



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Harry Freitas

SUBJECT: SEE BELOW

DATE: May 13, 2015

Approved

Date

5/13/15

COUNCIL DISTRICT: 6

SUBJECT: PUBLIC HEARING ON THE POTENTIAL DESIGNATION OF THE LOS GATOS CREEK TRESTLE AS A HISTORIC LANDMARK (HL15-216)

RECOMMENDATION

Conduct a Public Hearing on the Historic Landmark Commission nomination of the Los Gatos Creek Trestle, located on the former Western Pacific right-of-way between Coe Avenue and Lonus Street, for designation as a historic landmark of special historic, architectural, aesthetic or engineering interest, or value of a historic nature; and adopt a resolution disapproving the proposed designation of the Los Gatos Creek Trestle as a historic landmark.

OUTCOME

Should the Council disapprove the designation of the Los Gatos Creek Trestle as a City Landmark, the Trestle would not be considered a historical resource for the purposes of CEQA. The Council may then consider certifying the Draft Environment Impact Report for the Three Creeks Trail Pedestrian Bridge Project on the May 19, 2015 City Council Meeting agenda.

BACKGROUND

The events and considerations leading to the proposed Three Creeks Trail Pedestrian Bridge Project are set forth in the memorandum for that agenda item at May 19, 2015 City Council Meeting.

On February 4, 2015, the Historic Landmarks Commission requested that staff agendaize the Three Creeks Trail Pedestrian Bridge Project Draft EIR for comment as to the historic analysis. Following the March 1, 2015 Commission meeting, the Commission submitted a comment letter

to the City that stated the Commission believed the historical evaluation contained in the Draft EIR was inadequate and disagreed with its findings.

Pursuant to San José Municipal Code Section 13.48.110(A), the Commission requested that the Director of Planning, Building and Code Enforcement bring the Trestle back to the Commission for consideration of nomination as a City Landmark or other designation of local significance prior to final action on the Draft EIR. The Director of Planning, Building and Code Enforcement duly noticed the April 1, 2015 Commission hearing for consideration of the City Landmark nomination for the Los Gatos Creek Trestle. The nomination hearing was deferred at the April 1, 2015 hearing to the May 6, 2015 hearing so that the First Amendment to the Draft EIR would be available for the Commission to consider when making the decision whether or not to nominate the structure. At the May 6, 2015 meeting, the Commission voted to recommend that the City Council adopt a resolution to designate the Los Gatos Creek Trestle as a landmark (see the Historic Landmarks Commission's memo to the City Council).

ANALYSIS

Pursuant to the Historic Preservation Ordinance (Municipal Code Chapter 13.48), the City Council may consider, among other relevant factors, eight criteria in making the findings that a proposed landmark has special historical, architectural, cultural, aesthetic, or engineering interest or value of an historical nature. The criteria are listed below.

1. Its character, interest or value as part of the local, regional, state or national history, heritage or culture;
2. Its location as a site of a significant historic event;
3. Its identification with a person or persons who significantly contributed to the local, regional, state or national culture and history;
4. Its exemplification of the cultural, economic, social or historic heritage of the city of San José;
5. Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style;
6. Its embodiment of distinguishing characteristics of an architectural type or specimen;
7. Its identification as the work of an architect or master builder whose individual work has influenced the development of the city of San José;
8. Its embodiment of elements of architectural or engineering design, detail, materials or craftsmanship which represents a significant architectural innovation or which is unique.

A historic evaluation of the Trestle was prepared as part of the Draft EIR, and updated based on information received through the EIR public comment process. Issues that were provided by the public as part of the Initial Study/Mitigated Negative Declaration (City Project No. PP13-085) in January 2014, and scoping for the Draft EIR largely formed the basis for the research for the historic evaluation. These issues are summarized in five categories below, followed by a brief

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summary of the conclusions of the revised historic evaluation and how the topic may relate to the criteria above. The historic evaluation contained in the First Amendment Draft EIR contains a more in-depth analysis of these considerations:

1. Rarity of the Trestle and its importance as an example of a timber trestle bridge:

There are no public records available that catalog the exact number of railroad bridges of this type in Santa Clara County. However, as stated in the historic analysis, the timber trestle “has been a mainstay of railroad bridge design since the earliest years of railroad construction and operation, and remains so today.” The research completed as part of this analysis concludes that it is reasonable to expect that there are more than 24,000 timber bridges in use by railroads today throughout the United States. Information provided by members of the public as part of the Draft EIR comment process indicates that there are eight existing trestles in Santa Clara County. However, this has not been independently verified as there are no available public records of the number of timber rail trestle bridges in Santa Clara County and the source for this information has not been provided. As discussed in the updated historical evaluation, the Los Gatos Creek Trestle is a typical timber bent trestle that is neither innovative nor unique.

Criteria 6 and 8 relate to the rarity of the Trestle and its importance as an example of a timber trestle bridge. As discussed above, the trestle is neither a unique or distinctive example of its kind; therefore, the evidence does not support City Landmark designation based on these criteria. There is no evidence that the Trestle is the work of a master architect or builder therefore it would not qualify as a landmark under Criteria 7, and no suggestion has been made by either members of the public or the Commission that it would qualify for designation based on Criteria.

2. Relationship to Fruit Industry in San José:

While there is no doubt that Western Pacific railroad was utilized as a means of transportation for the fruit packing industry, the Western Pacific railroad was not a dominant shipper of produce from the Santa Clara Valley and the Trestle is only one part of many transportation networks that served the industry. The Trestle’s association with the industry is secondary at best. The industry is represented in San José by other directly related resources such as the packing plants, canneries and related buildings. Many of these buildings are already designated as City Landmarks (including but not limited to: HS92-79 - Pickle Factory Plant No.39; HS92-80 - Mariani Building; HS92-94 - American Can Company Factory; HL05-154 - Cal Pak District Manager's Office).

This topic could potentially relate to Criteria 1, 2 and 4. However, the evidence does not support a strong enough association with the Santa Clara Valley fruit industry to warrant designation based on any of these criteria. At the Historic Landmarks Commission’s nomination hearing, members of the public suggested that the Trestle is associated with owners and employees of the orchards and packing companies due to its association with the fruit packing industry, and therefore qualifies for City Landmark designation under Criteria 3 and 5. To find City Landmark status based on this concept first requires that the Trestle is

significant because of its association with the fruit industry; however, the analysis shows that it is not associated with the fruit industry in any meaningful way. Additionally, structures that would qualify under Criteria 3 are those that are directly associated with a specific person or persons who significantly contributed to our history, not general categories of people (i.e., cannery workers). For an example of a structure that would qualify under Criteria 3, the house Tommie Smith lived in at the time of his gold medal win and iconic political statement at the 1968 Olympics was designated as a City Landmark HL09-181 due to its association with Mr. Smith.

3. Relationship to the Grade Separation Movement:

The Trestle is not representative of the problem or solution related to the movement to separate automobile and train traffic. Examples of structures in San José that are directly associated with the grade separation movement and that may warrant historic designation are the various grade separations built with the realigned Southern Pacific tracks, such as those nearby Diridon Station. This topic could potentially relate to Criteria 1, 2 and 4. However, as this trestle itself is not directly related or representative of the grade separation movement, it does not warrant designation under these Criteria.

4. Relationship to the History of the Community of Willow Glen:

The Trestle pre-dates the incorporation of Willow Glen and is not associated with the history of Willow Glen in any important way. The historical record shows that it was the realignment of the Southern Pacific railroad, not the construction of the Western Pacific railroad, that directly related in the incorporation of Willow Glen. It has been suggested by members of the public that the trestle was a “symbol” of the fight between the City of San José and Willow Glen; however, this is generally not supported by the facts. There is no reference to the trestle itself in the information provided by the public in support of the Trestle’s association with Willow Glen. An association with the incorporation of the independent community of Willow Glen could relate to Criteria 1, 2 or 4, but the Trestle does not have anything but a tangential relationship with the incorporation so does not warrant designation based on these Criteria. Examples of railroad related resources that are more closely associated with the history of Willow Glen as an independent community are Diridon Station (City Landmark HL94-100) and the grade separations nearby the station, which were specifically built for the realignment of the Southern Pacific line that has a direct relationship with the incorporation of Willow Glen.

5. Relationship to the History of the Western Pacific Railroad and Western Pacific San José Branch:

The historic context for the Western Pacific Railroad does not suggest that this trestle is associated with its development in any important way. The trestle was one part of a larger coordinated rail network and is a common form that is not related to any unique or difficult crossing. The Trestle is a small, common component of a branch line of a much larger railway, and therefore would not qualify for designation based on the Criteria 1, 2 or 4.

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Based on the analysis of the criteria above, the Trestle does not warrant City Landmark designation. Therefore, staff recommends that the City Council adopt a resolution disapproving the designation of the Trestle as a City Landmark.

PUBLIC OUTREACH

Staff followed the public notification requirements of Section 13.48.110 of the San José Municipal Code. A notice of this hearing appeared in a newspaper of general record at least 10 days prior to the hearing, a mailing of the notice to the property owner and occupants, and posting the notification of the hearing along the frontage of the site. The staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

COORDINATION

This memo was coordinated with the City Attorney's Office.

CEQA

The Landmark designation is not considered a project under CEQA. Pursuant to CEQA Guidelines Section 15378, a project means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. The designation of the Los Gatos Creek Trestle as a City Landmark in itself would not result in any physical changes to the structure; therefore, would not have any direct or indirect physical change on the environment.

/s/

HARRY FREITAS, DIRECTOR
Planning, Building and Code Enforcement

For questions please contact Sylvia Do, Division Manager, at (408) 535-7907