RD:RG

RESOLUTION NO. 75148

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE INITIATING PROCEEDINGS ON ITS OWN MOTION, PURSUANT TO THE PROVISIONS OF CHAPTER 13.48 OF TITLE 13 OF THE SAN JOSE MUNICIPAL CODE, TO DESIGNATE THE PETREE HOUSE, PRESENTLY LOCATED AT 102 SOUTH TWELFTH STREET, AS A CITY LANDMARK OF SPECIAL HISTORICAL, ARCHITECTURAL, CULTURAL, AESTHETIC OR ENGINEERING INTEREST OR VALUE OF A HISTORIC NATURE

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

WHEREAS, Chapter 13.48 of Title 13 of the San Jose Municipal Code 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 authorized agent of the owner of the property for which designation is requested; and

WHEREAS, Chapter 13.48 of Title 13 of the San Jose Municipal Code provides that before this Council may designate any structure as a City Landmark, it shall hold at least one public hearing on such proposed designation, and that before it holds said public hearing, the Council shall refer said proposed designation to the Historic Landmarks Commission of the City of San Jose for its consideration at a public hearing, and for its report and recommendation hereon; and

WHEREAS, said Council desires to hold a public hearing on such proposed designation as described hereinafter in Section 1 of this resolution.

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

SECTION 1. The City Council of the City of San Jose, hereby initiates proceedings on its own motion to designate the Petree House, presently located at 102 South Twelfth Street, as a City Landmark of special historic, architectural, cultural,

aesthetic or engineering interest or value of a historic nature, in accordance with Chapter 13.48 of Title 13 of the San Jose Municipal Code.

SECTION 2. The above stated proposed landmark designation is hereby referred to the Historic Landmarks Commission of the City of San Jose for its consideration at a public hearing and for its report and recommendation thereon. The City Clerk is hereby directed to forward a copy of this resolution to the Historic Landmark Commission and to cause notice of said Commission's hearing on this proposed designation to be given in the manner prescribed in said Chapter 13.48 of Title 13.

SECTION 3. This Council will hold a hearing on such proposed landmark designation December 1, 2009, at the hour of 1:30 p.m. of said day, in the Council Chambers of the City of San Jose, in City Hall, 200 East Santa Clara Street, San Jose, California, or at its earliest next regular meeting to which the item is deferred, all in compliance with said Chapter 13.48 of Title 13. The City Clerk is hereby directed to give notice of the hearing in the manner prescribed in said Chapter 13.48 of Title 13.

ADOPTED this 27th day of October, 2009, by the following vote:

AYES:	CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA, KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.
NOES:	NONE.
ABSENT:	NONE.
DISQUALIFIED:	NONE.

Chuck Reed
CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk