



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

SUBJECT: SEE BELOW

FROM: Historic Landmarks
Commission

DATE: May 11, 2012

COUNCIL DISTRICT: 3

SUBJECT: HL12-203 & MA12-001. HISTORIC LANDMARK NOMINATION (HL) AND MILLS ACT HISTORICAL PROPERTY CONTRACT (MA) FOR 593 S. SIXTH STREET, THE ROBERT HUTCHINSON 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 Robert Hutchinson House located at 593 S. Sixth 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. The Commission suggested that Exhibit C of the contract be modified to replace "take out asphalt" with work items that are more appropriate for restoration.

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

STAFF REPORT
HISTORIC LANDMARKS COMMISSION

FILE NO.: HL12-203 & MA12-001, 593 S. Sixth Street, The Robert Hutchinson House

APPLICATION TYPE:

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

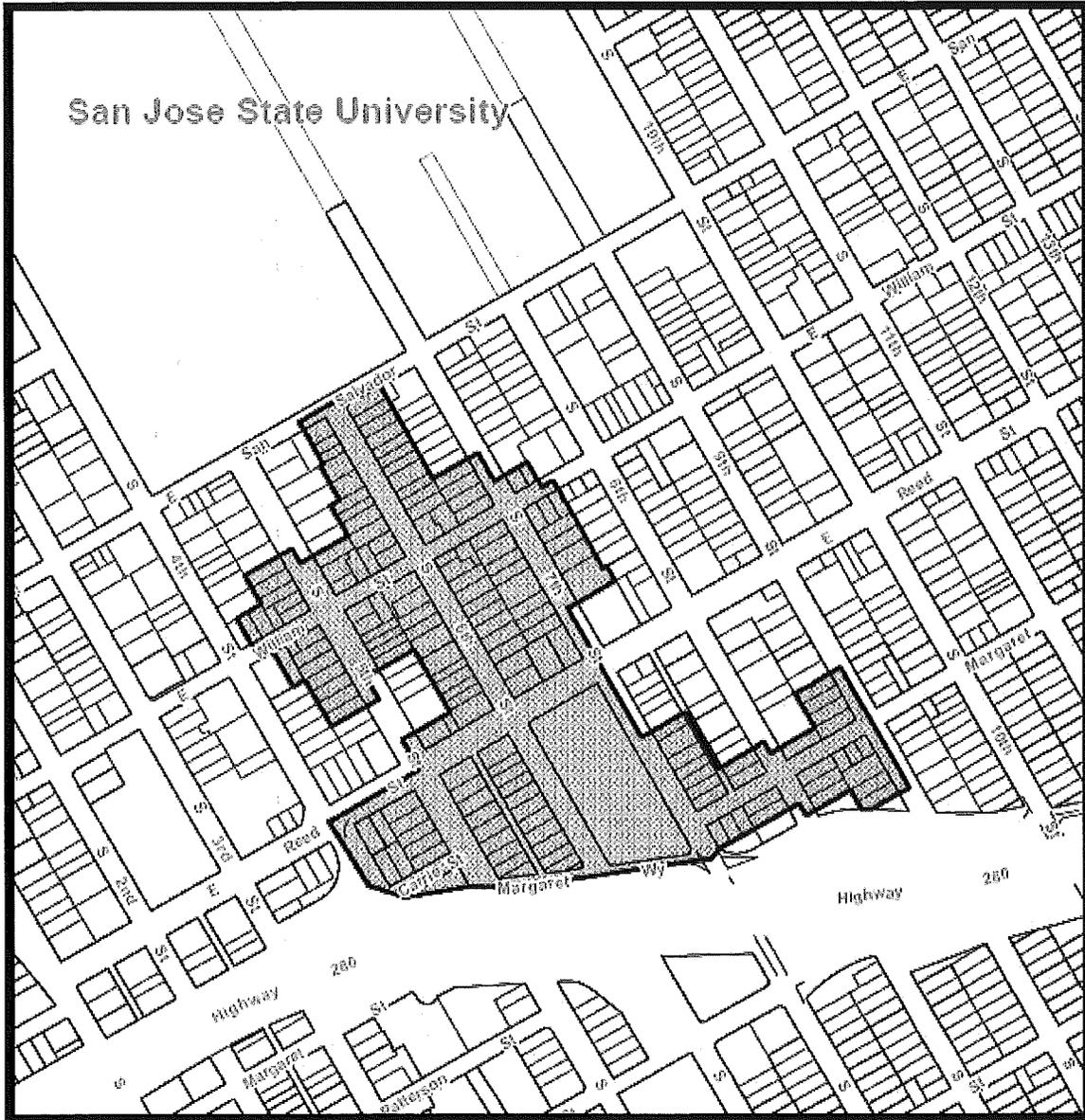
PROJECT DESCRIPTION:

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 and National Registers
Historic Area	Reed City Landmark Historic District
SNI	University
Redevelopment Area	SNI
Specific Plan	N/A



Reed City Landmark Historic District



OWNERS/APPLICANTS

Robert and Lois Stevens, 21715 Virdelle Drive, Los Gatos, CA 95033

BACKGROUND

On January 12, 2012, the property owners of the multi-family residence at 593 S. Sixth Street, Robert and Lois Stevens, submitted an application for City Landmark designation. The Robert Hutchinson House, a Contributing Structure to the Reed City Landmark Historic District, sits in a mature residential area of late nineteenth-century and early twentieth-century residences. This area possesses a significant concentration of houses that are unified by their aesthetically pleasing plans and characters. A smaller area within the historic district along South Fifth and Sixth Streets also appears eligible for the National Register of Historic Places as a district.

The Robert Hutchinson House, an extremely fine example of Italianate residential architecture, is individually eligible as a San José City Landmark. The large structure was constructed sometime between 1870 and 1874. The initial owner was Robert Mulligan Hutchinson, a cattle rancher and dealer who had settled in San José.

Since the Robert Hutchinson House is currently located within a City Landmark District, any exterior changes proposed to the structure 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 (HL12-203)

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 Robert Hutchinson House at 593 S. Sixth 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 representing one of the earliest buildings within the Reed City Landmark Historic District and providing a distinguished presence at the intersection of S. Sixth and Reed Streets.

Criterion 6: Embodiment of distinguishing characteristics of an architectural type or specimen. The Robert Hutchinson House embodies distinguishing characteristics of the Italianate residential type within the nineteenth century era of residential architectural design.

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

The house at 593 S. Sixth Street 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 S. Sixth Street, a historically eclectic residential neighborhood street within the Reed City Landmark Historic District.

The Robert Hutchinson House appears eligible under NR Criterion A (associated with events that have made a significant contribution to the broad patterns of our history) and CR Criterion 1 (associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States), for its contribution to the locally significant Reed City Landmark Historic District. Its form and detailing maintain integrity to the residential design and patterns of neighborhood development prior to 1936 when San José State University was a normal school and teachers college. The immediate vicinity of the house has been considered eligible for the National Register.

The house appears eligible under NR Criterion C (embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction) and 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 Robert Hutchinson House, a six-unit, multi-family residence, is distinctive within its setting in a mature residential area of late nineteenth century residences. The Italianate style of the residence has artistic merit due to the unique implementation of details that embellish the design. The design is clearly the work of a master designer or builder of the time. The building represents a high point in local Italianate residential architecture from the early years of San Jose's period of *Horticultural Expansion* (1870-1918).

Summary

The residential property at 593 S. Sixth Street, San José, has special historical, architectural and aesthetic interest and value to the community, for its contribution to the setting of the Reed City

Landmark Historic District and for the distinctive design of the residence, which is an extremely fine example of Italianate residential architecture.

II. Mills Act Historical Property Contract (MA12-001)

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 Envision San José 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 Robert Hutchinson House conforms to, and furthers, the

Envision San José 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 contract specifically furthers the objectives of the Envision San José 2040 General Plan.

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

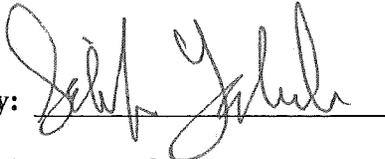
HL12-203 – Landmark Designation

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 Robert Hutchinson House at 593 S. Sixth Street as Historical Landmark No. 203 at the City Council hearing scheduled for May 22, 2012 at 1:30 PM.

MA12-001 – 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 Robert Hutchinson House at 593 S. Sixth 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")

ARCHIVES & CONSERVATION, INC

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

November 30, 2011

Bob and Lois Stevens
21715 Virdelle Dr.
Los Gatos CA 95033

RE: City Landmark Nomination -- Robert Hutchinson House

Dear Mr. & Mrs. Stevens:

Please find enclosed DPR523 forms prepared for your property at 593 South Sixth 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 nineteenth century Italianate residential architecture in San José. It is located in the historically recognized Reed Historic District, an area that is presently designated as a City Landmark District. 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 sometime between 1870 and 1874 when under the initial ownership of Robert Mulligan Hutchinson.

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 Eligible for the National Register and Contributor to the Reed Historic District. We noted that the residential building, although having undergone some minor changes over the years has sufficient integrity to its period of significance to be considered a historic resource. The period of significance is c1870-1880.

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.

Robert Hutchinson 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 593 South Sixth St., we consider the following statement applicable:

The residential property at 593 South Sixth St., San José, has special historical, architectural and aesthetic interest and value to the community, for its contribution to the setting of the Reed Historic District, and for the distinctive design of the residence, which is an extremely fine example of 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 Reed Historic District;*
- *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 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 3S

Other Listings
Review Code

Reviewer

Date

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*Resource Name or #: (Assigned by recorder) Robert Hutchinson 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 593 South Sixth St. City San Jose Zip 95112

d. UTM: (Give more than one for large and/or linear resources) Zone 10S; 599328mE/ 4132046mN

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

Assessor's Parcel Number: 472-28-011,

northwest corner of South Sixth and East Reed Streets.

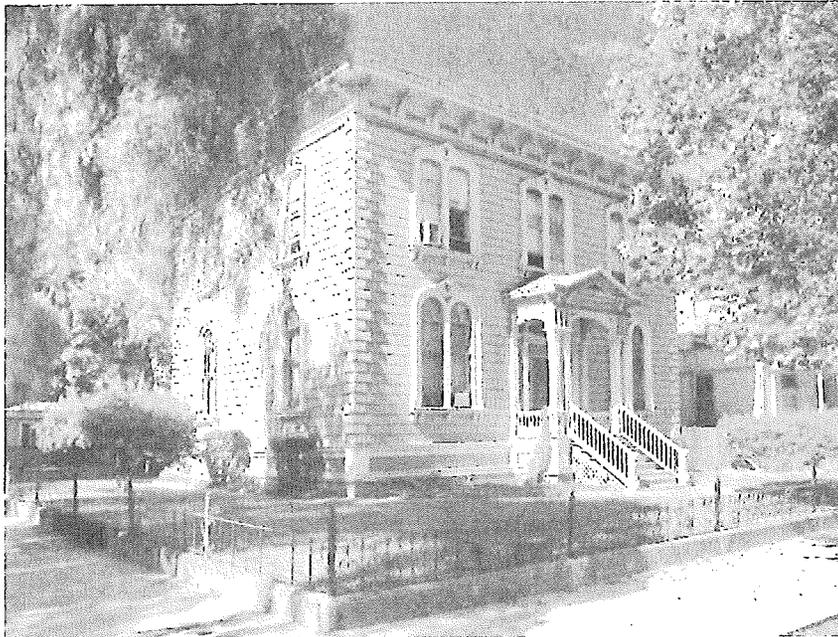
*P3a Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

This large, two-story nineteenth century residence illustrates, through its form and detailing, a distinctive Classical Italianate-style design, constructed by a successful cattle rancher, Robert Mulligan Hutchinson, from California's early American era. At the time of construction, it stood as one of San Jose's most distinguished buildings, and anchored the newly developing residential area south of the Normal School that had been relocated to San Jose in 1872. With Reed Street School (now Lowell) constructed across the intersection at South Sixth and Reeds Streets in 1870, the neighborhood grew as San Jose became destination for Americans seeking opportunity in the west and its growing agricultural and horticultural industry.

(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,
October 2011.

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

Circa 1870-1874, city
directories, 137+ yrs old.

*P7. Owner and Address:

Bob and Lois Stevens
21715 Virdelle Dr.
Los Gatos, CA 95033

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

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

*P9. Date Recorded: 11/30/2011

*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) Robert Hutchinson House

*Recorded by F. Maggi, J. Frolli, & J. Kusz

*Date 11/30/2011

Continuation Update

(Continued from page 1, DPR523a, P3a Description)

The property is located on a historically eclectic residential neighborhood street. Today the house, although converted to multi-family use, is a contributor to the Reed Historic District. The property is surrounded by much of its historic residential setting as developed in the late nineteenth century, including the open space of the wide streets and surrounding properties of a similar although slightly later vintage, mature street trees and other landscaping.

The immediate setting for the house includes a large-size front and side street yard that is primarily planted as a lawn. A low set scrolled iron fence set on a concrete curb borders and retains a raised lawn at the concrete side walk. A narrow concrete walkway leads up to the front porch and follows along the south edge of the house and leads to the rear yard. This house sits on a larger lot than most in the district. The rear yard is paved as an open parking area for residents and is visually open to the street; it is accessible from Reed Street.

The Italianate design has been referred to in a prior recording as "Italian Villa," and earlier reviewers identified the Classical and Gothic influences. Italianate houses were popular locally beginning in the mid-1860s with some still being built in the late-1880s. The style had earlier origins in the United States, and evolved originally from the Picturesque movement that had begun in England that sought to replicate informal Italian Villa architecture. They are characterized by their low-pitched roofs, overhanging eaves with decorative brackets beneath, tall, narrow windows with some arched or curved above and sometimes with elaborated crowns, and often quoins edging the wall corners. Almost all the Italianates in San Jose have channel rustic drop siding, and early ones can be identified by their symmetrical front façade with porch spanning their entire width. Other character-defining features include highly detailed cornices, porch columns, and front entries.

The nominally east-facing Hutchinson House has a raised, two-story, square main mass with a low-pitched truncated hipped roof. Centered in the front façade over the porch is a portico to the front entry. A two-story hipped roof rectangular wing extends from the main square massing to the rear (west), and has a projecting second story balcony with a shed roof, this balcony is stacked over a side entry porch that faces the south.

The front, east-elevation, has a central projecting entry porch with an ornate gabled pediment roof. The current front porch is not original, but it appears on maps in the early twentieth century, replacing a wider porch that spanned the front facade. It consists of a small gabled portico supported by pairs of square chamfered wood columns at the front edge of the porch and matching paired pilasters against the front wall of the house supporting open wood arch headers of the portico roof. The pediment roof above the arched headers consists of a bracketed cornice with dentil trim along the frieze and in the pediment along the rake cornice. The cornice brackets are paired and align with the front columns. The portal to the front door is framed by square pilasters having pellet molding along the capitals. Full semi-circle arches spring from the pilasters and form the casing for the front door transom. The original door has been replaced with a shorted six-panel painted wood front door with reeded glass side lites on each side. The semi-circle transom lite has a frosted etched glass floral panel, that also is a replacement.

A wood balustrade composed of turned balusters fills the spaces between the column bases and frames the main porch; and square wood slat pickets framed with a sloping bottom and top rails form the stair balustrade, terminating at a scrolled newel post at grade. The first few steps are concrete with the remaining treads wood, leading to the porch. Wood lattice skirting fills in the area under the stair stringer.

(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) Robert Hutchinson House

*Recorded by F. Maggi, J. Frolli, & J. Kusz

*Date 11/30/2011

Continuation Update

(Continued from previous page)

Further contributing to the Italianate design of the building are the tall, narrow arched windows with their distinctive window surrounds. The front façade of the house has three equally spaced paired 1/1 double hung window units set directly above the central entry door, and over the two outer first-floor windows. Each set of grouped windows has wide arched trim with architrave molding on each window forming a double arch that joins in the middle and has a decorative scrolled pediment crown with a floral finial centered between the arches. The outside vertical trim flairs outward at the bottom of the trim forming the appearance of a column base. The windows have built-up sills with paired brackets below that align with the outside trim and a single bracket located in the center. These trim details create a unique character-defining aspect to the building. The first floor windows have full round arches and the second floor windows have flattened segmented arches with the same decorative crown pediment between the arches.

As is common for the period and style, the house is clad in channel-rustic siding and the corners are trimmed with beveled wood quoins. The channel rustic drop siding terminates at water table trim at the basement level. Below the water table wall base and corner trim frame v-groove t&g siding that is not original, but likely installed as a part of a later foundation rebuild. The foundation is visually composed of bricks at grade which provide a veneer to a new concrete footing.

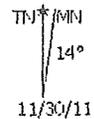
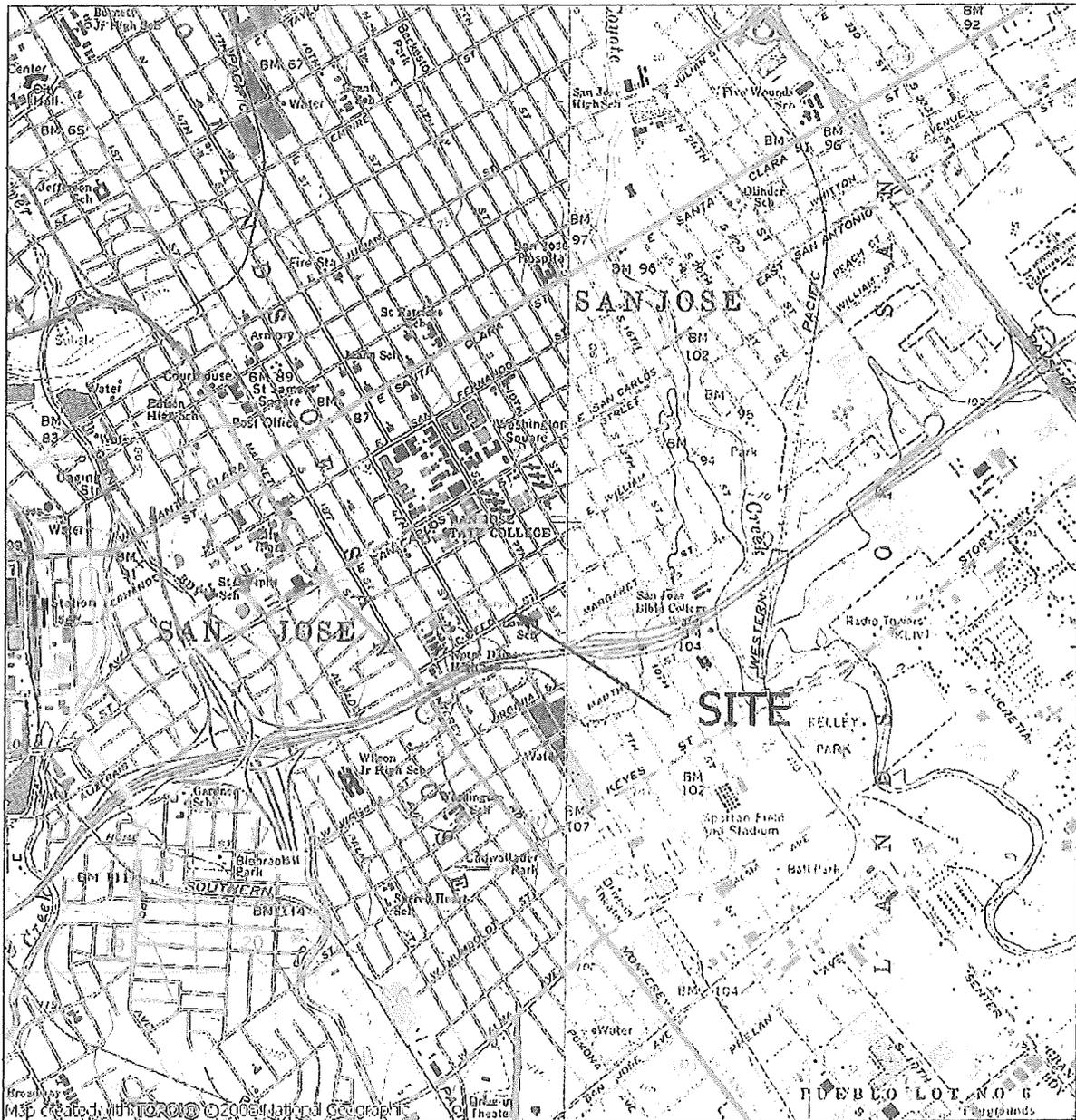
At the roof level, the siding terminates at a paneled frieze with a boxed soffit and evenly spaced brackets having a fluted arch and floral fret work on the sides. The bracket carvings represent stylized vines. The eaves are moderate in depth and boxed, with wood ogee gutters. Crown molding trims the top of the frieze board and outlines the brackets; a wide band of trim with a bolection molding finishes the bottom of the frieze board under the brackets. The fascia has flat trim with an ogee gutter, which appears to be the original milled wood ogee gutter or an in-kind replacement.

The south elevation of the main portion has four tall 1/1 double hung windows symmetrically spaced in the elevation; two single second-floor windows stacked over two single first-floor windows. The windows are arched sash and trim of the same pattern as the front elevation; full arches at the lower level and segmental arches at the upper windows; with the same decorative window crown trim as the front elevation. The siding, frieze with brackets, and quoins continue on this elevation and around to the rear of the house. The south elevation of the rear wing has a typical arched second story window and a door to the balcony, the balcony forms the roof to the rear porch and in-fills the inside corner formed by the wing and main house. The first floor of has rectangular windows and a door to the rear wing of the house.

At the rear of the house the dominate window pattern is broken by smaller rectangular double-hung windows. A set of stacked arched windows face west and are flanked by smaller 1/1 rectangular windows stacked near the south west corner. This west wall of the building also has a door to the rear porch. The west elevation of the rear wing has single 1/1 rectangular windows; two at the upper floor and one at the lower floor. At the roof level the boxed soffit, paneled frieze, and arched brackets continue around the perimeter of the main house, wing and north elevation. A low rear addition with a shed roof fills in the north-west corner of the rear elevation, and has a horizontally set sliding vinyl sash window.

At the northwest corner of the property a long low accessory building services as a carport and storage room. This structure was added to the site during the late nineteenth century, and may have replaced an original ancillary structure related more to the early period. The structure does not contribute to the 1870s period of significance.

Some changes to the residential structure are evident; the original front door, side lite, and transom has been replaced; the front porch appears to have been modified at an early date, and the northwest corner of the house has been modified slightly in form and detailing. The foundation has been replaced.



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 3S

*Resource Name or # (Assigned by recorder) Robert Hutchinson House
B1. Historic Name: Robert Hutchinson House
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 circa 1870-1874.

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

*B8. Related Features:

Garage/carport

B9a Architect: Unknown b. Builder: Unknown

*B10. Significance: Theme Architecture and Shelter Area Reed Historic District
Period of Significance 1874 - 1880 Property Type Residential Applicable Criteria A (1), C (3)
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

This large Italianate structure was constructed sometime between 1870 and 1874 on a portion of Lot 8 of B5R6S of San Jose's Original Survey. The initial owner was Robert Mulligan Hutchinson, a cattle rancher and dealer who had settled in San Jose about this time after engaging in the cattle business for around twenty years in Oregon during the early settlement of the West.

The property lies within San Jose's Reed Historic District, and is a contributor to that district, representing one of the earliest buildings in the area, and presenting a distinguished presence at the intersection of South Sixth and Reed Streets across from Lowell School. The property has previously been identified as eligible for both the National and California Registers, and has been determined to be individually eligible for the National Register by the California State Historic Preservation Officer. Based on the evaluation conducted as a part of this recording, the property appears eligible as a San Jose City Landmark, based on the architecture of the building and its contributing status to the Reed Historic District.

(Continued on next page, DPR523L)

B11. Additional Resource Attributes: (List attributes and codes) HP2. Single family property

Archives & Architecture, Historic District Study - South
Campus Neighborhood, 2005, + DPR523 recording, 2/28/2006.
San Jose Block Books, 1909, 1924
San Jose city directories, 1870 - 1978.
Sanborn Fire Insurance maps, 1884, 1887, 1891, 1915, 1950.
US Census, 1870, 1880, 1900, 1910, 1920, 1930.
Waldhorn, J.L. & S.B. Woodbridge, Victoria's Legacy, 1978.

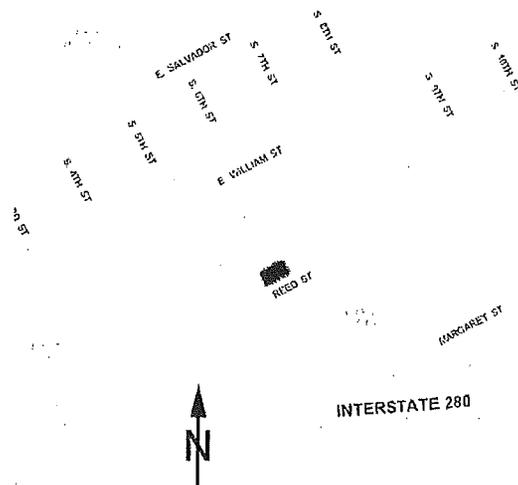
*B12. References:

B13. Remarks: Proposed landmark nomination

*B14. Evaluator: Franklin Maggi

*Date of Evaluation: 11/30/2011

(This space reserved for official comments.)



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Neighborhood Context

In this neighborhood south of the San Jose Normal School, the predecessor of San Jose State University, early residential development occurred over an extended period of time, with most construction of single-family homes occurring from 1870 to 1935. A boom period from the late-1880s through the early-1890s, and then again at the beginning of the twentieth century, saw the introduction of a number of large homes and residential buildings in the blocks south of the Normal School, as the area became one of San Jose's preferred residential neighborhoods. South Fifth and South Sixth Streets from East San Carlos to Margaret Streets had the greatest concentration of these residences, which today forms the nucleus of the Reed City Landmark Historic District.

B5R6S (Block 5 rang 6 South) is bounded by East Reed, East William, South First and South Sixth Streets. Lowell School, originally known as the Reed or Third Ward School is located across the intersection at South Sixth and East Reed Streets. The lot configuration of this block from San Jose's Original Survey, was not followed when development occurred during the late-nineteenth and early-twentieth centuries. Rather, new lots were created by deed. Those lots were smaller than the half-acre lots originally envisioned.

Property History

Robert Milligan Hutchinson was born in Warren County, Illinois on January 22, 1819 to James Cullen Gordon Hutchinson and Sarah Delamarter. The father, James, emigrated from Ireland to New Jersey by 1811, settling in Patterson, New Jersey where he married Sarah Delamarter. James and Sarah eventually moved to Illinois and alternated between Illinois and Ohio over the course of the years. Their first two children, Samuel and William John, were born in New Jersey, and their other six children, Robert Milligan, Benjamin, Thomas Hanna, Elizabeth Jane, Sarah G., and James Cullen, were born in either Illinois or Ohio.

On May 29, 1845, Robert married Elizabeth Hanna in Warren County, Illinois and moved to Iowa where they had their first three children, Mary, Sarah, and Isabelle. They lived in Iowa until 1852. That year the Hutchinson family joined the Longmire Wagon Train, named after one of the wagon train leaders, James Longmire. Along with 170 other pioneers, the Longmire Wagon departed Council Bluff (Iowa) and followed the Oregon Trail, but then pioneering the crossing of Naches Pass north of Mount Rainier through the Cascade Mountains. This wagon train is well documented in the regional history of the Northwest. Robert's brother, James C. Hutchinson, also traveled to Oregon on the Longmire Wagon Train, and another brother, Thomas Hanna Hutchinson, arrived in Oregon in 1853 and became one of the founders of Western Oregon University as well as platting the town of Monmouth, Oregon.

Robert and his family settled in Douglas County, Oregon where he and Elizabeth had five other children: Benjamin, Jane, Samuel R., Lizzie, and Kate W. Once in Oregon, Robert became involved in the development of the cattle industry in the West, making cattle drives to California, Oregon, Illinois, Washington, and Canada with his sons. Statewide herds declined in California during the 1860s by 46% due to extensive flooding in Southern California during the winter of 1862-1863, and two years of drought that followed. In 1868, Robert, taking advantage of the decline in the California cattle supply, brought sixteen hundred head of cattle from Umpqua Valley, Oregon by way of Link River and Lower Klamath Lake to the Sacramento Valley. He was said to have wintered the cattle near what was known at the time as the old Major Reading ranch in Shasta County with the intention of marketing them in San Francisco in the Spring of 1869.

In 1869, Robert moved his family to San Jose, first settling on Orchard Street, and by the early 1870s building the subject residence at the southeast edge of town adjacent the Reed Addition. While living in San Jose, Robert continued to work as a cattle dealer. Robert's wife, Elizabeth, died in San Jose in March 1870 and the remaining Hutchinson family lived in the subject residence until about 1880. Robert and three of his children, Benjamin, Samuel, and Lizzie, then moved north to the state of Washington. Robert Milligan Hutchinson died in Baker County, Oregon in 1902.

(Continued on next page)

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Later Owners and/or Occupants

By the early-1880s, the property was owned by Samantha C. Phelps. Samantha and her husband John Phelps lived in the residence and John worked as a vineyardist and rancher. With them at this residence were their children, Elizabeth, Frances, George, Milo and Orlo. John Phelps came to San Jose from Michigan in 1884, having previously been a successful lumberman in Michigan and making a fortune in real estate. In 1884, Elizabeth married E.M. Corey, and they lived with John and Samantha at 593 South Sixth St. until 1899, when they constructed the house directly north of the subject property at 577 South Sixth St. John Phelps died on January 20, 1902 and a year later Samantha moved in with her daughter next door. Directly west of the subject property at 590 South Fifth St., son Milo Phelps constructed or relocated onto the property the house at that address in 1887. By 1907 Blayne E. Maynard, and his wife Adele, owned the subject property. Blayne Marynard was born in Wales in 1864 and emigrated from Wales with his family in 1875, settling in San Jose by 1880. He married Adele in 1893 and they had three children, Elizabeth, Catherine and Merlin. Maynard worked in various positions such as: an agent for the Pacific Fertilizing Company, a travel agent, and a horticultural exterminator. It is during their ownership that the original one story porch which extended across the front of the building was removed and a smaller porch erected on the façade. Blayne and Adele lived in the residence until the early 1920s.

As early as 1924, the property appears to have been a rental. By the early 1930s the subject property was owned and occupied by Edith Maxwell. Maxwell divided the building into apartments renting it out to various occupants. Edith Maxwell continued to own the subject property until at least 1950. The subject property continued to be used as six separate apartments into the 1970s and it has continued its use as an apartment building to the present. It is listed as a six-plex in the city database and covered under Multiple Housing Permit #3985.

Integrity and character-defining features:

The property maintains almost all of its historic integrity as per the National Register's seven aspects of integrity. The house maintains its original location on South 6th Street, a historically eclectic residential neighborhood street. The house is a contributor to the Reed Historic District; the property is surrounded by much of its historic residential setting, including the open space of the wide street and surrounding properties of a similar scale and setback, mature street trees and other landscaping, and adjacent historic houses. The subject property retains its nineteenth-century residential scale and feeling and continues, through the design strength of its original forms, massing and detailing, to illustrate its associations with significant patterns of development of this neighborhood immediately east of downtown San José. The house has retained most of its integrity associated with its Italianate design, and the changes are minor and have little impact on the understanding of the building's original design. This building has a distinctive character and composition that is expressed through its preserved materials and overall design.

SURVEY STATUS

The house at 593 South Sixth St. was first identified for its architectural value in 1973 within the King Survey, San Jose's first reconnaissance of historic properties (property 575-05). The owners at that time were Robert and Anna Skornick, and the reviewers considered the style to be mixed with Italianate, Classical, and Gothic influences. A more intensive-level survey and recording in the late-1970s by Urban/Rural Conservation included an evaluation and determined that the property was Eligible for the National Register ENR. That evaluation was reviewed by the State Office of Historic Preservation and the property was found to be eligible. At about the same time, Judith Lynch Waldhorn and Sally B. Woodbridge mentioned the house in their *Victoria's Legacy, Tours of San Francisco Bay Area Architecture*, and indicated that they thought the house was built in 1885 by Mr. C. /Cory, proprietor of the Lick House Saloon (South Side San Jose: Tour 2, #2). In 1979, the County of Santa Clara listed the property on its Heritage Resources Inventory (San Jose #80), and the property was subsequently listed on the San Jose Historic Resources Inventory. As a part of the 2005 *Historic District Study, South Campus Neighborhood*, Archives & Architecture identified that the house was built sometime between 1870-1874 by Robert Hutchinson, and considered the property eligible for listing as a City Landmark. The property is presently a Contributing Structure to the Reed City Landmark Historic District. (Continued on next page)

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EVALUATION

This residential property contributes to the locally significant Reed City Landmark Historic District; its form and detailing maintain integrity to the residential design and patterns of neighborhood development prior to 1936 when San Jose State University was a Normal School and Teachers College.

This house, within the now Reed City Landmark Historic District, sits in a mature residential area of late nineteenth century residences. This area possesses a significant concentration of houses that are unified by their aesthetically pleasing plans and characteristics, and the immediate area is considered eligible for the National Register as a district. The Robert Hutchinson House is distinctive within this setting; its Italianate style has artistic merit due to the unique implementation of details that embellish the design. Although the architect has not been identified, the design was clearly the work of a master designer or builder of the time. The building represents a high point in local Italianate residential architecture from the early years of the period of *Horticultural Expansion*. The Hutchinson House is a distinguished example of this building type. The property appears to be eligible for both the National Register of Historic Places and the California Register of Historical Resources under Criterion C and (3) respectively.

The family of Robert Hutchinson who initially occupied this house are not a well-known family in local history, although played an important role in the settlement of the West. Robert was a cattle rancher and dealer, and helped develop the cattle industry in Oregon and California, but little is known about his specific accomplishments. The property served as a primary residence for a number of later families, and as multi-family housing for owners and residents during the second half of the twentieth century, but none are known for their contributions to the community. Charles Corey, an apparent proprietor of the Lick House Saloon is mentioned as an early resident, but that could not be confirmed. It does not appear that the property would qualify for either of the registers noted above based on historic personages.

The City of San Jose has recognized the historic context within the Reed Historic District. A smaller area within the historic district along South Fifth and Sixth Streets also appears eligible for the National Register of Historic Places as a district. This property contributes to both the existing designated district and the potential smaller district, and would thereof qualify for eligibility for the National or California registers under Criterion A and (1).

Under the definition for historical significance within the City of San Jose Historic Preservation Ordinance, the house clearly has historic, architectural, and aesthetic value of an historical nature. Its quality derives from its distinguished architecture due to its style and design.

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Main façade at South Sixth Street, viewed facing southwest.



Detail of upper window and cornice, viewed facing west.

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Main entry, viewed facing west.

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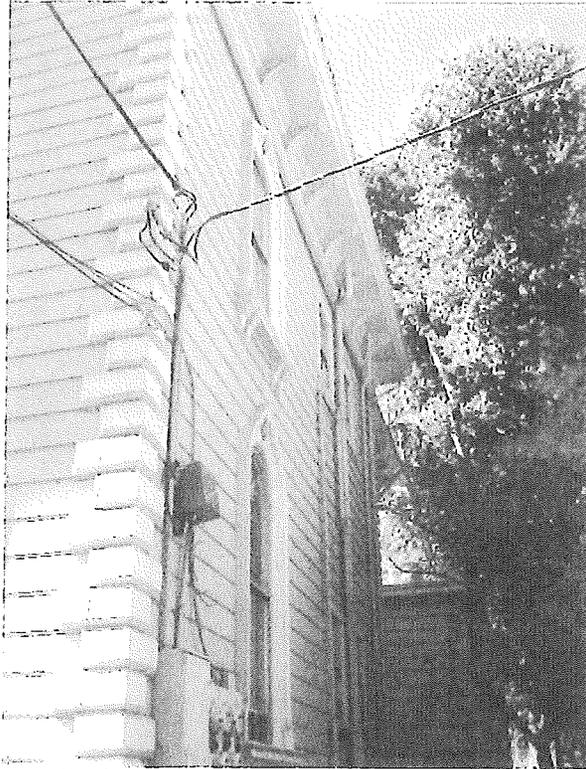
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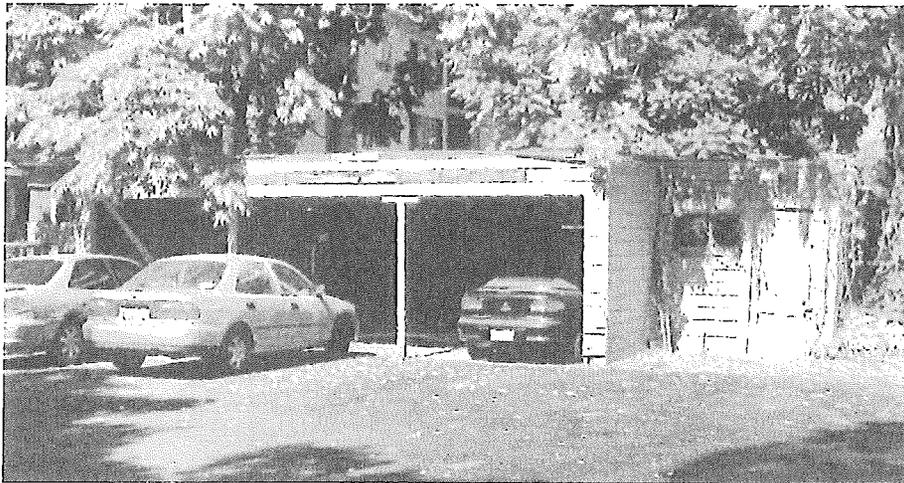
South elevation at Reed Street, viewed facing northwest.



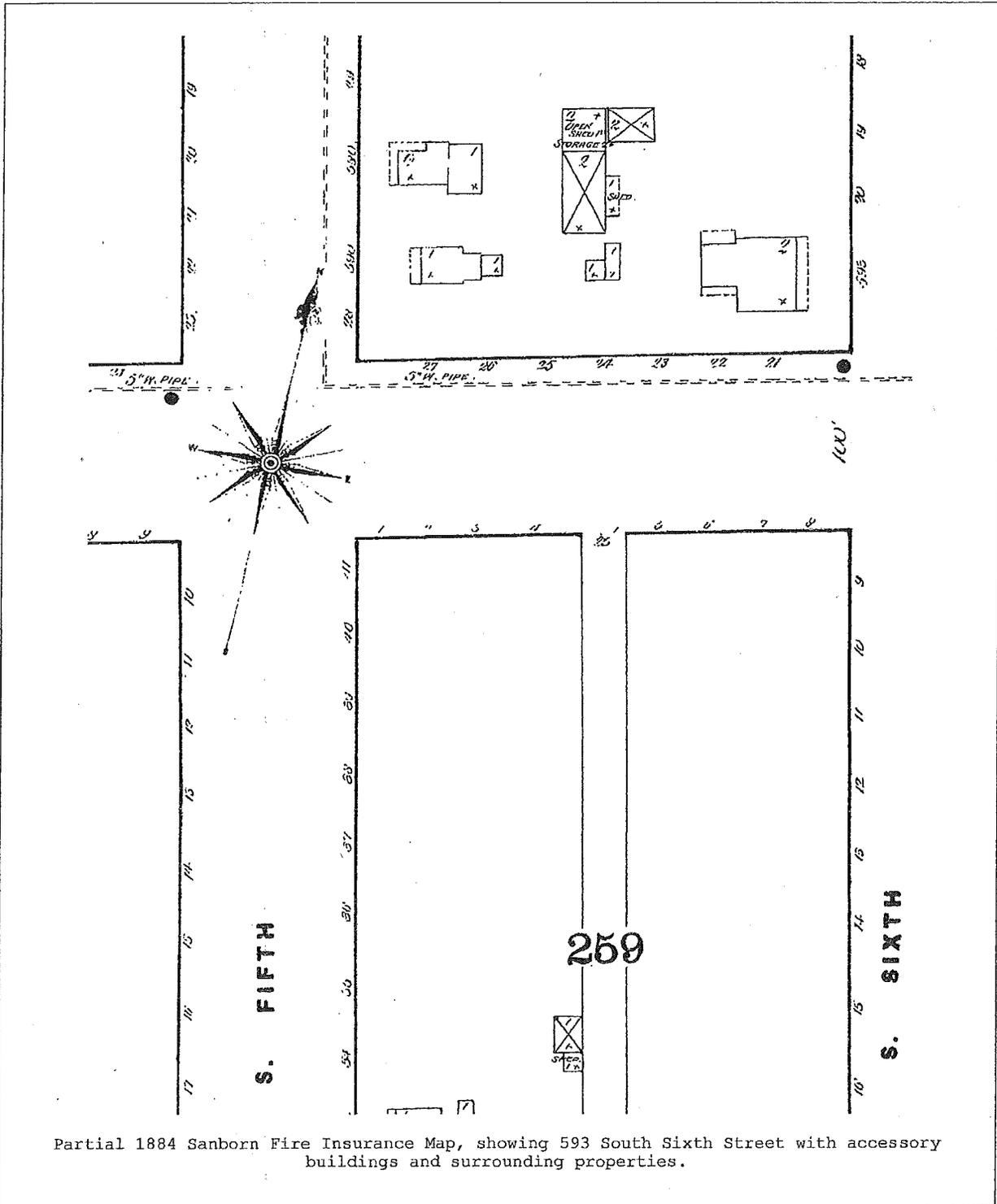
West elevation at rear, viewed facing northeast.



North (inside) elevation, viewed facing west.



Accessory carport and storage building, viewed facing northwest.

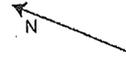


Partial 1884 Sanborn Fire Insurance Map, showing 593 South Sixth Street with accessory buildings and surrounding properties.



- Ogee gutters
- Paneled frieze, bolection molding, and brackets
- Scrolled pediment crowns w/ finials
- Arched windows w/ architrave molding
- Portico
- Dentil trim
- Arched headers
- Chamfered wood columns
- Paired pilasters
- Stair balustrade w/ newel post
- Channel rustic drop siding & Quoins

593 S 6th St.
APN: 472-28-011



SOUTH 6TH STREET

73.45'

RESIDENTIAL
BUILDING

137.50'

137.50'

EAST REED STREET

AUXILLARY
BUILDING

73.45'

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.

EXHIBIT "C"

OWNER shall annually expend an amount equal to a minimum of 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. (Estimate for example: 10% of the tax savings attributed in year 2011/2012 would have been approximately \$276)

YEAR	DESCRIPTION
One	Repair Gutters/Soffit
Two	Landscape: Foundation Planting
Three	Paint Exterior
Four	Repair Wrought Iron Fence
Five	Complete Building Sewer Drain
Six	Rebuild Rear Porch Railings
Seven	Replace Water Main
Eight	Upgrade Furnaces, Units 3&5
Nine	Restore Asphalt/Flatwork
Ten	Remove Dropped Ceiling Unit 2

After the 10th Anniversary date of the Effective Date of this Agreement, Owner shall expend an amount equal to a minimum of 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 following tasks each year:

Maintenance
Painting as necessary to retain exterior
Repairs