

HISTORIC LANDMARKS COMMISSION

Meeting Report

June 3, 2009

ROLL CALL

PRESENT: Commissioners Janke, Cohen, Jackson, Peak, Thacker

ABSENT: Colombe

VACANCIES: One

STAFF: Director of Planning, Building and Code Enforcement Joseph Horwedel, Deputy City Attorney Rosa Tsongtaarii, Environmental Principal Planner Akoni Danielsen, Historic Preservation Senior Planner John Davidson, Historic Preservation Planner Lori Moniz, Historic Preservation Planner Hadasa Lev

1. DEFERRALS

None

2. CONSENT CALENDAR

None

3. PUBLIC HEARINGS

- a. **HP09-001**: Historic Preservation Permit to legalize construction of an existing carport built without benefit of permits on a 0.21 gross acre site within the Lake House City Landmark Historic District, in the R-2 Zoning District, located on the south side of W. San Fernando Street, approximately 280 feet westerly of Delmas Avenue (Conrad J. and Cynthia Zannotto, Owners). Council District 3. SNI: Delmas Park. CEQA: Exempt. *Project Manager, Hadasa Lev.*

FOUND THAT THE PROPOSED WORK CONFORMS TO YOUR OLD HOUSE DESIGN GUIDELINES AND RECOMMENDED APPROVAL TO THE DIRECTOR OF PLANNING. (5-0-1; COLOMBE ABSENT)

Access the video, agenda, and related reports for this meeting by visiting the City's website at:
<http://www.sanjoseca.gov/planning/hearings/>

- b. **HP09-002:** Historic Preservation Permit to convert an existing single-family residence to a two-family residence, allow an addition to the rear of the building, additional windows and door to the side elevations, site improvements and demolition of an existing garage on a 0.145 gross acre site within the Hensley City Landmark Historic District, in the R-M Zoning District, located on the east side of N. Third Street, approximately 120 feet southerly of E. Empire Street (Constancia L. Marcos Trustee, Owner). Council District 3. SNI: 13th Street. CEQA: Exempt. *Project Manager, Hadasa Lev.*

The Commission determined that the information provided by the applicant was inadequate and inconsistent. The applicant was not present at the hearing to answer questions. Neighbors spoke in opposition to the project and requested additional public outreach, including a community meeting.

THE HISTORIC LANDMARKS COMMISSION DEFERRED THE ITEM TO THE AUGUST 5, 2009 HISTORIC LANDMARKS COMMISSION MEETING AND REQUESTED THE PROJECT BE BROUGHT BACK WITH THE FOLLOWING INFORMATION:

- 1. PLANS THAT CLEARLY SHOW THE EXISTING CONDITION OF THE SITE AND PROPOSED CHANGES;**
- 2. ALL CORRESPONDENCE REGARDING THE PROJECT;**
- 3. INFORMATION REGARDING COMPLIANCE WITH THE APPLICABLE BUILDING AND FIRE CODES.**

(5-0-1; COLOMBE ABSENT)

- c. **Ordinance Revision:** Review and comment on a proposed ordinance amending Part 2 of Chapter 13.48 of title 13 (The Historic Preservation Ordinance) of the San José Municipal code, entitled “Designation,” to revise Section 13.48.110.C to allow the City Council greater discretion on whether to initiate the procedure for the designation of a landmark so nominated.” CEQA: Not a Project. *Project Manager, Lori Moniz.*

Staff requested feedback from the Commission regarding two alternatives to streamline the Landmark Designation process. The Commission prefers the alternative that includes the most outreach to and input from the public.

ITEM CONTINUED TO THE AUGUST 5, 2009 HISTORIC LANDMARKS COMMISSION MEETING WHEN THE DRAFT ORDINANCE AND MEMO WILL BE AVAILABLE.

4. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES

DIRECTOR OF PLANNING

None.

REDEVELOPMENT AGENCY

None.

5. OPEN FORUM

- a. Summary of communications received by the Historic Landmarks Commission
HLC Correspondence
None.
- b. Members of the public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Commission. The Commission cannot engage in any substantive discussion or take any formal action in response to the public comment. The Commission can only ask questions or respond to statements to the extent necessary to determine whether to (1) refer the matter to staff for follow-up; (2) request staff to report back on a matter at a subsequent meeting; or (3) direct staff to place the item on a future agenda. Each member of the public may fill out a speaker's card and has up to two minutes to address the Commission.
- 1) *Joseph Horwedel, the Director of Planning, Building and Code Enforcement presented commendations to out going Chair Ed Janke and outgoing Commissioner Eric Thacker for their years of service to the Historic Landmarks Commission of the City of San José.*
 - 2) *Kevin R Fish spoke about the History San José Collections.*
 - 3) *An item will be added to next agenda to create a nominating committee for the September election.*

6. GOOD AND WELFARE

- a. Report from Secretary, Planning Commission, and City Council
- (1) Update to Commission request for staff to report enforcement options regarding the Palomar Ballroom.

Staff discussed the option of issuing a Notice of Noncompliance. The Historic Landmarks Commission supported that option.

20.100.320 Notice of Noncompliance

A. The Director may issue a Notice of Noncompliance for any failure to comply with any requirement of this Title or any condition of a Development Permit or approval.

C. Such notice shall set forth the action necessary to come into compliance and a timeframe for compliance.

- (2) Report on stakeholder meetings regarding revising the historic preservation ordinance and procedures. HLC to appoint liaison(s) to attend future meeting(s).

The City Attorney explained that the meeting functioned as a workshop, therefore all Commissioners could attend and provide feedback. Commissioner Cohen requested that all handouts be provided to the Commissioners in advance of the meeting.

b. Commissioners' report from Committees:

- (1) Design Review Subcommittee (Janke, Colombe and Cohen, Peak alternate)
Meets the 3rd Wednesday of the month as necessary
Synopsis for May 30, 2009 accepted
- (2) History San José Collections Committee (Jackson)
Meets the 2nd Thursday of every 3rd month at 12 noon
History San José is seeking the "Story of San José" and would like everyone wanting to help tell the story to participate.
- (3) Japantown Survey Committee (Inactive)
No Report
- (4) GP Update Task Force Progress Report (Colombe)
 - (a) Selection of additional liaison(s) to replace Commissioner Thacker.
Commissioner Cohen selected.
 - (b) Discussion of General Plan 2020 Passages that address Historic Resources or might appropriately address Historic Resources.
Item continued to the August 5, 2009 Historic Landmarks Commission meeting.

c. [Review of 5/6/09 HLC Meeting Minutes](#)

Minutes accepted.

d. Status of Circulation of Environmental Review Documents

<http://www.sanjoseca.gov/planning/eir/>

No Report

e. 2008 - 2009 Fiscal Year Study Session Dates and Topics

- (1) November 5, 2008 – Distinctive Neighborhood Program
- (2) February 6, 2009 – HLC Retreat
- (3) March 4, 2009 – Mid-Century Modernism (Part I)
- (4) May 6, 2009 – Mid-Century Modernism (Part II)
- (5) September 2, 2009 – Mid-Century Modernism (Part III)

ADJOURNMENT