Name: USGS West/East composite

*Scale: n.t.s.

*Date of Map: 1980 photorevised



Map created with TOPOLOG © 2008 National Geographic



TIN MN
14°
08/11/11

State of California – The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE, AND OBJECT RECORD

Primary #
 HRI #

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*NRHP Status Code 3CS

*Resource Name or # (Assigned by recorder) Stiller House

- B1. Historic Name: 285 East St. James St.
 B2. Common Name: None
 B3. Original use: Single family residential B4. Present Use: Multi-family residential
 *B5. Architectural Style: Italianate
 *B6. Construction History: (Construction date, alterations, and date of alterations)

Constructed in 1888. Carriage house built after 1915 and modified into apartment and garage, third unit permitted in 1994 with addition of 220 sq. ft. and 500 sq. ft. basement occupied 2007 and 2008 permits for expansion of basement, skylights, minor window modifications, and internal reconfigurations.

*B7. Moved? No Yes Unknown Date: n/a Original Location: n/a

*B8. Related Features:

Carriage House/garage with apartment.

B9a Architect: Unknown b. Builder: Reinhold Charles Stiller

*B10. Significance: Theme Architecture and Shelter Area 13th Street SNI Planning Area
 Period of Significance 1888 Property Type Residential Applicable Criteria (3)
 (Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The distinctive Italianate style residence located at the northwest corner of East St. John and North Seventh Streets in San Jose's downtown frame is a carpenter-built house by a master craftsman who had a long career in San Francisco as a contractor/builder. Reinhold Charles Stiller briefly lived in Santa Clara Valley, where he attempted a career as a vineyardist and winemaker, but shortly after building this uniquely detailed house for himself and his family, returned to San Francisco where he worked as a wine merchant for a while, and ultimately returned to house-building during the latter years of his life. The San Jose house, located in the Horace Mann neighborhood, is located in an older area of mixed residential development that has evolved for over a hundred and fifty years. Today it is an inner-city neighborhood that has recently begun a period of regeneration, and distinctive historic houses such as the Stiller House serve as visual benchmarks to the historic vitality of the area.

The house is an extremely fine example of a Victorian-era Italianate residence built during San Jose's Period of Horticultural Expansion (1870-1918.) The property appears to meet the criteria for designation as a San Jose City Landmark.

(Continued on next page, DPR523L)

B11. Additional Resource Attributes: (List attributes and codes) Hp2. Single family property

*B12. References:

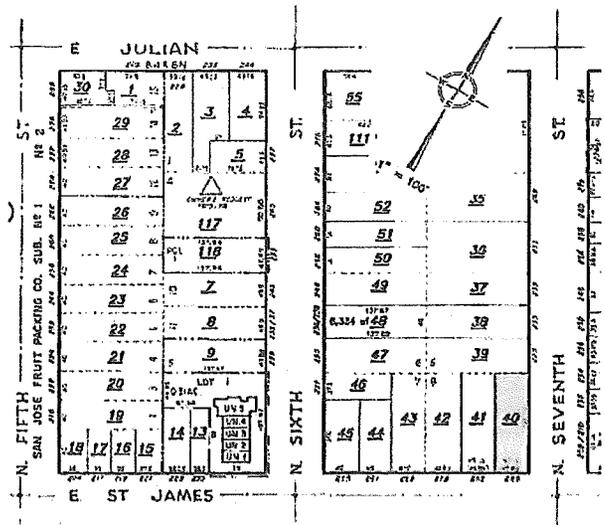
- Foots, H.S. *Pen Pictures From The Garden of the World*, 1888.
- San Francisco and San Jose city directories
- San Jose Mercury News*, George Roth Dies. 9/24/1915.
- Sanborn Fire Insurance Maps, 1884-1962.
- Santa Clara County Clerk-Recorder, deeds.
- Sawyer, E., *History of Santa Clara County*, 1922.
- US Census 1870 - 1930.

B13. Remarks: Proposed landmark nomination

*B14. Evaluator: Franklin Maggi

*Date of Evaluation: 8/17/2011

(This space reserved for official comments.)



(Continued from previous page, DPR523b, B10 Significance)

By 1848, the grid of San Jose's downtown frame had been formally established as we know it now, based on the work of William Campbell and Chester Lyman, and is known as the area of the Original Survey. It extended from Market Street to Eleventh Street, and from what is now called Julian Street on the north to Reed Street on the south. Each block had a reference block and range, and the blocks were mostly subdivided into six lots of about half an acre each. As the area of the Original Survey developed during the latter part of the nineteenth century, most of these half-acre lots were re-subdivided by deed, creating the neighborhood patterns that exist today. Today, the neighborhood is known as Horace Mann, referencing the school site at North Seventh and East Santa Clara Streets that has served the neighborhood for over a century.

The subject property at the time of development in 1888 had been configured as the east 1/3 of Lot 8 of B4R7N of the San Jose's Original Survey. Reinhold Charles Stiller, a vineyardist in the west part of Santa Clara Valley near the unincorporated community of Saratoga purchased the parcel on December 13, 1887 from Mitchell Wiener and Lewis Willard, two local clothing merchants.

Reinhold Charles Stiller was born in Germany in 1853, and immigrated to the United States in 1866. According to San Francisco directories, by 1877 he was working as a carpenter and cabinetmaker. In 1880 Stiller married Lizzie Pomeroy, a Pennsylvania native who had come to San Francisco with her parents as a child where her father established a box factory. Reinhold and Lizzie lived in San Francisco until 1883, and had two children who were born in that city. By 1884, the Stillers had moved to Santa Clara Valley near Saratoga where Reinhold tried his hand as a vineyardist and winemaker and where it was later noted he had "an excellent vineyard and winery, and has established a cellar in San Jose from which he supplies his customers."

On December 13, 1887 Stiller purchased the subject lot in San Jose from Lewis Willard and Mitchell Wiener, and by 1889 city directories list Stiller as a wine dealer living at the subject property. Sanborn maps and city directories lead to conclusion of a build-date for the house of 1888. On May 21, 1890, Stiller sold the property to George Roth, and San Francisco directories indicate that by 1892, Stiller had returned to that city where he continued to sell liquor, but where he eventually returned to working as a carpenter and builder. Stiller died fifteen years later on November 29, 1907 in San Francisco.

George Roth, the second owner of the house apparently acquired it as a rental, as he and his wife Annie and their children lived on Bellomy Street in Santa Clara. Roth was retired at the time, previously working for various newspapers and earlier in his father's shoe manufacturing business. Renters during Roth's ownership include Curtis M. Barker, a City engineer, from 1899-1910, and Carl J. Schilling, a traveling salesman, and then later Lucius E. Brainard, a cannery laborer. The house was briefly lived in by George and Annie's daughter Mary before the property was sold to Stephen and Mary Pugh.

The Pughs owned and lived in the house for about 25 years until Stephen's death in the 1940s and Mary's death in the early 1950s. Stephen Pugh worked as superintendent at the Twohy building. In 1933, a rear portion of the residence was listed in city directories for the first time as 285 1/2 St. James Street. The second unit was lived in sporadically during the Pugh family ownership. Ownership remained in the Pugh family into the 1960s.

Survey Status

The house was first identified for its historic value in the 1973 King Survey, and is listed on the San Jose Historic Resources Inventory as an Identified Structure (IS). The surrounding area has not been the subject of an intensive-level investigation of the potential for a historic district or conservation area beyond the reconnaissance surveys of historic resources in the mid-1970s. The 13th Street SNI Planning Area was the subject of a historic context study in 2006 that was prepared by Archives & Architecture for the National Trust for Historic Preservation. That report did not identify specific sub-areas within the study area that might be eligible for district status, but considered the potential for a larger conservation area in the Northside neighborhoods and environs.

(Continued on next page)

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Integrity and character-defining features:

The property at 285 East St. James St. maintains most of its historic integrity as per the National Register's seven aspects of integrity. The house maintains its original location at the corner of East St. James and North Seventh Streets, in the historic Horace Mann neighborhood. The neighborhood has a high concentration of early houses, but has not been formally recognized as a historic district or conservation area. The property is surrounded by a traditional residential setting, including adjacent houses of similar age, scale, and design and surrounding properties of a similar scale and setback. The subject property retains its late-nineteenth-century residential scale and feeling and continues, through its distinctive form and detailing, to illustrate its associations with the work of the master carpenter Reinhold Charles Stiller. Changes to the building exterior have been minor, although some fenestration and porch changes at the rear have been done as a part of recent permits granted under the Site Development permit process by the City of San Jose. This building has a distinctive character and composition that is expressed through its preserved materials, workmanship, and eclectic Italianate design.

EVALUATION

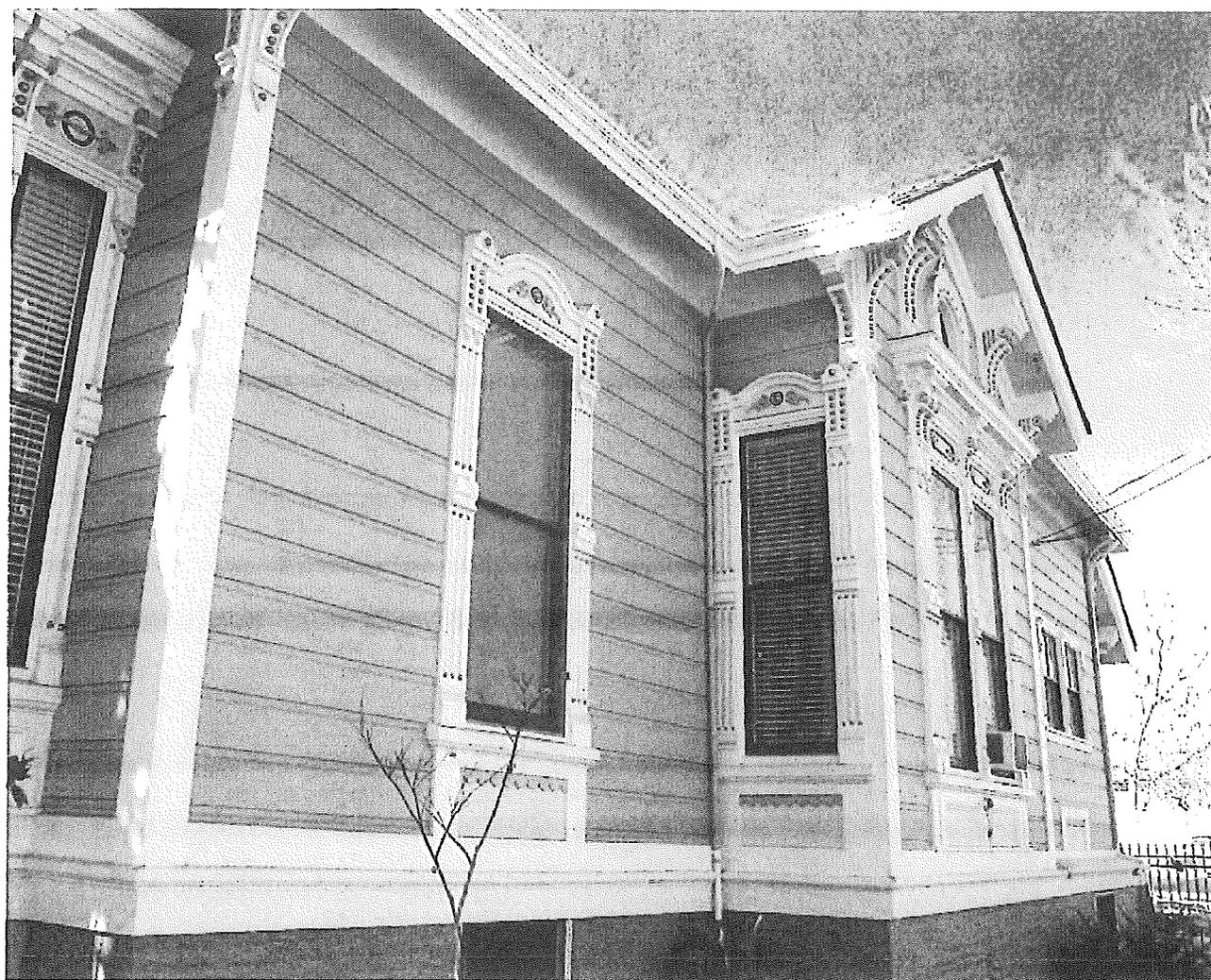
This house sits in a mature residential area that contains a large concentration of historic houses. The City of San Jose has not recognized the historic context within the Horace Mann neighborhood as a part of a historic district or conservation area designation. The property is associated with nineteenth century urban development, but that context is not known to be considered significance under state and national criteria. The property would therefore not appear to be eligible for the National or California registers under Criterion A and (1) for events or historic patterns of development.

The original family associated historically with the early use of this building, the Stiller family, is notable for the skills of Reinhold Charles Stillers as a carpenter/builder, but he is not recognized as important within the context of builders in early San Jose beyond the work on his own house. The association of this house with the Stiller family and later owners would not enable eligibility to the National or California Registers under Criterion B or (2).

The house is distinctive within the downtown frame; a one-story, highly detailed Italianate residence. The carpenter/builder was Reinhold Charles Stiller. Although he is not well known, his work is exemplary in this building, and it can be construed that he was a local master carpenter from the Victorian-era of residential development, although almost all of his work occurred in San Francisco. The building is distinguished among local residential buildings from San Jose's *Period of Horticultural Expansion*. Due to the recent changes to the building to the rear and carriage house, the property does not appear eligible for the National Register under Criterion C. However, under the guidelines for evaluating and listing properties on the California Register, some reduction in integrity is considered acceptable. It appears that the property would qualify for listing on the California Register under Criterion (3).



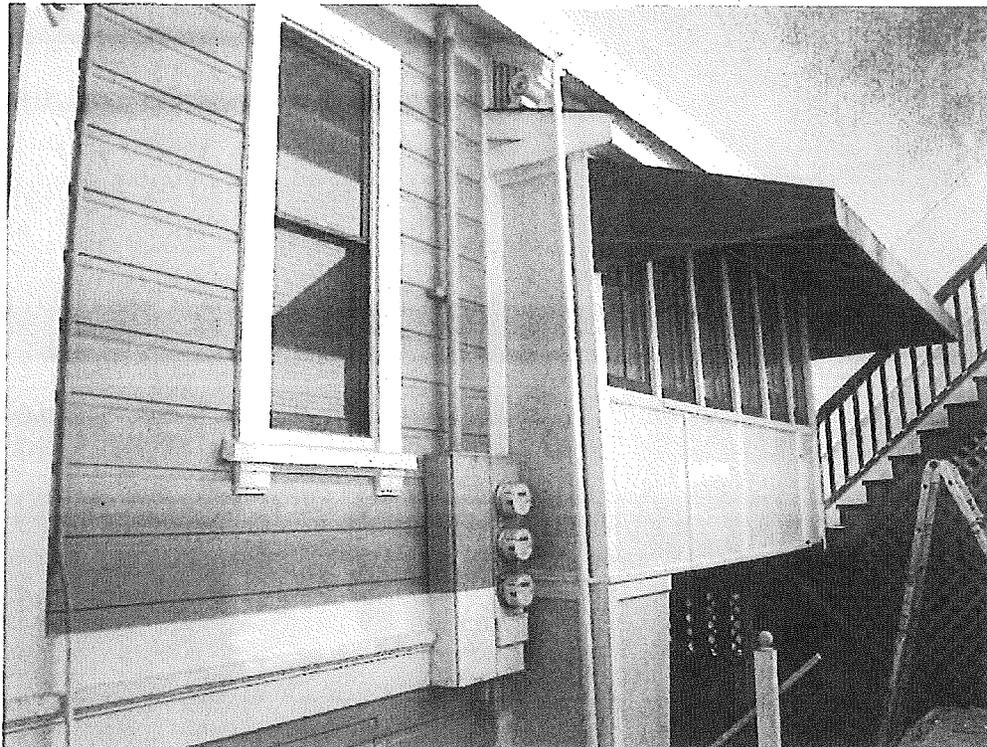
West interior elevation, viewed facing northeast.



East elevation at North Seventh Street, viewed facing northwest.



Rear elevation, viewed facing south.



Rear elevation continued, viewed facing southwest.

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary #
HRI #
Trinomial

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*Resource Name or # (Assigned by recorder) Stiller House

*Recorded by Franklin Maggi & Jessica Kusz

*Date 8/17/2011

Continuation Update



Ancillary residence and garage, viewed facing northwest.



Ancillary residence and garage with expanded second story, viewed facing southwest.

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary #
HRI #
Trinomial

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*Resource Name or # (Assigned by recorder) Stiller House

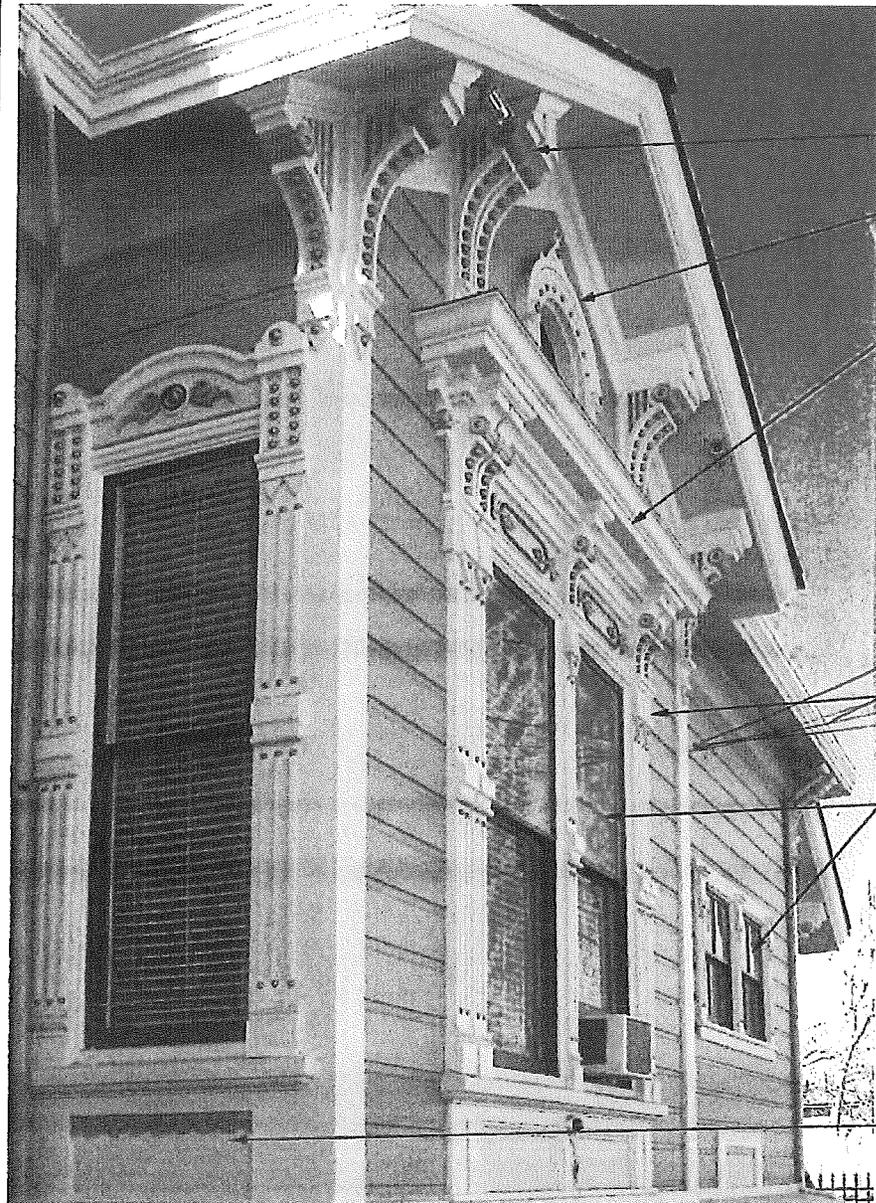
*Recorded by Franklin Maggi & Jessica Kusz

*Date 8/17/2011

Continuation Update



Detail of front wing, viewed facing northwest.



Corbel brackets

Arched attic window with
pellet molding surrounds,
rosettes, and finial

Flat topped entablature with
ornate frieze

Doubled fluted column trim

Double-hung windows

Flat panel aprons with upper
trim molding

APN # 467-02-040
285 E. St. James St.

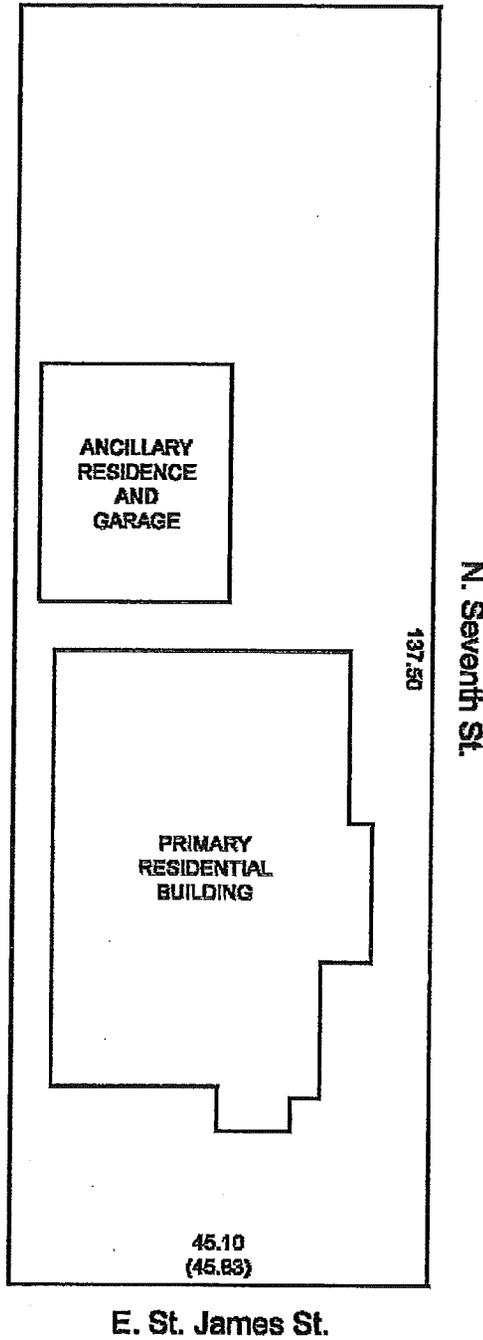


Diagram not to scale.

Reducing Property Taxes with the Mills Act

By Ken Fowler

Anyone who owns an older home would love to have more money available to maintain and restore it. The good news is that the state Mills Act can help free up those funds by reducing your real estate taxes. If you promise to use those tax savings to preserve your property's historic character, your recalculated property taxes using the special Mills Act assessment method can be reduced 50% or more!

What Property Is Eligible and How It Works

The City of San Jose has adopted the Mills Act and will enter into contracts only with property owners of designated city landmarks. The landmarking process must be completed before a Mills Act contract is initiated. See the accompanying story for how PAC*SJ member Rusty Lutz just obtained city landmark status for his North Second Street apartment building. (If you outside San Jose, check with your local planning office for what they have deemed a qualified historic property. Property owners in unincorporated Santa Clara County should contact the County Historical Heritage Commission.)

A Mills Act contract runs for 10 years and renews itself automatically. If the city or property owner chooses not to renew, the contract

will terminate at the end of the current 10-year term. The city or property owner may also cancel the contract, but a penalty may be assessed.

How the Reduced Property Tax Is Computed

Mills Act contracts are available for income property and for owner-occupied property. Property valuation is determined by the "income" method. Generally, the income, or projected income, less certain expenses, is divided by a capitalization rate to determine the assessed value of the property. When a property is owner occupied, the determination of "income" is based on what a property could reasonably be expected to yield in rental income. In the case of income-producing property, the income amount is based on rent actually received and on typical rents received for similar property in similar use.

Here's an example of how much money would be saved on a historic residence assessed at \$800,000. At a 1% property tax rate, current taxes would be \$8,000. Let's say the property does or could generate a \$5,000 monthly income, or a \$60,000 annual gross. Let's say expenses (things like insurance, repairs, and utilities) run \$10,000 a year. That would be a net income of \$50,000. To determine the



capitalization rate, we add up four components:

1. Your mortgage rate (for this example, let's say 4%)
2. A historical property risk component (4% for owner-occupied single-family residences, 2% for other cases)
3. Amortization (for this example, let's say 5%)
4. Your property tax rate (for this example, 1%)

These four components add up to 14%. Divide \$50,000 by 0.14, and you get the new assessed value of the residence, \$357,143. Instead of the original \$8,000 in property taxes, the new taxes would be \$3,571. That's a yearly savings of \$4,429.

Historical Property Contract, File No. MA11-004
Preservation Plan (Exhibit "C")
The Stiller House, 285 East St. James Street
City Landmark No. HL11-200

OWNER shall annually expend an amount equal to a minimum of ten percent (10%) of the tax savings attributed to this Agreement for the preservation and maintenance of the Historic Landmark. The rehabilitation of the Historic Landmark shall be completed on or before the 10th anniversary of the Effective Date of this Agreement, and such rehabilitation shall include all of the following tasks. Safety issues may re-arrange the order of the tasks shown below:

- Year 1 – Foundation repairs and water proofing
- Year 2 – Restoration and repair of exterior porch and stairwell
- Year 3 – Restoration and repair of carriage house roof.
- Year 4 – Plumbing and electrical upgrades and repairs
Cobble-stone walkway repairs
- Year 5 – Restoration and repair of exterior moldings
Seismic upgrades
- Year 6 – Restoration and repair of original doors, windows and hardware
- Year 7 – Restoration and repair of downspouts and gutters.
Main house roof inspection/repair
- Year 8 – Restoration and repair of exterior trim and siding
- Year 9 – Repaint exterior of main house and
- Year 10 – Repaint exterior of carriage house;
Restore and repair iron and wood fencing

After the 10th Anniversary date of the Effective Date of this Agreement, OWNER shall expend an amount equal to a minimum of ten percent (10%) of the tax savings attributed to this Agreement for the continued preservation and maintenance of the Historic Landmark and more specifically shall perform and complete but without limitation the tasks listed below.

- Maintenance of structure
- Painting of exterior
- Repairs to structure and interior