

**RESOLUTION NO. 75423**

**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 HERMLE-FANCHER HOUSE SITE/STRUCTURE LOCATED AT 530 S. SIXTH STREET AS A CITY LANDMARK OF SPECIAL HISTORICAL, ARCHITECTURAL, CULTURAL, AESTHETIC OR ENGINEERING INTEREST OR VALUE OF A HISTORIC NATURE**

**HL10-190**

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 Hermle-Fancher House Site/Structure located at 530 S. 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 June 2, 2010 at 6:00 p.m., conduct a public hearing on said landmark designation and recommend approval of the designation of the Hermle-Fancher House Site/Structure located at 530 S. 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. HL10-190 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 June 15, 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 530 S. 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 the Hermle-Fancher House Site/Structure located at 530 S. 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 on the following criteria of the Historic

Preservation Ordinance: 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 Reed Historic District; and (6) as an embodiment of distinguishing characteristics of an architectural type or specimen, the structure embodies distinguishing characteristics of the Queen Anne type within the Victorian era of architectural design.

**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.

**PASSED FOR PUBLICATION** of title this 15th day of June 2010, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA, KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



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CHUCK REED  
Mayor

ATTEST:



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LEE PRICE, MMC  
City Clerk

75423

**EXHIBIT "A"**

**LEGAL DESCRIPTION  
FOR  
THE HERMLE-FANCHER HOUSE  
530 S. SIXTH STREET  
MA10-001**

The land referred to in this Report is described as follows:

All that certain real property situated in the City of San Jose, County of Santa Clara, State of California, described as follows:

COMMENCING at a point on the Easterly line of Sixth Street, distant thereon 137.85 feet Southerly from the point of intersection of said line of Sixth Street with the Southerly line of William Street, running thence Southerly along said line of Sixth Street, 51.90 feet; thence at right angles Easterly 137.95 feet; thence at right angles Northerly 51.90 feet; and thence at right angle Westerly 137.95 feet to the point of commencement and being all of Lot 7 and the Northerly 5.95 feet of Lot 10 of Tract Attention, according to a Map thereof entitled, "TRACT ATTENTION, BEING SUBDIVISION OF BLOCK 5, RANGE 7 SOUTH IN THE SOUTH IN THE CITY OF SAN JOSE", and which said Map was filed for record on January 14, 1889 in Book D, Page 59, Santa Clara County Records.

APN: 472-28-045