



**HISTORIC LANDMARKS COMMISSION
HEARING**

SYNOPSIS

Wednesday, November 9, 2011

Regular Session

6:00 p.m.

Council Chambers

San Jose City Hall

200 East Santa Clara Street

San José, CA

Commission Members

Patricia Colombe, Chair

Steven Cohen, Vice Chair

Ramiro Torres

Tania Nunez

Robert Abatecola

Joseph Horwedel, Director

Department of Planning, Building & Code Enforcement

Note

To request an accommodation for City-sponsored meetings or events or an alternative format for printed materials, please call Carmen Stanley at 408-535-7856 or 408-294-9337 (TTY) as soon as possible, but at least three business days before any meeting or event. If you requested such an accommodation, please identify yourself to the technician seated at the staff table. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

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 two minutes.*
- 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. All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Planning, Building and Code Enforcement at San José City Hall, 200 E. Santa Clara Street, 3rd Floor Tower, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body.

AGENDA

ORDER OF BUSINESS

ROLL CALL

All Commissioners present (Abatecola late)

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. **HL11-197 and MA11-002.** Historical Landmark Nomination to designate the "Bowman-Sweigert 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, on a 0.2-acre site located on the west side of N. 3rd Street, approximately 140 southerly of Hensley Street (429 N. Third Street) (James D. Williams, et al., property owner). Council District 3. SNI: 13th Street. CEQA: Exempt.
Recommend Approval (4-0-1, Abatecola absent)
- b. **HL11-199.** Historical Landmark Nomination to designate the "McDonnell Hall" as a landmark of special historic, architectural, cultural, aesthetic or engineering interest, or value of a historic nature, located at 2020 E. San Antonio Street (Roman Catholic Bishop of San Jose, owner). Council District 5. SNI: Mayfair. CEQA: Exempt.
Recommend Approval (5-0)
- c. **PALOMAR BALLROOM INTERPRETIVE DISPLAY.** Provide the public, the Preservation Action Council, and the Historic Landmarks Commission the opportunity to give comments on the proposed approach to the display to be located at the pedestrian level along Notre Dame Avenue as part of the Axis Condominium development located at 38 North Almaden Blvd. (Almaden Tower Ventures, LLC). Council District 3. SNI: None. CEQA: Downtown Strategy Plan EIR and 47 Notre Dame Residential Project Supplemental EIR.
Recommend continuance to special meeting in mid-January 2012 (5-0)

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

No Items

5. OPEN FORUM

- a. Summary of communications received by the Historic Landmarks Commission

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.

None

6. GOOD AND WELFARE

- a. Report from Secretary, Planning Commission, and City Council

1. Review 2012 Calendar: 2/1/12, 5/2/12, 9/5/12, and 11/7/12 Meeting Dates

Approved (5-0)

2. Future Agenda Items

- b. Continue discussion regarding the Remillard/Dandini House and the Smith House (Colombe)

No report on Remillard/Dandini House; Concern about disrepair of Smith House

- c. Discussion of Photo Contest for 2012

Continue to explore option and continue discussion

- d. Commissioners' Report from Committees

1. Design Review Subcommittee (Colombe and Cohen)
Meets the 3rd Wednesday of the month as necessary

Report

2. History San José Collections Committee
Consider combining with HLC

Report

- e. Review of the [6/1/11](#) Meeting Report

Approved with no comments (5-0)

- f. Review of the [9/7/11](#) Meeting Report

Approved with no comments (5-0)

- g. Status of Circulation of Environmental Review Documents

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

1. Notice of Availability for Agnews East School Site Project DEIR:
<http://www.santaclarausd.org>

h. Next Meeting: February 1, 2012 at 6 p.m. at San Jose City Hall, Wing Room 120.

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.