

HISTORIC LANDMARKS COMMISSION

June 3, 2020

Action Minutes

WELCOME

Meeting called to order at 6:31 p.m.

ROLL CALL

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

Absent: Commissioner Arnold

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 request to speak in the manner specified on p. 2 of this agenda.

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 wishes to speak on one of these items, please use the 'raise hand' feature in Zoom or contact 408-535-3505 to request to speak.

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

- a. **HL20-001, Historic Landmark Nomination Consideration of the 170 Park Center Plaza Building (former Bank of California).** The Building is on a 0.6-gross acre site, deemed to be a site with special historical, architectural, cultural, aesthetic, or engineering interest or value. Property Owner: CityView LLC. CEQA: Exempt pursuant to CEQA Guidelines Section 15331 for Historic Resources Designation. Council District: 3. Applicant: Historic Landmarks Commission.
Project Manager, Juliet Arroyo, HPO

Recommendation: Staff recommends that the Historic Landmarks Commission consider the nomination, make the required findings of eligibility, and provide a recommendation to the City Council regarding the proposed designation as a City Landmark.

*Juliet Arroyo, Historic Preservation Officer, provided the staff report and presentation. Ms. Arroyo explained that PAC*SJ had submitted two letters requesting that the Historic Landmarks Commission consider nominating the 170 Park Center Plaza Building as a City Landmark. Ms. Arroyo presented the application she prepared at the direction of the Historic Landmarks Commission given at the May 6, 2020 meeting. Ms. Arroyo provided information about the survey and evaluation of the building, including its history, design, and a context statement. She explained that the application states that the building qualifies for City Landmark status under Criteria 4,6,7, and 8. The application is scheduled for the June 16, 2020 City Council meeting. Ms. Arroyo explained that PAC*SJ is the requesting party and they can speak tonight.*

*Ben Leech, Executive Director of PAC*SJ, discussed an education advocacy program to rehabilitate the reputation of brutalism. This is a timely issue that is getting a fair amount of local and national press. He stated that PAC*SJ's petition to save the former Bank of California building received more than 150 responses and that many respondents agreed that saving and adaptively reusing this building is a worthy endeavor. Mr. Leech stated that if San Jose loses this building San Jose loses an opportunity to enhance this development project.*

*Andre Luthard, on behalf of PAC*SJ, commented that cycles of architectural design respond to what was wrong with earlier architecture. Mr. Luthard stated that office and commercial buildings from the '70s and '80s are now being recognized nationally. He spoke about buildings in San Jose that were lost because they were considered unimportant and only later were recognized as valuable. Mr. Luthard urged the Historic Landmarks Commission to assess this building and consider it for City Landmark status.*

Rebecca Welk, member of the public, stated that if everyone agrees that the building is ugly, then it's ugly. She stated that Jay Paul has a great plan for the site and that historically San Jose has impeded progress. Ms. Welk commented that the former Bank of California building was designed by an underling and has no windows for light and fresh air. She stated that saving this building and not allowing a new building in its place would put people out of work.

*Mike Sodergren, on behalf of PAC*SJ and as a citizen, stated that he is in favor of unions and trades being able to work in San Jose, especially in the aftermath of a pandemic. Mr. Sodergren noted that the plans do not call for the Heritage Bank building, which is next to the former Bank of California building, to be torn down right away. He opined that the former Bank of California building could be quite spectacular as a gathering place – visitor’s center, museum, restaurant. He stated that the new development and the former Bank of California building could coexist and complement each other, making the project better for the citizens of San Jose.*

The Commissioners commented as follows:

- Commissioner Hirst stated that he appreciates the notion of progress and preservation coexisting. He acknowledged the significance of the site.*
- Commissioner Royer agreed that there is enough evidence that this site is significant. She stated that we need to look at the criteria because we’ve learned from the past that we can’t judge a building by whether it’s pretty or ugly.*
- Commissioner Polcyn asked for clarification of Jay Paul’s schedule. He stated that buildings are selected for landmark status based on criteria, not appearance, and this building should be considered objectively in that manner. Based on the criteria, the building could stand on its own in the context of brutalism and modernism even without the association of Pelli and without being one of the first developments of the San Jose Redevelopment Agency. Commissioner Polcyn supports the nomination based on the criteria (with the possible exception of criterion #4) and also the summary context that was provided.*
- Commissioner Raynsford stated that he agrees with Commissioner Polcyn regarding the criteria. He believes the building is a very prominent and an important building that stands on its own even without the Pelli association. He opined that designating this building as a landmark is an opportunity and won’t impede progress.*

Cassandra van der Zweep, City of San Jose project planner, explained that Jay Paul is proposing phasing the development.

The Commissioners commented as follows:

- Commissioner Polcyn opined that San Jose has a history of demolishing whole blocks, and then the economy changes and the blocks remain empty for years. With current events it appears that the office market may change significantly.*
- Commissioner Boehm spoke of the important history of San Jose related to the area around this site and that we should be honoring that history. He agrees strongly that the criteria qualify the former Bank of California building as a historic landmark (with the same caveat mentioned previously that criterion #4 doesn’t weigh as heavy). He is in support of the landmark designation and repurposing the building.*

The Commission voted unanimously (6-0) in favor of a motion to close the public hearing on Item 3.a.

The Commission voted unanimously (6-0) in favor of recommending to the City Council that the former Bank of California building be designated as a City Landmark having found it meets the criteria for City Landmark status.

- b. **HP19-008 and PP16-037. Review of Saint James Park Capital Vision and Performing Arts Pavilion Project.** The project includes both physical and programmatic changes to St. James Park, an approximately 7.5-acre urban park in downtown San José. Physical changes to the park include construction or installation of a performing arts pavilion; streetscape improvements; a central plaza; small commercial buildings (e.g., cafés, vendors, or a beer garden); public restrooms (temporary portable and/or permanent); gateway monuments that include signage and lighting features; improvements to the public transit stops; an outdoor fitness cluster; an interactive water feature; temporary loading zones for park events; designated vendor spaces; and landscape amenities. Programmatic changes include new music and performing arts events at the performing arts pavilion; and new commercial uses at the park (such as a café or vendors), street performers, festivals, and a farmers' market. The project also proposes permanently vacating the segment of North 2nd Street that bisects the park (from East St. James Street to East St. John Street), which would prohibit vehicle and bus through-traffic. Property Owner: City of San Jose. Council District: 3. Applicant: City of San Jose.

Project Manager, Thai-Chau Le, CEQA Manager

Recommendation: Review the proposed plans for The Saint James Park Capital Vision and Performing Arts Pavilion project and provide feedback under the Draft Environmental Impact Report for the project and the Historic Preservation Permit.

Thai-Chau Le, Project Manager and CEQA Manager, provided the staff report and presentation. Ms. Le stated that Saint James Park is a key feature within the City Landmarked District. The project will impact historical resources as described in the Draft EIR being presented. Staff will continue to receive comments on the Draft EIR until July 6, 2020. This project will come back before the Historic Landmarks Commission before going to City Council for the Historic Preservation Permit (HP19-008).

Juliet Arroyo, Historic Preservation Officer, explained the Historic Preservation Permit process.

Katy Martin, Project Manager, Design Team, provided a report and presentation explaining the strategy of - Celebrate, Activate, Integrate - and highlighting the preservation of character-defining features of the park.

Nicolle Burnham, Deputy Director, Capital Programs, stated that Saint James Park is not just an important park, but the crown jewel of San Jose's parks. While acknowledging that the design of the park is different, she emphasized honoring the history of the area. She is looking forward to comments on the Draft EIR and hoping to be back in the fall of 2020 for a Historic Preservation Permit.

Katy Martin, Project Manager, Design Team, stated that the programmatic changes in the park are the reasons for the impact on historic resources. She opined that activating the park will increase everyday use and make the park a vibrant, dynamic downtown space and thriving destination.

*Andre Luthard, on behalf of PAC*SJ, expressed support of revitalization and activation, noting that getting people to use the park is the best way to preserve it. He stated that this is an opportunity to restore some of the park's historical elements and that a new plan, properly executed, will bring back history. PAC*SJ is taking a close look and will bring their findings to the Historic Landmarks Commission.*

Thai-Chau Le, Project Manager and CEQA Manager, stated that staff will review comments on the Draft EIR and prepare responses.

Nicolle Burnham, Deputy Director, Capital Programs, stated that the project will be before the Parks, Recreation, and Neighborhood Services Commission in September for authorization and review, before Planning Commission in late September, back to the Historic Landmarks Commission for the Historic Preservation Permit in early October, and before the City Council in mid to late October.

Commissioner Polcyn disclosed that he is on the board of Levitt, so he won't be commenting on anything with regard to the portion of the project related to the Levitt Pavilion. He opined that the design is heading in the right direction regarding the historic elements of the park. The colors were addressed, the monuments seem to have been addressed.

Commissioner Royer stated that previous comments were addressed, but she would like to see more information about documentation and addressing historic elements within the park.

Commissioner Hirst commented that the plan is beautiful, and it has been fun to watch the changes. He is interested to see how the project evolves, especially regarding materials for the pavilion and side structure in the context of historic preservation. He questioned parking and parking enforcement.

Chair Saum brought up the impact on the surrounding area with many people coming and going to the park and asked if Department of Transportation (DOT) is involved.

Thai-Chau Le, Project Manager and CEQA Manager, stated that DOT will be involved, including concerns about noise and number of events.

Katy Martin, Project Manager, Design Team, stated that the EIR takes into consideration the traffic. The VTA train stop at the park will help in reducing vehicle trips and parking demands.

Commissioner Raynsford commented that in efforts to revive and activate this public park, it seems overprogrammed and almost frenetic. He opined that more unity in the center of the park could make it more of a central civic space and less a mosaic of different uses in one place. The park once had a center that was cut through by a street. He suggested that in some way – visually or ceremonially – that center could be restored.

Katy Martin, Project Manager, Design Team, addressed the over programming comment by suggesting that the current design includes places to get off the path and sit. She stated that the Great Lawn is passive when not in use. Second Street will be closed to vehicular traffic, but the VTA train line will stay. Maybe in the future the VTA line will be removed and the center can be restored more to its original.

Commissioner Boehm complimented the aesthetic appeal of the design and commented that he was glad to see the addition of trees since the early purpose of the park was to get away from the city. He commented that the monument placement is fine. He joins Commissioner Raynsford in noting the frenetic pacing and number of concerts, commenting that volume and amplification of sound could distract from the historical context. He asked if outside chairs will be brought in.

Katy Martin, Project Manager, Design Team, answered: Outside chairs will not necessarily be brought in. Picnic blankets will be more the norm. Levitt will be hosting 50 free family-friendly events per year, and some will be small. She confirmed that the grass will be natural, not artificial. Ms. Martin stated that the design team is still working on materials for the memorial walk, and considering stamped concrete with designs pertaining to San Jose history. She explained that there are eight (8) entrances in the park design – the traditional entrances in each of the four (4) corners and an entrance midpoint on each block. The trees will be placed so that there will be openings in the canopy for viewing the buildings surrounding the park.

Commissioner Boehm commented that the park has been vibrant in the past and this project would restore that vibrancy, thereby creating a historic balancing act. There are changes to the core, but the fact that it is active and many people will be using it makes it something he will support.

Chair Saum commented that the colors and materials are modern vernacular. He believes there should be careful analysis of how the park will be used. He opined that the finding of considerable impact is inevitable when mitigating previous modifications of historic elements. The net result should be positive for the historic nature and reactivation of the park. The alternative is not doing anything, which doesn't serve the historic nature of the park.

Commissioner Polcyn, in agreement with Commissioner Boehm's comment about materials and walkway brought up in the Draft EIR, thinks the brightly colored dog park materials and ground cover hardscape are inappropriate and add to the frenetic nature. He commented that working to activate all corners of the park might be overzealous. Materials and colors should integrate more appropriately with the historic recollection of the park in the early 20th century. The materials are significant and should be addressed in a letter.

Thai-Chau Le, Project Manager and CEQA Manager, stated that the comments and the feedback of the Commissioners tonight is sufficient, but more formal written comments from the Historic Landmarks Commission is appreciated.

Juliet Arroyo, Historic Preservation Officer, stated that there will be no July meeting of the Historic Landmarks Commission. Chair Saum will collect comments from the Commissioners, write a formal letter, and forward the letter to Ms. Arroyo who will then forward it to Ms. Le. Ms. Arroyo stated that she will also be using tonight's comments when drafting the Historic Preservation Permit.

Commissioner Raynsford commented that there should be follow-up about materials. He agreed with the use of historical pavement for the monument walk. He noted that the design seemed to have a contemporary center and historic periphery and opined that materials and colors in the middle should be respectful of the history of the park.

The Commission voted unanimously (6-0) in favor of a motion for Commissioners to provide comments to Chair Saum in the next week, for Chair Saum to prepare a letter based on the comments from Commissioners, for Commissioners to review the letter, and for the letter to be provided to city staff before July 6, 2020.

- c. **ADD QUALIFYING PROPERTIES TO THE HISTORIC RESOURCES INVENTORY (HRI20-002, ALAMEDA PARK, SCHIELE AVENUE)**. The Historic Preservation Officer (HPO) requests that the Historic Landmarks Commission (HLC) consider adding properties to the Historic Resources Inventory (HRI) within the Alameda Park and Schiele Avenue subdivisions as a potential Conservation Area/City Landmark District, having a high concentration of properties with integrity and a cohesive pattern of development from the pre WWII period in San Jose history. The requested action is not to designate, but to identify. Property Owner: Various. Council District: 6. Applicant: Not applicable.

Project Manager, Juliet Arroyo, HPO

Recommendation: Review the Historic Preservation Officer's recommendation to add to the Historic Resources Inventory, the classifications and qualifying attributes of the additions, and recommend approval of the proposed additions.

Chair Saum disclosed his affiliation with the Shasta Hanchett Park Neighborhood Association and stated that he has done no advocacy work on the part of the requesting party.

Juliet Arroyo, Historic Preservation Officer, provided information and a presentation. Ms. Arroyo stated that she has been working with Kay Gutknecht and the neighborhood group. The group has been considering a neighborhood historic district or conservation area for approximately 20 years and submitted a substantial amount of documentation. Staff review the materials submitted and conducted a field survey and found that 80-85% of the properties would qualify as contributors to a potential Conservation Area or City Landmark District in these two (2) early subdivisions - Schiele Avenue (with Victorian, Neoclassic, Shingle styles) and Alameda Park (with Craftsman, Prairie, Revival styles).

Kay Gutknecht, resident of the area, stated that she has lived in the neighborhood for 30 years and has been trying to secure, along with other neighbors, a district nomination since 2004. She noted that in the last four (4) years two (2) houses have been razed and two (2) others are now non-contributors because of remodels. She'd like the neighborhood houses to be listed on the Historic Resources Inventory (HRI) to help save the remaining contributing structures, especially in light of the Google Project coming to the area.

Susan Watanabe, resident on Schiele Avenue, has lived in the neighborhood for 37 years and supports the houses being added to the City's HRI to save the neighborhood from becoming a mix of modern houses.

*Ben Leech, on behalf of PAC*SJ, commended the grassroots decades-long work of Kay Gutknecht and other neighbors. PAC*SJ looks forward to working with the neighborhood to take the next steps. Mr. Leech noted that a preservation fund has just been launched.*

Lori and Rob, residents on Schiele Avenue, thanked the Historic Landmarks Commission, Ms. Gutknecht, and Ms. Arroyo. They expressed absolute support of the neighborhood being listed in the HRI. They'd like to preserve the architecture, front porches, and walkability of the neighborhood, which all help to forge great relationships.

Jeff Hare, commercial building owner at Pershing and Stockton Avenues, noted the proximity of the neighborhood properties to the Google Project and Diridon Station Area and asked about the impact of commercial properties zoned for uses other than residential.

Judy Everett, granddaughter of Tony Maderis who was the developer of Alameda Park, expressed her thanks to Kay Gutknecht and expressed her support of continuing preservation efforts for the neighborhood.

Ray Williams, commercial building owner on Stockton Avenue, requested that the two (2) commercial properties on Stockton Avenue (501 and 549) be considered and excluded from the HRI.

Michael Repry, resident on Schiele Avenue, commented that development is marching down Stockton Avenue, and that historic preservation can improve projects.

Mike Sodergren, on behalf of PAC SJ, commended Kay Gutknecht for her efforts. Regarding development on Stockton Avenue, he suggested defining the relationship between Stockton Avenue and this historic neighborhood.*

Chair Saum noted that Stockton Avenue is zoned commercial and requested clarification regarding those properties vis-a-vis the HRI.

Juliet Arroyo, Historic Preservation Officer, explained that the properties on the west side of Stockton Avenue are included with regard to the HRI and the potential boundary for the conservation area. Since the properties are zoned commercial, those permits are already subject to discretionary review. So putting them on the HRI makes no difference between the type of review to be conducted for development applications. Permits for single-family homes are ministerial.

Ray Williams, commercial building owner on Stockton Avenue, stated that if his property is included in the HRI or conservation area, it does make a difference. He and Jeff Hare don't want their offices to be contributing structures.

Juliet Arroyo, Historic Preservation Office, explained that 501 and 549 Stockton Avenue could be excluded from tonight's action. Inclusion in the HRI does not change zoning. It doesn't matter if a commercial property is on or off the HRI, but she'd like all single-family homes to be on the HRI. She further explained that owner consent is not needed for inclusion on the HRI.

Commissioner Royer expressed her support for adding these properties to the HRI. In the case of 501 and 549 Stockton Avenue, either on the HRI or not is fine.

Commissioner Raynsford stated that he doesn't want to slow down this process but suggested looking at 501 and 540 Stockton Avenue properties in relation to the neighborhood (not just their zoning) before deciding whether to include them on HRI.

Commissioner Polcyn commented that he doesn't want to make exceptions for inclusion on the HRI for properties with different zoning. At this point the question is just whether to include the properties on the HRI, not to accommodate individual property owners. The legitimate concern is when properties change owners. He stated that the commercially zoned properties need to be addressed, clarified, and resolved, but he'd like to move forward with the remainder of the properties.

Juliet Arroyo, Historic Preservation Officer, stated a preference for not carving out individual properties on a case-by-case basis, as the discussion is about a potential conservation area boundary. But the decision is with the Historic Landmarks Commission. Ms. Arroyo explained that by creating a boundary and listing properties on the HRI, it becomes a red flag to the City to look at historic adjacency issues when reviewing permits. When a proposed development project on Stockton Avenue is

reviewed, for example, it would be reviewed for historic adjacency issues, Secretary of the Interior's Standards, and other guidelines used by the City.

Commissioner Boehm commented that the owners of 501 and 549 Stockton Avenue bought historic properties. He would support protecting those properties and putting both the single-family homes and commercial properties on the HRI. He noted the beauty, history, and integrity of the properties in the neighborhood and is enthusiastic about preserving them.

Steve Belville, homeowner on Harding Avenue, asked what the procedure is for adding on to a house that is listed on the HRI and/or is in a conservation area.

Juliet Arroyo, Historic Preservation Officer, stated that the guidance for additions and alterations can be found online in this document: "Your Old House: Guide for Preserving San Jose Homes." Inclusion in the HRI or a conservation area does not prevent additions and alterations to a property. There is a review for compatibility with the primary goal being to retain status as a contributor. She is available to explain further.

Krista Van Laan, on behalf of Archives & Architecture, commented that there is a lot of cohesive architecture in the neighborhood.

Kay Gutknecht, resident, stated that 549 Stockton Avenue, was built in 1926 by C.M. Cook, a prolific developer. Two other houses on Stockton Avenue were also built by the same builder.

Ray Williams, commercial building owner, stated that he bought his property in 1996 for its location on Stockton Avenue and does not want to be part of a historically designated area.

Chair Saum commented that including properties on the HRI does not mean those properties are automatically included in the proposed conservation area. The cohesiveness of the neighborhood and the physical nature of the buildings are important; boundaries can be studied further.

The Commission voted unanimously (6-0) in favor of a motion to close the public hearing on Item 3.c.

The Commissioners commented that the properties should be placed on the HRI. It can be decided later if they're part of the conservation area. Follow-up communication with property owners on Stockton Avenue may be helpful.

The Commission voted unanimously (6-0) in favor of approving the proposed additions to the Historic Resources Inventory as presented.

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. If anyone wishes to speak, please connect to the meeting either by Zoom or by telephone using the instructions on page 2 of this agenda.

6. GOOD AND WELFARE

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

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

Receipt of one letter regarding 170 Park Center Plaza against nomination.

ii. Future Agenda Items: Fountain Alley Building, McCabe Hall, Saint James Park HP Permit, Citywide Design Guidelines, Downtown West, Diridon Station Area Plan, North First Street Urban Village.

Future Agenda Items: August: Fountain Alley Building, possibly McCabe Hall, Citywide Design Guidelines regarding historical adjacency. August or September: Google Project, Diridon Station Area Plan, North First Street Urban Village. October: Saint James Park HP Permit, HLC Retreat.

iii. There will be no HLC meeting in July 2020.

No HLC meeting in July 2020

b. [Historic Surveys Update](#)

Historic Surveys Update - in packet. Priority list – open for discussion. 50% of North First Street Survey completed; 20% of South First Street Survey completed. Alviso survey grant received by Santa Clara County

c. [Election of Chair and Vice Chair](#)

Chair Saum explained that the annual election of Chair and Vice-Chair takes place at the June meeting. There were 2 letters of interest – one from Vice-Chair Boehm to continue as Vice-Chair and one from Chair Saum to continue as Chair. Chair Saum explained that any other Commissioners have the opportunity now to nominate themselves or anyone else for Vice-Chair. Chair Saum polled the Commission and there were no alternate nominations for Vice-Chair.

The Commission voted unanimously (6-0) in favor of Vice-Chair Boehm to continue as Vice-Chair.

Vice-Chair Boehm restated that Chair Saum had nominated himself to continue as Chair. Vice-Chair Boehm polled the Commission and there were no alternate nominations for Chair.

The Commission voted unanimously (6-0) in favor of Chair Saum to continue as Chair.

d. Report from Committees

- i. Design Review Subcommittee: No meeting held on May 20, 2020. Next meeting on June 17, 2020 may be postponed.

e. Approval of Action Minutes

- i. **Recommendation:** [Approval of Action Minutes for the Historic Landmarks Commission Meeting of May 6, 2020.](#)

The Commission voted unanimously (6-0) in favor of a motion to approve the action minutes for the Historic Landmarks Commission Meeting of May 6, 2020.

f. Status of Circulating Environmental Documents

Chair Saum recommended reading The California High-Speed Rail Authority's San Jose to Merced Project Section Draft EIR.

Commission Boehm asked Juliet if she would provide the staff training slides from the ICF historic resources training. She agreed.

ADJOURNMENT

The commission voted unanimously (6-0) in favor of a motion to adjourn the meeting.

The meeting was adjourned at 10:01 p.m.