



HISTORIC LANDMARKS COMMISSION MEETING REPORT

Wednesday, June 2, 2010

Regular Session

6:00 P.M.

Council Wing, Rooms W-118 & W-119

200 East Santa Clara Street

San José, CA

Commission Members

Patricia Colombe, Chair

Dana Peak, Vice Chair

Heather Jackson Steven Cohen

Tania Nunez Robert Abatecola

Ramiro Torres

Joseph Horwedel, Director

Department of Planning, Building & Code Enforcement

AGENDA
Order Of Business

ROLL CALL

COMMISSIONERS PEAK AND NUNEZ ABSENT.

1. 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 Items

2. 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.

No Items

The following items are considered individually:

3. PUBLIC HEARINGS

- a. [HL10-190 & MA10-001](#). Historical Landmark Nomination to designate the "Hermle-Fancher House" as a landmark of special historic, architectural, cultural, aesthetic or engineering interest, or value of a historic nature, and Historic Property contract (California Mills Act) between the City of San Jose and the property owner, located at 530 S. 6th Street (Jose Blanc, owner). Council District 3. SNI: University. CEQA: Exempt.

STAFF RECOMMENDATION: Historic Landmarks Commissioners to consider and approve a Landmark Nomination to designate the "Hermle-Fancher House" as a landmark of special historic, architectural, cultural, aesthetic or engineering interest, or value of a historic nature, and Historic Property contract, as recommended by staff.

HL10-190 AND MA10-001 BOTH RECOMMENDED FOR APPROVAL (5-0-2, PEAK AND NUNEZ ABSENT), WITH THE COMMENT THAT TERMITE REPAIR SHOULD BE MOVED TO YEAR ONE OF THE PRESERVATION PLAN INSTEAD OF YEAR FIVE.

- b. [HL10-191 & MA10-002](#). Historical Landmark Nomination to designate the "Stelling House" as a landmark of special historic, architectural, cultural, aesthetic or engineering interest, or value of a historic nature, and Historic Property contract (California Mills Act) between the City of San Jose and the property owner, located at 104 S. 13th Street (Bart Narter, trustee, owner). Council District 3. SNI: University. CEQA: Exempt

STAFF RECOMMENDATION: Historic Landmarks Commissioners to consider and approve a Landmark Nomination to designate the "Stelling House" as a landmark of special historic, architectural, cultural, aesthetic or engineering interest, or value of a historic nature, and Historic Property contract, as recommended by staff.

HL10-191 AND MA10-002 BOTH RECOMMENDED FOR APPROVAL (4-0-2-1, PEAK AND NUNEZ ABSENT, AND COLOMBE RECUSING HERSELF).

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

DIRECTOR OF PLANNING

No Items

5. OPEN FORUM

- a. Summary of communications received by the Historic Landmarks Commission
 - (1) HLC Correspondence
- 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.

DIANA MILLER OF CM CHIRCO'S OFFICE CONGRATULATED THE HLC ON THE SUCCESSFUL PHOTO CONTEST HELD IN MAY.

6. GOOD AND WELFARE

- a. Election of officers for Fiscal Year 2010-2011.

NEITHER OF THE TWO CANDIDATES FOR CHAIR RECEIVED A QUORUM OF VOTES, AND AS A RESULT ELECTIONS WERE CONTINUED TO THE NEXT MEETING.

- b. Report from Secretary, Planning Commission, and City Council
 - 1. Update on the Donner-Houghton house, File HP09-004.

THE PRESERVATION ACTION COUNCIL AND THE OWNER OF THE PROPERTY HAVE DEvised A PLAN FOR SALVAGING THE REMAINING PIECES OF THE DONNER-HOUGHTON HOUSE.

- c. Commissioners' report from Committees:
 - 1. Design Review Subcommittee (Colombe, Cohen and Peak)
 - Meets the 3rd Wednesday of the month as necessary
 - No Report (5/19/10 meeting cancelled)*

2. History San José Collections Committee (Jackson)
Meets the 2nd Thursday of every 3rd month at 12 noon

THE COLLECTIONS COMMITTEE MET IN MAY, AND IS WORKING TO NARROW THE FOCUS OF HISTORY SAN JOSE'S COLLECTIONS.

3. GP Update Task Force Progress Report (Colombe and Cohen)

THE COMMISSION DECIDED TO PROVIDE COMMENTS ON THE MOST SALIENT HISTORIC PRESERVATION POLICIES, AND EXPRESSED CONCERNS REGARDING THE CONFLICT BETWEEN HISTORIC FABRIC AND PROPOSED LAND USE DESIGNATIONS FOR VILLAGE AREAS.

- d. Discussion on renaming Historic Landmarks, and the prospects for maintaining a building's historic name.

STAFF INDICATED THAT AS A FIRST AMENDMENT ISSUE, THERE IS GENERALLY NO LIMITATION ON MESSAGE WITH REGARDS TO SIGNAGE. IN RARE CASES, WHERE THE SIGNAGE ITSELF IS CRITICAL TO THE CHARACTER DEFINING FEATURES OF THE BUILDING, COULD REMOVAL OF THE SIGNAGE BE CONSIDERED UNDER A HISTORIC PRESERVATION PERMIT.

- e. Discussion of HLC meeting schedule for FY 2010-2011.

STAFF PROVIDED THE RELEVANT CITY MANAGER'S BUDGET ADDENDA, AND INDICATED THAT THE PROPOSED MEETING SCHEDULE WOULD BE QUARTERLY, TO MAINTAIN CERTIFIED LOCAL GOVERNEMENT STATUS, AND THAT HEARING ITEMS WOULD BE STRICTLY LIMITED TO THOSE ITEMS REQUIRED TO BE PROCESSED UNDER THE HISTORIC PRESERVATION ORDINANCE, TITLE 13.48.

- f. Discussion of a possible tour of the San Jose Medical Center prior to demolition.

SPECIAL MEETING SET FOR JUNE 11, 2010 AT NOON.

- g. [Review of 4/7/10 HLC Meeting Report](#)

MEETING REPORT ACCEPTED.

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

STAFF MENTIONED THAT THE CERTIFICATION OF DIRIDON BALLPARK EIR WAS GOING TO BE HEARD ON APPEAL BY THE CITY COUNCIL ON JUNE 15, 2010.

ADJOURNMENT

CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D)

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:
- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
 - b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
 - c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
 - d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
 - e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
 - f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
 - g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.