

**APPENDIX I
TO THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT**

**COPIES OF ALL COMMENT LETTERS
RECEIVED ON THE DRAFT EIR**

November 14, 2007

Lee Butler
Department of Planning, Building and Code Enforcement
200 East Santa Clara Street
San Jose, CA 95112

RE: PARK VIEW TOWERS DRAFT ENVIRONMENTAL IMPACT REPORT
(DEIR) (Site Development Permit No. H05-029, and Historic Preservation Permit No.
HP05-002 & HP05-003)

Dear Mr. Butler:

At the November 5, 2007 Historic Landmarks Commission (HLC) meeting, the Commission reviewed the Park View Towers Draft Environmental Impact Report. In a 6-0-1 decision (Thacker absent), the Commission voted to forward this comment letter signed by the Chair, to the Director of Planning, Building and Code Enforcement and the Planning Commission in consideration of the EIR. Historic Landmarks Commission recommendations for work within the Historic District will be forwarded to the Director in the Historic Preservation Permit process, as required by the provisions of the Historic Preservation Ordinance.

I. CONSISTENCY WITH PLANS AND POLICIES

The San Jose 2020 General Plan *Urban Conservation/Preservation Major Strategy* addresses the preservation of historic resources as a strategy due to the "inestimable character and interest" such resources lend to the City's image. *Historic, Archeological and Cultural Resources Goals and Policies* of the General Plan call for new development to be designed to be compatible with the character of proximate designated historic landmark structures and districts. In particular, proposals located within the Areas of Historic Sensitivity designation, such as the St. James Square Historic District Area, should be review for such design sensitivity.

The document states that the project is essentially consistent with the Urban Design Concept identified in the *Strategy 2000* plan place new development around St. James Square Park. The document should include an analysis of the extent to which the project is consistent with the *Strategy 2000* plan and/or the *St. James Square Historic District Guidelines*.

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II. EXISTING SETTING. IMPACTS AND MITIGATION MEASURES

The Commission concurs with the conclusion that the demolition of Letcher's Garage, located at 200 N. First St. and listed as a Contributing Structure to the St. James Square National Register and City Landmark Historic District, is a significant unavoidable impact of the proposed project.

While at least one Commissioner did not agree that the visual and aesthetic impacts of the 200 foot high Tower I outside of the Historic District are less than significant, given that adjacent buildings are two to four stories in height; the general Commission expressed concern that the construction of Tower II, within the Historic District, does not meet the *St. James Square Historic District Design Guidelines* (Guidelines) included in the DEIR. The Guidelines note that most of the Contributing Structures range from two to four stories in height, that the mass of new buildings should be sensitive to and harmonious with the scale of older buildings, that building heights for a one lot depth (137 feet) on blocks fronting directly on the Park should not deviate by more than one story from the heights of immediately adjacent historic buildings, and that in no case should they exceed 70 feet. Tower II, on the other hand, rises to 100 feet in height at a distance of 43-feet from the property line on St. James St. immediately adjacent to the 60-foot high historic First Church of Christ Scientist building.

Commissioners did not agree that the design modification of setting Tower II back from St. James St. 11.5 feet to align with the front of the adjacent historic First Church of Christ Scientist structure and limiting the height of the project to 45-feet for the next 31.5 feet while exceeding the height Guideline by 30-feet for the remaining 26 feet of lot depth, mitigates the impact of Tower II to a less than significant level, because the modified design does not meet the District 70 foot height guideline.

Finally, because the project will provide the economic viability necessary to rehabilitate the First Church of Christ Scientist, the rehabilitation work should be included in Phase I of the project.

IV. ALTERNATIVES TO THE PROPOSED PROJECT

Commissioners stated that in general the document should include consideration of a broader range of alternatives that identify a reduced density and less than three levels of parking in order to reduce the impact of the project to Letcher's Garage and the Historic District to less than significant.

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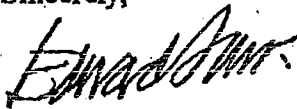
Commissioners noted that the *Preserve Letcher's Alternative B*, which includes eight stories of residential units above ground floor retail space, does not reduce the impact to Letcher's Garage to a less than significant level because it overwhelms the scale of the historic building and the Historic District setting. The Commission recommends the document consider at a minimum two additional alternatives: 1) A Preserve Letcher's alternative with all new construction occurring outside of the Historic District boundaries, and 2) A Tower II alternative within the Historic District boundaries that strictly meets the 70-foot height Guideline.

Conclusion

The Commission concurs that the demolition of Letcher's Garage is a significant impact, and strongly recommends consideration of reduced density alternatives that reduce project impacts to the Historic District.

Thank you for the opportunity to comment on the Park View Towers Draft Environmental Impact Report. The Commission looks forward to forwarding its recommendations on the Historic Preservation Permit in the near future.

Sincerely,



Edward Janke, AIA
Chair, San Jose Historic Landmarks Commission

C: San Jose Historic Landmarks Commission

-----Original Message-----

From: Judi Henderson [mailto:sjjudi@sbcglobal.net]
Sent: Wednesday, November 14, 2007 4:41 PM
To: lee.butler@sanjoseca.gov
Subject: Comments to the Park View Towers SDEIR

Lee, in case you don't want to open an attachment, the following are Preservation Action Council*San Jose's comments to the above mention SDEIR.

Judi Henderson

November 12, 2007

Lee Butler
Department of Planning, Building & Code Enforcement
200 East Santa Clara Street
San Jose, CA 95113-1905

Subject: Draft Supplemental Environmental Impact Report
File NO.S: H05-029, HP05-002 & HP05-003, Park View Towers

The following are Preservation Action Council*San Jose's comments to the Park View Towers DSEIR:

Our first comment is that we would like to commend the project for retaining the First Church of Christ Scientist historic building. We have concerns about not completing the restoration of the church building in Phase I, but will comment on that further in our closing comments. We also appreciate leaving the lot to the east of the church vacant. This will allow the church to be viewed in its entirety from the east. The space and landscaping to the west of the church is also to be complimented. One of the most important structures on St. James Park in the St. James Historic District is the First Church of Christ Scientist and the attempt of this project to frame it and separate it from the new construction is admirable. .

Letcher's Garage is a contributing structure to the St. James Historic District. As noted in the St James Historic District Design Guidelines (SJHDG) "the building has unique architectural features such as an expansive wood truss roof design and segmental-arched eastern wall windows with their metal fire shutter." The project proposes the demolition of this historic building. Alternative B, which proposes saving the walls of Letcher's Garage, would remove the existing trusses and roof of the building. Although the windows are still there, they are blocked up and the outside coated with stucco. This is easily reversible. The primary feature that is missing is the front façade and roofing over the front section. This can be replicated given the excellent resolution pictures available. The historic structure would no longer contain one of its defining features - the roof - under this alternative. Note: the environmentally superior alternative stated on page x is Alternative C which would preserve Letcher's Garage. Is there an additional alternative that would preserve Letcher's Garage in its entirety that is not included in the DSEIR?

Recommendation: Develop an alternative that does retain the existing Letcher's Garage in its entirety.

One of the most important components of the SJHDG is the allowable height of new construction. As stated in the guidelines, "allowable building heights for a one lot depth (137 feet) should not deviate by more than one story from the heights of immediately adjacent historic buildings and in no case should exceed 70 feet. While we appreciate the fact that the first 54.5' of the setback is below the maximum height restriction, we do feel the remaining 25.5' depth at 100' is too high.

Recommendation: A project alternative(s) should be developed wherein Tower Two adheres to the SJHDG for the entire 70' lot depth.

Putting three levels of underground parking on this site presents several problems. The first being the impact the construction could have on the adjacent historic buildings (First Church of Christ Scientist and the Saint Claire Building). The second being the fact that the water table is so high at this geographic location in San Jose, and that the ongoing solution to keeping the garage levels dry could have unexpected consequences on the historic buildings.

Recommendation: That the parking levels be limited to two. This reduction in parking would require a reduced project, but one that would reduce the risk to the historic buildings and allow the overall height of the project to be reduced.

Although Tower One is located outside the SJHD, its close proximity to the First Church of Christ Scientist Church does require that it be sensitive to this historic building. The mass and height of Tower Two do not respect the spirit of the guidelines.

Recommendation: An alternative be developed that redesigns Tower Two to be more in keeping with the intention of the guidelines, "where new buildings are to be constructed adjacent to historic buildings, the mass of the new buildings should be sensitive to, and harmonious with, the scale of the older buildings."

The SDEIR points out that "the fenestration and curtain wall glazing treatment in the middle of Tower Two is somewhat inconsistent with Design Guidelines and with the patterns of existing building fenestrations in the District" is a design flaw that should be addressed.

Recommendation: The design of Tower Two meet the Surface Treatment - Fenestration guideline in the SJHDG.

In conclusion, PAC*SJ is distressed at the loss of the historically significant Letcher's Garage building and does not support the alternative that destroys the roof of the building. PAC*SJ feels that in addition to the mitigation measures outlined in the SDEIR, the completion of the restoration of the First Church of Christ Scientist be completed in the Phase I of the project. The First Church of Christ Scientist Church should not only be restored, but ready for occupancy in Phase I. Occupancy ready would include construction of restrooms within the Church and ADA accessibility.

We look forward to your responses to our comments.

Sincerely,

Judith Henderson
Chair, Advocacy Committee
Preservation Action Council*San Jose