



HISTORIC LANDMARKS COMMISSION

ACTION MINUTES

August 2, 2017

Regular Session

6:30 p.m.

Council Chambers

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

Steve Polcyn

Anthony Raynsford

Rosalynn Hughey, Interim 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 408-535-3505 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

ROLL CALL

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

No Items

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

a. **Comments from City Councilmember Dev Davis**

Councilmember Dev Davis explained that she supports the work the Historic Landmark's Commission is doing and thanked them for their work. She stated that she is the City Council's liaison to the HLC, and will be following their work closely. She indicated her overall support for designating the Greater Gardner area as a Conservation Area.

b. [Update on City Council Direction for Future Historic Survey Work](#)

Susan Walsh, Historic Preservation Officer, briefly reviewed the memo that was distributed to the Commission, and explained the Interim Planning Director's initial survey work plan. She also suggested that the Commission consider the following additional recommendations: The survey work start in the original City and the earliest annexed growth areas identified in the General Plan 2040, and focus on the Downtown and adjacent areas: Diridon, Urban Villages (including West San Carlos, The Alameda, East Santa Clara/Alum Rock/Five Wounds and North First Street) and the SOFA area.

The work should also include a review of all previous historic surveys done for the City and for private developments, and should update older surveys as needed. New survey work should focus on areas that have not been surveyed.

The survey work should include an update of the 2009 Mid-Century Modern Context Study posted on our website, and should include the preparation of a new historic context survey for Industrial and Manufacturing Buildings (related to agricultural and technology uses).

A searchable database of all historic surveys should also be prepared in the City's website for public access.

The Commission stated that they are supportive of the Planning Director's interim survey work plan and agreed with the staff recommendations as well. They recommended that after the initial review of the original City and the first annexed areas, the City should also look at areas that were annexed later that may have potential historic resources, as the budget allows. They recommended that survey work for the Mid Century Modern Context Statement should also include a survey of historic neon signs.

Staff indicated there may be a community meeting in addition to the required public hearings starting in the fall. Staff will forward the Commission's comments to the Planning Director and to the City Council.

c. [Presentation of the Greater Gardner Area as a Conservation Area Background, Historic Survey, and Review Process for Nomination as a City Conservation Area](#)

Recommendation: HLC acceptance of informational presentation

Staff stated that Archives and Architecture will be finishing the update to the Greater Gardner Survey over the next several weeks. Staff, and Franklin Maggi and Leslie Dill with Archives and Architecture gave a presentation that explained the process for nomination and designation of the Greater Gardner (GG) Area as a Conservation Area, provided an overview of the Historic Context Survey and discussed the work that Archives and Architecture has been doing to update the Historic Survey.

Alison England, with the North Willow Glen Neighborhood Association, stated that she founded the North Willow Glen Neighborhood Association, and was one of the original community members. She said her Harvey Darnell also worked hard to get this area designated as a Conservation area.

Dan Erceg, with the North Willow Glen Neighborhood Association, speaking on behalf of Harvey Darnell, is excited about this and has been working on this for 30 years. He thanked Franklin Maggi and staff, and said he supports the whole effort.

Larry Ames, stated that Harvey Darnell also asked him to speak on his behalf, and said that the Willow Glen residents have written a book and dedicated a whole chapter to this historic neighborhood.

The Commission thanked all who have been involved and congratulated them on their hard work. They were very supportive of designating the Greater Gardner Area as a Conservation Area, and thanked the neighborhood leaders who have been involved with this project for a long time. The Commission said they were pleased with the report and it was very thorough.

The Commission asked whether High Speed Rail (HSR) was proposed to be underground through the Gardner area. Staff indicated that it looks as though they may be proposing the HSR to be located above ground through this area, however, they still haven't made a final decision. They will be reviewing a few alternatives so residents should try to attend these meetings and voice their concerns. Staff indicated that the City will also be reviewing and commenting on the Draft EIR, and staff will keep the Commission up-to-date on this issue.

One of the Commissioners asked why the area can't be broader and Franklin and Leslie I explained that while there are a lot of other historic residences in the area, there is really only one area that meets the required criteria as a neighborhood that conveys a sense of cohesiveness through design, architecture, setting, materials or natural features and history. They explained the percentage of historic residences in each area, and noted that the area proposed as a conservation area has the highest concentration of historic residences that can be classified as contributors to the conservation area--- almost 80% of the residences in this sub-area contribute to a distinct sense of historic place. They also stated that there is a graphic that shows many other residences outside the proposed Conservation Area that are also proposed to be listed on the Historic Resources Inventory.

Overall, the Commission seemed to agree with the findings of the Historic Context Survey that this area meets the required criteria for a conservation area, and has the highest concentration of historic residences that can be classified as contributors to a distinct sense of historic place.

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.

Larry Ames stated that the legal issues pertaining to the Willow Glen Trestle are still on hold. The State listed the Trestle on the State's Historic Register, however, the City of San Jose has requested a redetermination, which the State will consider on October 27th in Sacramento. If they decide to do a redetermination they will hold the hearing on the same day in Sacramento.

Brian Grayson has supported the Greater Gardner area as a Conservation Area for a long time, and it has taken a long time to get to this point. He announced the Wolfe Higgins Home Tour will take place on August 26th, and thanked the Commission for recommending that signs be added to the historic survey work plan.

6. GOOD AND WELFARE

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

1. Past Agenda Items: No items
2. Future Agenda Items: HLC Design Review Sub-Committee 8/16: Review of proposed construction of a 22-story mixed-use building at 27 South 1st Street
3. Summary of communications received by the Historic Landmarks Commission:
HLC Retreat:

Staff will be planning the HLC Retreat in the Fall and wanted to confirm that the Commission's preferred time for the retreat is still Friday afternoon. The Commission concluded that Friday afternoon is still their preference, however, Saturday morning is also a good time for several commissioners.

b. Election of Historic Landmarks Commission Chair and Vice Chair and two HLC Design Review Subcommittee Members

There was a motion and a second to elect Josh Marcotte as the HLC Vice Chair, which was approved by six votes, with one abstention. There was a motion and a second to elect Ed Saum as the HLC Chair, which was approved by five votes, with two abstentions.

There was a motion and a second to elect Ed Saum, Stephen Polcyn and Anthony Raynsford to the HLC Design Review Sub-Committee, which was approved by five votes with two abstentions.

c. Report from Committees

Design Review Subcommittee (Update from Chair Ed Saum and Steve Polcyn on the proposed St. James Park Interim Uses). The Commission meets the 3rd Wednesday of the month as necessary

Chair Ed Saum and Stephen Polcyn updated the Commission on this item, explained their comments and shared a colored diagram showing the proposed interim uses for St. James Park.

d. Approval of Action Minutes:

Recommendation: Approval of Action Minutes for the Historic Landmarks Commission Meeting of [June 7, 2017](#).

The Commission approved the June 7, 2017 Action Minutes, with two minor edits.

e. Status of Circulating Environmental Documents:

Draft Environmental Impact Reports <http://www.sanjoseca.gov/index.aspx?NID=5084> (Cilker Draft EIR)

<http://www.sanjoseca.gov/index.aspx?NID=5230> (America Center III Supplemental EIR)

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.