



HISTORIC LANDMARKS COMMISSION

SYNOPSIS

WEDNESDAY JUNE 6, 2007

Regular Session

6:00 P.M.

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 STABLE
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 **June 6, 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

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.

- a. [HP05-002 & HP05-003](#). Historic Preservation Permits to review (1) construction of approximately 195 single-family attached residential units and approximately 12,000 square feet of ground-floor commercial space in two towers, approximately 200 and 130 feet tall, respectively, and associated improvements; (2) demolition of Letcher's Garage, listed as a National Register Historic Site/Structure and as a Contributing Structure to the St. James Square City Landmark District; and (3) rehabilitation of the First Church of Christ Scientist, including exterior modifications and structural upgrades to the structure listed as a National Register Historic Site/Structure, as a Contributing Structure to the St. James Square City Landmark District, and as a Structure of Merit on a 1.1 gross acre site in the DC Downtown Primary Commercial Zoning District, located on the entire block bounded by N. 1st, N. 2nd, St. James, and Devine Streets (200 & 252 N. 1st St. and 39 E. St. James St.) (Redevelopment Agency Of City Of San Jose & Barry Swenson Builder Green Valley Corp., Owners). Council District 3. SNI: None. CEQA: Supplemental Environmental Impact Report.

DROPPED (7-0-0).

One member of the public, Bob Carlson, spoke in favor of the proposed project in general and commented favorably regarding the proposed demolition of the Letcher's Garage building.

- b. [HP07-002](#). Historic Preservation Permit request to allow a new landscape design for renovation of Pellier Park, City Landmark HL77-4, on a 0.34 gross acre site located on the northeast corner of W. St. James and Terraine Streets (183 W. St. James Street) (City of San Jose). Council District 3. SNI: None. CEQA: Exempt.

DEFERRED TO 7-11-07 (7-0-0)

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 MAY 2, 2007 HISTORIC LANDMARKS COMMISSION SYNOPSIS.**

Vice Chair Colombe revisions regarding Pellier Park Committee and the BART to San Jose project noted.

- b. **MA07-001**. Historical Property Contract (California Mills Act) between the City of San Jose and the owners of the Wilder-Hait House, City Landmark file no. HL04-150, located at 1190 Emory Street on a 1.2-acre site in the R-1-8 single-family residence zoning district (Alex and Cynthia Clerk, owners). The proposed contract, which is available to owners of designated City Landmark buildings, would facilitate a property tax reassessment and partial tax relief in return for a binding agreement to rehabilitate and maintain the historical and architectural character of the property for at least a ten-year period. Council District: 6. SNI: None. CEQA: Exempt.

Staff Recommendation:

Recommend to the City Council approval of the proposed Historical Property Contract.

- c. **MA07-003**. Historical Property Contract (California Mills Act) between the City of San Jose and the owners of the Arguello-Gosby House, City Landmark file no. HL06-156, located at 456 North Third Street on a 0.2-acre site in the R-M multi-family residence zoning district (Angela Chumak, owner). The proposed contract, which is available to owners of designated City Landmark buildings, would facilitate a property tax reassessment and partial tax relief in return for a binding agreement to rehabilitate and maintain the historical and architectural character of the property for at least a ten-year period. Council District: 3. SNI: 13th Street. CEQA: Exempt.

Staff Recommendation:

Recommend to the City Council approval of the proposed Historical Property Contract.

PULLED OFF CONSENT BY COMMISSIONER THACKER

HLC recommended staff coordinate with the applicants to revise the MA07-003 preservation plan to include more repairs and upgrades concerning the main structure's historic fabric, rather than non-historic elements such as the gazebo, fences, and landscaping.

STAFF RECOMMENDATION ADOPTED WITH RECOMMENDATION (7-0-0)

- d. [HP07-001 & H07-007](#). Historic Preservation Permit (HP07-001) and Site Development Permit (H07-007) to obtain Planning approval for an existing unpermitted approximately 940-square-foot detached garage, to replace a non-historic detached garage that was previously demolished without permits on a 0.16-acre site in the Reed City Landmark Historic District (530 S. 6th Street) (Jose Blanc, owner). Council District: 3. SNI: University. CEQA: Exempt.

Staff Recommendation:

Find that the project meets the Standards and Recommend to the Director of Planning approval of the Historic Preservation and Site Development Permits.

The Consent Calendar is now closed.

CONSENT CALENDAR APPROVED (7-0-0)

4. PUBLIC HEARINGS

NONE

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

- a. [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. [Deferred from 5-2-07](#).

Staff Recommendation:

Provide comments on the adequacy of the Cultural Resource Discussion to the Director of Planning, and authorize the HLC Chair to sign a Comment Letter.

Commissioner Cunningham presented a draft/working version of a table summarizing his comments and questions on the Cultural resources chapter in the Draft EIR.

Several Commissioners discussed that the historic evaluation in the Draft EIR concluded that three existing bridges are ineligible for the Cal. and National registries, but that the evaluation was based on a 1987 survey. Would it be possible to obtain an updated evaluation?

Darryl Boyd clarified that the potential removal of any of the Keesling Walnut trees would be considered a significant unavoidable CEQA impact because of their size and uniqueness.

Commissioner Colombe noted that the draft EIR's "prior to issuance of permits" standard is too late in the development review process to be an appropriate decision point regarding feasibility of preserving a historic resource on its original site. These determinations should be made during preparation of the Specific Plan, or at least prior to any development occurring (i.e., prior to approval of first Planning permit for any work). At a minimum, criteria and principles regarding possible building relocation should be developed very early on in the process.

The significance conclusion ("significant unavoidable" CEQA impact vs. mitigated to a less-than-significant level) resulting from relocation of a historic building was discussed. Planning staff stated that, for CEQA purposes, relocation of a historic building to a compatible setting, in a manner consistent with the Secretary of the Interior's standards, could allow a building to continue to convey its significance and could be considered a less-than-significant impact.

The Commission discussed the possibility of creating a land-use (zoning or General Plan designation, overlay district, etc.) such as "Historic Preservation" in order to clearly identify historic properties and to convey the City's commitment to the protection of historic resources as a top priority. It was also suggested that properties that have been identified through the CVSP evaluation, and that are within incorporated San Jose city limits, should be added to the City's historic resources inventory as soon as the Historic Preservation work plan allows.

STAFF RECOMMENDATION ADOPTED, AUTHORIZING CHAIR JANKE OR VICE CHAIR COLOMBE TO SIGN, AND COMMISSIONERS CUNNINGHAM, STABLE, AND VICE CHAIR COLOMBE (LAVELLE ALTERNATE) TO DRAFT, THE COMMENT LETTER. (6-0-0-1, PEAK ABSTAINED)

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

7. GOOD AND WELFARE

a. Report from the Redevelopment Agency

No report.

b. Report from the Secretary

i) Status of Circulation of Environmental Review Documents

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

- Parkview Towers SDEIR
(bounded by E. St. John, N. First, Devine, and N. Second Streets)
NOP distributed March 2006
Circulation anticipated June 2007
- Coyote Valley Specific Plan (CVSP) DEIR
Circulation Period ends June 29, 2007

Morrison Park DEIR

(bounded by W. Julian St., N. Morrison Ave., Cinnabar St., and Stockton Ave.)
NOP distributed February 27, 2007

The Carlisle mixed-use high-rise (H07-008)

(bounded by W. St. John St., N. Almaden Ave., Carlisle St., & Notre Dame St.)
Initial Study Pending

(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 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
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 City Council Hearing: continued to 5-15-07

May 15, 2007 City Council Hearing: continued to 6-5-07

PDC06-100. Planned Development Rezoning including 744 Morse St. relocation
April 4, 2007 HLC referral
April 25, 2007 Planning Commission recommended approval
May 22, 2007 City Council Hearing
PD Permit to be referred to HLC DRC

- (iv) Preservation Month: May 2007
Commissioner Stabile, Liaison
- (v) California Preservation Conference, May 3-6, 2007, Hollywood, CA.
- (vi) July Landmarks Commission Meeting

Staff Recommendation:

Set a July HLC meeting on Wednesday, July 11, 2007 in Rm. W-120
APPROVED (6-0-0-1, PEAK ABSENT)

c. Report from Committees

- History San Jose Collections Committee
Commissioner Stabile, Liaison
History San Jose Collections Tour
Several commissioners spoke favorably about History San Jose's curation efforts and professionalism.
- Coyote Valley Specific Plan and Habitat Conservation Plan Advisory Committee
Commissioner Cunningham, Liaison
- Japantown Survey Committee
Commissioner Lavelle, Liaison
Community Meeting: Tuesday, June 12, 2007, 6:00 p.m.
Northside Community Center
Intensive Level Survey: City Council Acceptance anticipated August 2007
- Pellier Park Committee
Commissioner Colombe, Liaison
- City of San Jose BART extension, Design, Art & Architecture Review
Chair Janke, Liaison

d. Report from Historic Landmarks Commission Subcommittees

- Design Review Committee (DRC)
Commissioners Janke, Colombe and Cunningham, members
May 16, 2007 meeting cancelled

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
<i>July 11, 2007</i>	<i>6:00 p.m.</i>	<i>Tentative Proposed Meeting</i>	<i>Room W-120</i>
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>