

**RESOLUTION NO. 75622**

**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 DR. WARBURTON'S OFFICE SITE/STRUCTURE LOCATED AT 1650 SENTER ROAD (HISTORY PARK) AS A CITY LANDMARK OF SPECIAL HISTORICAL, ARCHITECTURAL, CULTURAL, AESTHETIC OR ENGINEERING INTEREST OR VALUE OF A HISTORIC NATURE**

**HL10-195**

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, pursuant to the provisions of said Chapter 13.48 of Title 13, History San José on behalf of the City of San José nominated the certain Dr. Warburton's Office Site/Structure located at 1650 Senter Road (History Park) for City landmark designation and so 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 Dr. Warburton's Office Site/Structure located at 1650 Senter Road (History Park); 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 October 6, 2010 at 6:00 p.m., conduct a public hearing on said landmark designation and recommend approval of the designation of the Dr. Warburton's Office Site/Structure located at 1650 Senter Road (History Park), 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. HL10-195 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 November 2, 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 on which the Dr. Warburton's Office Site/Structure is located is all that real property located within the City of San José, County of Santa Clara, at the address commonly known as 1650 Senter Road (History Park) and said subject property is more particularly 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 Dr. Warburton's Office Site/Structure located at 1650 Senter Road (History Park), 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), their character, interest or value as part of the local, regional, state or national history, heritage or culture as the *office of Dr. Henry Hulme Warburton, one of three university-trained physicians in California in 1848, when he began his practice in Santa Clara, from the 1870's until his death in 1903; and*
- Criterion (4) Their exemplification of the cultural, economic, social or historic heritage of the City of San José *in that the high quality building is a rare example of a single-story Italianate commercial building with the commercial entrance on the corner of the building as designed to be located on the street corner of the block.*

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**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 2nd day of November 2010, by the following vote:

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

NOES: NONE.

ABSENT: NONE.

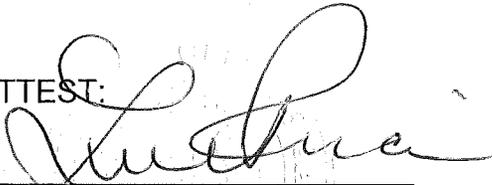
DISQUALIFIED: NONE.



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CHUCK REED  
Mayor

ATTEST:



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LEE PRICE, MMC  
City Clerk

## EXHIBIT A

PARCEL NO. 1 - Beginning at brass pin on center line of Benter Road, at the Southeasterly City Limits Line of the City of San Jose; thence along the said Southeasterly City Limits Line, North  $59^{\circ} 20'$  East 232.26 feet to the agreed boundary line between Louise A. F. Kelley and Guiseppe and Teresa Grilli, as recorded December 23, 1938 in Book 911 of Official Records, at page 111, Santa Clara County Records; thence along the said agreed boundary line, the following courses and distances, South  $54^{\circ} 52' 30''$  East 154.78 feet, South  $82^{\circ} 41'$  East 279.28 feet and South  $59^{\circ} 13'$  East 288.08 feet to a 2" x 2" stake; thence South  $45^{\circ} 59' 34''$  West 583.86 feet to center line of Benter Road; thence along center line of Benter Road, North  $37^{\circ} 37'$  West 606.01 feet to point of beginning, containing 6.3089 acres and being a portion of that certain 62.27 acre tract conveyed by Archer Company, a corporation, et al to Louise A. F. Kelley, by deed dated February 14, 1922 and recorded in Book 550 of Deeds, page 154 Santa Clara County Records.

PARCEL No. 2 - All that certain parcel of land situated in the City of San Jose, County of Santa Clara, State of California, described as follows:

Beginning at point on the Southeasterly City Limits Line, said point being North  $59^{\circ} 20'$  East 451.37 feet from the center line of Benter Road; thence North  $37^{\circ} 37'$  West 112.30 feet; North  $59^{\circ} 20'$  East 677.28 feet to the Northeasterly line of that certain 62.27 acre tract conveyed by Archer Company, a corporation et al, to Louise A. F. Kelley by deed dated February 14, 1922 and recorded in Book 550 of Deeds, page 154, Santa Clara County Records; thence along said Northeasterly line South  $17^{\circ} 18' 12''$  East 114.57 feet to the Southeasterly City Limits Line; thence along the Southeasterly City Limits Line South  $59^{\circ} 20'$  West 637.21 feet to point of beginning, containing 1.6819 acres and being a portion of above mentioned 62.27 acre tract. Total acreage of Parcels 1 and 2 - 7.9908 acres.