



## **HISTORIC LANDMARKS COMMISSION**

### **ACTION MINUTES**

**February 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  
Rachael 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, Arnold, Boehm, Hirst, Raynsford and Royer

**Absent:** Commissioner Polcyn

**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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**No Items**

**3. PUBLIC HEARINGS**

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- a. [HP18-003](#). Historic Preservation Permit to allow the demolition of an existing 60-foot storage shed, and the construction of a 545-square foot accessory dwelling unit on a 0.1 gross acre site located in the R-M Multiple Residence Zoning District. No changes are proposed for the contributor, a Craftsman style home built in 1908. Council District 3. *PROJECT MANAGER, RHONDA BUSS*

**Recommendation:** Planning staff recommends that the Historic Landmarks Commission recommend that the Director of Planning approve the proposed Historic Preservation Permit.

*Rhonda Buss, Project Manager, gave the staff presentation. At the time of staff presentation, Rhonda had received no public comments in opposition of the project.*

*The applicant chose not to give a presentation.*

*There were no public comments and no comments from the Commissioners.*

*The Commission voted to approve the project as submitted. (6-0-1)*

- b. [Annual Certified Local Government \(CLG\) Report for October 1, 2017 to September 30, 2018.](#) Completion of the Annual CLG report of past, present and future preservation program activities of the City of San Jose. San Jose became a Certified Local Government in 1997, a national program designed to encourage the direct participation of local governments in the identification and preservation of historic properties within their jurisdiction. Council District: Citywide.

*PROJECT MANAGER, JULIET ARROYO, HISTORIC PRESERVATION OFFICER*

**Recommendation:** Planning staff recommends that the Historic Landmarks Commission review and accept the Annual CLG Report.

*Juliet Arroyo, Historic Preservation Officer, gave the staff presentation.*

*The meeting was opened for public comment.*

*Brian Grayson, Preservation Action Council of San Jose (PAC SJ) spoke in favor of the report. He suggested that the report be more widely circulated to the public and other City departments, including Public Works and City Council, as an informational document.*

*The Commission asked questions of the Historic Preservation Officer and closed the public hearing.*

*The comments from the Commissioners were as follows:*

- *Language on page 1 regarding the discretionary single-family home permit could be interpreted as encouraging demolition and needs revision*
- *Add an additional goal for the creation of a historic marker program and citywide template*
- *Add an additional goal to revisit the by-laws for HLC and DRC membership procedure improvements, including the nomination of alternates*
- *Window replacement language is vague and should be rephrased to be more directive toward appropriate changes*

*The Commission voted to approve the Annual CLG Report with incorporation of the discussed comments. (6-0-1)*

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

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- a. [PP16-037.](#) Public project status update for the Saint James Park Capital Vision and Levitt Pavilion in the Saint James Square National Register and City Landmark Historic District at Saint James Street and North First Street. Council District 3.

*PROJECT MANAGER, KATY MARTIN, SAN JOSE PUBLIC WORKS*

**Recommendation:** No recommendation, information only.

*Nicolle Burnham, Deputy Director of Parks, Recreation, and Neighborhood Services (PRNS), and Katherine Martin, Public Works, gave the staff presentation.*

*The meeting was opened for public comment.*

*Rick Holden, representing Friends of Levitt Pavilion San Jose (FLPSJ), spoke in support of the project. He informed Commissioners that as part of the larger national Levitt Foundation guidelines, City and community input was required in the creative development process for the proposed San Jose Levitt Pavilion, which he felt was off to a successful start. He also informed the Commissioners that a contract was currently underway between the City, FLPSJ, and the Levitt Foundation.*

*There were no other speakers from the public.*

*The Commission asked questions of staff.*

*The comments from the Commissioners were as follows:*

- *Pedestrian safety surrounding the light rail line should be considered.*
- *References back to the park's history should be included as part of a larger dialogue in the new design.*
- *Outreach should be conducted for nearby neighborhood organizations for the purpose of implementing stewardship program for park upkeep.*
- *Foster temporary or seasonal activation of the existing park prior to its redevelopment in order to slowly acclimate park users to its new proposed uses.*

*The Commission acknowledged that the presented project was for informational purposes only, and looks forward to seeing the design progression.*

- b. [National Register of Historic Places Nomination for Fairglen Additions Historic District.](#) Referral from the California State Office of Historic Preservation seeking comments on the multiple property nomination to the National Register. The residential area includes 218 single family homes in the three-unit tract built by Joseph Eichler in the Mid-century period in the Willow Glen area of San Jose. The State Historical Resources Commission is taking action on the nomination at its February 1, 2019 meeting in Sacramento. The nomination was initiated by local residents. Council District 9.  
*PROJECT MANAGER, JULIET ARROYO, HPO*

**Recommendation:** Planning staff recommends that the Historic Landmarks Commission review the nomination materials and provide comments to the City Council on the referral.

*Sally Zarnowitz, architect and author of the nomination, gave a presentation on behalf of the Fairglen Neighborhood Preservation Committee.*

*There were no public comments.*

*The Commission asked questions of the author.*

*The comments from Commissioners were as follows:*

- *Overall consensus that the nomination is long overdue and would be an important step in protecting San Jose history.*

*The Commissioners voted to provide comments to City Council in favor of the nomination referral. (6-0-1)*

- c. [Draft San Jose Downtown Design Guidelines and Standards dated November 15, 2018.](#) Public project to adopt new Downtown Design Guidelines which will replace the current Downtown Design Guidelines adopted on July 1, 2004. No changes are proposed to historic design guidelines and standards applicable to properties in the Downtown and within historic districts. Council District 3.

*PROJECT MANAGER, LEILA HAKIMIZADEH*

**Recommendation:** Planning staff recommends that the Historic Landmarks Commission review and comment on the draft San Jose Downtown Design Guidelines and Standards focusing on those sections related to historic resources.

*Leila Hakimizadeh, Project Manager, and Tim Rood, Supervising Project Manager, gave a staff presentation.*

*The meeting was opened for public comment.*

*Brian Grayson, representing PAC SJ, provided comments. He stated that the guidelines section on adjacency to historic properties needs more work to address incompatibility issues.*

*There were no other public comments.*

*The Commission asked questions of staff. Tim and Leila provided clarification that the physical and mapped boundaries included in the Downtown Design Guidelines were designated in the General plan and Diridon Station Area Plan.*

*The comments from Commissioners were as follows:*

- *The visibility of historic structures should be considered from all angles and viewpoints, not just the frontage.*
- *Examples of what not to do should be incorporated.*
- *The format appears user friendly and easy to navigate.*
- *Guidelines for adjacency to historic structures need to foster more compatibility and encourage less juxtaposition typically seen in elements such as walls of glass and towering building heights.*
- *Appreciate that sight lines are incorporated as an element to consider.*
- *Identify topology characteristics that are representative of a specific time and place in the City's history.*

*The Commissioners voted to incorporate and formalize the discussed comments within the draft San Jose Design Guidelines and standards. (6-0-1)*

## 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.

*Ashley Andrade, local artist/activist, requested that more be done to preserve and protect murals within the City, including the possibility of artists being able to own their murals. She has started documenting local murals and will bring her list to staff for incorporation into a future HLC agenda item.*

## 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: Hotel Clariana (H17-059 & HP17-007), Invicta (H18-030), Museum Place II (SPA-17-031-01), and Almaden Corner Hotel (H18-038).

*Discussion of murals will be added to an undetermined HLC meeting agenda.*

- iii. Summary of communications received by the Historic Landmarks Commission.

*None received.*

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

*Juliet Arroyo, Historic Preservation Officer, presented an overview of the current status.*

*Heather David, representing the San Jose Sign Program, made comments to the Commissioners. She stated that her organization has identified over 100 potentially historic signs in San Jose, which includes signs since the 1920's. Since 2017, 10 of these arguably historic signs have been permanently lost. Her program advocates on social media and other public spheres, but feels that more needs to be done by the City. Signs are part of the City's history, and controls need developed before it is too late. This is not a new idea and other cities are already preserving their signage. The preferred method would be to keep the sign resources within their context as place-markers, as meaning is lost when they are removed or relocated.*

*Bryan Greyson, representing PAC SJ, recommended that signs be included on the Historic Resources Inventory. He informed the Commission that a sign was almost lost the day prior, but that coordination with the contractor and Juliet Arroyo had saved it before it was too late. Signs need to be on the inventory before they go missing without anyone noticing. Signs should be preserved on site, but as that is not always possible, should at a minimum be saved locally. Protecting the signs should be first, and the logistics can be figured out after.*

*Ashley Andrade, representing herself, feels that the preservation of City murals and signs are part of the same solution. Both represent a historical context that needs protected. The preservation of signs does not discourage new development, as is demonstrated by Seattle's successful downtown. It should be no different in San Jose.*

v. 2019 HLC and DRC Calendar

*Commissioners discussed their schedules.*

b. **Report from Committees**

- i. Design Review Subcommittee: Meeting held on December 19, 2018, cancelled meeting on January 16, 2019, next meeting to be held on February 20, 2019 to review tentative projects Hotel Clariana and Santana West

*Commissioners summarized the review of the revised Museum Place project, stating that the primary revision was a change in use from residential/hotel to office/retail. There were issues regarding the project's compatibility with McCabe Hall and the Auditorium (glazing, color palette, scale).*

*Commissioners discussed availability for DRC on February 20<sup>th</sup> at 1pm. Juliet will contact Commissioner Polcyn for his availability.*

c. **Approval of Action Minutes**

- i. **Recommendation:** Approval of Action Minutes for the Historic Landmarks Commission Meeting of [December 5, 2018](#).

*Minutes were approved. (6-0-1)*

d. **Status of Circulating Environmental Documents**

Notice of Preparation of Draft Supplemental Environmental Impact Report for the Almaden Corner Hotel Project (H18-038).

<http://www.sanjoseca.gov/index.aspx?NID=6294>

*Will be brought to HLC once the historic report and analysis is complete.*

## **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.