



## **HISTORIC LANDMARKS COMMISSION**

### **MINUTES**

**June 5, 2019**

**Regular Meeting**

**6:30 p.m.**

**City Council Chambers**

**200 East Santa Clara Street**

**San José, CA 95113**

### **Commission Members**

**Edward Saum, Chair**

**Paul Boehm, Vice Chair**

**Harriett Arnold**

**Anthony Raynsford**

**Stephen Polcyn**

**Rachel Royer**

**Eric Hirst**

**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 Support Staff 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, 3<sup>rd</sup> 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**

**WELCOME**

**ROLL CALL**

**Present:** Commissioners Saum, Boehm, Arnold, Raynsford, Royer and Polcyn

**Absent:** Commissioner Hirst

**1. DEFERRALS**

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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**

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- a. [H17-059](#). Revised elevations per DRC comments for a Site Development Permit to allow expansion of an existing 44-room Hotel Clariana, a contributing structure in the National Register District, with construction of up to 45,783-square feet building addition, including 60 hotel rooms and three residential penthouse suites, for a total of 107 rooms, with a 1,525-square foot public eating establishment, on a 0.41-gross acre site in the San José Downtown Commercial National Register Historic District and in the DC Downtown Zoning District (Tina Phan, Owner). Council District 3.

*PROJECT MANAGER, RINA SHAH*

Attachments:

1. DPR by Bonnie Bamburg, dated November 20, 2018
2. Revised Plan set, dated April 23, 2019
3. DRC Minutes, March 20, 2019

**Recommendation:** No recommendation. Information item.

*Commissioners had the following comments:*

- *The setback on the 3<sup>rd</sup> street side should be extended.*
- *The cornice would benefit from being a solid line that is extended to meet the existing structure's cornice*

- *The first floor should incorporate more wall space to reduce the amount of window glazing*
- *The commissioners felt that overall the project design was satisfactory.*

*The Commission acknowledged that the project was presented for comments and feedback.*

### **3. PUBLIC HEARINGS**

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#### a. **DEACCESSION OF ITEMS IN CITY COLLECTIONS.**

*PROJECT MANAGER, KEN MIDDLEBROOK, HISTORY SAN JOSE*

**Recommendation:** Approve the proposed deaccession of times in City collections in accordance with the History San Jose Collections Management Policy.

Attachments:

1. List of Items Proposed for Deaccession, 2-28-2019
2. History San Jose Collections Management Policy

*Commissioner Arnold excused herself to avoid a conflict of interest.*

*Ken Middlebrook, representing History San Jose, gave an overview of the proposed deaccession and what the process would entail if approved. If approved, the approximately 3,300 items would be first offered to other nonprofits and then for sale, with the profits going back towards the existing collection.*

*The Commission voted to approve the deaccession. (5-0-2, Hirst absent and Arnold excused)*

*Commissioner Arnold rejoined the meeting.*

#### b. **PLANNED DEVELOPMENT ZONING (FILE NO. PDC18-037) FOR WINCHESTER RANCH.** Planned Development Zoning for to the R-M (PD) District for up to 691 residential units on approximately 15.7-gross acre site adjacent to the Winchester Mystery House (HL95-101).

*PROJECT MANAGER, STEFANIE FARMER*

**Recommendation:** No recommendation, “Early Referral” for comments and feedback

Attachments:

1. Project Plan Set, April 2, 2019
2. Historic Resources Project Assessment, Winchester Ranch Mobile Home Park, October 31, 2018
3. DRC Minutes, February 20, 2019

*Stefanie Farmer, Project Manager, gave a staff presentation and discussed the findings of the project’s DRC meeting.*

*The project applicant and architect gave an overview of what was proposed under the previous PD(C) at DRC, what was proposed under the recently submitted PD permit, and changes that had been incorporated at the recommendation of the DRC meeting. Under the new PD permit, the proposed project incorporated changes from what was presented at DRC, including a 2-acre park to the north, increased bike path connectivity, and a shifting of the podium building more to the west away from Winchester Blvd.*

*The Commissioners had the following comments:*

- *The podium building appears to be too tall, and as the closest building to the Winchester Mystery House, the height of the structure and its fingers should be reconsidered to not dominate the adjacent historic structure.*
- *The use of vegetation to shield the podium building from Winchester Boulevard and the Winchester Mystery House was appreciated, however, vegetation is transient and does not diminish the concern that the podium building is too tall.*
- *The neutral color pallet is well done.*
- *The refinement of details and overall architecture is appreciated.*
- *The commissioners recommended reaching out the Winchester Mystery House for comments, and that more thought should be put into the relationship between the podium building and the Winchester Mystery House.*

*The Commission acknowledged that the project was presented for comments and feedback.*

- c. **CONDITIONAL USE PERMIT (FILE NO. CP19-006) FOR MERIDIAN AVENUE APARTMENTS.** Conditional Use Permit to allow the demolition of residential structures, a warehouse, and garage, and the construction of a 6-story mixed use project with 1,780 square feet of retail and 230 dwelling units, and the removal of 28 ordinance sized trees, on 2.09-gross acre site.

*PROJECT MANAGER, MAIRA BLANCO*

**Recommendation:** No recommendation, “Early Referral” for comments and feedback

Attachments:

1. Project Plan Set, February 19, 2019
2. Architectural History Evaluation for the Buildings at 961-971 Meridian Avenue, San Jose, dated November 2018

*Patrick Kelly, Supervising Planner, gave a brief staff presentation.*

*Leianne Thomas and Drew Walstrom, representing Roem, gave a presentation on the proposed project and that they have a third party reviewer for historic resources.*

*Mike LaBabera, one of the property owners, stated that his grandparents moved to the ranch and there are no historic persons and no famous architect built the house.*

*Commissioners had the following comments:*

- *Commissioners recommended documenting the existing single family structure.*
- *Commissioners recommended a plaque or other form of display acknowledging the importance of the family.*
- *More consideration into alternatives should be explored prior to demolition, as well as an exploration of cost feasibility. Commissioner Polcyn mentioned a project example is Sunnyvale along Matilda Avenue.*

*Alex Sanchez, the former San Jose Director of Housing, spoke in support of the project for the importance of providing more affordable housing.*

*The Commission acknowledged that the project was presented for comments and feedback.*

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

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**No Items**

#### **5. OPEN FORUM**

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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.

*Danny Silva, representing himself on behalf of Japantown, spoke on signage for Dick's Markets located at 220 North 4<sup>th</sup> Street, which he considered a landmark for the neighborhood. Juliet Arroyo, Historic Preservation Officer, reported that there have been multiple code violations against this property and that she is aware of the issue. The Commission recommended this issue be relayed to PAC SJ to see if they could communicate with the applicant. Commissioners also requested that the issue be added to Good and Welfare for the August HLC, in regards to an update of the code violations and communications from PAC SJ.*

#### **6. GOOD AND WELFARE**

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

- i. Past Agenda Items: No items.

ii. Future Potential Agenda Items: Museum Place II (SPA-17-031-01), Pellier Park  
*Museum Place II will likely not be heard at the next meeting. City View Plaza has been included for the next agenda.*

iii. Summary of communications received by the Historic Landmarks Commission.  
*None*

iv. Historic Chicano Murals, future additions to the HRI, community update  
*El Comite for the Preservation of Chicano Arts gave a presentation on San Jose Chicano Murals. Ashley Andrade gave an overview of their efforts so far and reiterated their request to place surviving murals onto the Historic Resources Inventory (HRI). Sophia Renando gave a presentation on San Jose Chicano History and the relation to Chicano murals. Samantha gave an overview of the history of muralism as well as muralism in San Jose specifically.*

*Commissioners had the following comments:*

- Although some of the murals are not over 50 years old for the purposes of being considered historic, Commissioners suggested that by establishing a period of significance historic preservation could still be achieved, as the Historic Preservation Ordinance does not have an age requirement.*
- Urgency is crucial for the preservation of existing murals.*
- Recommended to get auditory interviews with mural artists in case murals could not be saved.*
- Commissioners commended the efforts taken so far to preserve Chicano Murals within the City, and appreciated the consistency that supporters had shown since the idea was first proposed at an earlier meeting in 2018.*

*Juliet Arroyo, Historic Preservation Officer, clarified that placement of a resource on the HRI would not require the owner's consent, however, Juliet would be sending letters to the owners of identified murals to inform them.*

*Miguel, representing El Comite, stated that the significance of the murals is in the movement, not necessarily the age of the murals.*

*Joe Valle, representing El Comite, stated that history is kept alive through current generations and that it is not constrained to one time period.*

*Sanjit, representing himself, thanked the commissioners for listening to the cause and providing resources.*

*Jonathan Gomez, Assitant Professor at San Jose State University, expressed his support for the preservation of Chicano murals.*

v. Alviso Community Center (old School House), future addition to HRI, update

*Concerned community members spoke on the importance of historic resources in Alviso and the need for the Old School House to be placed on the HRI. The Old School House is owned by the City of San Jose and is considered Surplus Property.*

*Russ Robinson discussed current concerns within Alviso and expressed the need for more to be done to protect historic resources in that area.*

*Dr. Bob Gross spoke on the need to protect our history, as so much has already been lost.*

vi. Historic Commercial Signs, future additions to HRI, staff update

*Juliet Arroyo, Historic Preservation Officer, reported that she will bring a staff report on the topic in August.*

vii. Proposed North Willow Glen Conservation Area, project update.

*Juliet Arroyo, Historic Preservation Officer, reported that she is going through the data to determine contributors and set a hearing in order to designate the Conservation Area.*

viii. Classification of Local Resources on the HRI, update

*Juliet Arroyo, Historic Preservation Officer, presented a list of the local, San Jose, historic resource classifications and will provide more clarification on the various types at the next meeting.*

**b. Election of Chair and Vice Chair**

*The Commission voted to move the Election to the August meeting. (6-0-1)*

**c. Report from Committees**

i. Design Review Subcommittee: Meeting held on May 15, 2019, next meeting to be held on June 19, 2019 to review the Lido project proposal (PRE19-059)

*Commissioners discussed attendance.*

**d. Approval of Action Minutes**

i. **Recommendation:** [Approval of Action Minutes for the Historic Landmarks Commission Meeting of April 3, 2019.](#)

*Commissioners voted to approve the Minutes for the April 3, 2019 meeting.*

**e. Status of Circulating Environmental Documents**

None

**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.