



**HISTORIC LANDMARKS COMMISSION  
HEARING SYNOPSIS**

**WEDNESDAY, SEPTEMBER 5, 2007**

Regular Session

**6:00 P.M.**

**Council Wing, Rooms W118 and W119**

200 East Santa Clara Street

San José, CA

**COMMISSION MEMBERS**

**EDWARD JANKE, AIA, CHAIR**

**PATRICIA COLOMBE, VICE CHAIR**

**HELENE LAVELLE**

**SCOTT CUNNINGHAM**

**DANA PEAK**

**JUDY STABILE**

**ERIC THACKER**

**JOSEPH HORWEDEL, DIRECTOR**

**DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT**

## NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE) or (408) 998-5299 (TTY) at least two business days before the meeting.

## NOTICE TO THE PUBLIC

Good evening, my name is **Ed Janke**, and I am the Chair of the Historic Landmarks Commission. On behalf of the Commission, I would like to welcome you to tonight's meeting. I will now call to order the September 5, 2007 meeting of the Historic Landmarks Commission. Please remember to turn off your cell phones and pagers.

If you want to address the Commission, **fill out a speaker card (located at the technician's station), and give the completed card to the technician. Please include the agenda item number for reference.**

**The procedure for public hearings is as follows:**

- After the staff report, *applicants may make a five-minute presentation.*
- Anyone wishing to speak in favor of the proposal should prepare to come forward. After the proponents speak, anyone wishing to speak in opposition should prepare to come forward. *Each speaker will have two minutes.*
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The Commission will then close the public hearing. The Historic Landmarks Commission will take action on the item.

**The procedure for referrals is as follows:**

- Anyone wishing to speak on a referral should prepare to come forward. *Each speaker will have one minute.*
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The Historic Landmarks Commission will comment on the referral item.

**If a Commissioner would like a topic to be addressed under one of the Good and Welfare items, please contact Planning staff in advance of the Commission meeting.**

An agenda and a copy of all staff reports have been placed on the table for your convenience.

# AGENDA

## ORDER OF BUSINESS

### 6:00 PM SESSION

#### 1. ROLL CALL

*All present, except Commissioners Peak and Lavelle.*

#### 2. DEFERRALS

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time.

*No deferrals*

**The matter of deferrals is now closed.**

#### 3. CONSENT CALENDAR

##### NOTICE TO THE PUBLIC

**The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Historic Landmarks Commission, staff or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please make your request at this time.**

##### a. **APPROVAL OF THE AUGUST 1, 2007 HISTORIC LANDMARKS COMMISSION SYNOPSIS.**

**The Consent Calendar is now closed.**

#### 4. PUBLIC HEARINGS

- a. **HP07-003.** Historic Preservation Permit to allow construction of an approximately 750-square foot, two-story addition and detached garage on a 0.12-acre contributing single-family residential site (183 Sonoma Street) in the Lakehouse City Landmark Historic District (Lynn Barringer, Owner). Council District: 3. SNI: Delmas Park. CEQA: Exempt.

**Staff Recommendation:** Historic Landmarks Commission forward comments regarding the conformance of the proposed work to the Secretary of the Interior's Standards to the Director of Planning.

##### **CONTINUED FROM 8-01-07**

*Vice Chair Colombe asked why the detached garage's gable roof was designed with the proposed orientation ( perpendicular to the building). The applicant responded that this orientation allowed a better storage space under the rafters.*

*Commissioner Cunningham summarized the primary discussion points from the August 15 DRC hearing discussion relative to this project, and said that the revised plans largely addressed the concerns raised at the DRC hearing.*

*Chairman Janke asserted that the revised project plans were only minimally satisfactory. He spoke favorably regarding the deletion of concrete shake roofing material from the revised plans.*

*Commissioner Thacker expressed concern about the size and placement of the proposed second-story addition relative to the existing historic house, impacts to the sides and rear of the existing house resulting from the proposed addition, and how the proposal could be found to be consistent with the Standards accordingly. Planning staff responded that the alternative of pushing the second-story addition to the rear of the house resulted in a potentially more-awkward massing relationship with the new construction, and that zoning around a second-story addition by right.*

*Vice Chair Colombe expressed concern about the loss of the historic architectural features of the house and requested that the permit allow no removal of historic features forward of the house's ridgeline.*

*Commissioner Stabile stated that the size of the addition relative to the site was problematic, but that she was sympathetic to the house having become subject to Planning permits as a historic resource during the owner's efforts to rehabilitate the house.*

*Chairman Janke stated that the documentation of the house's existing architectural features and integrity was inadequately clear on the plans and photos.*

**A MOTION WAS MADE TO APPROVE THE PROJECT WITH A CONDITION OF APPROVAL ALLOWING NO REMOVAL OF HISTORIC FEATURES FORWARD OF THE RIDGE OF THE HOUSE'S ROOFLINE. APPROVED (4-1-2, JANKE OPPOSED, PEAK AND LAVELLE ABSENT).**

b. The following projects being considered are located at **1023 Bird Avenue** (Keith and Pamela Shukait, Owners). Council District: 6. SNI: None. CEQA: Exempt.

1) **HL06-157**. Historic Landmark Nomination for the Queen Anne Victorian House located at 1023 Bird Avenue. **Deferred from 08-01-07.**

**Staff Recommendation:** Recommend approval of the designation of the Queen Anne Victorian House as Historic Landmark No. 157 to the City Council.

2) **MA07-002**. Historical Property Contract (California Mills Act contract) between the City of San José and the owners of the subject property. **Deferred from 08-01-07.**

**Staff Recommendation:** Recommend approval of the proposed Historical Property Contract to the City Council.

c. The following projects being considered are located at **754 S. Third Street** (Judith and Scott Morrella, owners). Council District: 3. S.N.I. area: Spartan/Keyes. CEQA: Exempt.

1) **HL07-159**. Historic Landmark Nomination for the Brownlee House.

**Staff Recommendation:** Recommend approval of the designation of the Brownlee House as Historic Landmark No. 159 to the City Council.

- 2) **MA07-005**. Historical Property Contract (California Mills Act contract) between the City of San José and the owners of the subject property.

**Staff Recommendation:** Recommend approval of the proposed Historical Property Contract to the City Council.

- d. The following projects being considered are located at **328 N. Sixth Street** (Diana Hardick and Miranda Von Stockhausen, owners). Council District: 3. S.N.I. Area: 13th Street. CEQA: Exempt.

- 1) **HL07-160**. Historic Landmark Nomination for the Henry and Florence Reed House.

**Staff Recommendation:** Recommend approval of the designation of the Henry and Florence Reed House as Historic Landmark No. 160 to the City Council.

- 2) **MA07-006**. Historical Property Contract (California Mills Act contract) between the City of San José and the owners of the subject property.

**Staff Recommendation:** Recommend approval of the proposed Historical Property Contract to the City Council.

- e. The following projects being considered are located at **336 N. Sixth Street** (Robert Abatecola and Carol Devers-Abatecola, owners). Council District: 3. S.N.I. Area: 13th Street. CEQA: Exempt.

- 1) **HL07-161**. Historic Landmark Nomination for the Herrington house.

**Staff Recommendation:** Recommend approval of the designation of the Herrington House as Historic Landmark No. 161 to the City Council.

- 2) **MA07-004**. Historic Landmark Nomination for the Herrington house.

**Staff Recommendation:** Recommend approval of the proposed Historical Property Contract to the City Council.

- f. The following projects being considered are located at **483 N. Fifth Street**. (Lisa and Shawn Shelton, owners). Council District: 3. S.N.I. Area: 13<sup>th</sup> Street. CEQA: Exempt.

- 1) **HL07-162**. Historic Landmark Nomination for the Haydock house.

**Staff Recommendation:** Recommend approval of the designation of the Haydock House as Historic Landmark No. 162 to the City Council.

- 2) **MA07-007**. Historic Landmark Nomination for the Haydock house.

**Staff Recommendation:** Recommend approval of the proposed Historical Property Contract to the City Council.

*Two members of the public, Judi Henderson and Harvey Darnell, spoke in favor of the proposed Landmark designations and historical property contracts. Ms. Henderson also requested that the City require historical property evaluations to more clearly call out non-historic alterations that affected the buildings, and require that corrections to these alterations be addressed as part of the contracts.*

*Commissioner Thacker expressed dissatisfaction with the Historic Evaluation Criteria form for 1023 Bird Avenue, disagreeing especially with the evaluation of the house's interior and with the scoring on the Tally sheet. Commissioner Colombe requested revisions to the Preservation Plan for 333 N. 6<sup>th</sup> Street (to address window and door restoration earlier in*

*the life of the contract) and 483 N. 5<sup>th</sup> Street (to clarify or revise proposed work regarding front fence/wall and rain gutters).*

**A MOTION WAS MADE TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE PROPOSED CITY LANDMARK DESIGNATIONS AND HISTORICAL PROPERTY CONTRACTS. ITEMS A,B, C, AND F APPROVED (5-0-2, PEAK AND LAVELLE ABSENT); ITEMS D AND E APPROVED (4-0-2-1, PEAK AND LAVELLE ABSENT, THACKER ABSTAINING)**

## **5. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS OR OTHER AGENCIES**

- a. **H07-029**. Proposal to demolish an identified Structure of Merit, Stephen's Meat Products building, to replace it with a surface parking lot on a 1.0 gross acre site located at the southwest corner of S. Montgomery Street and W. San Fernando Street. (San José Redevelopment Agency, Owner). Council District: 6. SNI: Burbank/Del Monte. CEQA: Pending Use of EIR.

### **STAFF RECOMMENDATION:**

Historic Landmarks Commission to forward comment to the San José Redevelopment Agency regarding the disposition of the identified Historic Resource.

*Chris Burton (Planning Division) made introductory remarks about the Site Development Permit process. Bill Ekern (Redevelopment Agency) presented the proposed project and the rationale for demolition of the building.*

*Three members of the public (Jean Dresden, Judi Henderson, Richard Mesa) spoke against the proposed demolition.*

*Primary discussion points by the HLC included:*

- *Retention and preservation of the historic "dancing pig" sign on the site without adverse alterations to its integrity.*
- *Interim use (number of parking spaces, etc.) and anticipated long-term use of the site in relation to the site's General Plan designation.*

**A MOTION WAS MADE TO: 1) OPPOSE DEMOLITION OF THE BUILDING AT THIS TIME, GIVEN THAT NO SPECIFIC DEVELOPMENT PROJECT OTHER THAN AN INTERIM SURFACE PARKING LOT HAS BEEN PROPOSED FOR THE SITE, 2) REQUEST ASSURANCE OF THE PERMANENT, ON-SITE PRESERVATION OF THE ENTIRETY OF THE ORIGINAL SIGN IN A MANNER THAT DOES NOT JEOPARDIZE ITS INTEGRITY, GRAPHIC DESIGN OR MESSAGE, 3) REQUEST THAT THE CITY BEGIN EXPLORING AND DEVELOPING TECHNIQUES FOR ON-SITE PRESERVATION UNDER VARIOUS CIRCUMSTANCES, INCLUDING FUTURE REDEVELOPMENT OF THE SITE, AND 4) APPOINT COMMISSIONERS COLOMBE AND STABILE TO DRAFT A LETTER TO CITY COUNCIL SUMMARIZING THE COMMISSION'S POSITION ON THE PROPOSAL, TO BE SIGNED BY CHAIRMAN JANKE, PRIOR TO CITY**

**COUNCIL TAKING ACTION ON THE PROJECT ON TUESDAY,  
SEPTEMBER 11, 2007. APPROVED (5-0-2, PEAK AND LAVELLE ABSENT).**

**6. PETITIONS AND COMMUNICATIONS**

Public comments to the Historic Landmarks Commission on non-agendized items. Each member of the public may address the Commission for up to two minutes. The Commission cannot take any formal action without the item being properly noticed and placed on the agenda. In response to public comment, the Historic Landmarks Commission is limited to the following options:

- a. Responding to statements made or questions posed by members of the public; or
- b. Requesting staff to report back on a matter at a subsequent meeting; or
- c. Directing staff to place the item on future agenda.
  - 1) Public Comment.

*Judi Henderson inquired that staff agendize a status report on the Remillard House, a vacant City Landmark Structure at 755 Story Road. She also expressed concern that no representative of the HLC has been appointed to the General Plan update task force.*

**7. GOOD AND WELFARE**

- a. **Report from the Redevelopment Agency**
- b. **Report from the Secretary**

- 1) Status of the Circulation of Environmental Review Documents:  
<http://www.sanjoseca.gov/planning/eir/>

- a) Parkview Towers SDEIR  
(E. St. James and N. First Street)  
NOP distributed March 2006  
Circulation anticipated Fall 2007.
- b) The Carlyle mixed-use high-rise (H07-008)  
(bounded by W. St. John Street, N. Almaden Avenue, Carlyle Street, and Notre Dame Street).
- c) Coleman/Autumn Street Improvements DEIR  
NOP distributed March 2007
- d) Demolition of the San José Medical Center DEIR  
NOP distributed July 7, 2007

- 2) Status of HLC Recommendations on Referrals to City Council, Boards, Commissions, and Other Agencies.

**Flea Market DEIR (File No. GP06-04-01/PDC03-108)**

April 24, 2007 EIR Certification Upheld, GP Amendment Approved.  
May 30, 2007 Planning Commission: Rezoning deferred to July 18, 2007.  
August 14, 2007 City Council Hearing: Rezoning.  
*Approved.*

**PDC06-100.** Planned Development Rezoning including 744 Morse Street relocation.  
PD Rezoning and PD Permit for relocation approved.  
PD Permit for new construction to be referred to HLC DRC.  
*A PD Permit for the new houses has not yet been submitted.*

**Martha Gardens Conservation Area**

August 14, 2007 City Council Hearing

*Approved.*

- 3) Fall 2007 Historic Landmarks Commission Retreat  
November 2, 2007, 12:00 p.m. to 4:30 p.m.

*HLC provided input regarding agenda items for the retreat (e.g., work plan, implementation of the Secretary of the Interior's Standards, scope of HLC's purview in development review process, use of funds from the South San José Lowe's project, surveys, HRI listing of historic resources identified as part of a development proposal)*

- 4) Donner-Houghton House

*The remnants of the house have been demolished. Some architectural features were salvaged prior to demolition. Disposition of the salvaged items is at the property owner's discretion. A member of the public, Judi Henderson, addressed this item and stated that PAC\*SJ is working with the owner to arrange storage of the salvaged items at History San José, with the eventual goal of creating a public exhibit.*

- 5) The addition of Qualifying Properties, identified in the Ballpark Stadium in the Diridon/Arena Area EIR, to the City of San José Historic Resources Inventory.

*Most of the identified qualifying properties are already listed on the HRI. Butcher Electric buildings to come back before HLC in October.*

**c. Report from Committees**

- 1) History San José Collections Committee  
Commissioner Stabile, Liaison

*History San José may be required to vacate the Westinghouse Building on Stockton Avenue. A list of items needing to be relocated may become available in October.*

- 2) Coyote Valley Specific Plan and Habitat Conservation Plan Advisory Committee  
Commissioner Cunningham, Liaison

*Citizen task force meetings are occurring monthly. Preparation of the responses to comments on the Draft EIR is ongoing. For identified resources in unincorporated areas, Commissioner Cunningham is interested in listing the properties on Santa Clara County's inventory.*

- 3) Japantown Survey Committee  
Commissioner Lavelle, Liaison

Intensive Level Survey: City Council Acceptance anticipated August 2007.

*Property owners within the survey area have expressed concern about the implications of being listed on the HRI. There will be at least two more community meetings prior to any public hearings.*

- 4) Pellier Park Committee  
Commissioner Colombe, Liaison

*Dave Mitchell of PRNS reported that construction drawings at the “65%” design level will be brought before HLC in November.*

- 5) City of San José BART extension, Design, Art & Architecture Review  
Chair Janke, Liaison

**d. Report from Historic Landmarks Commission Subcommittees**

- 1) Design Review Committee (DRC)  
Commissioners Janke, Colombe, and Cunningham, members.

HLC to appoint DRC Alternate Member.

*The item was continued to the October HLC hearing. HLC voted (5-0-2, Peak and Lavelle absent) to designate Commissioner Lavelle as the DRC alternate member for the September DRC hearing (one hearing only).*

HLC acceptance of August 8, 2007 DRC Report.

*Accepted (5-0-2, Peak and Lavelle absent).*

**8. ADJOURNMENT**

## 2007 HISTORIC LANDMARKS COMMISSION MEETING SCHEDULE

DATE	TIME	TYPE OF MEETING	LOCATION
No Meeting in January		Regular Meeting	
January 17, 2007	12:00 p.m.	Design Review Subcommittee	Room T-550
January 26, 2007	12:00 p.m. – 4:30 p.m.	HLC Retreat	Room T-1654
February 7, 2007	6:00 p.m.	Regular Meeting	Room W118/119
February 21, 2007	12:00 p.m.	Special Mtg/DRC Subcommittee	Room T-550
March 7, 2007	6:00 p.m.	Regular Meeting	Room W118/119
March 21, 2007	12:00 p.m.	Special Meeting	Room T-550
April 4, 2007	5:00 p.m.	Special Session	Room T-332
April 4, 2007	6:00 p.m.	Regular Meeting	Room W118/119
April 18, 2007	12:00 p.m.	Design Review Subcommittee	No Meeting
May 2, 2007	5:30 p.m.	Regular Meeting (Early Start Time)	Room W118/119
May 16, 2007	12:00 p.m.	Design Review Subcommittee	Room T-550
June 6, 2007	6:00 p.m.	Regular Meeting	Room W118/119
June 20, 2007	12:00 p.m.	Design Review Subcommittee	Room T-550
July 11, 2007	6:00 p.m.	Regular Meeting	Room W120
July 18, 2007	12:00 p.m.	Design Review Subcommittee	Room T-550
August 1, 2007	6:00 p.m.	Regular Meeting	Room W118/119
August 15, 2007	12:00 p.m.	Design Review Subcommittee	Room T-550
September 5, 2007	6:00 p.m.	Regular Meeting	Room W118/119
September 19, 2007	12:00 p.m.	Design Review Subcommittee	Room T-550
October 3, 2007	6:00 p.m.	Regular Meeting	Room W118/119
October 17, 2007	12:00 p.m.	Design Review Subcommittee	Room T-550
November 2, 2007	11:30 a.m.	HLC Retreat	We & Our Neighbors
November 7, 2007	6:00 p.m.	Regular Meeting	Room W118/119
November 21, 2007	12:00 p.m.	Design Review Subcommittee	Room T-550
December 5, 2007	6:00 p.m.	Regular Meeting	Room W118/119
December 19, 2007	12:00 p.m.	Design Review Subcommittee	Room T-550

HISTORIC LANDMARKS AGENDA ON THE WEB:  
<http://www.sanjoseca.gov/planning/hearings/historic.asp>