

## **HISTORIC LANDMARKS COMMISSION**

March 4, 2020

Action Minutes

### **WELCOME**

*Meeting called to order at 6:35 p.m.*

### **ROLL CALL**

*Present: Commissioner Saum, Boehm, Hirst, Polcyn, Raynsford, Arnold, and Royer*

*Absent: None*

### **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.

### **2. CONSENT CALENDAR**

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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**

Access the video, agenda, and related reports for this meeting by visiting the City's website at:  
<https://www.sanjoseca.gov/your-government/departments/planning-building-code-enforcement/planning-division/commissions-and-hearings/historic-landmarks-commission>

### 3. PUBLIC HEARINGS

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- a. [HP19-009 & SP19-028](#). Historic Preservation Permit and Special Use Permit to allow the construction of a new 18,470 square foot church (Our Lady of La Vang Church), a 196-square foot, 49-foot tall bell tower, an off-site parking arrangement at San Jose State University's parking garage(s) and removal of six ordinance-size trees on an approximately 2.77-gross acre site located at 389 East Santa Clara Street.

**PROJECT MANAGER, ANGELA WANG**

**Recommendation:** No recommendation. Provide comments under the "Early Referral" Policy on the Preservation of Landmarks.

**Attachments:**

1. Early Referral Memo
2. Historic Report for Our Lay of La Vang Parish, prepared by Archives & Architectures, LLC, dated April 20, 2015
3. Revised Memorandum for Our Lady of La Vang Capital Projects, prepared by Archives & Architectures, LLC, dated January 24, 2020
4. Reduced Plan Set (1<sup>st</sup> Submittal), dated September 3, 2019
5. Reduced Plan Set (Revised 1<sup>st</sup> Submittal), dated January 30, 2020

*Commissioner Raynsford recused himself because he lives near this project.*

*Angela Wang, project manager, provided the staff report and commented that the current project was scaled down significantly from the prior project.*

*Applicant, Eugene Sim, principal architect of Sim Architects, presented the current project. He commented that the prior project was previously approved; however, the new project is reduced.*

*Mr. Sim stated that the current project respects the traditions and history of the site and attempts to apply current technology to approach the historical context instead of using the same forms and materials as in the past.*

*Mr. Sim explained that the bell tower in this iteration is the same size and scale as in the prior iteration of the project. The bell tower is a significant, iconic, urban design that is dedicated to the forebears of the parish.*

*Mr. Sim described the new design of the church as being more scalable from the street. The previous design had podium parking and a "civic-style" staircase. Shadow points have been mitigated in the new design. The entrance plaza spills over to the sidewalk, reinforcing the importance of East Santa Clara Street to the citizens of San Jose. The circular form of the church speaks to community. Additional features are: a statue of St. Patrick made with Italian marble, a frosted or rose window on the 8th Street side of the church building, and a meditation wall.*

*There were no comment cards from the public.*

*Commissioner Royer commented that the new design is very well thought out and respectful to the historical buildings and that she likes the contrast of the new design rather than the finishes in the old design with respect to the historical.*

*Commissioner Hirst commented that the new design is an improved iteration and a great fit for the space. The new project compliments the SJ skyline. He asked Mr. Sim to explain the change from concrete to acrylic plaster.*

*Mr. Sim explained that part of the reason was budgetary. He also opined that using GFRC would result in many joint lines. Instead, they are trying to create a simple authentic expression.*

*Commissioner Hirst commented that this is a beautiful project. He inquired about the height of the decorative fence.*

*Mr. Sim explained that city staff requested 6 feet. The church is concerned with security, but they want the space to be inviting. Trying to balance budget with the desire for transparent, decorative fencing.*

*Commissioner Polcyn commented that he likes the project a lot, especially the elevations to the public realm. The DRC had discussed scale of the building, landscaping, and relationship to historic buildings. This design is better than the original design. He inquired whether upkeep of the sidewalks and curbs are a task of the church or City.*

*Mr. Sim explained that he is leaving it up to staff to determine the ordinances which apply – replacing trees, etc.*

*Commissioner Polcyn inquired about the material of the meditation wall.*

*Mr. Sim explained that the meditation wall will be constructed of acrylic plaster.*

*Commissioner Polcyn inquired about the statue.*

*Mr. Sim explained that the marble for the statue comes from a historic quarry outside of Rome.*

*Commissioner Arnold commented that this is a fascinating project. She inquired about markers with regard to the historical context of St. Patrick's Church.*

*Rev. Huynh, pastor of Our Lady of La Vang Parish, explained that integrated into the project is a chapel which will be named St. Patrick's Chapel. In addition, the marble statue is a statue of St. Patrick. He spoke of the importance of remembering those people who came before and their stories.*

*Commissioner Arnold asked what the historical markers might look like.*

*Rev. Huynh, pastor of Our Lady of Vang Parish, explained that there will be a plaque outside St. Patrick's Chapel on the right front of the building.*

*Commissioner Boehm thanked Mr. Sim for the informative presentation and opined that this is basically a good project. He inquired about the mitigation measures in the report, especially the protection of older buildings (school) during construction.*

*Mr. Sim explained that the Diocese of San Jose selected the contractor and the older buildings on the site will be protected during construction.*

*Rev. Huynh, pastor of Our Lady of Vang Parish, explained that the parish invested a lot of money into the historical school 2 years ago and will protect the school.*

*Commissioner Boehm stated that there are specific suggestions in the report to protect the school. He asked if the grass area will be replaced with a multi-purpose room.*

*Mr. Sim explained that currently there is grass for church and public use. There are plans to replace the grass area with a multi-purpose room in the future.*

*Commissioner Boehm inquired about one of the school structures behind the grass area and asked if it is a storage facility.*

*Mr. Sim explained that that area was cleaned up recently as part of a capital improvement project. It does contain mechanical and utility elements and screens the back area.*

*Commissioner Boehm stated his preference for making the school visible and opined that the multi-purpose room will create an obstacle/obstruction. He stated that, with all due respect, he hopes the multi-purpose room does not get built. Commissioner Boehm stated that he loves the garden aspect of the project. The East Santa Clara Street elevation is the most concerning to him. He inquired about the facade of the church regarding materials (smooth or rough texture, color) and windows.*

*Mr. Sim described the facade materials as acrylic sand plaster and regular sand plaster which expand. The texture will be smooth and grey in color for a timeless appearance.*

*Chair Saum commented that he remembers this project going back 5 years. Each of the concerns are now gone. The project is a better project because of the reiterations. The site is rich in history and the project needs to reflect that.*

*Commissioner Boehm commented that he really appreciates the idea of a historical marker because this is such a historical site.*

*Commissioner Raynsford is now present.*

- b. [CA19-001](#). Conservation Area Designation request to recommend designation of North Willow Glen as a Conservation Area, bounded on the north by the right-of-way of the Southern Pacific Rail Line, on the East by Delmas Avenue, on the south by Willow Street, and on the west by Bird Avenue. (Various Owners/City of San Jose, Applicant).

**PROJECT MANAGER, JULIET ARROYO**

**Recommendation:** Staff recommends that the Historic Landmarks Commission recommend approval of the North Willow Glen Conservation Area to the City Council.

**Attachments:**

1. Map of proposed North Willow Glen Conservation Area
2. City Council Nomination Memo, January 28, 2010
3. City Council Approved Nomination Resolution, January 28, 2020

*Chair Saum stated that January 28, 2020 should be the correct date for Attachment #2.*

*Rina Shah, Project Manager, provided the staff report, highlighting the architecture and history of North Willow Glen. She explained that over 80% of the buildings in the proposed conservation area are contributors with a high level of integrity and about 20% of the buildings would qualify for the HRI and possibly city, state, and/or national landmark status. Ms. Shah explained that North Willow Glen is a geographically defined area unified by boundaries with unique architectural styles which are characteristic of the area's heritage. She stated that staff recommends approval of the North Willow Glen Conservation Area to the City Council based on findings required per Section 13.48.620 and Section 13.48.630.B.4 of the Municipal Code.*

*Franklin Maggi, on behalf of Archives & Architecture, explained that the Greater Gardner area (consisting of about 1,000 properties) includes North Willow Glen (about 377 properties) and was City of San Jose SNI #6. Mr. Maggi spoke about the periods of significance in North Willow Glen's history. He recommended North Willow Glen as a conservation area. He stated that about 75% of the area's 377 properties are contributors.*

*Juliet Arroyo, Historic Preservation Officer, presented photos of a house (not within the proposed North Willow Glen boundary) with extensive exterior changes. She explained that the project was approved with a building permit and without any input from the planning department. The only mechanism currently to prevent this is to put properties on the HRI.*

*Several residents of the North Willow Glen area spoke of the hard work, group effort, persistence, and length of time (19 years) it has taken to get their neighborhood to this point in the city conservation area approval process. Several lamented the loss of city planning department staff due to the 2008 recession. The residents explained that their neighborhood was the original Willow Glen and lauded the importance of North Willow Glen to the history of San Jose. The neighbors expressed their appreciation of the HLC commissioners and the volunteer service they provide. They asked the staff to work on a mechanism for conserving the area north of the Southern Pacific railroad tracks.*

*Chris Wagner, City of San Jose resident, explained that he is a homeowner in the area and inquired about permits for exterior work in a conservation area.*

*Rina Shah, Project Manager, explained that a designated single-family home would need to follow the “Your Old House: Guide for Preserving San Jose Homes.” These guidelines only apply to the exterior of the house and do not allow character-defining features to be changed.*

*Chair Saum explained that resources are available, and Ms. Shah provided her contact information to Mr. Wagner.*

*The Commissioners thanked Mr. Maggi and the residents for contextualizing the background of the neighborhood and commented that they would like to see this area protected.*

*Franklin Maggi, on behalf of Archives & Architecture, explained that there is a full DPR record and primary record for every contributing property in North Willow Glen. For non-contributing properties there is only a primary record.*

*Commissioner Raynsford inquired about the impact of the California High-Speed Rail project on this area.*

*Harry \*\*\* explained that the rail project would possibly eliminate or reduce Fuller Park. Houses on Jerome Street and approximately 30 houses north of the tracks could be destroyed. Houses on Fuller Avenue near Bird Avenue might be affected.*

*There was a comment that the San Jose City Council opted for further impact to this neighborhood rather than divided impact among other neighborhoods and that these city council members will not be in office when the rail project is implemented.*

*Juliet Arroyo, Historic Preservation Officer, acknowledged that there are many significant homes in the area east of North Willow Glen. Adding these homes to the HRI would be an easier and better solution than designating a conservation area. This topic will continue to be discussed at the CLG meeting in April. Ms. Arroyo noted that properties have been added to the HRI without notifying owners; in the future owners will be notified.*

*Commissioner Raynsford opined that it is urgent to think about a conservation area north of the railroad tracks in light of the comments regarding the California High-Speed Rail project. Conservation might not stop demolition but would cause more careful consideration.*

*Commissioner Boehm suggested a door-to-door campaign to encourage homeowners on the east side of North Willow Glen to add their homes to the HRI.*

*There was discussion regarding an area in Greater Gardner known as “Horseshoe” which was plagued with gangs in the past and has significantly changed for the better in the last ten years. The area is now known as the “Circle of Dreams.”*

*The commission voted unanimously (7-0) in favor of a motion that the Historic Landmarks Commission recommend approval of the North Willow Glen Conservation Area to the City Council for the following 2 reasons provided by Archives & Architecture:*

*The North Willow Glen area has:*

- a) a sense of cohesiveness through its design, architecture, setting, materials, and natural features; and its history, and*
- b) the area reflects significant geographical and development patterns associated with different eras of growth in the City.*

- c. **Former Bank of California Building (Nomination Consideration).** Consider nomination of former Bank of California building (built 1971) located in Park Center Plaza at the north east corner of Park Avenue and South Almaden Boulevard. The building is listed on the Historic Resources Inventory as a Candidate City Landmark.

**Action:** Discuss the nomination consideration.

**Attachments:**

1. Letter Request for Consideration, from PAC\*SJ

*Juliet Arroyo, Historic Preservation Officer, explained that this is a request before the Historic Landmarks Commission from PAC\*SJ.*

*John Mitchell, representing PAC\*SJ, commented that PAC\*SJ would like the former Bank of California Building to be designated as a city landmark. He opined that it is a unique building and San Jose needs unique because San Jose has very few unique structures remaining.*

*John Frolli, representing PAC\*SJ, commented that he's a member of the local AIA; he has submitted a letter regarding this building to the AIA to bring it to their attention and generate interest. Mr. Frolli encouraged the Historic Landmarks Commission to propose City Landmark status of this building to the City Council. He opined that the EIR notes that the building is significant under several criteria: architect, architectural style, association with a specific time in San Jose's history. PAC\*SJ is seeking a National Register listing. PAC\*SJ has been working with Jay Paul Company, developer, and is encouraged by their interest and ideas. PAC\*SJ would like to see the design of the project accommodate the building where it is. Landmarking will help the process along.*

*Janette D'Elia, representing Jay Paul Company, stated that the developer has a good working relationship with PAC\*SJ and has met with PAC\*SJ concerning alternatives. Ms. D'Elia stated that an EIR with very detailed historical analyses and recommended mitigation will be published on March 11, 2020. The project is scheduled to come before the HLC at the April 1, 2020 meeting.*

*Juliet Arroyo, Historic Preservation Officer, explained that this project will be agendaized as an early referral for the April 1, 2020 HLC meeting. HLC to study the project during the 45-day CEQA period.*

*Cassandra Van Der Zweep, project manager, commented that this is a discussion to talk about the landmark nomination of the former Bank of California Building. During the April 1, 2020 HLC meeting there will be a very robust conversation on the project's entirety.*

*The commissioners had the following comments on landmarking the former Bank of California Building:*

- *Commissioner Hirst thinks the building is significant and landmark status should be explored.*
- *Commissioner Polcyn commented that the building style does not reflect Pelli's general work; Pelli was more of a high-rise architect. Because of that, the building is more interesting and notable. He believes the commission needs details and background confirmation regarding landmark status.*
- *Commissioner Arnold noted that the significance of the building was discussed at previous meetings. She commented that she would like the commission to focus on the consideration of landmark status and not other things that could make the decision murky.*

*Chair Saum inquired if the HLC is making a motion that the city council consider landmark status. Or is the HLC directing staff to do essential research? Regarding the property owner and landmark status, what would be the result of an HLC recommendation?*

*Juliet Arroyo, Historic Preservation Officer, clarified that no action will be taken tonight; this is a discussion. The applicant is PAC\*SJ and PAC\*SJ would need to fill out an application for landmark consideration. Landmark nominations require full public hearings and notices before going to city council.*

*The commissioners had the following comments on landmarking the former Bank of California Building:*

- *Commissioner Royer commented that whether one likes Brutalist architecture or not, the building is a very clear example of design by a master architect. Ms. Royer is open to PAC\*SJ applying for landmark status.*
- *Commissioner Raynsford commented that a historian had been hired regarding the building. He opined that the building should not be considered less than just because the building is not typical of Pelli's style. Mr. Raynsford is not sure this building doesn't fit into Pelli's work. The shape of the former Bank of California building is similar to other Pelli works. The fact that it's a concrete brutalist building makes it more interesting, not less.*



- *Commissioner Boehm inquired if the building must be 50 years old to be landmarked.*

*Juliet Arroyo, Historic Preservation Officer, explained that there is no local age limit.*

*Commissioner Boehm commented that he had mixed feelings about landmarking the building. He mentioned that people haven't heard of Pelli. The style is one that some people like and some don't. He stated he is open to exploring landmark status and would like to move forward in exploration.*

*Juliet Arroyo, Historic Preservation Officer, explained that the city would require a formal application for landmark designation from PAC\*SJ and request for consideration.*

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

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**No Items**

#### **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.

*There were no comment cards from the public.*

*Chair Saum commented that the HLC received a memo from the City of San Jose (Jennifer \*\*\*) concerning a push from Sacramento regarding the approval process for residential projects. The City is looking at how to address this, as it could circumvent the process that North Willow Glen just went through. Jennifer will provide more information or a presentation.*

*Juliet Arroyo, Historic Preservation Officer, explained that there are new state laws that are aimed at streamlining processes for residential projects which skip over local regulations. Some new laws would not allow the HLC to review projects and there is concern about what this does to historic preservation. Ms. Arroyo opined that the best strategy is to get all of these properties on the HRI. Ms. Arroyo suggested that perhaps a more holistic presentation could be offered with someone from the planning department and the HLC attending a study session regarding potential impacts on local review regarding the new state laws. This could also be included in the CLG annual work program.*

## 6. GOOD AND WELFARE

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

#### i. Past Agenda Items: City View Plaza project

##### *City View Plaza Project*

*Juliet Arroyo, Historic Preservation Officer, stated that the project is scheduled for the April 1, 2020 HLC meeting. CEQA staff sending out a mass email; public comment.*

#### ii. Future Potential Agenda Items: Draft Citywide Design Guidelines, Smith House.

*The Smith house will be before the HLC at the April 1, 2020 meeting.*

*Commissioner Arnold confirmed that Ms. Arroyo had received her conflict of interest form. \*\*\*regarding what?*

#### iii. [Summary of communications received by the Historic Landmarks Commission.](#)

### b. Proposed Barack Obama Boulevard in San Jose

#### *Proposed Barack Obama Boulevard*

*Bill Nelson, representing the committee for the proposed street, described a committee of 11 diverse individuals – all volunteers – who have been working on this project to honor the 44th U.S. president. The committee has received support from Jim Beall, a majority of the council, and the mayor. The committee has ranked streets that they feel appropriate. A downtown street is likely, and the committee is reaching out to stakeholders and seeking their support. The committee looks forward to positive recommendations from the HLC and the city council.*

*Ron Hanson, citizen of unincorporated San Jose, spoke of the overwhelming support Barack Obama received in Santa Clara County in his presidential campaigns. The street would celebrate a noteworthy event in history – the election of the first black president of the United States. He encourages the HLC to support this proposal.*

### c. Report from Committees

#### i. Design Review Subcommittee: Last Meeting Wednesday, February 19, 2020. Next meeting Wednesday, March 18, 2020.

*DRC met on Feb. 19, 2020 to review 3 projects.*

*1) 647 S. 6th Street is in a landmark district, so its adjacency can be considered.*

*2) 840 The Alameda. The discussion was contentious. 848 The Alameda was originally Schurra's; it's next door historic. The owner/builder brought in a historian to show that 840 The Alameda is not historic. The owner remarked that he could be proposing a 7-story building. There were not any elevations/drawings*

*of the block or the next-door landmark. The DRC's main concern is that the architects ignored the adjacencies. The Alameda right of way is historical; that should be important for the design. Juliet Arroyo, Historic Preservation Officer explained that staff could bring the project back to DRC or HLC. She opined that there should be a balance of the needs of the property owner and historic preservation. Ms. Arroyo explained that the owner has a design that is already approved, but they are re-thinking and going back to their original design. It's a permit adjustment. We do have a city council policy of early referral. The project owner is not doing anything to the landmark, but it's possible to take them to HLC. Commissioners commented that the context is the problem. It's a very controversial and highly visible site on The Alameda. The owner's attitude was one of doing what he wanted, so an HLC review would be good practice. It's the job of the HLC to comment. It should come before HLC; if it comes before DRC again it would just be going in a circle. It's not just about this property; it's about the street and the landmark next door. There should be something in the record about how properties there should be treated. Commissioner Raynsford commented that if the design is anything other than the approved design, HLC would like to review it. Commissioner Polcyn believes that some historic information was possibly misrepresented and/or wrong. The process and credibility vis-a-vis the San Jose Planning Department is disconcerting and odd. Commissioner Boehm asked why the project did not come to HLC first since it's next door to a landmark. Juliet Arroyo, Historic Preservation Officer, explained that it would have come before HLC if it were a landmarked building, but not if it's next to a landmark. Chair Saum and Vice-chair Boehm would support having this project come before HLC.*

*Commissioner Hirst expressed his desire to be more informed about what happens at DRC meetings. He would like to see visuals. He commented that it's a challenge to be informed if the City doesn't publish DRC minutes. Ms. Arroyo stated that she thinks the minutes are published going back 5 years. She will check.*

- 3) Smith House. The landmarked building and outbuildings were on the same site, so the Smith House was put on its own parcel. There was a 6-foot high concrete wall erected 5 feet from the landmark building. It seemed like the owners were asking for forgiveness rather than permission. Commissioner Raynsford commented that possibly the owner was projecting that someone else would prefer to buy it if cordoned off. The wall has already been built; it's not worth asking to demolish. Mitigation efforts will be the planting of bushes to soften and hide the wall. Juliet Arroyo, Historic Preservation Officer, stated that the Smith House will come before the full commission on April 1, 2020 regarding the smaller legal description, wall, and Mills Act.*

d. **Approval of Action Minutes**

- i. **Recommendation:** Approval of Revised Action Minutes for the Historic Landmarks Commission Meeting of [January 15, 2020](#) and [February 5, 2020](#).

*Commissioner Arnold asked why her copy of the Jan. 15, 2020 minutes were highlighted on page 9, line 5. Staff will check on that.*

*Commissioner Boehm expressed his thanks for making the changes in the minutes that he requested and stated that minutes become vital to stay informed.*

*The commission voted unanimously in favor of a motion to adopt the amended January 15, 2020 minutes with the exception of the highlighted portion. (7-0)*

*Commissioner Saum commented that the February 5, 2020 minutes were nicely detailed. There was nuance to some discussion and that was captured.*

*The commission voted unanimously in favor of a motion to adopt the February 5, 2020 minutes. (7-0)*

*Commissioner Polcyn commented about a draft EIR report for St. James Park.*

*Juliet Arroyo, Historic Preservation Officer, stated that 2 city projects would come before the HLC at the April 1, 2020 meeting: the St. James Park draft EIR report and McCabe Hall.*

e. **Status of Circulating Environmental Documents**

No Items

## **ADJOURNMENT**

*The meeting was adjourned at 9:12 p.m.*