



HISTORIC LANDMARKS COMMISSION

ACTION MINUTES

May 2, 2018

Regular Session

6:30 p.m.

Wing Room 120

First Floor, City Hall Wing
200 East Santa Clara Street
San José, CA 95113

Commission Members

Edward Saum, Chair

Joshua Marcotte, Vice Chair

Harriett Arnold

Melissa Daniels

Eric Hirst

Anthony Raynsford

Stephen Polcyn

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 Jennifer Provedor at 408-535-7721 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

ROLL CALL

PRESENT: Commissioners Raynsford, Saum, Polcyn, Arnold, and Daniels

ABSENT: Commissioners Marcotte and Hirst

Rosalynn Hughey, Director of Planning, Building and Code Enforcement, introduced Juliet Arroyo, the City's newly hired Historic Preservation Officer. Director Hughey and the Commission expressed their appreciation to Susan Walsh and Martina Davis for serving during the last several years.

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

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Historic Landmarks Commission, staff or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please make your request at this time.

No Items

3. PUBLIC HEARINGS

- a. **SP18-001 and T18-001.** Special Use Permit and Tentative map to allow the adaptive re-use, relocation, or, in the alternative, demolition of one or both structures, (The Pallesen Apartment Building, a Candidate City Landmark, and the Pallesen Building, a Structure of Merit); the preservation of the existing City Center Motel Sign; and the construction of a 27-story high-rise tower to include up to 285 residential units, up to 5,250 square feet of non-residential condominium space, and the removal of three (3) trees on an approximately 0.4-gross-acre site, located on the southeast corner of South First Street and East Reed Street (8 Reed Street and 600-618 South First Street) APNs 472-26-090 and 472-26-089.

PROJECT MANAGER, CASSANDRA VAN DER ZWEEP

Recommendation: Review and provide recommendations for information to be included in the historic report analysis of the project.

Cassandra Van Der Zweep presented the staff report.

Staff reported on the Design Review Subcommittee (DRC) recommendations from their October 18, 2017 meeting for this project.

Nathan Miller, representing the applicant, gave a presentation to the Commission on the changes that have been incorporated into the project since the last iteration based on staff and DRC. These changes included the following:

- Relocating the Candidate City Landmark Pallesen Apartment Building to 123 Reed Street
- Saving the façade of the Pallesen Building, a Structure of Merit, and moving it a few feet north of the current location
- Incorporating a portion of the Motel sign into the roof deck of the proposed building and restoring the neon lighting
- Changing the frontage/entrances for the commercial and retail uses to First Street and the frontage/entrances for the residential uses to Reed Street
- Emphasizing the base of the building by using a red metal finish to complement the brick of the historic façade of the Pallesen Building
- Adding night lighting to the exterior of the building to highlight the form of the building
- Adding color-changing night lighting on the ground floor and pool deck to liven the building

Public Speakers:

1. Brian Grayson, representing Preservation Action Council of San José (PAC SJ), stated that he appreciated the applicant's willingness to reuse the sign and incorporate it into the proposed building. However, the currently proposed location will not be visible to the public. He suggested that the applicant consider using the sign as a blade/fin sign along the edge of the building where it could be visible from a distance, or some other method of making it visible to the public. He expressed his preference for having the sign used in the project, or discussing with the City using the sign at another location, rather than giving it to the History San José collection to be put in storage.

2. Mark Tersini with KT Urban representing the applicant, stated that they are happy to explore more options for using the sign. He stated that using the "Motel" sign on the exterior of the building would be confusing because the proposed building is for residences. He expressed another concern for the future residents of the project is the harsh nature of neon lighting which could disturb rest if placed on the side of the building.

Mr. Tersini also stated that he is working with the City's Housing Department to use the relocated Pallesen Apartment Building for affordable housing.

Commission Comments

- Ensure that moving the brick façade of the Pallesen building doesn't damage it
- Step back upper floors or break up the building in such a way that it fits in better with the neighborhood like the 360 residences building
- Articulating the base of the building will be important
- Consider the South First Street Area (SOFA) Plan which had this location as a "gateway" to SOFA with a big building at the corner

- Potentially place the sign in the lobby and preserve the history of the project site if the sign cannot publicly displayed
- Highlighting the base with color is a great idea, but consider other and more subtler colors in addition to red
- Placing the sign on the roof would hide it from the public, maybe work with the City to find a local park that may be able to display it
- Prepare a massing study which would consider other proposed and approved buildings such as Gateway Towers
- Make the corner more prominent and active; the current design de-emphasizes the corner
- Prepare a study of materials used in the surrounding neighborhood and use it to design the base to respond to neighboring structures
- Prepare a study of the pedestrian traffic and retail to emphasize the corner
- Include the massing of the upper stories in the massing study
- Report on the method of moving the historic structures
- Make the corner pop, there are several lines of sight to the corner
- Consider scale and speed views from Hwy. 280
- Change the roof line to give character to the skyline
- Engaging early in the process and taking the DRC comments into consideration in redesigning the building is to the applicant's credit
- Reuse of the Pallesen Apartment building as housing is a great idea
- Agree that the sign on the side of the building would be confusing

The Commission requested that staff provide the Commissioners with a copy of the SOFA Plan.

Staff agreed to take that as an action item. Staff stated that the City will request that the massing study be incorporated into the Historic report.

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.

There were no speakers.

6. GOOD AND WELFARE

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

1. Past Agenda Items: No items.
2. Future Potential Agenda Items: Saint James Square Park

Staff will send out potential dates for the HLC Retreat.

Staff asked Commissioners for topics that they would be interested in learning about. The following topics were suggested:

- **Compliance between State, County, and City regulations**
- **Definitions of the terms used in the ordinances and the protections each term carries**
- **Treatment of nationally protected resources at the local level**
- **Resources and their protections in the Diridon Station Area**
- **Walk through of the City's Landmarking process**
- **Mid-century Modern resources in the City**
- **Differences between the City's Victorian row houses compared to Oakland and San Francisco**

Brian Grayson, representing Preservation Action Council of San José (PAC SJ), stated that the Office of Cultural Affairs only considers commissioned artwork as public art. Perhaps a topic of discussion may be to review the City's definition of public art and make it broader so historic signs could be considered.

The Commission asked Staff to follow up on action items from previous meetings:

- **Communications with the Successor Agency supporting an HLC Landmark application and nomination for the dancing pig sign consistent with requests by PAC SJ**
- **Status of Archives & Architecture (A&A) survey of additional areas in the Gardner Area.**

Staff responded that they will work with the Commission to generate the letter to City Council.

Staff reported that A&A are surveying the additional properties at their own cost, so it is taking longer than anticipated. In addition, staff has heard from residents in the Gardner Area who may not necessarily be supportive of the addition. These residents have requested community presentations.

3. Summary of communications received by the Historic Landmarks Commission:

Staff reported that a single letter was received and would be forwarded to the Commission.

b. Report from Committees

Design Review Subcommittee: Meets the 3rd Wednesday of the month as necessary.

The next DRC is scheduled for May 16 from 1:00 to 2:00 p.m. The review is for the Parkview Towers design and restoration/rehabilitation of the former First Church of Christ, Scientist building.

c. Approval of Action Minutes

Recommendation: Approval of Action Minutes for the Historic Landmarks Commission Meeting of [April 4, 2018](#)

Approval of the minutes will be deferred to the next meeting because a quorum of Commissioners who participated at that meeting were not present.

d. Status of Circulating Environmental Documents:

Notice of Preparation (NOP) circulating for preparation of a Supplemental Environmental Impact Report (EIR) for Garden Gate Tower SP18-001 and T18-001 to allow adaptive re-use, relocation, or in the alternative demolition of both structures (Palleson Apartment Building, Candidate City Landmark and Palleson Building, a Structure of Merit) and to develop up to a 285 residential units and 5,250 square feet of ground floor retail commercial space.

<http://www.sanjoseca.gov/index.aspx?nid=6073> (NOP comments period ends on May 23, 2018)

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.