



HISTORIC LANDMARKS COMMISSION

ACTION MINUTES

March 6, 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, 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

WELCOME

ROLL CALL

Present: Commissioners Saum, Arnold, Boehm, Hirst, Raynsford and Royer

Absent: Commissioner Polcyn

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

No Items

3. PUBLIC HEARINGS

- a. **HPAD19-001. Historic Preservation Permit Adjustment:** A Condition of Approval in Site Development Permit File No. H17-062 and Historic Preservation Permit File No. HP18-002, which allowed the construction of a new commercial building on the corner of North Almaden Street and West Santa Clara Street, immediately adjacent and attached to the Lyndon Building located at 177 W Santa Clara Street, the Historic Preservation Permit Adjustment, File No. HPAD 19-001 is being referred to the Historic Landmarks Commission. The proposed adjustment includes repair of the Lyndon Building including patch and repair of plaster, removal and replacement of the bronze aluminum ground floor frames, and new "Lyndon Block" lettering. To the extent possible, deteriorated historic materials will be repaired rather than replaced. The work will comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties, and local historic guidelines. Council District 3.

PROJECT MANAGER, CASSANDRA VAN DER ZWEEP

Recommendation: No recommendation, referral for comments and feedback.

ATTACHMENTS:

1. [Project Plan Set, dated February 1, 2019](#)
2. [Standards Analysis, dated February 4, 2019](#)

Commissioner Royer expressed a conflict of interest in the project and excused herself from the room.

Cassandra Van Der Zweep, Project Manager, gave a brief presentation. The applicant chose not to give a presentation.

The comments and questions from the commissioners were as follows:

- *What is the historic basis for the inclusion of the block lettering? Ken Rodriguez, project architect, explained that the lettering was removed years ago and would be replaced.*
- *Would a historic marker be included on the building? The project applicant, Tom McHenry, stated yes.*
- *Commissioners appreciated the attention to detail that the project provides, as well as the revival of the store frontage.*

The commission acknowledged that the project was not seeking comments and feedback, not a recommendation action.

Commissioner Royer rejoined the hearing.

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.

Katrina Anderson, representing History San Jose, spoke to the commission regarding future deaccession of some inventory items. At a future HLC date, History San Jose would like to present a list of the approximately 3,300 items being considered for deaccession, for reasons of lack of relevancy, poor physical integrity, or redundancy. After items have been approved for deaccession, History San Jose would reach out to similar organizations to see if they were interested in the items, and any remaining items not claimed would be sold in a garage-sale.

Alviso Historic Schoolhouse

Dr. Bob Gross brought forward concerns regarding the treatment of historic properties in Alviso. He was specifically concerned with a classroom once attended by the founder of Bank of America, Amadeo Pietro Giannini. He felt that this classroom has been extensively abused and modified and something needs to be done to save it before it is too late. History in Alviso should not continue to be lost.

Richard Santos also spoke on the issue of historic preservation in the Alviso area. He expressed the need to restore the historic schoolhouse and take steps to educate the community about the historical significance of the Alviso community.

Commissioners expressed concern over the structure's condition and requested additional information from Staff regarding what steps could be taken. Historic Preservation Officer, Juliet Arroyo, stated that it would be helpful for permit counter staff to be better informed of the historic nature of some sites and structures when permit work is approved. She also suggested that a preservation plan or other directive action be considered. Commissioners stated that both short term and long term objectives were needed. Commissioners requested that it be placed on a future agenda, and that the owner (City of San Jose) should present on what has been done to the structure and what could be done in the future.

Mural Preservation

Jose Valle, representing the Comité for the Preservation and Restoration of Chicano Arts, spoke on the significance of low rider culture in San Jose and the need to preserve murals that reflect this movement.

Ashlie Andrade, representing the Comité for the Preservation and Restoration of Chicano Arts, gave an update on the work of mural research and documentation. Her organization has surveyed seven murals so far, and is working on researching additional information with the intent of being added to the HLC agenda in May.

Gabriel Hernandez, representing Somos Mayfair, reported on additional work being done in the preservation of Chicano murals. He stated that an agreement had been reached with the Alum Rock School District to create a policy for the preservation and protection of murals on those properties, and would like to see something like that expanded. He requested that mural preservation be added to the HLC agenda at a future date.

Katheryn Mata, representing Jovenes Activos, stated that the creation and protection of murals are important in the context of history and culture.

Miguel Savcedo, representing Jovenes Activos and the Comité for the Preservation and Restoration of Chicano Arts, voiced his support for the preservation of murals.

Jose Ordaz, representing Jovenes Activos, expressed that murals are an important part of history for members of the community that have grown up and continue to live in those areas, and that more should be done to protect the murals.

Commissioners commended the work being done to gain preservation of murals, and requested that the topic of murals be included as a standing item for future updates.

6. GOOD AND WELFARE

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

- i. Past Agenda Items: No items.
- ii. Future Potential Agenda Items: Hotel Clariana (H17-059 & HP17-007), Invicta (H18-030), Museum Place II (SPA-17-031-01), and Almaden Corner Hotel (H18-038).
- iii. [Summary of communications received by the Historic Landmarks Commission.](#)

Summary of a letter received regarding the new San José Downtown Design Guidelines and Standards. This letter was submitted by Eugenia Verbeckmoes, Chair of the Land Development Committee.

- iv. [San Jose Downtown Design Guidelines and Standards \(Draft\), project update.](#)

In response to the communication received (item 6.a.iii) in regard to the San Jose Downtown Design Guidelines and Standards (Draft), commissioners asked why the new language appeared diluted and less directive than the original language. Historic Preservation Officer, Juliet Arroyo, explained that the included verbiage has not yet been merged with City language and that the document is still being drafted. Juliet also explained the issue of weak phrasing currently used by the City, such as “be compatible” that is not directive, and that consultant SOM is actively looking for a way to rephrase this language. She also clarified that the purpose of the document is to help applicants, and that there is not much national guidance in regard to infill.

Jeanie Verbeckmoes, author of the letter indicated in item 6.a.iii, made clarifying statements regarding language included in the letter about the Draft San Jose Downtown Design Guidelines and Standards.

Brian Grayson expressed the need for adequate, updated guidelines soon in order to provide more desirable direction for new projects coming in. Commissioners stated that they would like more time to review, and that any additional comments or concerns would be provided in writing to Juliet and Leila before the document goes to Planning Commission.

Commissioners stated that more directive language should be included in the standards and guidelines related to factors of adjacent, such as color, massing, material, and height.

- v. Historic Signs, update on recommendation to add historic commercial signs to the Historic Resources Inventory.

Commercial signs that currently have no protection will come forward soon as potential items to be added to the inventory.

Brian Grayson spoke in support of this and expressed his hope that the HLC commissioners will support staff’s efforts.

- vi. Fairglen Additions National Register Nomination, update and next steps.

The nomination is set to go to City Council on March 12th, and a staff report has been prepared with the commission recommendation. Juliet Arroyo gave an overview of the steps that would occur after Council approval, including the forwarding of the nomination to the National Register and the addition of the properties onto the local Historic Resources Inventory list. She also expressed that the “Your Old House”

design guidelines for preserving San Jose homes needs updates to better address mid-century modern and ranch homes.

- vii. Citywide Historic Resources Survey, quarterly update.

The Survey's initial focus will be on areas within downtown San José, starting with south downtown. Survey efforts will be prioritized based on available resources. San José State University students have developed a mobile app to assist potential volunteers with surveying, and some of the information is available on the City of San José Maps Gallery website under Historic Resources.

- viii. CLG Grant Application (Citywide Survey/Context, Design Guidelines, Historic Structures Report), due May 1, 2019

Historic Preservation Officer, Juliet Arroyo, will be applying for a grant to help fund survey efforts.

- ix. HLC Commissioner Training Opportunities.

Juliet Arroyo reported that there are currently no funds for commissioner training. She signed the commissioners up for a group webinar, and will update the commission of any future free trainings.

b. Report from Committees

- i. Design Review Subcommittee: Last meeting held on February 20, 2019, next meeting to be held on March 20, 2019 to review tentative projects Hotel Clariana.

Commissioners gave an update on the discussion that occurred at the February 20th DRC meeting. Both projects discussed were located on Winchester Boulevard adjacent to the Winchester Mystery House. The primary issues for both were regarding adjacency compatibility in massing, materials, and orientation.

c. Approval of Action Minutes

- i. **Recommendation:** Approval of Action Minutes for the Historic Landmarks Commission Meeting of [February 6, 2019](#).

The commission voted to approve the February 6, 2019 HLC Action Minutes. (6-0-1)

d. Status of Circulating Environmental Documents

No Items

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.