

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 **Michael Youmans**, 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 November 2, 2005 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

6:30 PM SESSION

1. ROLL CALL

ALL PRESENT, EXCEPT JANKE

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. **A list of staff-recommended deferrals is available on the table.** 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.

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 OCTOBER 5, 2005 HISTORIC LANDMARKS COMMISSION SYNOPSIS.**

APPROVED (6-0-1; JANKE ABSENT)

The Consent Calendar is now closed.

4. PUBLIC HEARINGS

- a. [The addition of a Qualifying Property to the Historic Resources Inventory.](#) The addition of the Mirassou Winery site, 15.06 gross acres located on the southwest corner of Aborn Road and Ruby Avenue (3000 Aborn Road), to the City of San Jose Historic Resources Inventory. Council District: 8. SNI: None. CEQA: Exempt.

APPROVED (6-0-1; JANKE ABSENT)

Commissioner Colombe asked whether the entire site was considered important to the significance of the property.

Staff stated that the 1990 Historic Resources Assessment found the winery complex, consisting of the Mirassou residence, winery tasting room, aging cellars, and warehouses set within then 27 acres of remaining vineyards eligible as a City Landmark. Addition of the parcel to the HRI would require a Development Permit and associated environmental review prior to demolition, whereas no Development Permit is currently required for the demolition of commercial or industrial buildings less than 1,000 square feet in size. An updated historic report would be required as part of a City Landmark Designation application to evaluate the significance of the current site's structures and setting.

PUBLIC COMMENT

Judi Henderson of PAC SJ spoke to encourage the Commission to add the property to the Inventory. She noted that both the Hayes Mansion and the Almaden Winery historic properties had additional acreage included in the designation to retain their setting.

Vikki Lang, a life-long resident of San Jose, spoke to say she was born and raised here and has seen many things disappear. Evergreen is a community with deep roots. Don't take this away from our community. Don't take something everyone loves. Give us a chunk of something.

Mark Milioto of the Evergreen East Hills Taskforce echoed Ms. Lang's comments. Also a lifelong resident of San Jose, he said it was important to save Mirassou Winery for future generations. The uniqueness of San Jose is quickly being eroded, and we are looking for a balance.

Laura Monczynski spoke in favor of adding the property to the Inventory. She worked at Mirassou winery for six years. It is the oldest family winery, having been in business for 150 years. The sixth generation is more interested in development of the property. The site, which once included 700 acres of grapes, is a part of the City's agricultural history. It would be nice to preserve the whole house, and to be able to see something green in San Jose.

Linda Callon, Berliner & Cohen, representing the Mirassou Trust, spoke against the proposed addition of the property to the Inventory. The Trust's letter distributed to the Commission this evening, stated that while they were aware of the significance of

the house and winery buildings, they were not given sufficient notice to do their homework. They had been working with Council member Cortese's office and PAC SJ, and were surprised by the proposal to add the property to the Inventory. As to adding the entire property to the Inventory, a lot has changed since 1990 and alterations have not been taken into account. What was portrayed in the Specific Plan, for the City to buy and preserve the site, has not happened. It was their understanding that any proposal for the property would require Planning Department review regardless of whether or not it was listed on the Inventory.

COMMISSION DISCUSSION

Chair Youmans noted that in reading the letter, there seemed to be a general consensus that the buildings are eligible. Is the disagreement about the site? Ms. Callon replied that the proposal to place the property on the Inventory was frightening to the owners.

Chair Youmans continued that a site is often added as a protective measure. That piece of property is in play, and placing it on the Inventory is a starting point for possible discussion. It is incumbent on the Commission to honor the preservation of the City's resources, and to be proactive rather than anemic.

Commissioner Colombe asked how many grapes were left, and Ms. Callon answered one-half of an acre. She stated that she was concerned about the site, given the Specific Plan's vision of continuing business at the winery and a new commercial development in the Evergreen circle. She did not recall the City proposing ownership of the winery site. Ms. Callon noted that the business failed.

Commissioner Colombe noted that the Specific Plan leaves uses open, except for vineyard frontage. It is important to the owners as well, it has emotional value, and the specifics should be analyzed.

Chair Youmans asked whether Council member Cortese's office supported the addition of the property to the Inventory. Council aide Rabia Chaudhry confirmed that it did.

Chair Youmans continued to say that he was concerned about the site and the false "Maybury" area, and that other people have been concerned about the need for playing fields in the City. It would be nice if the HLC could place an umbrella over the site until something can be done to honor the site and the buildings.

Commissioner Colombe agreed, saying that if the site is added to the Inventory now, the owners can pursue City Landmark designation later, in the meantime throwing a protective net over the property.

Commissioner Alkire asked why it wasn't added in 1990. Deputy Director Horwedel replied that the Department did not have staff resources in Preservation at the time.

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

- a. [New Guidelines Chapters](#): Draft Transit-oriented Development and Mid- and High-rise Residential Development

Staff Recommendation:

Historic Landmarks Commission recommend revised language to integrate Historic Preservation throughout the Guidelines Chapters to the Director of Planning, Building and Code Enforcement.

STAFF RECOMMENDATION ADOPTED (6-0-1; JANKE ABSENT)

PUBLIC COMMENT

Judi Henderson, PAC SJ, noted that Preservation Staff had done a nice job of incorporating preservation into the proposed Guidelines. She had two concerns, however: 1) We have other Historic Guidelines which continue to be challenged, and 2) The idea of triggers being put in place where transit may not come for generations. The North side and Naglee Park neighborhoods off of East Santa Clara Street are concerned. San Francisco did not tear down resources to bring transit to their city.

COMMISSION DISCUSSION

Commissioner Alkire recommended that the City Council Policy on Preservation be added to the section on Other Resources. He asked where the language about adaptive re-use of structures over fifty years old originated. Staff answered that the language came from the Downtown Design Guidelines.

Chair Youmans noted that the issue of BART portal locations was a concern during the Diridon Station planning process, and that due diligence should be applied to locating the portals with respect to resources. Deputy Director Horwedel noted that staff would refer to the Downtown Historic Design Guidelines regarding that issue. Chair Youmans approved, and noted that the Secretary of the Interior's Standards and the Downtown Historic Guidelines should be referenced in the document.

Commissioner Colombe recommended that Historic Resources be addressed in an independent bullet under the Components of Transit-Oriented Development section, and that the language regarding encouraging rehabilitation of Historic Resources under Neighborhood Compatibility be strengthened.

Commissioner Cunningham recommended a more consistent use of the term rehabilitation throughout the document.

- b. [PRE05-413](#). Comprehensive Preliminary Review for the relocation of the Allen Apartments-Donner Houghton House, City Landmark No. HL01-125 to allow the construction of a mixed-use residential tower located at the southeast corner of South Fourth Street and East Saint John Street (156 E. Saint John St.).

No Recommendation/City Council Policy on the preservation of Historic Landmarks.

Chair Youmans commented that if the Donner Houghton House were not moved as part of the Civic Center Garage, then the historic Fox Building could have been saved. The fervor with which the site is proposed to be cleared of the historic building on wheels is daunting. Considering the Fox Building has been sacrificed, he is not inclined to endorse moving the house again.

Commissioner Leong stated that she was in absolute agreement. She was on the Commission when the garage project was considered. If this house is moved, then there will be nothing historic left.

Commissioner Colombe stated that she also was opposed to and found the preliminary proposal appalling.

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

Pete Furman, introduced the newly formed St. James Historic District Neighborhood Association, (SJHDNA) made up of residences and buildings around and northwest of the St. James Square Historic District.

b. Pellier Park

Dave Mitchell, Parks Planning Manager, reported that the Community Meetings would be scheduled in November. The turn-key agreement is being formalized prior to issuing building permits on the Tower Project.

c. Report back regarding the VTA Water Tower Project

Chair Youmans noted that the Water Tower was an organic piece of the Diridon Station site, and he was pleased to see this integral part of the City's past relocated on the site.

7. GOOD AND WELFARE

a. Report from the Redevelopment Agency

No Report

b. Report from the Secretary

- Status of Circulation of Environmental Review Documents

- Historic Landmarks Commission Retreat date

Friday January 27, 2006, 12 noon – 4:30 pm or,

Friday January 20, 2006, 12 noon – 4:30 pm

The Commission voted 5-1-1, Janke absent, to hold the Retreat on January 20, 2006

- City of San Jose to receive the 2005 Governor's Historic Preservation Award

Thursday, November 10, 2005 at 2 p.m.

Leland Stanford Mansion State Historic Park

- Counter to Council

Deputy Director Joe Horwedel reported on Counter to Council, which started as a working group from the Development world and community realm. PBCE took the forefront to separate the Historic Resources Committee. Recommendations were circulated this evening, and are available for viewing on the City's web site. One part of the recommendations included filling the Historic Preservation Officer position.

Chair Youmans noted that the recommendation to increase funding and staff was positive, and that junior staff would also need specific interest and training.

Regarding the DRC, he explained that he moved to refer the Development proposal adjacent to Germania Hall back to the DRC mainly so that those involved would have another chance to follow up on the first review.

Commissioner Cunningham reported that he had heard from applicants that Planning Staff were reviewing projects according to the Secretary of the Interior's Standards, consistent with the State Historic Preservation Office training that Commissioners had attended.

Joe Horwedel stated that Counter to Council discussed commissions and the council liaison role. Proposals might involve 1) liaisons giving an update report to commissions quarterly, 2) liaisons attending HLC retreats and placing the HLC retreats on City Council Agendas to report HLC issues back to the City Council

c. **Report from the Subcommittees**

- Report of the Design Review Committee (DRC)

Commissioner Leong, DRC Chair

October 19, 2005 meeting cancelled

No Report

- History San Jose Collections Committee

Chair Youmans, Liaison

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

Commissioner Colombe suggested a presentation on Coyote Valley at the HLC retreat.

Commissioner Lavelle noted that the time for the presentation should be minimized, given that the retreat was only four and one-half hours long

- Japantown Survey Committee
Commissioner Alkire, Liaison

Commissioner Alkire reported that the City and the JCC are in the process of negotiating a contract with Carey & Co. Architecture for Phase II of the project.

- San Jose Industrial/High Tech Committee
Commissioner Lavelle, Liaison

- Salvage Tours

Commissioner Cunningham reported that he attended the Del Monte salvage tour and that the project proposes to save and reuse the fly-over can bridge one bay, and the concrete wall of the building closest to the railway. He suggested discussion regarding Salvage Tour procedures be placed on a future agenda.

Deputy Director Joe Horwedel reported that staff met with History San Jose about recording the site's history in a digital documentary segment as part of a larger project capturing the Valley's history. Del Monte has allowed the logo to remain on the Water Tower at the site.

PAC SJ noted that the HLC has discussed developing a salvage policy for years. PAC would like to see items, such as windows, salvaged even if the museum doesn't want them, but does not have storage space.

Commissioners Leong and Lavelle attended the Palomar Ballroom salvage tour. They noted that some signage and period pieces were salvaged, but that the building had already been stripped. Commissioner Lavelle commented that there seemed to be different degrees of salvage, and questioned how to address the issue of things that had been wiped out before the tour.

- Walking Tour

Commissioner Colombe requested discussion regarding the Convention & Visitors Bureau Historical Walking Tour brochure be placed on a future agenda.

8. ADJOURNMENT

2005 HISTORIC LANDMARKS COMMISSION MEETING SCHEDULE

DATE	TIME	TYPE OF MEETING	LOCATION
April 6, 2005	6:00 p.m.	Regular Meeting	Room 300
April 20, 2005	12:00 p.m.	Design Review Meeting	Room 400
April 22, 2005	12:30- 4:30 p.m.	Retreat	MLK Jr. Library, Cultural Heritage Room, 5 th Floor
May 4, 2005	6:00 p.m.	Regular Meeting	Room 205
May 18, 2005	12:00 p.m.	Design Review Meeting	Room 400
June 1, 2005	6:00 p.m.	Regular Meeting	Room 205
June 29, 2005	12:00 p.m.	Design Review Meeting	Room 400
July 20, 2005	12:00 p.m.	Design Review Meeting	Cancelled
August 3, 2005	6:00 p.m.	Regular Meeting	Room 205
August 17, 2005	12:00 p.m.	Design Review Meeting	Room 400

Meetings September 7th and subsequent located in Council Wing on 200 East Santa Clara St.

September 7, 2005	6:30 p.m.	Regular Meeting	Council Chambers
September 21, 2005	12:00 p.m.	CANCELLED	Room T-550
October 5, 2005	6:30 p.m.	Regular Meeting	Room W118/119
October 19, 2005	12:00 p.m.	Design Review Meeting	Room T-550
November 2, 2005	6:30 p.m.	Regular Meeting	Room W118/119
November 16, 2005	12:00 p.m.	Design Review Meeting	Room T-550
December 7, 2005	6:30 p.m.	Regular Meeting	Room W118/119
December 21, 2005	12:00 p.m.	Design Review Meeting	Room T-550

HISTORIC LANDMARKS AGENDA ON THE WEB:

<http://www.sanjoseca.gov/planning/hearings/index.htm>