

RESOLUTION NO. 75247

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 KEN YING LOW RESTAURANT SITE/STRUCTURE LOCATED AT 625 NORTH SIXTH STREET AS A CITY LANDMARK OF SPECIAL HISTORICAL, ARCHITECTURAL, CULTURAL, AESTHETIC OR ENGINEERING INTEREST OR VALUE OF A HISTORIC NATURE

HL09-180

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 Ken Ying Low Restaurant Site/Structure located at 625 North 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 December 2, 2009 at 6:00 p.m., conduct a public hearing on said proposed landmark designation and recommend approval of the designation of the Ken Ying Low Restaurant Site/Structure, located at

625 North Sixth Street, 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. HL09-180 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 January 12, 2010 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 625 North 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 Ken Ying Low Restaurant Site/Structure, located at 625 North Sixth Street, as a landmark of special historic, architectural, cultural, aesthetic or engineering interest or value of a historic nature.

SECTION 2. Said designation is based upon the following criteria of the Historic Preservation Ordinance: ***[This section will be updated to reflect actual City Council action taken.]***

- Criterion (1), its character, interest or value as part of the local, regional, state or national history, heritage or culture, for its contribution to the Chinatown in San José known as Heinlerville from 1887 into the 1930s. In 1915 the building on this site came to house the Ken Ying Low restaurant under Chinese ownership. When Heinlerville was razed in the 1930s, the Ken Ying Low Restaurant Structure was one of the few Chinese establishments to remain.

SECTION 3. The City Clerk is hereby directed to notify those persons designated in San José Municipal Code Section 13.48.110, Subsection L, in the manner specified by said Section and to direct the recordation of a Notice of Granting of this resolution in the Office of the Recorder of the County of Santa Clara.

ADOPTED this 12th day of January, 2010, by the following vote:

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



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk

75247

EXHIBIT "A"

**LEGAL DESCRIPTION
FOR
KEN YING LOW RESTAURANT SITE/STRUCTURE
625 N. SIXTH STREET**

HL09-180

the real property in the County of Santa Clara, State of California, legally described as:

BEGINNING at a point in the Westerly line of Sixth Street where the same is intersected by the line dividing Lots 199 and 200 of Block 19 of the White's Addition to the City of San Jose, and running thence Northerly along the Westerly line of Sixth Street 25 feet; thence Westerly and parallel with said dividing line 137 ½ feet, more or less, to the Westerly line of said Lot 200; thence Southerly along the Westerly line of said Lot 200, 25 feet to the common corner for said Lots 199 and 200; thence Easterly along the said dividing line between said Lots 199 and 200, 137 ½ feet, more or less, to the point of beginning, and being the Southerly 25 feet of said Lot 200 in Block 19 of the White's Addition to the City of San Jose, recorded in Map Book A, Page 72, Santa Clara County Records.