



HISTORIC LANDMARKS COMMISSION

ACTION MINUTES

September 5, 2018

Regular Meeting

6:30 p.m.

City Council Chambers

200 East Santa Clara Street

San José, CA 95113

Commission Members

Edward Saum, Chair

Vacant, Vice Chair

Harriett Arnold

Paul Boehm

Eric Hirst

Anthony Raynsford

Stephen Polcyn

Rachel Royer

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 408-535-7868 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 Saum, Arnold, Boehm, Hirst, Polcyn, Raynsford, Royer
ABSENT: None

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. [HP17-006](#). Historic Preservation Permit to allow new landscape and hardscape features along the front and side yards of the Scottish Rite Temple/Corinthian Grand Ballroom located at 196 N. 3rd Street in the Saint James Square Historic District. No changes to the building's architecture and features.

PROJECT MANAGER, ED SCHREINER

Recommendation: Review project plans, receive public comments, and recommend that the Planning Director approve HP17-006 to install landscaping with the following two conditions:

1. All plantings shall be installed in the ground and not in planter boxes.
2. The applicant shall install an automatic irrigation system and all plant materials shall be permanently maintained.

Juliet Arroyo, the City's Historic Preservation Officer (HPO), introduced the project and stated that the proposed project would restore landscaping to an area that had been paved over. The landscaping would need to be restored consistent with the Secretary of the Interior's Standards. The applicant's representative was present to answer questions.

Commissioner Saum opened the public hearing. There were no speakers. The public hearing was closed.

Commissioners noted that the proposed plans were not consistent with the recommendations of the Design Review Committee, which were provided at the January 17, 2018 meeting.

There was a motion and a second to approve the Historic Preservation Permit with the caveat that the applicant provide more detailed drawings including elevation plans that address the following:

- The plantings along the perimeter should be no more than two feet high**
- The edge of the plantings at the sidewalk should be finished in design and materials**
- The height and species of the shrubs should be the same on either side of the building entrance.**

The updated plans should be submitted to the City before the Historic Preservation Permit is approved by the Director of Planning, Building and Code Enforcement.

The motion passed 6-0-0.

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

- i. Past Agenda Items: No items.**

- ii. Future Potential Agenda Items: Park View Towers (HPA14-002-02 & HA14-009-02), Saint James Park (PP16-037/HPAD18-009), Lyndon Building (H17-062 & HP18-002), and Hotel Clariana (H17-059 & HP17-007).

Staff added that the City has received two nominations for Historic Landmarks Status which are scheduled to come before the Commission in November.

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

Commissioner Saum stated that he had received a communication from Supervisor Yeager about the historic signs.

- iv. Discussion of Historic Landmarks Commission Retreat.

Staff reported that the Annual Retreat has been scheduled for October 12th from 1 to 5 p.m. at City Hall. Staff shared the Draft Agenda for the event which reflected the topics that Commissioners had requested.

- v. Upcoming additions to the Historic Resources Inventory: Twelve properties from the proposed Gardner Conservation Area located along Delmas Avenue and nine properties from the proposed North Willow Glen Conservation Area along Bird Avenue.

Staff reported that selected properties have been identified as additions to the Historic Resources Inventory.

- vi. San Jose Historic Signs – PAC SJ survey, updates on the Dancing Pig sign and the OSH sign.

Brian Grayson, representing Preservation Action Council of San Jose (PAC SJ), shared the San Jose Signs Project Guide with the Commissioners and Staff. He explained that there is concern about who owns the Dancing Pig and the OSH signs. The issue of ownership needs to be resolved before the future of the signs can be determined.

Brian Grayson clarified that currently signs are not considered historic resources. The only “sign” that has landmark status in the City is the Muffler Man on the Alameda.

b. **Report from Committees**

No Items

c. **Approval of Action Minutes**

- i. **Recommendation:** Approval of Action Minutes for the Historic Landmarks Commission Meeting of [August 1, 2018](#)

A motion was made and seconded to approve the minutes. The motion was passed. (6-0-0).

The commission requested that a summary of the discussion from the July meeting be included in next month’s meeting so it could be included in the record.

d. **Status of Circulating Environmental Documents**

No environmental documents are currently circulating for public review.

Commissioner Boehm asked that “Who Owns Pellier Park and when will it be open to the public?” be added as a future item for discussion. Brian Grayson and staff stated that a Community Meeting has been scheduled for November 17 regarding this issue.

Staff reminded Commissioners to let Staff know when they attend Community meetings.

Commissioner Boehm asked about the Cambrian Plaza project and if it will come to the HLC.

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.