



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Historic Landmarks  
Commission

**SUBJECT:** SEE BELOW

**DATE:** May 11, 2012

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**COUNCIL DISTRICT:** 6

**SUBJECT:** HL11-201 & MA11-005, Historic Landmark Nomination (HL) and Mills Act Historical Property Contract (MA) for 1195 Minnesota Avenue, the Cozzens House

## RECOMMENDATION

The Historic Landmarks Commission recommends that the City Council approve: (1) the proposed Landmark Designation and (2) recommends that the City Council approve the proposed Historic Property Contract with modifications to Exhibit C (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 Cozzens House located at 1195 Minnesota Avenue. 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. The Commission suggested that Exhibit C of the contract be modified for clarification.

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.:**        **HL11-201 & MA11-005**, 1195 Minnesota Avenue, Cozzens 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-1-8 Residence District
General Plan	Residential Neighborhood
Council District	6
Annexation Name	Willow Glen
Annexation Date	October 1, 1936
Historic Classification	Eligible for California Register
Historic Area	N/A
SNI	N/A
Redevelopment Area	N/A



**OWNERS/APPLICANTS**

Anthony and Paulette Ornellas, 1195 Minnesota Avenue, San José, CA 95125

**BACKGROUND**

On November 1, 2011, the property owners of the single-family house at 1195 Minnesota Avenue, Anthony and Paulette Ornellas, submitted an application for City Landmark designation. The Cozzens House, a distinctive rural Folk Victorian residence within the Willow Glen neighborhood, is an excellent example of late nineteenth century Victorian residential architecture. The residence is associated with the Cozzens family, and early agricultural family who were instrumental in development of the horticultural industry in Santa Clara Valley.

If the Cozzens 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 (HL11-201)**

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 Cozzens House at 1195 Minnesota Avenue 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, 3, 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 Willow Glen neighborhood.*
- Criterion 3: Identification with a person or persons who significantly contributed to the local, regional, state or national culture and history. In the early 1890's, the subject property was constructed for William Wright Cozzens. The site was a fruit drying operation known as the Cozzens Fruit Company of San José.*
- Criterion 6: Embodiment of distinguishing characteristics of an architectural type or specimen. The Cozzens House embodies distinguishing characteristics of the rural Folk Victorian building type within the late nineteenth century era of residential architectural design. It is an extremely fine example of a Victorian-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 1195 Minnesota Avenue maintains 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 on Minnesota Avenue, in the Willow Glen 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 Cozzens House is distinctive within this setting along Minnesota Avenue; a two-story, highly detailed Folk Victorian residence. The designer has not been identified, but the house is distinguished among local residential architecture from San José's period of *Horticultural Expansion*.

#### Summary

The residential property at 1195 Minnesota Avenue, San José, has special historical, architectural and aesthetic interest and value to the community, for its contribution to the setting of Willow Glen neighborhood; for its association with the Cozzens family; and for the distinctive design of the residence, which is an extremely fine example of late nineteenth century rural Folk Victorian residential architecture.

## II. Mills Act Historical Property Contract (MA11-005)

The Historic Landmark Preservation Agreement is an incentive for ownership and rehabilitation of City Landmarks. It is a contract between the City of San José 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 31<sup>st</sup> 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 Cozzens 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

### HL11-201 – 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 Cozzens House at 1195 Minnesota Avenue as Historical Landmark No. 201 at the City Council hearing scheduled for May 22, 2012 at 1:30 PM.

### MA11-005 – 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 Cozzens House at 1195 Minnesota Avenue 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: 4.25.12

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

## ARCHIVES &amp; ARCHITECTURE, LLC

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PO Box 1332  
San José CA 95109-1332  
408.297-2684  
408.228.0762 FAX

August 19, 2011

Paulette and Anthony Ornellas  
1195 Minnesota Ave.  
San José CA 95125

RE: City Landmark Nomination – Cozzens

Dear Mr. & Mrs. Ornellas:

Please find enclosed DPR523 forms prepared for your property at 1195 Minnesota Ave. 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 Victorian-era residential architecture in San José, and is a visually important historic building that is recognizable to the larger community who pass along Minnesota Avenue. 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 constructed following the destruction of an earlier house on the site during the Cozzens family ownership around 1890.

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 currently is listed on the City of San José Historic Resources Inventory as a Contributing Structure (CS). We noted that the house has sufficient integrity to its period of significance to be considered a historic resource. The period of significance is 1890-1905.

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 for 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.

Cozzens House / City Historic Landmark nomination  
San José

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 1195 Minnesota Ave., we consider the following statement applicable:

*The residential property at 1195 Minnesota Ave., San José, has special historical, architectural and aesthetic interest and value to the community, for its association with an early agricultural family who were instrumental in development of the horticultural industry in Santa Clara Valley, for its contribution to the larger setting of the historic Willow Glen neighborhood, and for the distinctive design of the residence, which is an excellent example of late nineteenth century Victorian 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 Willow Glen neighborhood;*
- *It is the embodiment of elements of architectural design, detail, and craftsmanship which represents a significant architectural innovation in San José;*
- *It exemplifies aspects of the economic heritage of San José in its association with the Cozzens family that had an important role in the history of the arts of San José; and*
- *It embodies distinguishing characteristics of a rural Folk Victorian building 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 #  
Trinomlal  
NRHP Status Code 5S2

Other Listings Review Code      Reviewer      Date

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\*Resource Name or #: (Assigned by recorder) Cozzens Ranch 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.1E.; Mount Diablo B.M.

c. Address 1195 Minnesota Ave. City San Jose Zip 95125

d. UTM: (Give more than one for large and/or linear resources) Zone 10S; 597372mE/ 4128915mN

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

Assessor's Parcel Number: 429-17-070,

Northeast corner of Minnesota Avenue and Newport Avenue.

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

The Cozzens Ranch House embodies, through its form and detailing, a distinctive Victorian-era design with an underlying Italianate-era building form and footprint based on an earlier house using the same foundation. These pre-Queen Anne, Folk Victorian houses, can be recognized by their tall two-story walls that indicate an underlying balloon-frame building system. A unique composition of form, materials, and detailing distinguishes this house from others in San José although it shares many features with other late-nineteenth-century houses in the city. The Folk Victorian form is seen in its raised, two-story compact mass that was designed to be imposing. Queen Anne-era detailing includes the ornate gingerbread at the porch, eaves and gable ends, and the asymmetrical overall design.

(Continued on page 2, DPR523L)

\*P3b. Resource Attributes: (List attributes and codes) HP2. Single family property

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



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

Overview - facing north, April 2010.

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

c1890 121 years old, news article.

\*P7. Owner and Address:

Anthony & Paulette Ornellas  
1195 Minnesota Ave.  
San Jose, CA 95125

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

F. Maggi and L. Dill  
Archives & Architecture  
PO Box 1332  
San Jose CA 95109-1332

\*P9. Date Recorded: Aug. 19, 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)

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) Cozzens House

\*Recorded by Franklin Maggi & Leslie Dill

\*Date August 19, 2011

Continuation  Update

(Continued from page 1, DPR523a, P3a Description)

The immediate setting of the south-facing corner house includes a generous front yard that is currently landscaped with brick-and-gravel paths. These surround a small lawn, flower beds, orchard trees, a palm, and built-in garden features. The features include a concrete pond with bridges, a flagpole, sculptures, arbors, and other decorative elements which appear to have been constructed by the current owners of the property within the last 35 years. The front yard extends into the large west side yard of the corner parcel where the pathways encircle more lawn areas and flowerbeds. A small detached carport is located in this yard near the center of the west property line, adjacent to Newport Street. A detached garage and shop is located at the northwest corner of the property, with a concrete driveway from Newport Street. Between the house and garage is a modest rear yard that consists primarily of lawn and open patio, along with wisteria, fruit trees, and a covered patio that spans the east property line of the back yard. A decorative outhouse is centered on the open patio, at the rear property line. The east side yard is a relatively narrow setback with respect to the remainder of the parcel. It includes a narrow path flanked mainly by orchids at the base of the foundation and ivy along the fence.

The house has a raised, two-story, rectangular original main mass with shallow wings that extend to the southwest and northeast. The roof is primarily a large, truncated pyramidal hip, with a forward gable over the front wing and a hipped extension toward the east. At the rear of the house, a full-width hipped roof spans the one-story kitchen wing. A one-story square bay window projects to the front, centered beneath the accent gable; it shares a Mansard roof with the projecting front porch. To the west is a side entrance with a one-story entry area and porch, similar to the front porch detailing. A one-story rear porch was built recently; it uses compatible forms and materials. The frame house is raised above a basement, on a symmetrical brick perimeter foundation that appears to have been built for a previous house at the site. There are other materials within the house that likely were salvaged from the earlier-nineteenth-century former residence, but these are not visible from the exterior.

The exterior includes many materials and details that are consistent throughout the house design. As common for an early Victorian-era design, the eaves are moderate in depth and boxed at an angle with flat-board soffits. Metal ogee gutters have been added where there were likely none originally. Under the eaves are wide frieze bands bordered by an architrave trim; these serve as header trim for the upstairs windows. The main walls are clad in channel rustic siding, more commonly used in San José before 1890. Flat boards trim the main corners; these are capped by knee braces at the gabled roof. Windows consist primarily of 1/1 double-hung wood units set in pairs and individually. These are trimmed with flat-board casings and shaped aprons. A watertable wraps the house on all sides above the pony wall. The pony wall appears to have been altered; it is paneled rather than sided. The roof is covered with composition shingles; original brick chimneys project from the roof.

The front façade is asymmetrical, featuring distinctive trim at the accent gable and much detail at the front porch and bay window. The gable end includes a wide, paneled bargeboard with a drilled sunburst panel at the apex of the roof. The sunburst panel is trimmed by a scalloped band and accented by three small, turned pendants. The bargeboard flares inward at the lower corners where a bulls eye accentuates the lowest two panels; bulls eyes are placed within other bargeboard panels as well. The knee braces at the outer corners of the gable are curved into an unusual ogee form and decorated with bulls eyes. The gable end is separated from the second story wall by a wide board-and-batten band. Each board panel within the band includes a centered bulls eye. Above the square-paneled frieze are fish-scale shingles around an arched attic window. This window is highlighted by an arched hood, reminiscent of Gothic Revival design from earlier in the century.

(Continued on next page)

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) Cozzens House

\*Recorded by Franklin Maggi & Leslie Dill

\*Date August 19, 2011

Continuation  Update

*(Continued from previous page)*

At the first floor, a shallow square bay window is centered beneath the gable. The focal window features a stained-glass transom above a fixed-lite sash, flanked by 1/1 double-hung windows on the sides. The bay window shares its roof and trim with the front porch. The front porch is inset into the deeper section of the front elevation, and wraps across the face of the projecting wing to align with the bay window. The porch and bay window are topped by a Mansard roof that is supported by cruck-style knee braces. The fluted porch posts are decorated with buttons below the braces. The Mansard roof is covered in fish-scale shingles. Between the knee braces, the face of the header beam is decorated with a drilled, scalloped trim band. The porch header includes a spandrel band of square panels that are drilled in an "X" pattern with drilled corners; beneath the panels are curving side corbels drilled in a butterfly-wing fan pattern similar to the gable apex panel. Above the first-floor roof is a paired 1/1 double-hung window unit centered beneath the gable, and an individual 1/1 window centered approximately within the main recessed wall. Beneath the porch roof is a paired entry door, somewhat more typical of the 1870s or 1880s rather than the 1890s. Each leaf of the door features an arched upper lite, a main viewing lite, and two panels below. Also beneath the porch roof is a high accent window with a diamond pattern within the multi-lite sash. The porch ceiling is beaded board. The porch railing has carved and rabbeted pieces; there are scroll-shaped newel posts at grade. The porch floor and steps are clad in marble, a later addition.

The west-side elevation, facing Newport Street, is square in form and features expanses of siding with few openings. There is a paired 1/1 double-hung window unit at the second floor near the rear, a small one-story porch and square bay window near the back corner, and a high accent window near the front of the first floor. This window has a stained-glass window, designed and built by the current owner. The bay window features a paired 1/1 double-hung window unit at its face, and the steps of the porch face forward; the design of the porch matches the detailing and Mansard forms of the front porch. There is a cellar hatch at the rear corner of the main house, immediately behind the bay window. The one-story rear kitchen wing is set back from the main house elevation; it features a new, cantilevered angled bay window.

The east side façade steps out slightly in plan at the rear two-thirds of the main house. Centered in this outer wall is a paired 1/1 double-hung unit at the second floor stacked above an individual 1/1 double-hung window. At the first floor there is an additional 1/1 window to the rear of the centered one. Facing forward where the wall steps out are stacked individual 1/1 double-hung windows. At the rear, one-story wing is an enclosed former porch with fixed windows in a 1/1 pattern.

The rear façade is one story with a steep hipped roof that is truncated beneath the eaves of the second story. The northeast rear corner has vertical siding that indicates that it was once a recessed porch. A recent one-story porch projects from the rear near this location; the new porch has corbels, knee braces and other trim to match the front and side porches while its proportions and somewhat simplified detailing provide differentiation.

The detached garage and shop structure is a rectangle in plan, with a moderately low slope gabled roof and a small full-width gabled shop area to the east and a shed-roof storage area to the north. The roof features exposed rafter tails and v-groove siding typical of the middle-to-late twentieth century. The wide 1/1 windows, paneled doors, and eaves have added trim that matches much of the Victorian gingerbread of the main house. The garage door is a full-width roll-up design. The modern carport in the west side yard has diagonal lattice sides between its four posts while the ends of the structure are open for a car to pass through. The roof is a pyramidal hip, topped by a decorative wood finial to provide some compatibility with the remainder of the property. The covered patio in the rear yard, and the faux outhouse, have been added to the property within the last forty years. They include many decorative trim elements that match the historic residence, but the structures would not be mistaken for original features.

*(Continued on page 6)*

*(Continued from previous page)*

At the first floor, a shallow square bay window is centered beneath the gable. The focal window features a stained-glass transom above a fixed-lite sash, flanked by 1/1 double-hung windows on the sides. The bay window shares its roof and trim with the front porch. The front porch is inset into the deeper section of the front elevation, and wraps across the face of the projecting wing to align with the bay window. The porch and bay window are topped by a Mansard roof that is supported by cruck-style knee braces. The fluted porch posts are decorated with buttons below the braces. The Mansard roof is covered in fish-scale shingles. Between the knee braces, the face of the header beam is decorated with a drilled, scalloped trim band. The porch header includes a spandrel band of square panels that are drilled in an "X" pattern with drilled corners; beneath the panels are curving side corbels drilled in a butterfly-wing fan pattern similar to the gable apex panel. Above the first-floor roof is a paired 1/1 double-hung window unit centered beneath the gable, and an individual 1/1 window centered approximately within the main recessed wall. Beneath the porch roof is a paired entry door, somewhat more typical of the 1870s or 1880s rather than the 1890s. Each leaf of the door features an arched upper lite, a main viewing lite, and two panels below. Also beneath the porch roof is a high accent window with a diamond pattern within the multi-lite sash. The porch ceiling is beaded board. The porch railing has carved and rabbeted pieces; there are scroll-shaped newel posts at grade. The porch floor and steps are clad in marble, a later addition.

The west-side elevation, facing Newport Street, is square in form and features expanses of siding with few openings. There is a paired 1/1 double-hung window unit at the second floor near the rear, a small one-story porch and square bay window near the back corner, and a high accent window near the front of the first floor. This window has a stained-glass window, designed and built by the current owner. The bay window features a paired 1/1 double-hung window unit at its face, and the steps of the porch face forward; the design of the porch matches the detailing and Mansard forms of the front porch. There is a cellar hatch at the rear corner of the main house, immediately behind the bay window. The one-story rear kitchen wing is set back from the main house elevation; it features a new, cantilevered angled bay window.

The east side façade steps out slightly in plan at the rear two-thirds of the main house. Centered in this outer wall is a paired 1/1 double-hung unit at the second floor stacked above an individual 1/1 double-hung window. At the first floor there is an additional 1/1 window to the rear of the centered one. Facing forward where the wall steps out are stacked individual 1/1 double-hung windows. At the rear, one-story wing is an enclosed former porch with fixed windows in a 1/1 pattern.

The rear façade is one story with a steep hipped roof that is truncated beneath the eaves of the second story. The northeast rear corner has vertical siding that indicates that it was once a recessed porch. A recent one-story porch projects from the rear near this location; the new porch has corbels, knee braces and other trim to match the front and side porches while its proportions and somewhat simplified detailing provide differentiation.

The detached garage and shop structure is a rectangle in plan, with a moderately low slope gabled roof and a small full-width gabled shop area to the east and a shed-roof storage area to the north. The roof features exposed rafter tails and v-groove siding typical of the middle-to-late twentieth century. The wide 1/1 windows, paneled doors, and eaves have added trim that matches much of the Victorian gingerbread of the main house. The garage door is a full-width roll-up design. The modern carport in the west side yard has diagonal lattice sides between its four posts while the ends of the structure are open for a car to pass through. The roof is a pyramidal hip, topped by a decorative wood finial to provide some compatibility with the remainder of the property. The covered patio in the rear yard, and the faux outhouse, have been added to the property within the last forty years. They include many decorative trim elements that match the historic residence, but the structures would not be mistaken for original features.

*(Continued on page 6)*

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

Primary #  
 HRI #  
 Trinomial

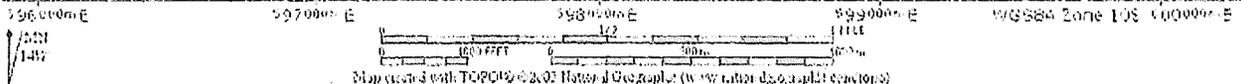
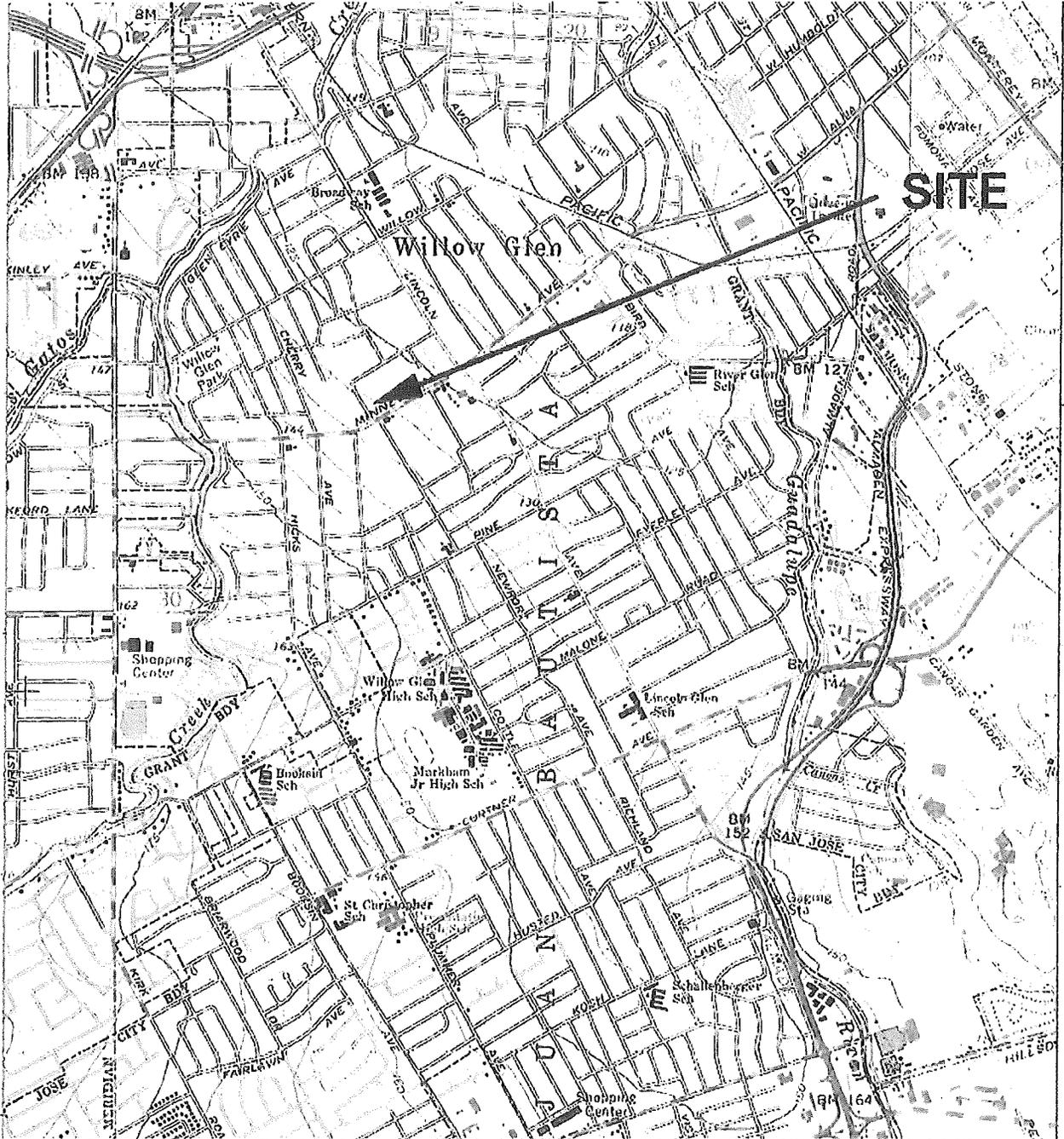
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\*Resource Name or # (Assigned by recorder) Cozzens House

\*Map Name: USGS San Jose West

\*Scale: n.t.s.

\*Date of Map: 1980 photorevised



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) Cozzens House

B1. Historic Name: William Wright and Annie Cozzens House  
 B2. Common Name: None  
 B3. Original use: Single family residential/ranch house B4. Present Use: Single family residential  
 \*B5. Architectural Style: Folk Victorian  
 \*B6. Construction History: (Construction date, alterations, and date of alterations)  
 Original residence constructed circa 1873-1876. Rebuilt over original foundations c1890. A 2-car garage was constructed in 1951. Interior repair from fire, 1985.

\*B7. Moved?  No  Yes  Unknown Date: n/a Original Location: n/a  
 \*B8. Related Features: B9a Architect: Unknown b. Builder: Unknown

Garage and small outbuilding.

\*B10. Significance: Theme Architecture and Shelter Area Willow Glen  
 Period of Significance 1876-1905 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.)

This two-story house was constructed in its present form at 1195 Minnesota Ave. in the early 1890s following a fire that had destroyed much of a circa 1873-1876 house at the same location. It is not clear how much of the original 1870s house was affected by the fire as interior features include extant 1870s elements; however, portions of the house were rebuilt after the conflagration which was called a total loss in the local newspaper.

The original nineteenth century agricultural site of about 65 acres, anchored by the residence, was known as Lot 3 of the Hills and Sampson Tract, recorded November 16, 1869. On October 24, 1873, Miles Hills sold Lot 3 containing 9.50 acres of land in the Hills and Sampsons subdivision of a portion of the Narvaez Rancho to William W Cozzens (Deeds 30:490.) Over the next two years, Cozzens purchased adjacent land until the parcel totaled 13.5 acres.

The house was constructed for William Wright Cozzens, and the site was a fruit drying operation known as the Cozzens Fruit Company of San Jose. The house is an extremely fine example of a Victorian-era 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) None

\*B12. References:

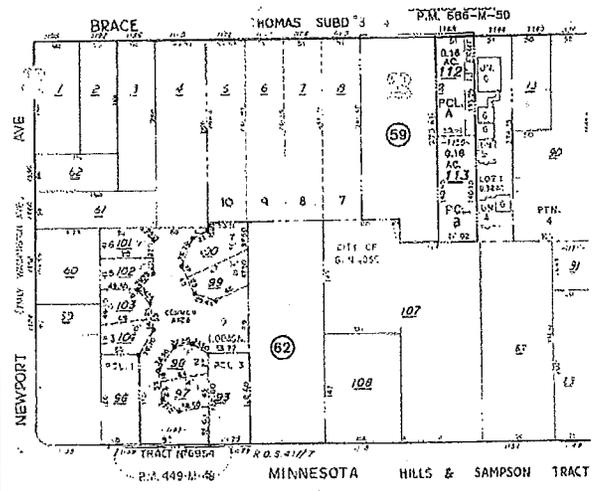
(See page 8)

B13. Remarks: Proposed landmark nomination

\*B14. Evaluator: Franklin Maggi

\*Date of Evaluation: August 19, 2011

(This space reserved for official comments.)



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DEPARTMENT OF PARKS AND RECREATION  
CONTINUATION SHEET

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\*Resource Name or # (Assigned by recorder) Cozzens House

\*Recorded by Franklin Maggi & Leslie Dill

\*Date August 19, 2011

Continuation  Update

*(Continued from previous page, DPR523b, B10 Significance)*

The house is significant for its representation of the early agricultural beginnings of the Willows, an important orchard district in Santa Clara Valley at the end of the nineteenth century. William Wright Cozzens and his father William W. Sr. were instrumental contributors to the development of the Valley of Heart's Delight. The house as it exists today is significant for its association with this early pattern of development and ties to the Cozzens family, as well as for its distinctive Victorian character that is easily recognizable today in suburban Willow Glen.

The current property is a small lot at the corner of Minnesota and Newport Avenues. The original nineteenth century properties was formed out of the original boundaries of *Rancho San Juan Bautista*, a Mexican era property that was granted to José Agustín Narváez in 1844, and patented to him in 1865 by the United States Land Commission. At the time that the Cozzens Ranch had developed, the area had evolved into a community named Kensington in the unincorporated Willows district, centered about a post office at Minnesota Avenue and Cherry about a block west of the subject site. Kensington was a rural agricultural center serving the growing orchard district during San José's Period of Horticultural Expansion (1870-1918). During the late nineteenth century, the district was re-subdivided into small fruit farms run by mostly by owner-operators. By 1891 residents were seriously considering incorporation, and in 1893 the Kensington Post Office was founded - renamed to the Willow Glen Post Office in 1895. A small commercial center had developed at Lincoln and Minnesota Avenues by 1900, where the Willow Glen School was established on the southwest corner.

During the Interwar Period (1919-1945) the population of this area grew as part of suburban development related to the use of the automobile, and efforts to incorporate began in 1917 when the district contained slightly over 1,000 inhabitants. When the Southern Pacific Railroad announced plans to realign their route through the area in the mid-1920s, community outrage resulted in incorporation that took effect September 8, 1927. Willow Glen was annexed to the City of San Jose in 1936.

The builder of the subject house, and operator of Cozzens Fruit Company was William Wright Cozzens Jr. who was born in Sacramento in 1853 to William W. and Mahala Cozzens. His father had arrived in California from Maine in 1850 via Panama during the Gold Rush, and his mother followed two years later. William W. Cozzens Sr. had been previously married to Phoebe Jackson in Maine with whom he had children, two of which came to California with him, Joshua and Joseph Cozzens. After arriving in California and uniting with Mahala, they moved from Sacramento to Little York, Nevada where he worked as a butcher and later established Cozzens and Garbers Cement Mill.

William W. Cozzens, Jr. first worked as a miner in the 1870s as a young adult. The Cozzens family eventually moved to San Jose in 1873 settling in The Willows. Once in San Jose, William Cozzens Sr., worked as a hay and grain dealer with his son, William W. Jr., residing on Minnesota Avenue in the house that was constructed in 1876. His sister, Kate worked as a teacher at the Normal School in San Jose. Joshua and John Cozzens, William Cozzens Jr's., older half-brothers, were also prominent orchardists establishing a 500-acre orchard in at Dry Creek and Kirk Roads. On February 4, 1883, W. W. Cozzens, Jr., married the 23 year old Annie B. Boyer who had also been born in the Gold County at Sonora. William and Annie had five children, William Lloyd (1884), Howard (1887), Edwin (1888), Robert (1894) and Bradley (1903). She graduated from San Jose Normal School as had her mother-in-law Kate Cozzens and taught for a few years, specializing in music.

*(Continued on next page)*

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Primary #  
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\*Resource Name or # (Assigned by recorder) Cozzens House

\*Recorded by Franklin Maggi & Leslie Dill

\*Date August 19, 2011

Continuation  Update

(Continued from previous page)

**Property History**

The subject property was originally part of a 65-acre fruit ranch and a fruit drying business that was established in 1879 as the Cozzens Fruit Company of San Jose. Although canning was the conventional way of preserving fruit from the local orchards, fruit drying became an alternative as the canners were not able to effectively process all the various varieties of fruit. In 1874, the Alden Fruit and Vegetable Preserving Company was formed by many of the sixteen Willow Glen orchardists including William Cozzens Sr. They installed an Alden evaporator it at the corner of San Salvador and Josefa Streets for dried fruit production, but it was not as successful as they had hoped and within a few years the company disbanded. It was during this time that William Cozzens Sr. began his fruit drying business in The Willows and was very successful using his evaporator method of fruit drying. He was later touted as one of the founders of the dried fruit industry in Santa Clara Valley and a leading horticulturalist. In the initial stages of establishing the Cozzens Fruit Company, Cozzens would purchase the fruit for drying but eventually, by 1888, became interested in growing his own crops and owned over 200 acres of land where he grew prunes, apricots and peaches. William Cozzens, Sr., died in 1883 leaving Mahala Cozzens, and sons, Joshua, Joseph and William Cozzens and Kate Cozzens as sold heirs to the property.

William Cozzens Jr., continued to expand operations by planting an orchard on Stevens Creek and Infirmary Roads in 1883, purchasing lots in the Leach and McIlvain Tract in 1889, and also in that year expanded operations employing 75 workers in the Southern California community of Newhall where he operated a dryer. By the early 1890s he had leased 300 acres in the Willows, southwest of his ranch on Minnesota Avenue, where he expanded local operations. Although successful, by 1892 the operation had collapsed financially with Cozzens' creditors coming forward with \$153,345 in debt. Cozzens became insolvent and discharged of his debts by selling off portions of other orchard lands which had been previously acquired by William Cozzens, Sr. The Cozzens Fruit Company however survived the bankruptcy and recession of the mid-1890s and remained in operation until the early-1900s. The family lived in the subject property until 1905 when they moved to a modest house at 1018 Broadway Ave. in unincorporated Willow Glen, where they remained until their deaths in the mid-1940s.

In 1905, the property was owned by Louis Christopher who lived in the residence with his wife, Alameda. With Oscar Walton, he operated a drapery business called Christopher & Walton Company. During his ownership the property was subdivided and Newport Avenue was created, then called Christopher Avenue. The street name later to Washington Avenue and then to Newport Avenue by the 1930s. By 1924, the original acreage had reduced in size to a little over half-an-acre of land. Louise Christopher lived in the residence until 1935. In 1936, around the time that Willow Glen was annexed to the City of San Jose, the property was further split into two parcels, reducing the subject property parcel to approximately a quarter of an acre of land. During this time, the residence was owned by Edward Bocchino and the rear parcel was sold to A. Michner. Edward Bocchino, lived in the house with his wife, Anna until 1956 when it was sold to John and Mildred Yerkes. They retained ownership for about 20 years, selling to Neal Jackson who then sold the property to the current owners in 1975 (Deed No. 5253371); who renovated the property between 1975-1985. Additional repairs occurred following a fire in 1985.

Integrity and character-defining features:

The property maintains most of its historic integrity as per the National Register's seven aspects of integrity. The house maintains its original location on Minnesota Avenue, a historic residential street in the once-rural area of Willow Glen. Although the residence was originally built on a much larger tract of land, the property is currently surrounded by a relatively generous corner lot, and sits amid a traditional residential setting near the downtown Willow Glen neighborhood, including surrounding properties of a similar scale and setback and a mix of adjacent houses that would have been consistent through much of the house's history. The subject property retains its late-nineteenth-century residential scale and feeling and continues, through its massing and detailing, to illustrate its associations with Folk Victorian forms and Queen Anne-era ornament of the late nineteenth century. The Cozzens House has a distinctive character, composition, and history of change that is expressed through its preserved materials, workmanship, and design.

(Continued on next page)

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\*Resource Name or # (Assigned by recorder) Cozzens House

\*Recorded by Franklin Maggi & Leslie Dill

\*Date August 19, 2011

Continuation  Update

(Continued from previous page)

**Survey Status**

The property at 1195 Minnesota Ave. was first identified for its architectural distinction in 1977-1978 by the company Urban/Rural Conservation for the City of San Jose, who evaluated the property and determined that it was a "Contributing Site." The property was included in the 1979 Santa Clara County Heritage Resources Inventory, and is presently listed in the San Jose Historic Resources Inventory as eligible for the National Register (ENR). The source of the ENR notation could not be determined.

**EVALUATION**

This house sits in a mature residential area that possesses a significant but diverse concentration of historic properties that are unified by their aesthetically pleasing plans and characteristics. The City of San Jose has not recognized the historic context nor has determined the area eligible for listing under the conservation area or historic district ordinances. The property itself is associated with nineteenth century rural development, but no longer is located within a rural context. The property would therefore not appear to be eligible for the National or California registers under Criterion A and (1) for historic events or patterns of development.

The original family associated historically with the early use of this building, the Cozzen family, is notable in the context of early San Jose personages who provided a unique contribution to the agricultural development during the late nineteenth century. The association of this house with the Cozzens family is important to understanding and appreciating the history of this house, but the association in itself would not enable eligibility to the National or California Registers under Criterion B or (2), William Wright Cozzens Sr. was the primary family person who is associated with this early horticultural development.

The house is distinctive within this setting along Minnesota Avenue; a two-story, highly detailed Folk Victorian residence. The designer has not been identified, but the house is distinguished among local residential buildings from San Jose's *Period of Horticultural Expansion*. Due to the recent changes to the building site and changes at the rear, 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).

(Continued from page 5, DPR523b, B12)

**References:**

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Fire in the Willows. The Residence of Mrs. M. Cozzens is Entirely Destroyed, Aug. 21, 1889.  
Heavy Damages Valuable Fruit Leases in Controversy, Nov. 28, 1894.  
W Cozzens' Insolvency, August 28, 1891.  
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County of Santa Clara, *Maps and Deeds*.  
U.S. Federal Census Records 1850-1930.  
Willow Glen Neighborhood Association, *Touring Historic Willow Glen, Ten Walking Loops*, 2007.  
Zavlaris and Dixon, *Historic Resources Inventory form*, 1977.



- Paneled bargeboards
- Drilled apex sunburst panel
- Arched window and hood
- Fish-scale shingles; paneled frieze
- Truncated hip with front gable
- Upright form (balloon framed)
- 1/1 double-hung windows
- Channel-rustic siding
- Flat-board trim
- Shared Mansard roof
- Scalloped, drilled fascia
- Drilled panel spandrel
- Corbels and knee braces
- Accent window
- Paneled double doors
- Bay window with transom
- Fluted porch posts and rail
- Carved newel posts
- Brick foundation (not shown)
- Corner parcel (not shown)

Front elevation with character-defining features annotations, viewed facing north.

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\*Resource Name or # (Assigned by recorder) Cozzens House

\*Recorded by Franklin Maggi & Leslie Dill

\*Date August 19, 2011

Continuation  Update



West elevation along Newport Avenue, viewed facing east.

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\*Date August 19, 2011  Continuation

Update



East elevation at inside property line, viewed facing north.

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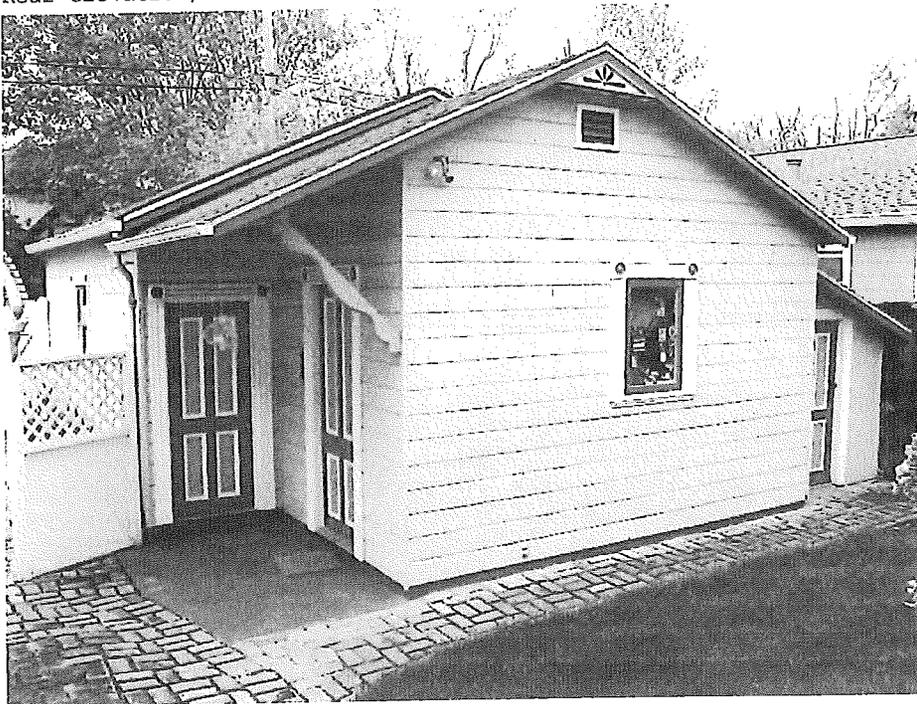
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\*Date August 19, 2011  Continuation  Update



Rear elevation, viewed facing south.



Detail view of rear of garage, viewed facing northwest.

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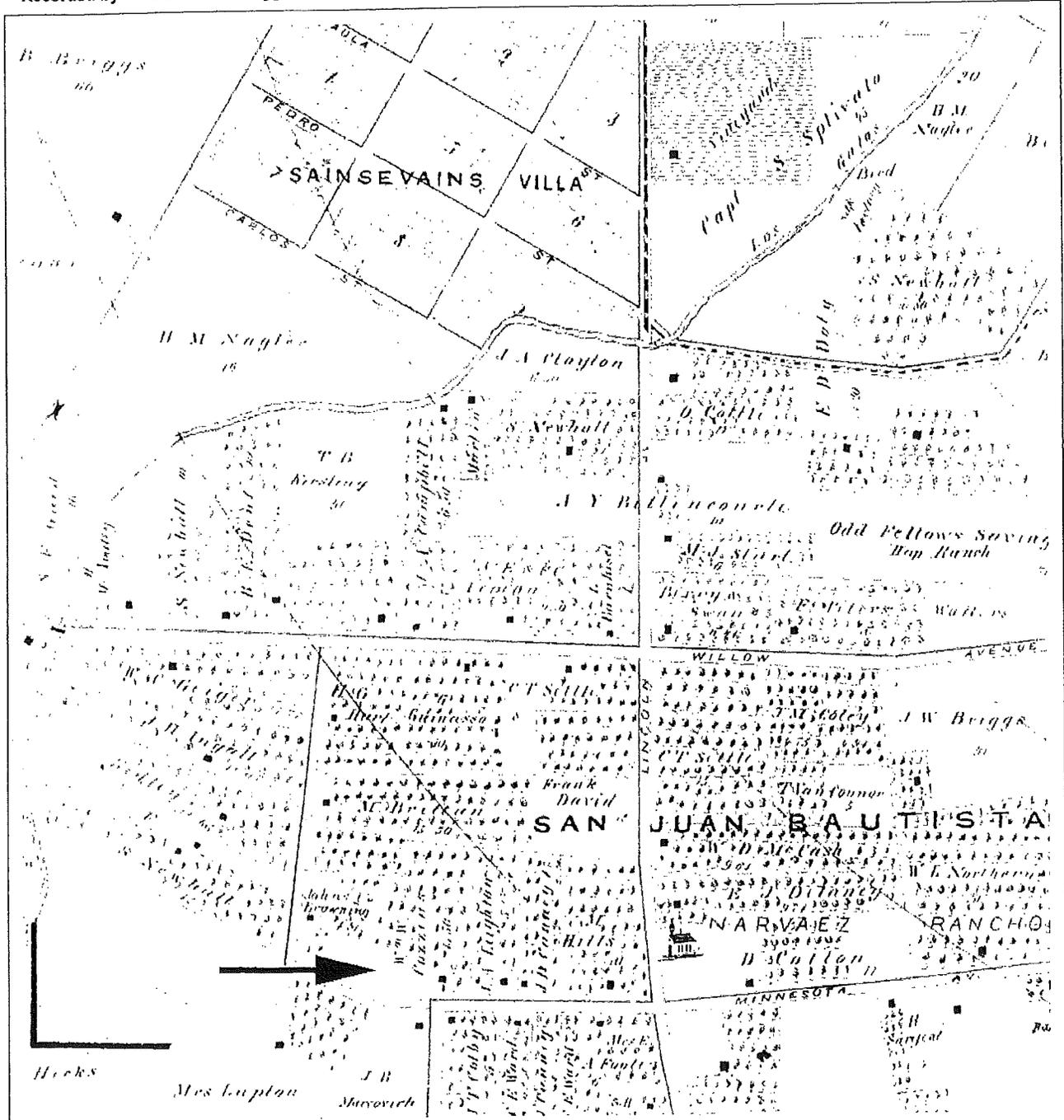
\*Date August 19, 2011  Continuation  Update



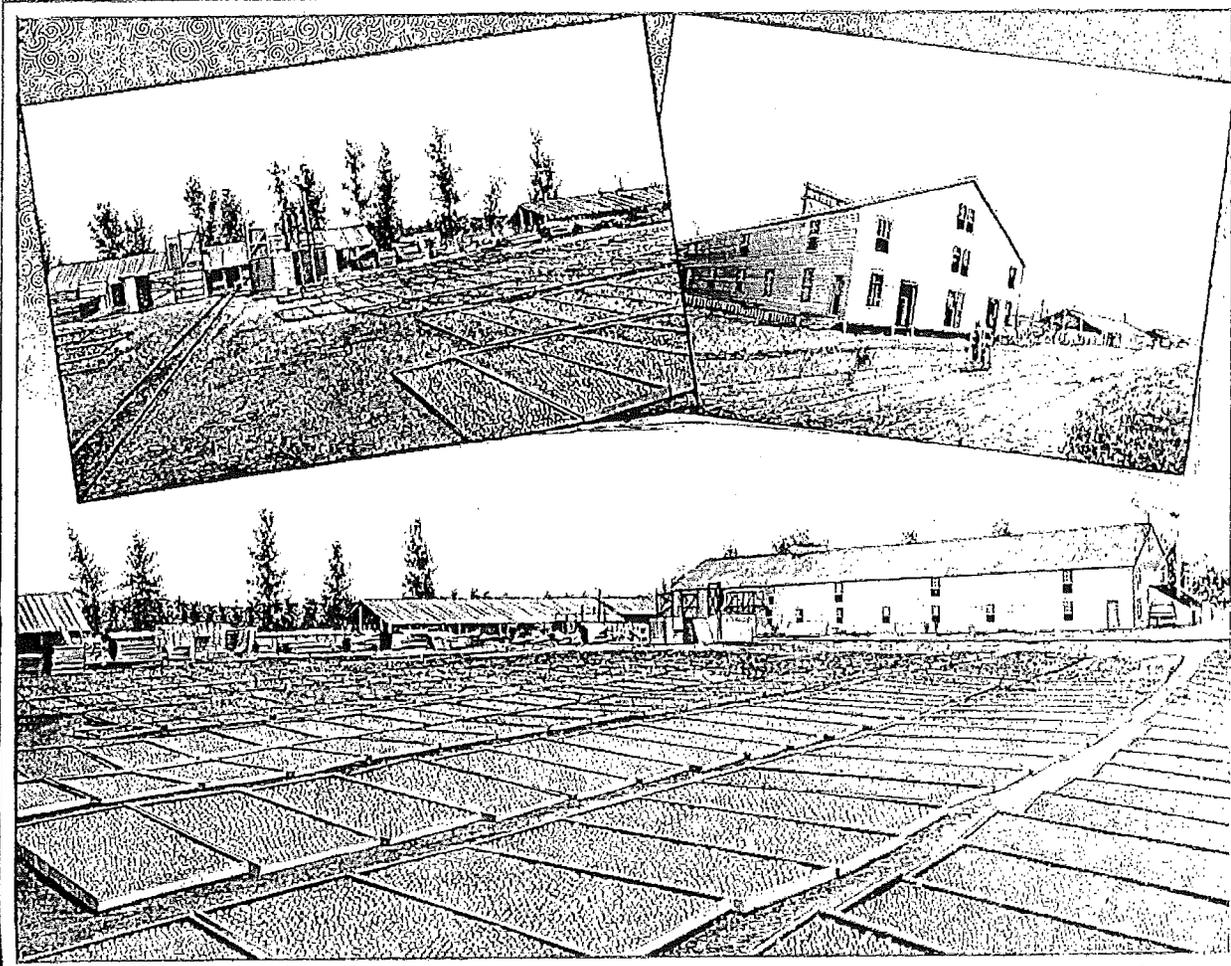
View from Newport Avenue facing southeast, showing partial front elevation of garage, west elevation of house, and part of carport at right.



Cozzens 13.5-acre ranch as shown on Henry A. Brainard's map of ca. 1886.



1876 Thompson and West Atlas of Santa Clara County, showing the Wm W Cozzens ranch shortly after its initial acquisition and development at the then terminus of Minnesota Avenue



VIEWS OF THE FRUIT-DRYING ESTABLISHMENT OF W. W. COZZENS  
IN THE WILLOYS.

Sketches from Horace S. Foote's Pen Pictures from the Garden of the World, Santa Clara County, California, Illustrated, published in 1888.

# 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.

Proposed Preservation Plan

1195 Minnesota Ave., San Jose

Historic Property Contract

#	Year	Action
1.	2012	Repair windows and door screens
2.	2013	Install new shower in downstairs bath
3.	2014	Repair and repaint gutters – 3 buildings
4.	2015	Re-caulk front and side porches and paint
5.	2016	Replace north perimeter fence
6.	2017	Replace east perimeter fence
7.	2018	Repair window weights and paint trim
8.	2019	Plumbing system upgrade where needed
9.	2020	Re-roof house, garage and carport
10.	2021	Repaint exterior on house, garage and carport