



## CONSIDERATION OF A NEW BUILDING ADJACENT TO THE SAN JOSE DOWNTOWN COMMERCIAL HISTORIC DISTRICT AND OTHER HISTORIC BUILDINGS

THIS REPORT CONSIDERS A NEW BUILDING AND THE POTENTIAL FOR CHANGE TO THE NATIONAL REGISTER HISTORIC DISTRICT OR OTHER HISTORIC RESOURCE BUILDINGS WITH IN 500 FEET OF THE PROPOSED DEVELOPMENT, AND COMPLIANCE WITH STATE AND LOCAL REGULATIONS REGARDING THE ENVIRONMENT AND HISTORIC PRESERVATION POLICYIES

Prepared for David J. Powers and Associates  
1871 The Alameda  
San Jose CA 95126

Prepared by: Urban Programmers  
10710 Ridgeview Avenue  
San Jose CA 95127  
bbamburg@usa.net

# **Review of a Proposed New Building Adjacent to the San Jose Downtown Commercial Historic District and other Historic Resource Buildings**

## **Introduction:**

A new building is proposed that will be an addition to the former YMCA, a contributing building in the San Jose Historic Commercial District, an area listed in the National Register of Historic Places. Historic Districts listed in the National Register of Historic Places are automatically listed in the California Register of Historic Resources and therefore are reviewed under the California Environmental Quality Act (CEQA) Guidelines. The addition is proposed for the east side of S. Third Street, one parcel south of E. Santa Clara Street. The proposed new building is adjacent to contributing buildings in the historic district. This review of the proposed new building considers the change to the historic district and determines if the change creates an adverse condition or if it follows the Secretary of the Interior's Standards and the National Park Service guidance for new development in and adjacent to a historic district. It also considers the goals and policies of the City of San Jose as expressed in Envision San Jose 2040 and the San Jose Historic Preservation ordinance (48.13.202).

## **Executive Summary:**

The addition of a new 6-story building on a vacant parcel adjacent to the San Jose Downtown Commercial Historic District does not cause a significant change to the environment. The building is shown in architectural plans provided by TCA Architects to comply with the Secretary of the Interior's Standards for the Treatment of Historic Property and the Secretary of the Interior's Standards for Rehabilitation in the setting and connection to the historic resource, the former YMCA (Hotel Clariana).<sup>1</sup> The proposed new building does not remove or significantly alter the historic resource buildings in the San Jose Downtown Commercial Historic District or those buildings eligible for listing in the California Register of Historic Resources that are within 500 feet of the project. The Historic District and all other buildings retain their designations. The National Register of Historic Places is not diminished by the development of the proposed new building.

---

<sup>1</sup> The addition was previously reviewed for conformance with the Secretary of the Interior's Standards for Rehabilitation and found to comply with a compatible design and method of connecting the two buildings.

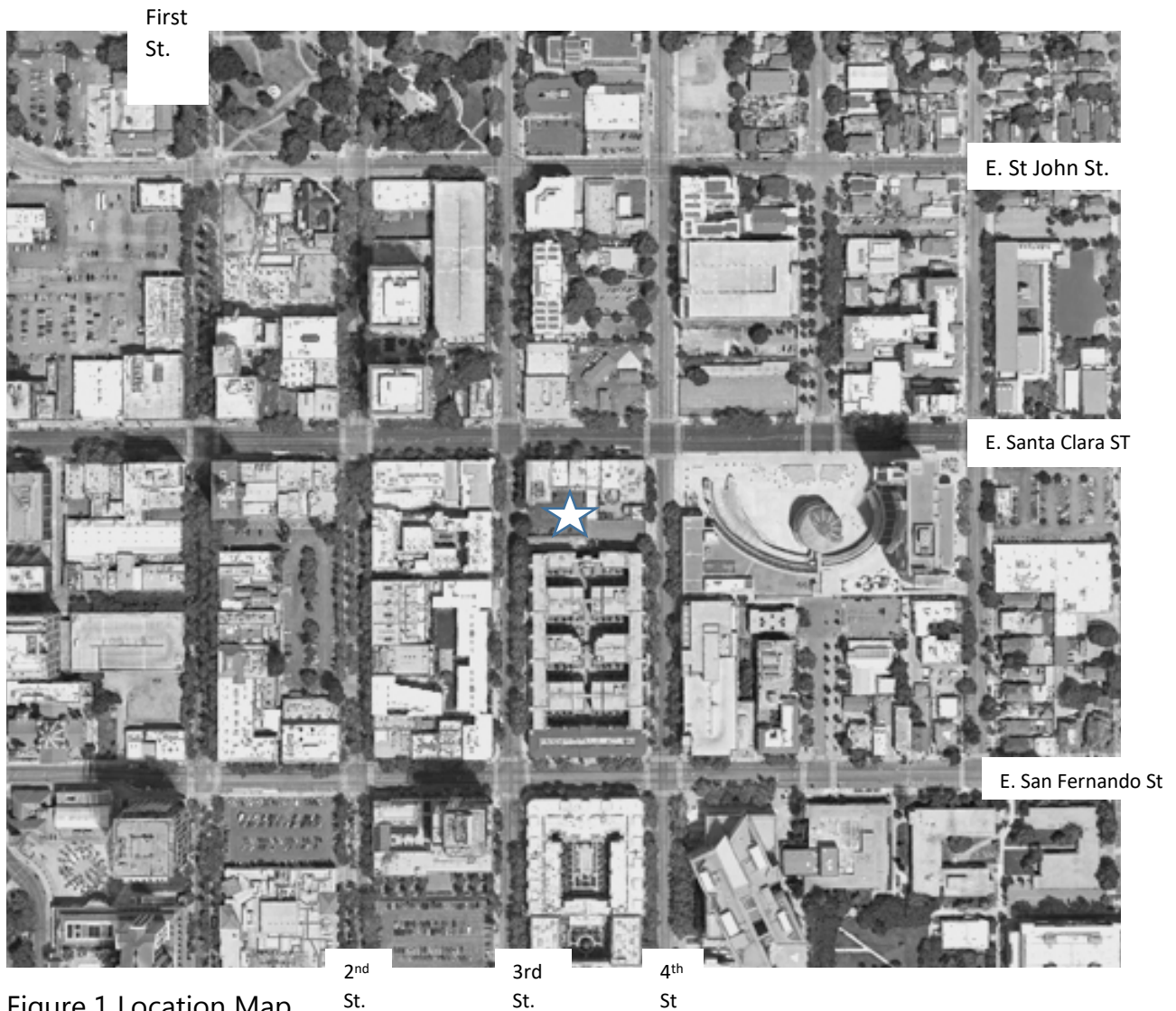


Figure 1 Location Map

### Background and description:

In 1982, the San Jose Historic Commercial District was listed in the National Register of Historic Places for the significant representation of mercantile and commercial history and architecture through the emergence of the American City from the 1870, when it was the financial and commercial center of the booming agricultural area, into the 1920s and the first skyscraper and the 1930-1940s and Modern design. The District represents the variety of architecture during this period. The District extends from the southwest corner of E. Santa Clara Street and S. Fourth Street to the southeast corner of South First Street and Santa Clara Street and the two blocks south from the west side of south Third Street to E. San Fernando Street to the east side of S. First Street. The architecture of the 45 contributing buildings identified in the National Register nomination is divided into eras 1870-1880s, 1890-1900 and 1901-1930s. Within each era the buildings tell the story of growth in San Jose. Architecturally, the 1870-1880s is best represented by the three-story Italianate Odd Fellows Building on the southwest corner of Santa Clara Street

and South Third Street (1883). The 1890s are present along S. First Street exhibiting the Romanesque style designed by the City's important architects, Levi Goodrich and Jacob Lenzen for clients who were the leading business leaders, James Phelan, F. Sourisseau and C.T. Ryland. The buildings include the Knox-Goodrich Building (34 S. First St.-1889), the Letitia Building (56 S. First Street- 1890), and the Security Building (84 S. First Street-1892). One exception is the Italianate, three-story New Century Building (SW corner of S. Second Street and Santa Clara Street-1900) After the turn-of-the-century, Edwardian and Modern Commercial architecture replaced buildings that failed during the 1906 earthquake, creating the buildings along E. Santa Clara Street between S. Third and S Fourth Streets and the City's first skyscraper, the 13-Story, Bank of Italy Building (12 S. First Street-1926). In the last era of the district, 50 E Santa Clara Street, exhibits the Modern, machine age in architecture and building.

Since 1982, there have been many developments within the historic district that create changes. The current proposal is to develop a new building that is an addition to the historic former YMCA. This property is not in the historic district. Only the former YMCA and buildings along E. Santa Clara Street between S. Fourth and S, third Streets, (one parcel deep) are contributing buildings to the historic district. The buildings on the east side of S. Third Street are not in the historic district. Across S. Third Street, 19 S. Third Street, was a building that contributed to the historic district, a two-story brick building constructed in 1915. The building was demolished to construct 25 S. Third St, a five-story apartment building with underground parking that extends half a block. To develop the same apartment building, 51 S. Third St., a single-story Modern building that was also a contributing building to the historic district was demolished. The only contributing building on S. Third Street is the Odd Fellows Building at the SW corner of E. Santa Clara Street and S. Third Street. The buildings on the east side of S. Third Street are recently constructed and are not within the historic district and face only recently constructed buildings. The recently constructed multi-family five story buildings on the west side of S. Third Street are not contributing elements in the Historic District.

The proposed design for the addition to the former YMCA has been studied for its change or impact to the historic district and particularly the Odd Fellows Building across the street and one parcel north, and the contributing buildings on E Santa Clara Street between S. Third Street and S. Fourth Street (one parcel deep). The proposed addition is six-stories tall to be constructed in a vacant lot behind the two to five-story buildings on E. Santa Clara Street. The proposed six-story addition attaches to the former YMCA only on the south facade and is set behind the rear walls of the contributing buildings along E. Santa Clara Street. The proposed addition may cast a shadow over the rear of the buildings on the south side of E. Santa Clara St. at certain times of the year, However, this is not a significant change. The shadow does not reach other historic buildings. The proposed addition is set back from the S. Third Street façade of the contributing former YMCA will not cast a shadow across the historic five-story building's exterior facades, or otherwise change the environment of the historic buildings. The design of the proposed addition has been evaluated and determined to meet the Secretary of the Interior's Standards for Rehabilitation of Historic Buildings (the conformance considered the potential for any deterioration to the character defining features of the former YMCA Building).

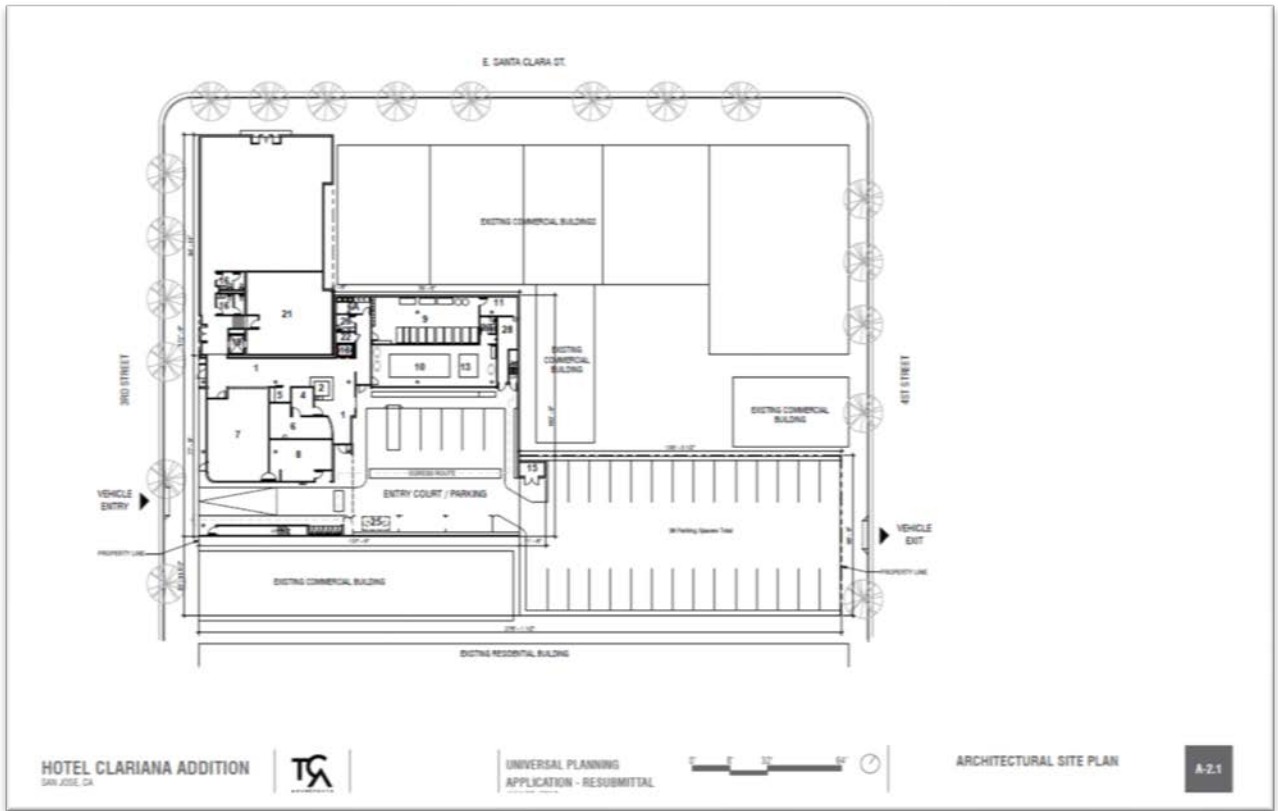


Figure 1 Addition to the Former YMCA - Site Plan  
 Source: TCA Architects – Hotel Clariana Addition



Rendering 1 The historic YMCA building and the addition from the corner of E. Santa Clara St and S. Third St. Rendering Provided by TCA Architects



Rendering 2 The historic YMCA building and the addition on S. Third St. Rendering Provided by TCA Architects



Rendering 3 Shows the various heights of the historic buildings on E. Santa Clara St. between S. Fourth and S. Third Streets. The depth of the historic building and their height will maintain the visual “sense of place.” The new building in the background may be partially as seen from the sidewalks on the north side of E. Santa Clara Street. Rendering provided by TCA Architects

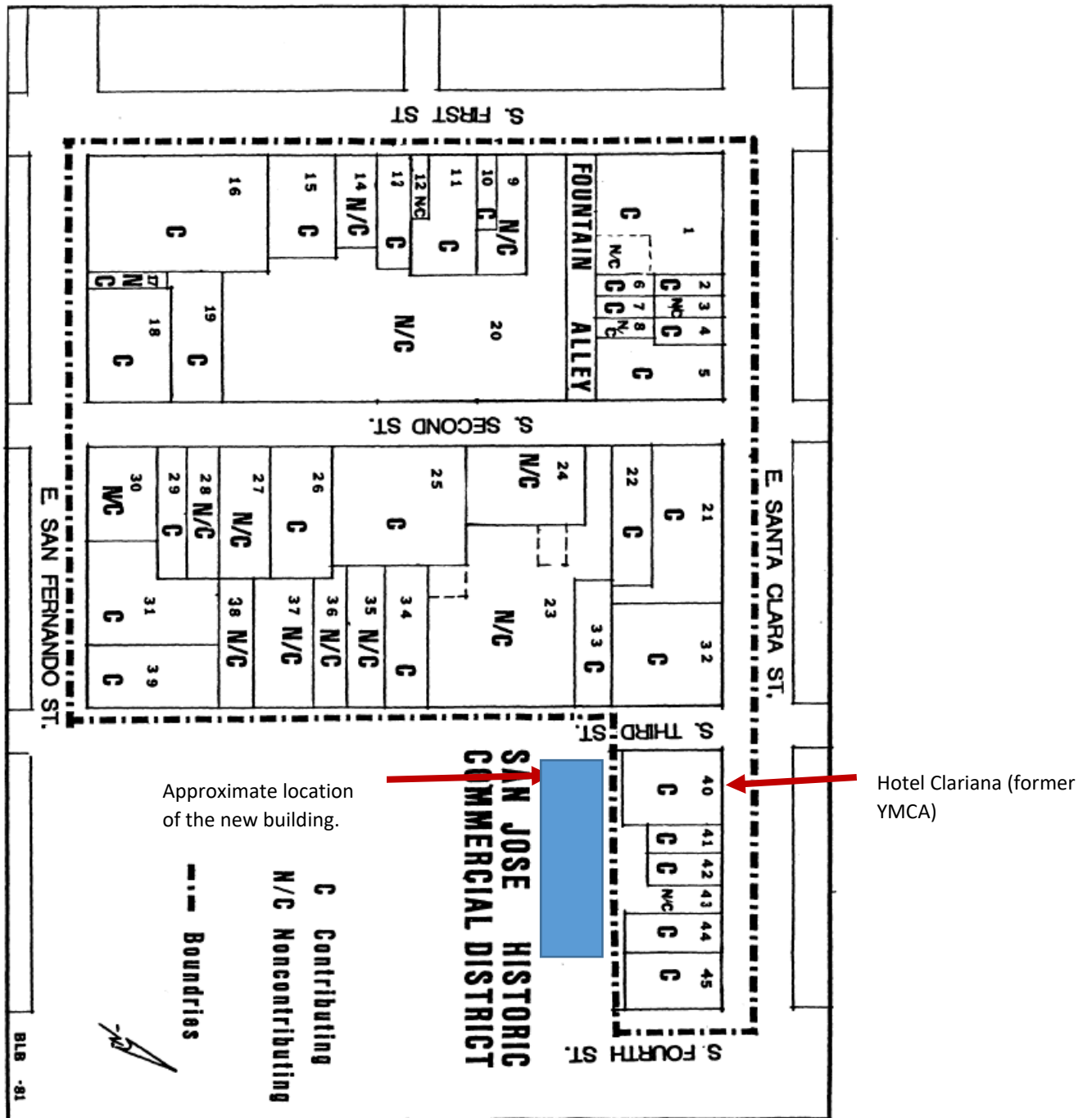


Figure 2 San Jose Downtown Historic District Map, Nomination to the National Register of Historic Preservation February 1981

## Regulatory Framework and Statutes:

### The National Register of Historic Places (NRHP)

The NRHP was enacted within the National Historic Preservation Act of 1966 (as amended). It is the official list of the Nation's historic places worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the National Park Service's National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources.

Guidance for changes to historic property is found in the Secretary of the "Interior" s Standards for the Treatment of Historic Property.<sup>2</sup> Of the four treatments, Preservation, Restoration, Rehabilitation and Reconstruction, it is Rehabilitation that fits the changes to the former YMCA and the historic district.

*Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. The Rehabilitation Standards acknowledge the need to alter or add to a historic building to meet continuing or new uses while retaining the building' s historic character.*<sup>3</sup>

A review shows the proposed new building meets the guidance promoted by the Department of the Interior for new buildings in or adjacent to Historic Districts or those in proximity to buildings eligible for listing in the California Register of Historic Resources. New construction in a Historic District, or in proximity to historic resources should be appropriately scaled and located to preserve the historic buildings and to maintain the character of the Historic District and historic resources including the site and setting. New construction that appears as infill within the existing pattern of development can also preserve the historic character of the building, its site, and setting by meeting the same standards.

Buildings eligible for listing in the California Register of Historical Resources that are outside the historic district and within 500 feet of the proposed new building are; the Opera House Block 91-97 E. Santa Clara St. that is composed of two buildings, one and two stories, and the Alliance Building 101-109 East Santa Clara St. Building of two-stories, all are on the north side of E. Santa Clara Street,

---

<sup>2</sup> Grimmer, Anne, THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES WITH GUIDELINES FOR PRESERVING, REHABILITATING, RESTORING & RECONSTRUCTING HISTORIC BUILDINGS, U.S. Department of the Interior National Park Service Technical Preservation Services Washington, D.C.

<sup>3</sup> <https://www.nps.gov/tps/standards/four-treatments/treatment-rehabilitation.htm>



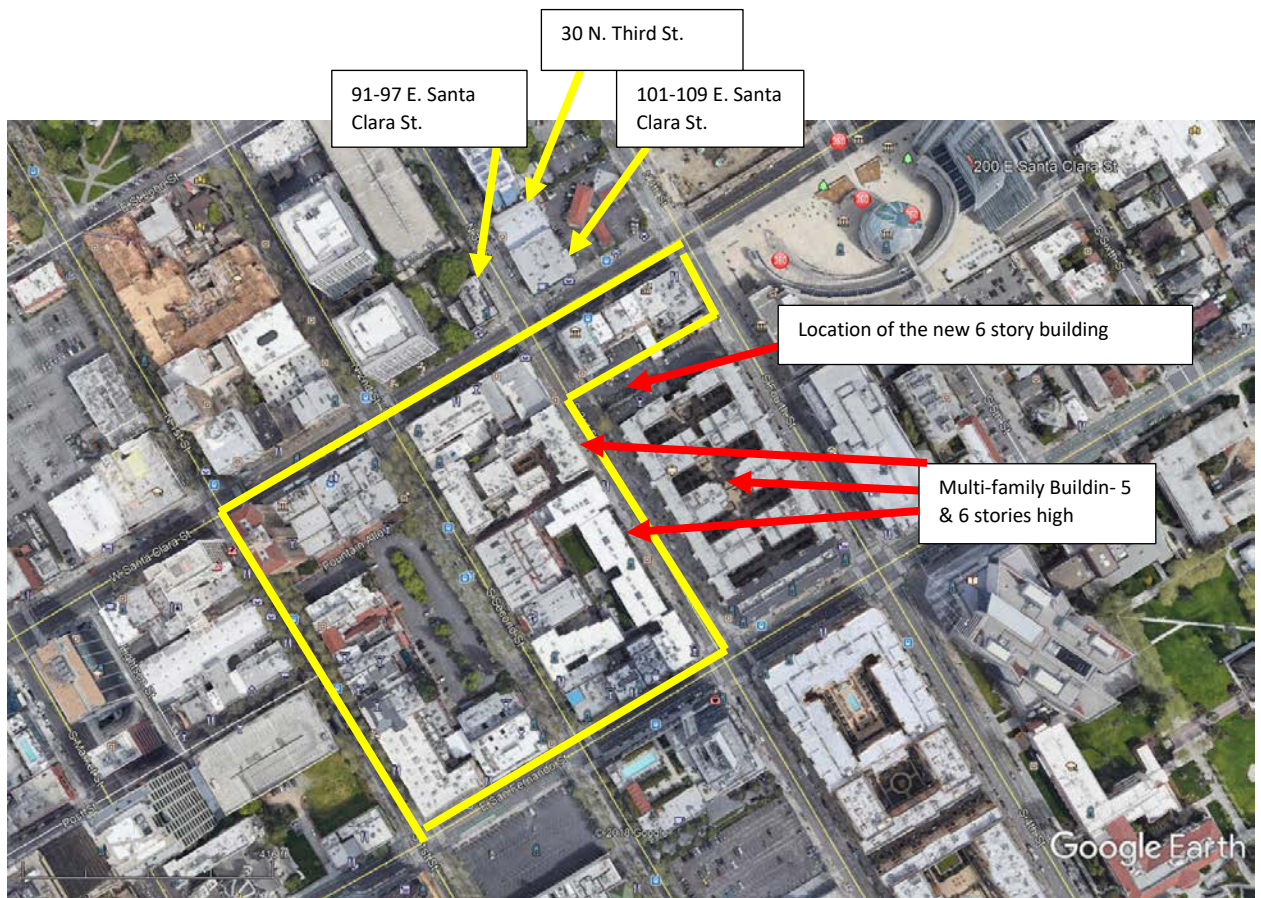


Figure 3 Aerial map of the San Jose Downtown Commercial Historic District and CRHR buildings.



Picture 1 View of E. Santa Clara Street looking west from S. Fourth Street.



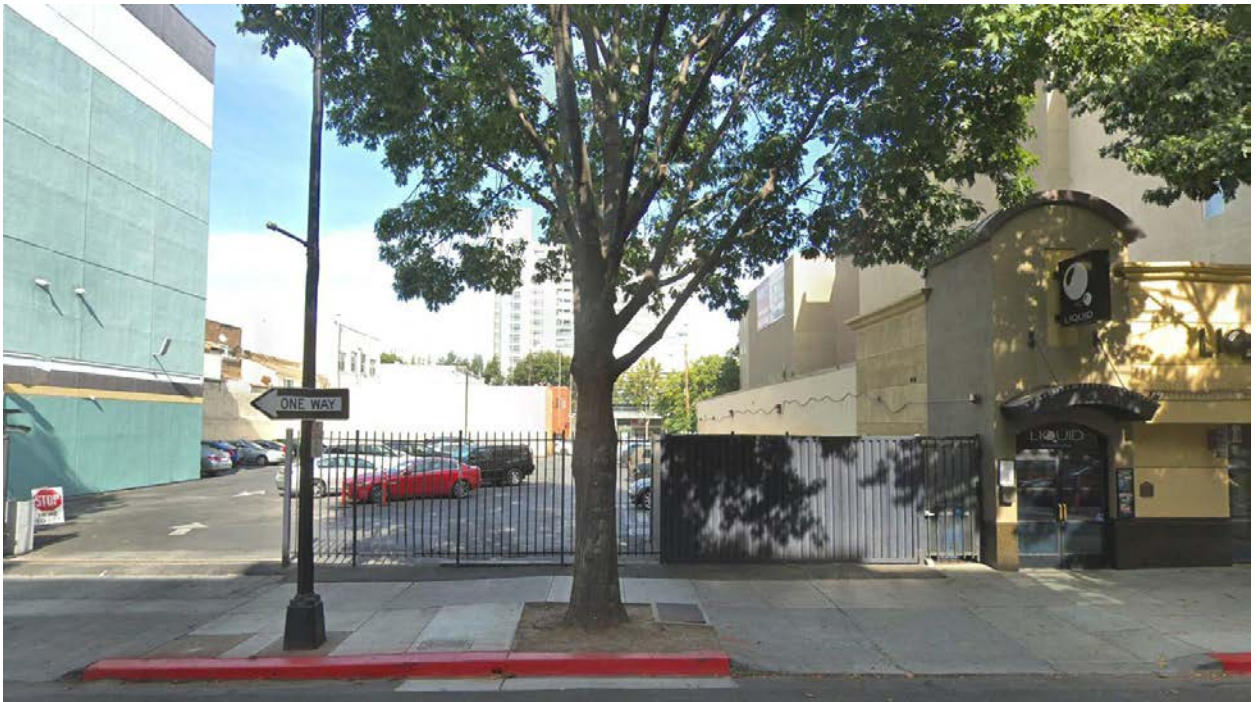
Picture 2 View of the buildings within the San Jose Downtown Commercial Historic District on El. Santa Clara St. between S. Fourth St. (left) and S. Third St. The stucco covered building in the center is a non-contributing element- the rest are contributing elements in the Historic District.



Picture 3 View of E. Santa Clara Street looking west toward the Bank of Italy building and the edge of the Historic District. The five-story building in the center is the former YMCA, now Hotel Clariana.



Picture 4 View of S. Third Street looking south from E. Santa Clara St. The Hotel Clariana is on the left.



Picture 5 View of the surface parking lot (former location of the YMCA Annex) Looking east- the historic building is on the left.



Picture 6 View of the rear facades of the historic buildings between S. Fourth St. and S. Third St. on E. Santa Clara St.



Picture 7 View looking west across S. Third St. from the proposed new building.



Picture 8 View of the east side of S. Third St. south of the historic district showing recently constructed 101 E. San Fernando a multi-family building. Source: Google Earth Pro September 2018



Picture 9 View: The Alliance Building, 101-109 E. Santa Clara Street (North side). The building is eligible for listing in the National Register of Historic Places and the California Register of Historic Resources. It is located across E. Santa Clara Street from the San Jose Downtown Commercial Historic District. (San Jose Inventory of Historical Resources)



Picture 10 View: 91-97 E. Santa Clara Street (north side), Opera House Block -1881, is eligible for listing in the California Register of Historic Resources (San Jose Inventory of Historical Resources).



Picture 11 View: 30 N. Third St., Sperry Flour Building, 1917, is eligible for listing in the California Register of Historic Resources (San Jose Inventory of Historical Resources).

## Secretary of the Interiors Standards for the Rehabilitation of Historic Property, - "Standards" (regarding additions to a historic building, historic district or historic resources nearby.)

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.

The new addition brings back a use like that of the annex to the YMCA, with residential rooms, athletic and meeting spaces. The Annex was demolished more than 40 years ago.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.

The surface parking lot is not a contributing element in the historic district. Removing the surface parking lot and replacing it with a compatible building that meets the Secretary of the "Interior" s Standards for Rehabilitation, will retain and preserve the integrity of the historic district, those adjacent to the new building and the buildings eligible for the California Register of Historic Resources on E. Santa Clara Street and N. Third St..

3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

The proposed new building has been reviewed and found in conformance with the Secretary of the Interior' s Standards for Rehabilitation Standards 9 and 10. The architectural design, size, bulk and height are compatible with the historic buildings in the District and nearby and does not create a sense of false historical development. The integrity of the historic district and nearby historic resources is maintained.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

The surface parking lot that replaced the former YMCA Annex, has not gained significance during the past years and was listed outside the Historic District when it was listed in the NRHP. Developing an addition to the historic former YMCA will not change the historic property or others nearby.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

The proposed addition does not destroy historic features or materials of the contributing historic buildings along E. Santa Clara Street. The only attachment to a contributing building is to the former YMCA on S. Third Street. The new building does not abut other buildings.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

No deteriorated historic features are part of this plan. Within the historic district, the contributing buildings directly across S. Third Street have been replaced with multi-family buildings that extend from E. San Fernando Street to the rear of the Odd Fellows Building on E. Santa Clara St on the west and to the edge of the subject parking lot on the east side of the street.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

The construction of a new building adjacent to the historic buildings will not include paint strippers, high pressure water, or other harsh chemical treatments that could damage the historic building.

Mitigation measure 1 -Procedures must be taken to prevent any damage the historic buildings. A Historic Architect shall prepare a written protection plan for the historic building. Prior to any construction, the Contractor(s) shall commit to the protection plan to preserve the historic building during all phases of construction.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

Due to the past excavation for foundations on the site, and the removal of those foundations when the YMCA Annex was removed, it is unlikely that archeological materials will be found. Mitigation measure

2. A literature review for the site should be conducted and if necessary an plan to have an archeologist observe the excavation work. If archeological materials are found State law will be followed.



9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

The proposed plan for a new building does not destroy historic elements of the District or historic resource buildings nearby.

Mitigation measure 3 During construction there must be provisions to protect the contributing buildings facing E. Santa Clara Street between S. Third St. and S. Fourth St. At a minimum barricade and an 8-foot-high covered metal fence must be installed to separate the construction from the contributing buildings. As construction progresses, screening must be used to protect the historic buildings from falling debris. A sign with information showing the contact person within the construction company must be posted on site so any potential damaging work may be reported.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The new building replaces one that was removed without damage to the historic building or the buildings in the historic district. The new building is isolated from all but one historic building. The historic YMCA building will remain structurally an independent building with connections for corridors through the south wall (similar connections were made for the former annex building). If the new building is removed the openings could be easily repaired without structural damage to the historic YMCA. The removal of the new building would not impair any of the contributing buildings.

## San Jose Historic Preservation Ordinance 13.48.020 B

The ordinance defines a historic district:

**Historic District.** "Historic district" shall mean a geographically definable area of urban or rural character, possessing a significant concentration or continuity of site, building, structures or objects unified by past events or aesthetically by plan or physical development.

The San Jose Downtown Commercial Historic District is not a designated City Historic District. Because it is listed in the National Register of Historic Places and meets this definition.

## Envision San Jose 2040- General Plan:

Goal LU-13 – Landmarks and Districts; Preserve and enhance historic landmarks and districts in order to promote a greater sense of historic awareness and community identity and contribute toward a sense of place. Policies – Landmarks and Districts

### LU-13.1 Preserve the integrity and fabric of candidate or designated Historic Districts

Removing a surface parking lot to add a new hotel building that complies with the “Standards” and that is adjacent to the Historic District and other historic buildings will bring activation to the area and help to preserve the historic district.

### LU-13.4 Require public and private development projects to conform to the adopted City Council Policy on the Preservation of Historic Landmarks

The proposed new building meets the Council Policy (Goal LU-13) by adding to the economic stability of a contributing building in the Historic District and by expanding awareness of the San Jose Downtown Commercial Historic District as visitors stay in the historic former YMCA and the new addition.

### LU-13.6 Ensure modifications to candidate or designated landmark buildings or structures conform to the Secretary of the “Interior” s Standards for Treatment of Historic Properties and/or appropriate State of California requirements regarding historic buildings and/or structures, including the California Historical Building Code.

New construction that meets the “Standards” for compatibility would meet LU-13-6. The proposed new addition to the former YMCA- a building listed in the National Register of Historic Places meets this criterion. The development of the new building does not modify, alter or change other historic resource buildings.

### LU-13.7 Design new development, alterations, and rehabilitation/remodels within a designated or candidate Historic District to be compatible with the character of the Historic District and conform to the Secretary of the “Interior” s Standards for the Treatment of Historic Properties, appropriate State of California requirements regarding historic buildings and/or structures (including the California Historic Building Code) and to applicable historic design guidelines adopted by the City Council.

Although outside the Historic District the proposed new addition has met the Standards for the Treatment of Historic Properties. This review further considers the change to the Historic District and historic resource buildings within 500 feet of the new building, and finds the development is compatible with all buildings..

### LU-13.8 Require that new development, alterations, and rehabilitation/remodels adjacent to a designated or candidate landmark or Historic District be designed to be sensitive to its character.

The new addition design is contemporary with sensitivity to the horizontal bands and patterns of the former YMCA without copying historic features. The design is compatible with the historic building and with buildings in the District and within 500 feet of the development.

## California Environmental Quality Act (CEQA)

The California Environmental Quality Act is the principal statute mandating environmental assessment of projects in California. The purpose of CEQA is to evaluate whether a proposed project may have an adverse effect on the environment and, if so, if that effect can be reduced or eliminated by pursuing an alternative course of action or through mitigation

The CEQA Guidelines are the regulations that govern the implementation of CEQA. The CEQA Guidelines are codified in the California Code of Regulations (CCR), Title 14, Chapter 3, Sections 15000 et seq. and are binding on state and local public agencies.

CEQA requires California's public agencies to identify significant environmental effects and to avoid those effects where feasible or mitigate those significant environmental effects- where feasible.

Historical resources are recognized as part of the environment under CEQA (PRC § 21002(b), 21083.2, and 21084.1). The California Register is an authoritative guide to the state's historical resources and to which properties are considered significant for purposes of CEQA.

The California Register includes resources listed in or formally determined eligible for listing in the National Register of Historic Places, as well as some California State Landmarks and Points of Historical Interest. Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts) or that have been identified in a local historical resources inventory may be eligible for listing in the California Register and are presumed to be significant resources for purposes of CEQA unless a preponderance of evidence indicates otherwise (PRC § 5024.1, 14 CCR § 4850).

Substantial adverse change includes demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired (PRC § 5020.1(q)). an historical resource that convey its historical significance (i.e., its character-defining features) The CEQA Guidelines provide that a project that demolishes or alters those physical characteristics of an historical resource that convey its historical significance (i.e., its character-defining features) can be considered to materially impair the resource's significance.

15126.4 Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects (D)(5)(b) (1) Where maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted in a manner consistent with the Secretary of the "Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer, the project's impact on the historical resource shall generally be considered mitigated below a level of significance and thus is not significant.

The San Jose Downtown Commercial Historic District is listed in the National Register of Historic Places and is automatically listed in the California Register of Historic Resources. Three other buildings nearby are eligible for listing in the California Register of Historic Resources. Changes that could diminish the character defining features of the district or nearby buildings would be considered a substantial adverse change.

The new 6-story building that replaces a surface parking lot adjacent to the San Jose Downtown Commercial Historic District has been designed to comply with the Secretary of the "Interior's Standards for the Treatment of Historic Property.

The new addition to the former YMCA complies with the "Standards "and will not create a significant change to the National Register Historic District,, to historic resources nearby, or to the environment.

## Conclusion:

The new addition to the former YMCA does not diminish the character-defining historic elements of the San Jose Downtown Commercial Historic District and does not create an adverse change to the environment under the CEQA Guidelines. The new building does not remove any existing historic resource building or significantly alter a historic resource. The new building, an addition to an historic resource building is in conformance with the Secretary of the "Interior's Standards for Rehabilitation. In addition, the new building will provide economic feasibility to the former YMCA by providing a compatible use expanding the hotel use in the former YMCA.

The new building is outside the boundaries of the Historic District and is viewed in an urban setting with relatively new five and six story buildings on both sides of S. Third Street and on E. Santa Clara St. The historic buildings on the north and south sides of E. Santa Clara Street between Second and Fourth Streets will maintain their urban streetscape and all character-defining features. The 6-story addition to the south, has no physical connection to any but the former YMCA, and because of the depth of the historic buildings there will be little visibility of the new building from the sidewalk on E. Santa Clara Street.

The setting for the Historic District will change minimally with the development of the new building. Historic Resources beyond the Historic District are not changed. The setting for the Historic District is the larger area extending to the west two blocks. The historic setting is urban and was urban when the historic buildings were constructed. The relationship of buildings to each other, setbacks, sidewalks and street trees together with the architecture of the historic buildings establish the character the district and define the setting for those historic buildings not in the District. The new building will continue this pattern and does not diminish the San Jose Downtown Commercial Historic District or lessen the eligibility to be listed in the National Register of Historic Places.

## Sources Consulted:

Bamburg, Bonnie, "San Jose Downtown Commercial District" , Nomination to the National Register of Historic Places, February 1981

California Office of Historic Preservation Technical Assistance Series #1 "California Environmental Quality Act (CEQA) and Historical Resources" Department of Parks and Recreation, Sacramento CA 2001

City of San Jose, Envision San Jose 2040, General Plan 2016

City of San Jose Historic Resource Inventory Updated 2/16/2016

Grimmer, Anne, THE SECRETARY OF THE "INTERIOR" S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES WITH GUIDELINES FOR PRESERVING, REHABILITATING, RESTORING & RECONSTRUCTING HISTORIC BUILDINGS, U.S. Department of the Interior National Park Service Technical Preservation Services Washington, D.C. 2017

Internet Sources:

<https://www.nps.gov/tps/standards/four-treatments/treatment-rehabilitation.htm>