

RESOLUTION NO.

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSÉ
DESIGNATING, PURSUANT TO THE PROVISIONS OF CHAPTER
13.48 OF TITLE 13 OF THE SAN JOSÉ MUNICIPAL CODE, THE
SAMUEL AND LILA MARTIN HOUSE #1, LOCATED AT 641
SOUTH SIXTH STREET, AS A CITY LANDMARK OF SPECIAL
HISTORICAL, ARCHITECTURAL, CULTURAL, AESTHETIC OR
ENGINEERING INTEREST OR VALUE OF A HISTORIC NATURE
HL11-202**

WHEREAS, Chapter 13.48 of Title 13 of the San José Municipal Code provides for the designation of structures and/or sites of special historical, architectural, cultural, aesthetic or engineering interest or value of a historical nature as landmarks by the City Council of the City of San José; and

WHEREAS, said Chapter 13.48 of Title 13 provides that any historic property can be nominated for designation as a City Landmark by the City Council, the Historic Landmarks Commission, or by application of the owner or the authorized agent of the owner of the property for which designation is requested; and

WHEREAS, the Director of Planning, Building and Code Enforcement initiated the procedure pursuant to said Chapter 13.48 of Title 13 for consideration of such landmark designation for the Samuel and Lila Martin House #1 located at 641 South Sixth Street; and

WHEREAS, said Chapter 13.48 of Title 13 provides that before this Council may designate any building as a landmark, it shall hold at least one public hearing on such proposed designation, and that before it holds said public hearing, the Director of Planning, Building and Code Enforcement shall set the public hearing of said proposed landmark designation to the Historic Landmarks Commission of the City of San José for its consideration at a public hearing and for its report and recommendation thereon; and

WHEREAS, within the time and in the manner provided by Chapter 13.48 of Title 13, the Historic Landmarks Commission did, on May 2, 2012 at 6:00 p.m., conduct a public hearing on said landmark designation and recommend approval of the designation of the Samuel and Lila Martin House #1, located at 641 South Sixth Street,

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described hereinafter in Section 1 of this Resolution, as a landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of a historic nature and made certain findings with respect thereto; and

WHEREAS, a copy of the City of San José Historic Landmark Nomination Form No. HL11-202 upon which such recommendation was made is on file in the Planning Division of the City of San José and available for review; and

WHEREAS, within the time and in the manner provided by said Chapter 13.48 of Title 13, the Director of Planning, Building and Code Enforcement gave notice that on May 22, 2012 at 1:30 p.m., or as soon thereafter as said matter could be heard, this Council would, in the City Hall of the City of San José, 200 East Santa Clara Street, San José, California, hold a public hearing on said landmark designation, at which hearing any and all persons interested in said proposed designation could appear and avail themselves of an opportunity to be heard and to present their views with respect to said proposed designation; and

WHEREAS, the subject property is all that real property located within the City of San José at 641 South Sixth Street and described in Exhibit "A," which exhibit is attached hereto and made a part hereof by this reference as if fully set forth herein; and

WHEREAS, at the aforesaid time and place set for hearing, or to which the hearing was continued, this Council duly met, convened, and gave all persons full opportunity to be heard and present their views with respect to said proposed landmark designation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN JOSÉ AS FOLLOWS:

SECTION 1. In accordance with the provisions of Chapter 13.48 of Title 13 of the San José Municipal Code, the Historic Preservation Ordinance, this Council does hereby designate the hereinafter described Samuel and Lila Martin House #1, located at 641 South Sixth Street, as a landmark of special historic, architectural, cultural, aesthetic or engineering interest or value of a historic nature.

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