



HISTORIC LANDMARKS COMMISSION

ACTION MINUTES

August 1, 2018

Regular Session

6:30 p.m.

Council Chambers

200 East Santa Clara Street

San José, CA 95113

Commission Members

Edward Saum, Chair

Vacant, Vice Chair

Harriett Arnold

Paul Boehm

Anthony Raynsford

Stephen Polcyn

**Rosalynn Hughey, 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 Jennifer Provedor at 408-535-3505 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

PRESENT: Commissioners Saum, Raynsford, Arnold, Polcyn, and Boehm

ABSENT: None

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

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

3. PUBLIC HEARINGS

No Items

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

No Items

5. OPEN FORUM

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.

There were no speakers.

6. GOOD AND WELFARE

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

1. Past Agenda Items: No items.
2. Future Potential Agenda Items: Park View Towers (HP14-002 & HA14-009-02), Saint James Park (PP16-037/008), and Hotel Clariana (HP17-007).
3. Summary of communications received by the Historic Landmarks Commission.

Two letters were received:

- From Daniel Carvalho, dated September re: Notification for HL 92-75, Lyndon Building
- From Brian Grayson, Preservation Action Council of San Jose, dated July 31, 2018 re: Greater Gardner

Please see letters attached.

Staff will respond to the letters.

4. Discussion of Historic Landmarks Commission Retreat.

The retreat will need to be rescheduled to include the two new members of the HLC.

Staff gave a brief outline of the proposed agenda for the retreat which included

- **Roles and responsibilities of the HLC**
- **Landmarking process**
- **Mills Act Administration**
- **Definition of classification of resources under the federal, State, and local regulations**
- **Field visit to the First Church of Christ Scientist building**
- **Design Review Process for projects involving historic buildings**
- **Permitting process and how the historic element fits into the process**
- **The City of San José is a charter city—how does that affect the Commissioner's role and work plan for the year**

The commissioners thought that a field visit might be too much for one afternoon. The consensus was to table the field visit for another time.

Staff will poll the Commissioners' availability to reschedule the retreat.

5. Update on Historic Resources Survey Strategy.

Staff reported that with the help of an internal working group, the following strategy was proposed:

- **Prioritize areas**
- **Update the Citywide Context Statement which was prepared in 1991 and has missing pieces**
- **Explore Themes for the Context Statement**
- **Use the funds to hire consultants**
- **Conduct outreach to the public, PAC SJ, academia, and staff in other departments to contribute to the effort**

Commissioners suggested the following:

- **The 1850-1979 built environment should be included**
- **Resources in growth areas are threatened and should be a priority**
- **Resources in Downtown and the Greater Downtown should be a priority, including the Diridon area**

Commissioners asked if there was room for intersection with the County of Santa Clara; staff responded that the City will work with the County because the County has data that the City needs.

Commissioners wanted confirmation that the surveys would start with Downtown, but would ultimately include the whole City. Staff responded that the entire City will be surveyed because a lot of the information we have is well over five years old.

6. Greater Gardner Conservation Areas.

Harvey Darnell, a member of the public, addressed the Commission to say that the City's HPO met with him to look at the resources in the Gardner area. He also reported that a neo-classical Queen Anne house will be demolished because the foundation has failed even though the building is in good shape. He continued that the Gardner area is the first streetcar neighborhood in San José. People in the neighborhood are being offered big sums to sell their houses to developers. He is afraid that these developers will buy up the neighborhood resources and then scrap the houses to build larger homes.

Staff responded that the City is doing field checks to review the Greater Gardner survey data.

Harvey Darnel stated that Willow Glen used to be its own City, City and community should make sure it is protected.

Brian Grayson, representing PAC SJ, reiterated that he had sent the City a letter regarding the same issue.

b. **Report from Committees**

1. **Design Review Subcommittee: Meets the 3rd Wednesday of the month as necessary. Chair Ed Saum to provide brief review of project proposals.**

2. May 16, 2018 – Park View Towers (Early Referral). DRC provided comments on how the new high rise and low-rise project at 39 East Saint James Street can fit in better with the Saint James Square Historic District.

Commissioners Saum and Raynsford gave a summary of the project:

- **The former church building will stay in place and be rehabilitated on site**
- **The least successful element was the corner facing St. James Park because the townhomes are facing 2nd Street which is contrary to the original intent of having all the surrounding buildings face the park.**

3. June 20, 2018 – Almaden Corner Hotel Proposal (PRE 18-076, 270 W Santa Clara St). DRC provided comments to address compatibility with the adjacent De Anza Hotel, a property on the National Register of Historic Places.

Commissioners Saum and Polcyn gave a summary of the project:

- **The project addressed being next to the historic De Anza Hotel**
- **Materiality of the building was discussed**
- **The diver wall painting will remain visible**
- **The design shows a feature making it appear that the building is leaning over the De Anza Hotel.**

c. **Approval of Action Minutes**

- i. **Recommendation:** Approval of Action Minutes for the Historic Landmarks Commission Meeting of [May 2, 2018](#)

Minutes were approved.

- ii. **Recommendation:** Approval of Action Minutes for the Historic Landmarks Commission Meeting of [July 11, 2018](#)

There was no quorum present on July 11, 2018. There are no minutes to approve.

d. **Status of Circulating Environmental Documents**

No environmental documents are currently circulating for public review at this time.

e. **Other**

Commissioner Boehm expressed his gratitude to the Commissioners and Staff for welcoming him to the Commission.

Commissioner Raynsford mentioned that Washington Square and St. James Park were constructed in 1860s as the City's first parks.

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.