

Historic Stakeholder Meeting #5
December 11, 2009

Revised Guidelines for Evaluation of Historic Reports

Bonus Points

- ❖ Why are the bonus points gone from the Tally Sheet?
 - Staff – We're not relying upon the Tally to determine City Landmark eligibility.
- ❖ It will be more difficult to get a structure to the Structure of Merit level without bonus points.
- ❖ How will a structure that receives a point value of "45" be treated?
- ❖ Generally support this direction.
- ❖ Bonus points were added in response to CEQA.
- ❖ Bonus points may no longer be necessary.

Interiors

- ❖ Interiors should still be considered when appropriate – in Landmark designations for instance.
- ❖ Interiors are an integral part of a building...especially if the building is publically accessed.
- ❖ Interior could be discussed qualitatively rather than on Tally Sheet.
- ❖ How would the City of San José deal with a building worthy of Landmark status based on the value of the interior alone?
- ❖ The City should explore a way to protect worthy interiors.
- ❖ The applicant for the Saint Claire worked with the Historic Landmarks Commission to protect the interior of the Hotel. (Federal dollars may have been involved).
- ❖ What happens if the property owner wants the interior of the proposed Landmark Structure considered during the designation process?
- ❖ Interior photos be included if they are able to be obtained.
- ❖ Is San José going to continue to be a Certified Local Government? If so, the interiors need to be considered.
- ❖ There are buildings where the interior is more spectacular than the exterior.
- ❖ The San José Municipal Code should be changed to protect interiors.
- ❖ City staff should look at recent court cases showing the need to protect interiors.

- ❖ For private structures, the photos of the interiors should not be required since the submission would make the photos public information – possibly posted on the internet thereby creating privacy issues.
- ❖ The Secretary of the Interior Standards include interiors.
- ❖ If the City of San José isn't going to follow the Secretary of the Interior Standards, the City Council should be made aware that an Environmental Impact Report would be required.
 - Staff – the City of San José doesn't regulate interiors.
- ❖ What takes precedent - the Secretary of the Interior Standards or the City of San José regulations?
- ❖ This conflict needs to be reconciled.
- ❖ There are legal problems trying to regulate interiors.
- ❖ Is it possible to separate regulatory process from historic analysis?
- ❖ The use of a building is very important.
- ❖ If the use of the building has been changed – its significance may be impacted.
- ❖ It would be helpful if the development industry could see the value of adaptive reuse of interiors.

Documentation

- ❖ Analysis shouldn't be dependant upon regulatory purview of the City of San José.
- ❖ DPR forms have specific instructions that should be followed. Additional requirements specific to the City of San José should not be included on the DPR form but rather somewhere else.
- ❖ Context Statements should be required for all properties.
- ❖ Properties should meet a certain level of integrity.
- ❖ Historic context can be much more than an area – can also be thematic.
- ❖ A Context Statement can be brief.
- ❖ The City of San José requirements regarding Context Statements should be clear.
- ❖ Requiring all of the information to be included in the DPR has the benefit of creating a more understandable document.
- ❖ Goal is to have a scoping meeting to determine the appropriate format for specific projects (simple form vs. historic report with table of contents).
- ❖ A long report isn't needed for Standards Analysis.
- ❖ The project description is important.
- ❖ The Mitigation Section (H) of the Guidelines for Preparing Historic Reports has been deleted in the revised document – has it moved to another part of the document?

Floor Plan

- ❖ Does the requirement for a site plan and floor plan refer to the development or the resource?
- ❖ What if the consultant doesn't have access to the floor plan?
- ❖ Is a sketch of the floor plan adequate or does it have to be professionally drawn?
- ❖ Floor plans relate to Standards review rather than impacts (CEQA). If a project meets the Secretary of the Interior Standards – it is Exempt from CEQA.
- ❖ Knowing the floor plan provides valuable information for understanding the structure.

Historic Report Beta Testing

- ❖ Why would Historic Consultants be met with individually rather than as a group?
 - Staff – are the consultants willing to do beta testing? If so, is now a good time?
- ❖ Depends on how complicated the evaluation is.
- ❖ Meeting in December & January would be very difficult.
- ❖ At a City Council meeting, Joe Horwedel stated that the Guidelines would be changed this month. Is that still the case?
- ❖ Most consultants haven't been approached by a developer to do work in over 6 months in San José.
- ❖ How would a building be chosen for testing?
- ❖ An option for beta testing is to use a City project.
- ❖ How much time are the consultants expected to put into this process?
- ❖ Is there another way to test the revised Guidelines?
- ❖ Recommend testing it through the process – have the consultants start using it from here on out for any new projects they get. Check back in 6-12 months to determine how well they are working.
- ❖ The scoping meeting will give the consultants the opportunity to provide feedback on the revisions.

Scoping Meeting

- ❖ It is important that consultants understand what is required of them during the scoping meeting – no surprises.
- ❖ When does a scoping meeting occur – before or after the consultant is hired?
- ❖ Consultants are often hired as a result of a 30 day review letter. It is important that the rules are clear since all consultants are bidding against each other.
- ❖ It would be helpful if a checklist was provided to the applicant with the 30 day letter to make it clear what is required.

- ❖ The applicant often doesn't understand the requirements and may request the wrong information from the historic consultants.
- ❖ For smaller jobs – scoping seems to be overkill.
- ❖ Need to know when a historic report or just a DPR is required.
- ❖ The fact that a Historic Report, a DPR and a Standards Analysis are not the same need to be clear in the Guidelines.
- ❖ Planners need to have time to visit a site before the scoping meeting can take place.

Determinations Regarding Significance

- ❖ Decisions are often made between Project Managers and the applicant before a consultant is hired. In preparing a bid, a conclusion can be reached regarding significance, resulting in no payment to the consultant.
- ❖ The consultant shouldn't be making the determination regarding the need for a historic report.
- ❖ Civil servants need to make that determination.
- ❖ Planners need to document why a consultant is needed.
- ❖ A checklist describing what is needed should be included with a 30 day letter to the applicant.
- ❖ Most Planners don't meet the minimum criteria needed to determine Historic Significance.
- ❖ Consultants should be paid when asked to make determinations regarding significance.
- ❖ Consultant should provide sufficient information justifying the conclusion that further analysis isn't warranted.
- ❖ All determinations regarding significance should be in writing and placed in the public record.
- ❖ Determinations regarding significance need to be conducted by qualified professionals.

Align City Landmark Criteria with California Register Criteria

- ❖ The consensus from previous meetings was that it really didn't matter. What will be accomplished by changing this?
- ❖ Since the Tally is still being used, the higher score would result in a conclusion of and increased likelihood of City Landmark eligibility.
- ❖ Using the 8 landmark criteria may increase the chances of City Landmark designation.
- ❖ There is more flexibility with the City criteria.

- ❖ How will the new evaluation process be influenced by the age of the structure?
- ❖ The California Register has liberal criteria with regard to age.
- ❖ Fifty years is a threshold.
- ❖ Sufficient time needs to have passed.

Do we need to codify the Tally and/or process for Historic Resource Inventory additions?

- ❖ Neither should be codified.
- ❖ The Inventory is a tool which can be used as part of the Planning process.
- ❖ Once codified – other problems may be created.
- ❖ This is too big of an issue to make a decision in 3 minutes.
- ❖ This topic needs a lot more time and analysis.
- ❖ This issue is a common problem in many communities.
- ❖ Oakland has a good process and staff.
- ❖ The survey and CEQA processes are connected.
- ❖ What is the Inventory?
- ❖ During the process of changing the code, the City should consider codifying the protection of the interiors of structures.

Feedback

- ❖ Please notify everyone about the timeline, process and changes in this process.
- ❖ Is this it?
- ❖ This has been an incredible process that should be continued.
- ❖ The ability for all stakeholders to get on the same page is invaluable.
- ❖ The ongoing communication between stakeholders would be productive.
- ❖ Having a quarterly roundtable is recommended.