



HISTORIC LANDMARKS COMMISSION  
HEARING SYNOPSIS

WEDNESDAY, OCTOBER 6, 2004

**GE Motor Plant Tour**

Northwest corner of Curtner Avenue  
and Monterey Road  
3:30 to 4:30 p.m.

**Regular Session**

6:00 P.M.  
City Hall, Room 205  
801 North First Street  
San Jose, CA

**COMMISSION MEMBERS**

STEPHEN POLCYN, CHAIR  
MICHAEL YOUMANS, VICE CHAIR

SANDRA PAIM            JUSTINE LEONG  
EDWARD JANKE        MARTIN ALKIRE  
PATRICIA COLOMBE

STEPHEN M. HAASE, AICP, 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 **Stephen Polcyn**, 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 **October 6, 2004** 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. Each speaker will have two minutes.
- 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 will be limited to 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

#### 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.

##### a. **Drop September 1 2004 HLC Agenda item 5.b.:**

PDC03-101. Proposed Mixed Use (three-unit multi-family attached over ground floor commercial) located on the north side of East William Streets, approximately 200 feet easterly of South 6th Street

**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 SEPTEMBER 1 2004, HISTORIC LANDMARK COMMISSION SYNOPSIS.](#)

*Approved as corrected, 7-0-0*

**The Consent Calendar is now closed.**

#### 4. PUBLIC HEARINGS

##### a. **ADDITION OF QUALIFYING EAST DOWNTOWN FRAME HISTORIC PROPERTIES TO THE HISTORIC RESOURCES INVENTORY.** Deferred from 9-1-04.

1. **The inclusion of the qualifying properties located within Geographic Area No. 8** on the City of San Jose Historic Resources Inventory. Council District: 3. CEQA: Exempt.
2. **The inclusion of the qualifying properties located within Geographic Area No. 9** on the City of San Jose Historic Resources Inventory. Council District: 3. CEQA: Exempt.

### **RECOMMENDATION**

Planning staff recommends that the Historic Landmarks Commission consider and adopt a resolution to add the qualifying East Downtown Frame Survey historic properties identified in Geographic Area No.8 and No.9 to the City of San Jose Historic Resources Inventory.

### *PUBLIC COMMENT*

*Mr. Harry Farrell asked about the implications of the proposal to list the church/public assembly building located at 80 South Fifth Street on the Inventory. Staff and Commissioners replied that permitting requirements for non single-family residential buildings would not change as a result of listing on the Inventory, and that the owners would have access to the California Historical Building Code.*

*Mr. Jay Ross spoke to represent Mr. Lawrence Ross, the whose letter had been distributed to the Commissioners regarding the concern that the proposed listing of his single-family residence located at 339 East San Fernando Street would hinder future development on the site in conformance with the existing General Plan Land Use/Transportation Diagram Designation of Medium High Density Residential (12-25 DU/AC). Staff and Commissioners explained that while the listing would require a Single Family House Permit for changes made to the residence, the listing would not change the review process for impacts to the historic resource at the time of a rezoning and/or development permit.*

*Staff Recommendation adopted, 7-0-0*

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

- a. PROPOSED HITACHI GLOBAL STORAGE TECHNOLOGIES PROJECT at 5600 Cottle Road in south San Jose/request for delegation of historic landmarks commissioners to conduct a tour.

### **RECOMMENDATION**

Planning staff recommends that the Historic Landmarks Commission select three or fewer members to represent it on a tour of the site.

*A motion was made to select Commissioners Janke, Leong, and Chair Polcyn with Commissioner Colombe as an alternate to represent the HLC on the tour.*

*Motion Approved, 7-0-0*

- b. PRELIMINARY APPLICATION to construct a residential condominium building, containing approximately 309 condominium units on the southwest corner of Carlyle Street and Notre Dame Avenue. City Council policy on the preservation of Historic Landmarks.

*Mark Tersini introduced himself as the project developer and stated his interest in answering questions about the project.*

**PUBLIC COMMENT**

*Alex Marthews of PAC SJ said that PAC has some concerns about the demolition of a Candidate City Landmark that is eligible for both the California and National Registers. PAC is a little surprised that a City that takes preservation of its historic resources seriously would consider this project, and is interested in the specific location of the proposed building on the site.*

*Commissioner Alkire asked whether the EIR will be routed to the Latino community, including Biblioteca Latinoamericana and the Mexican American Community Services Agency (MACSA) and whether the project includes any common areas such as a gymnasium or community center. Mr. Tersini replied that the project needs are being evaluated and that there will be a gymnasium, but it is not clear how that will be laid out.*

*Vice Chair Youmans said he was concerned about the scale of the proposed project. He stated that the project should not obscure the De Anza Hotel City Landmark, that special consideration be given to how the new building wraps around the De Anza and that the new building should be subordinate to the De Anza. Youmans also suggested stepping back the new building and consideration of ground floor setbacks.*

*Commissioner Colombe echoed the comments of Vice Chair Youmans and the other Commissioners.*

*Chair Polcyn commented that the Latino community should be made aware of the project and stated his interest in responses to this proposal. Commissioner Colombe asked about the ability to retain the Palomar Ballroom while providing for the new proposal.*

- c. PROPOSED WIDENING OF AND SAFETY IMPROVEMENTS TO THE INTERSECTION OF UNION AVENUE AND LOS GATOS-ALMADEN ROAD. The project includes the addition of a second northbound through lane on Union Avenue, a bike lane on the westbound approach, and sidewalk, curb and gutter additions to the northeast corner of the intersection. City Council policy on the preservation of Historic Landmarks.

## *PUBLIC COMMENT*

*Judi Henderson stated that the setting is extremely important. The entire site was considered in the 1993 designation when she was a HLC Commissioner. The current HLC should seek alternative solutions.*

*Architect Leslie Dill of Dill Design Group stated that having grown up in the neighborhood of the building she recognizes that the setting – the physical space and massing- are extremely important elements of the resource and that the HLC should search vigorously for appropriate alternatives in order to avoid the impacts to the Landmark.*

## *COMMISSION DISCUSSION*

*Liza Gonzalez of the Department of Transportation explained that the project has been on hold because of its complexities, that the two large Redwoods would be impacted by the current plan to improve the right hand turn onto Union Ave., that the “We & Our Neighbors” organization supports the proposed traffic improvements, and that the Cambrian Community Council has seen the proposed project.*

*HPO Damkroger suggested the Dept. of Public Works bring the project to the HLC DRC for review of design alternatives.*

*Vice Chair Youmans stated that the proposed sidewalk’s proximity to the building gives him great pause. This is one of very few Landmarks in the Cambrian Area, and the DRC should consider alternatives, including a No Project alternative. Youmans also suggested consideration of measures to retain the stone wall, contribution of plantings from the City and a financial settlement with the City.*

*Commissioner Alkire echoed previous comments by Leslie Dill and the HLC. While it is not a pleasant street to walk on as it stands, the proposed project would have an enormous impact on the setting and the HLC should look at alternatives and mitigation. Alkire also suggested interpretation of the existing setting, reuse of the wall, replanting as potential mitigation measures.*

*Commissioner Colombe noted that the proposed radius of as much as 40 feet is huge, and that a smaller radius should be considered. The possibility of placing the sidewalk within an easement on the inside of the wall and trees in order to preserve the natural and built environment could be considered.*

*Commissioner Leong suggested the possibility of creating an island with the trees and the wall on it in order to place the turning lane in between, taking into consideration the impact on the house as well.*

*Chair Polcyn reiterated the Commissioners’ comments and noted that the HLC would like to see the impacts of the project on the City Landmark Site minimized.*

*Commissioner Alkire suggested nonstandard details such as a softer sidewalk material to better complement the Craftsman Clubhouse. Chair Polcyn stated that the landmark warrants extra effort in the design of these proposed improvements to minimize the impact. The current proposal would create new problems for pedestrians and the Clubhouse users because the improvements are so close to the street.*

*Commissioners agreed that Commissioner Paim would attend the DRC meeting on October 20<sup>th</sup> as the third member of the DRC. Should Commissioner Paim not be able to attend, Commission Colombe would attend.*

d. San Jose Redevelopment Agency Five-Year Implementation Plan 2005-2009

*Bill Ekern of the SJRA reported that state law requires redevelopment agencies to adopt an Implementation Plan every five years. The Historic Preservation section of the Draft Implementation Plan has budgeted \$8.6M in the Façade Improvement Program (FIP) and \$5M in the Un-reinforced Masonry (URM) Grant Program as part of the overall Downtown Business Improvement Pool program.*

*The Draft Implementation Plan is scheduled for completion on October 19, 2004 for review by the Planning Commission on October 27, 2004 and approval by the Agency Board on November 9, 2004.*

**PUBLIC COMMENT**

*Judi Henderson noted that with \$5 million dollars in historic projects, the Agency is not taking advantage of Rehab Tax Credit opportunities which could leverage City dollars. Also, the Fallon House needs painting and flood damage repairs. Henderson suggested the HLC recommend to the City Council that the Fallon House repairs be funded and that HLC ask historic building owners to access the Rehab Tax Credit program.*

*Alex Marthews of PAC SJ said it was his understanding that while History San Jose has responsibility for ongoing maintenance of the Fallon House not originating from design flaws, flood damage is caused by design flaws and as such should allow for the use of Agency funds. Discussions are ongoing regarding the use of Dept. of Parks and Recreation and SJRA funds for the repairs.*

**6. PETITIONS AND COMMUNICATIONS**

Public comments to the Historic Landmarks Commission on nonagendized 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. Distribution of the Historic Landmarks Commission comment letter to the California Performance Review Commission on the proposed elimination of the State Historic Resources Commission

*The letter was signed by Chair Polcyn and sent to the Performance Review Commission. A copy of the state's response was distributed to the HLC and public.*

- b. Historic Landmarks Commission request for an update on the status of the Fox Building on N. 4<sup>th</sup> Street between E. Santa Clara Street and E. St. John Street—no update to report

*No Report*

- c. Historic Landmarks Commission request for an update on the status of the Guadalupe River Park and Flood Control, Noise Attenuation Project and the proposed temporary acoustical windows installed on the San Jose Water Works Building located at 374 West Santa Clara Street. Verbal update from Planning Staff.

*The HLC notes from the project review stated that the temporary acoustic treatments would be removed by the end of 2004.*

## 7. GOOD AND WELFARE

- a. **Report from the Redevelopment Agency**
  - No report
- b. **Report from the Secretary**
  - No report
- c. **Report from the Subcommittees**
  - Design Review

*Commissioner Paim, as the first volunteer, and Commissioner Colombe as the second volunteer, volunteered to sit on the October 20, 2004 DRC as an alternate to retired Chair Sciara. Discussion regarding the make-up of the DRC subcommittee will be placed on the November 2004 HLC meeting agenda.*

- History San Jose Collections Committee Liaison  
*Vice Chair Youmans provided an update.*
- Coyote Valley Specific Plan and Habitat Conservation Plan Technical Advisory Committee

*No Report*

**8. ADJOURNMENT**  
*Approved, 7-0-0*

**2004 HISTORIC LANDMARKS COMMISSION MEETING SCHEDULE**

<b>DATE</b>	<b>TIME</b>	<b>TYPE OF MEETING</b>	<b>LOCATION</b>
October 6, 2004	6:00 p.m.	Regular Meeting	Room 205
October 20, 2004	12:00 p.m.	Design Review Meeting	Room 400
November 3, 2004	6:00 p.m.	Regular Meeting	Room 205
November 17, 2004	12:00 p.m.	Design Review Meeting	Room 400
December 1, 2004	6:00 p.m.	Regular Meeting	Room 205

HISTORIC LANDMARKS AGENDA ON THE WEB:

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