



HISTORIC LANDMARKS COMMISSION

HEARING SYNOPSIS

WEDNESDAY MAY 2, 2007

Regular Session

Council Wing, Room W-118/119
200 East Santa Clara Street
San Jose, 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 May 2, 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 Commissioner Thacker.

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.

Item 5.d (Coyote draft EIR) deferred to June hearing.

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 APRIL 4, 2007 HISTORIC LANDMARKS COMMISSION SYNOPSIS.

As Amended

- b. [The Addition of a Qualifying Property to the City of San Jose Historic Resources Inventory.](#) The Addition of the Single Family Residence, located at 681 N. Capitol Ave. to the City of San Jose Historic Resources Inventory. Council District: 6. SNI: None. CEQA: Exempt.**

Staff Recommendation:

Historic Landmarks Commission to adopt a Resolution approving the addition of the Qualifying Property to the City of San Jose Historic Resources Inventory as eligible for the National Register of Historic Places.

APPROVED (6-0-1; THACKER ABSENT).

The Consent Calendar is now closed.

4. PUBLIC HEARINGS

- a. CA07-001. Conservation Area Initiation for the area generally bounded on the north by Interstate 280, on the east by the property lines of the abandoned Southern Pacific Railroad alignment (approximately a continuation of South Fourth Street), on the west by the alley between South First and Second Streets, and on the south by Martha Street. (Various Owners/City of San Jose, Applicant). CEQA: Exempt. Council District: 3. SNI: Spartan Keyes.

Staff Recommendation:

Historic Landmarks Commission to and recommend approval of the Martha Gardens Conservation Area to the Planning Commission and City Council.

Franklin Maggi of Archives and Architecture made a presentation regarding the proposed conservation area. One member of the public, Diego Barragan, spoke in favor of the initiation of the proposed conservation area. Another member of the public, James D'Amico, spoke against the proposed conservation area. Staff noted the extensive public outreach efforts that SNI Planning staff carried out prior to the hearing.

APPROVAL RECOMMENDED (6-0-1; THACKER ABSENT)

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

- a. Study Session, Discussion, and Recommendation related to Downtown BART Station Entrance options. Santa Clara Valley Transportation Authority (VTA) project to extend BART service to San Jose, including location of a BART station under Santa Clara Street with an access portal in the Transit Mall area. Three portal design option locations have been identified: 28-40 E. Santa Clara St. and 27-37 Fountain Alley, the Firato Deli/Ravioli Buildings; 8-14 S. First St., the Bank of Italy Building, City Landmark No. HS84-27; and 42-48 E. Santa Clara St., the Moderne Drug/Western Dental Building; all located within the Downtown Commercial National Register Historic District. Council District 3.

Staff Recommendation:

Historic Landmarks Commission forward a recommendation regarding a preferred portal design option in the Downtown Transit Mall and historic resource preservation and impact issues to the Department of Transportation.

D.O.T. Deputy Director Hans Larsen introduced City project staff and VTA staff and consultants representing the BART project, including Mark Robinson (VTA), Eli Naor (Architect), Steve Biggs (Structural Engineer), and Alan Dreyfuss (historic preservation architectural consultant).

The BART project representatives discussed the various design alternatives for the proposed BART station entrances, as outlined in the memo for the agenda item.

Commission discussion centered on the relative advantages, disadvantages, and challenges posed by the three design options identified in the memo.

Primary discussion topics and considerations included:

- *Desire to evaluate and avoid impacts to integrity of historic buildings*
- *Physical design limitations of stations and approaches*
- *Desire to achieve restoration and seismic and structural retrofit of the signature Bank of America (B. of A.) Building, including a long-term maintenance commitment, in a manner consistent with its historical significance, either with or without the BART project as a component*
- *Desire to establish a strong regional identity for the downtown BART station by physically connecting it to a recognizable downtown landmark such as the B. of A. Building*
- *True costs of the different alternatives and the availability of funding to be allocated to adequately achieve historic preservation goals*

One member of the public, Blage Zelalich, spoke on behalf of the San Jose Downtown Association and advocated for the B. of A. Building option as a means of crafting a strong identity for the BART station, in the manner of New York City's Grand Central Terminal.

Turning to the formation of a recommendation for a preferred location for the BART station entrances, a motion was made to identify the Western Delta building as HLC's preferred alternative, based on the smaller scale of this alternative and its lesser potential for historical impacts. Commissioner Stabile added that her support for the motion was founded upon currently inadequate assurances of successful implementation of renovation of the B. of A. Building. However, Commissioners Janke and Lavelle spoke in favor of renovating the B. of A. building in conjunction with the BART downtown station project, and Commissioner Colombe expressed concern that inadequate information to form a recommendation had been made available to date. The motion failed (3-3-1; Janke, Lavelle, and Colombe opposed, Thacker absent).

Following on the concern identified by Commissioner Stabile, a motion was made to recommend the B. of A. building as HLC's "ideal" preference but with the Western Delta building as HLC's secondary preference if adequate guarantees for a historically appropriate renovation of the building cannot be secured.

THE MOTION FAILED (3-3-1; JANKE, LAVELLE, AND COLOMBE OPPOSED, THACKER ABSENT).

TO BE HEARD OUT OF ORDER IMMEDIATELY FOLLOWING THE CONSENT CALENDAR

- b. [H07-008](#). Site Development Permit to construct a high-rise mixed-use project containing 347 multiple dwelling units, 11,353 square feet for commercial uses, and underground and podium level parking on a 1.258 gross acre site located on a site bounded by W. St. John Street, N. Almaden Avenue, Carlisle Street, and Notre Dame Street. The project is located within 100 feet of the Luis Maria Peralta Adobe, (City Landmark No. HL77-01, located at 148 W. St. John St.) and The IBM Building (City Landmark No. HL01-143, located at 99 Notre Dame Ave) (Livingston Block, Inc., Owner/Barry Swenson Builder, Applicant). Council District 3. SNI: None. CEQA: In Process.

Staff Recommendation:

Historic Landmarks Commission to forward comment to the Director of Planning regarding the manner in which the proposed project design can be found to have considered the Standards in addressing the context of the City Landmarks.

Aaron Barger, architect representing Barry Swenson Builder, the applicant, presented the proposed project and discussed the design measures they have taken to address the project's context (which includes the Fallon House, Peralta Adobe, and Saint John and Notre Dame Streets). Commission discussion focused on concerns related to the tower element's massing and potential shade/shadow impacts on the nearby Fallon House. It was agreed that when the project's CEQA initial study has been completed and the potential shade/shadow impacts have been documented in greater detail, the environmental review for the project will return to the Commission.

- c. [H06-077](#). Site Development Permit to construct approximately 19,000 square feet of commercial buildings, including the on-site relocation and reconstruction of the Bonsai Nursery building on a 1.65 gross acre site located on the southeast corner of De Anza Boulevard and Bollinger Road (966 S. De Anza Blvd.) (George Kuniko Yamanaka, Owners/Hunter storm LLC Applicant). Council District: 1. SNI: None. CEQA: In Process.

Staff Recommendation:

Historic Landmarks Commission to forward comment to the Director of Planning regarding the relocation and rehabilitation of the identified historic resource.

Commissioner Cunningham expressed his view that the building does not merit relocation and reconstruction. A motion was made to endorse the current proposed site plan, which includes relocating and rehabilitating the mid-century historic building on-site and integrating it into the redevelopment of the site.

THE MOTION PASSED (5-1-1; CUNNINGHAM OPPOSED, THACKER ABSENT)

- d. **DEIR for Coyote Valley Specific Plan (CVSP)** and related San Jose 2020 General Plan Amendments GP06-02-04 for the urban development of a minimum of 25,000 residential units and 50,000 new jobs on approximately 3,400 acres in northern and mid-Coyote Valley. The Coyote Valley Specific Plan (CVSP) project area (“CVSP Area”) comprises approximately 7,000 acres of primarily undeveloped flat land located within the Sphere of Influence and Urban Growth Boundary of the City of San José, approximately 12 miles south of downtown. The Planning Area is bounded by Tulare Hill and the Santa Teresa area of southern San José to the north, US 101 and the Mount Hamilton Range to the east, the City of Morgan Hill to the south, and the Santa Cruz Mountains to the west. Of the approximately 7,000 acres that comprise the project area, approximately 3,600 encompass the Coyote Greenbelt at the southern end of project, which will remain as a permanent non-urban buffer between San José and Morgan Hill (City of San José, applicant). Council District 2. SNI: None.

Staff Recommendation:

Historic Landmarks Commission to provide comments on the Cultural Resource Discussion and authorize the HLC Chair to sign a DEIR comment letter on behalf of the Commission, to the Director of Planning, Building and Code Enforcement.

Deferred to June HLC hearing, as noted under item 1 above.

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 an agenda. In response to public comment, the Historic Landmarks Commission is limited to the following options:

1. Responding to statements made or questions posed by members of the public; or
2. Requesting staff to report back on a matter at a subsequent meeting; or
3. Directing staff to place the item on a future agenda.

- a. Public Comment

No comments or speakers

7. GOOD AND WELFARE

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

No report at this time.

b. Report from the Secretary

i) Status of Circulation of Environmental Review Documents

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

- Parkview Towers DEIR
NOP distributed March 2006
- Coyote Valley Specific Plan (CVSP) DEIR
Circulation anticipated March 2007

Morrison Park DEIR
NOP distributed February 27, 2007

(ii) Status of HLC Recommendations on Referrals to City Council, Boards, Commissions, and Other Agencies

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

February 21, 2007 DEIR referred to HLC
April 24, 2007 City Council Hearing:
EIR Certification upheld and GP Amendment approved
May 30, 2007 anticipated Planning Commission Hearing: Rezoning
June 19, 2007 anticipated City Council Hearing: Rezoning

Ballpark Study in the Diridon/Arena Area

Vice Chair Colombe, HLC Representative
February 28, 2007 Planning Commission Hearing, EIR Certified
June 6, 2007, HRI additions anticipated

PDC06-003. Lowe's Home Improvement Warehouse. Planned Development rezoning from IP(PD) Industrial Park zoning district to A(PD) Planned Development zoning district, including proposed demolition of IBM Building 025

November 1, 2006 DEIR Referred to HLC
March 7/21, 2007 Rezoning Referred to HLC
April 18, 2007 Planning Commission Hearing: Rezoning Denied
May 1, 2007 anticipated City Council Hearing

City Council continued to 5/15/07 for review of draft findings approving the project as proposed, including demolition of historic IBM Building 025.

PDC06-100. Planned Development Rezoning including 744 Morse St. relocation

April 4, 2007 HLC referral
April 25, 2007 Planning Commission recommended approval
May 1, 2007 anticipated City Council Hearing

(iii) 2006 Commissioners' Form 700 and Family Gift Reporting Form due to City Clerk
April 2, 2007

(iv) Preservation Month: May 2007

- (v) California Preservation Conference, May 3-6, 2007, Hollywood, CA.

c. Report from Committees

- History San Jose Collections Committee

Commissioner Stabile, Liaison

Possible History San Jose Collections HLC Tour dates

Tues. May 15th or 22nd; or June 5th, or

Thurs. May 17th or 24th; or June 7th

Staff to follow-up with an e-mail identifying potential dates that would work for everyone.

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

A table of identified historic resources was distributed tonight for review and future consideration (this item will be returning to HLC at the June hearing). One future discussion topic: the CEQA impact severity (“significant” impact vs. “less-than-significant”) caused by relocation of a historic building.

- Japantown Survey Committee

Commissioner Lavelle, Liaison

Community Meeting: Monday, June 4, 2007

Intensive Level Survey: City Council Acceptance anticipated August 2007

A preliminary meeting has been held with the Japantown Community Congress.

- Pellier Park Committee

Commissioner Colombe, Liaison

New lawn areas (sod) were recently installed in the park. Additional improvements to follow, pending outcome of the recently filed Historic Preservation permit, which will be reviewed by HLC and Parks & Rec. Commission at future public hearings.

- City of San Jose BART extension, Design, Art & Architecture Review

Chair Janke, Liaison

See item 5.a, above.

d. Report from Historic Landmarks Commission Subcommittees

- Design Review Committee (DRC)

Commissioners Janke, Colombe and Cunningham, members

April 18, 2007 meeting cancelled

No Report

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 Meeting/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
No Meeting in July		Regular meeting	
No Meeting		Design Review Subcommittee	
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 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>