

HISTORIC LANDMARKS COMMISSION

March 3, 2021

Action Minutes

WELCOME

Meeting called to order at 6:32 p.m.

ROLL CALL

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

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

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>

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

3. PUBLIC HEARINGS

- a. **PP21-001:** An Ordinance amending Chapter 13.48 and Section 20.100.140 of Chapter 20.100 to allow for concurrent review of Historic Preservation Permits and to make other technical, non-substantive, or formatting changes within those chapter and sections of the San José Municipal Code. **CEQA:** The recommended action is not a project. File No. PP17-001, City Organizational and Administrative Activities resulting in no changes to the physical environment. *Deferred from 2/3/21.*

PROJECT MANAGER, VICRIM CHIMA

Staff Recommendation: That the Historic Landmarks Commission recommends that the City Council take all of the following actions:

1. Amend Section 20.100.040 (B) and (C) (Concurrent Review) in Chapter 20.100 to add the Historic Preservation Permit to the list of projects that may be reviewed and acted on in a unified process and;
2. Amend Section 13.48.210 (D), 13.48.230, (A) (B,4)(D), 13.48.240 (A)(B)(C), 13.48.250 (A)(B), 13.48.260 (A)(B), 13.48.270 (A)(B)(C); 13.48.290 (A) (B) (C); and 13.24.310 to include the Planning Commission or City Council, as applicable, to act on Historic Preservation Permits engaged in the concurrent review process.

Chair Saum moved on to the public hearing section. There were three items, and he began by introducing the first public hearing (PP21-001). The Chair allowed for staff presentation. The presentation was given by Historic Preservation Officer, Vicrim Chima. His presentation focused on information specifically requested by the Commission during the first public hearing on the Code Revision. It consisted of two diagrams and a flow chart of the Gateway Tower project its regulatory pathway to approval.

Public Comment:

Mike Sodengren PAC SJ: The question he had, was that anytime there is a change, you may negate the reason why the process was put in place. Deputy Director Robert Manford spoke to the fact that he is unaware of the origin of the original process which isolates the historic preservation permit from the comprehensive planning process. He

then explained that this action was just to advance, rationalize and to make our planning process consistent with state law and other land use and planning practices.

Commissioner Comment for Staff/Speaker:

Commissioner Arnold asked for some historical context, in the last five years, has there been a need to change the process because it doesn't work well, would it prevent litigation?

Robert Manford replied that these events rarely occur, that they are specific to projects with Unavoidable/Significant impacts on the environment, so frequency didn't drive the need as much, simply to rationalize the process.

Commissioner Arnold asked, "Would having this change be preventative when it comes to litigation?"

Rene Ortega, Senior Deputy City Attorney responded by informing the Commissioner that litigation would still be possible. CAO research did not identify why HP Permits were overlooked when the Concurrent Ordinance was adopted, it may have been an oversight.

The HPO, Vicrim Chima, added that the onboarding of his position and increased staff resources has assisted in the timing of this project.

Commissioner Raynsford stated that his understanding is that the revision is removing an extra loop between city council and directors hearing, but that it doesn't affect HLC. Is there any change in planning commission role?

Deputy Director Manford explained that nothing would change for the Planning Commission or for the Historic Preservation Commission.

Commissioner Polcyn noted that from a policy perspective, it's an improvement, decoupling the permit allows for comprehensive review. When there is concurrent review, and there is a problem with one element of the development project, what happens?

Rosalynn Hughey responded by stating the process would simply allow all permits to be considered collectively.

Commissioner Royer commended the comments of her colleagues, and stated these changes do not impact the Historic Landmark Commission.

Vice Chair Boehm: At what point did HLC provide input to this Gateway Tower?

Chair Saum responded that two full presentations were done before the HLC during its approval in 2015. There was a robust discussion concerning the historic elements of the Gateway Tower. The Chair made a final statement that streamlining here does not mean that HLC is abridged at all.

Commissioner Baum asked if there were any other comments from the Commission of Staff.

The HPO responded there were none.

Commissioner Raynsford: Moved to close the public hearing.

Seconded by Commissioner Polcyn.

Unanimous vote.

The Public Hearing was closed.

The Chair asked if there were additional Commission comments?

Arnold: None

Royer: None

Polcyn: None

Raynsford: None

Boehm: None

Saum: None

*Commissioner Raynsford made a motion to approve the staff recommendations.
Commissioner Arnold seconded the motion. Motion passed (6-0).*

- b. **HP19-009:** Historic Preservation Permit application to allow the construction of a new 17,515 square foot church building, including ancillary functions, a 145 square foot bell pavilion, and a 1,250square foot utility building and mechanical yard, with off-site alternate parking arrangements on a 2.7-gross acre City landmark (St. Patrick School) site located at 389 East Santa Clara Street. The project also includes an entry plaza, courtyard and gathering area, service area and parking areas. The project would remove eight ordinance-sized trees and six non-ordinance-sized trees on site and provide new landscaping with trees, shrubs, and groundcover plantings.

PROJECT MANAGER, RINA SHAH

Staff Recommendation: Staff recommends that the Historic Landmarks Commission:

1. Consider the Initial Study/Addendum to “Our Lady La Vang Church and Multi-Purpose Building” Mitigated Negative Declaration in accordance with CEQA;
2. Find the proposed project will not be detrimental to the St. Patrick’s School City Landmark and will be consistent with the spirit and purposes of the Historic Preservation Ordinance; and
3. Recommend the Director of Planning approve the Historic Preservation Permit HP19-009.

Rina Shah, Project Manager, summarized the project background, description and staff analysis included in the staff report. Ms. Shah introduced the project architect, Eugene Sim of SIM Architects, who provided a short PowerPoint presentation and overview of the project. Laura Pham, representing the Our Lady of La Vang parish on behalf of Reverend Peter Loi Huynh, expressed the church's desire to preserve the historic landmark designation of the St. Patrick's School and highlighted that the open space aspect of the project enhances access to the school by the students. She stated that the parish is pleased to add to the beautification of the downtown environment and noted the project has been presented to the East Santa Clara Business Association and Horace Mann Neighborhood Association. Ms. Pham stated that the parish made an effort to share the project with the constituents of the area to facilitate their understanding of what is proposed and the timeline for the project.

A long-time resident ("Ace") who lives across the street and third generation parishioner of the old St. Patrick's church expressed concern about the size of the proposed buildings in relation to the neighborhood context of the site. She expressed concern that the development would disrupt their home and everyday life due to the off-site parking arrangement with San Jose State University which is proposed to accommodate 400 parking spaces. The speaker stated that she was offended by the end of St. Patrick's Church and the Our Lady of La Vang statement that the parish desires to preserve the history of the St. Patrick's parish but the alter, the St. Patrick's statue and the bell have been left out in the open with trash on the site. Ms. Pham stated that the proposed parking complies with the San Jose Municipal Code and the parish has a contract in place with San Jose State University to utilize their parking just down the street. She stated that many of the parishioners are elderly and utilize public transportation to go to church and their congregation has not notably grown since the destruction of St. Patrick's church by the fire. Mr. Sim noted that the site has always been utilized as a church and no changes are proposed to the zoning. The church community has been meeting on different rented facilities since the fire and the desire is to bring the parishioners back home to the site. Mr. Sim noted that the proposed design is respectful of the historical character of the site in terms of massing and character and the new development will be a significant improvement to what has historically been on site. He also noted the site is located in an urban design corridor on East Santa Clara and the design follows the urban design character and vision of the urban village plan.

Commissioner Polcyn inquired about the bell and why its placement was changed from a tower to a pavilion. Mr. Sim explains the change was due to budget constraints and the design tension of the bell tower to the front entry to the church, and the character of a bell tower can be expressed in different ways. He stated that the bell in the pavilion would be more transparent and visible with greater presence on the street. Commissioner Polcyn commented that the bell at street level would be more engaging for people and is a positive aspect of the project.

Commissioner Royer inquired about the materials of the project and requested confirmation that the majority of material proposed is stucco. Mr. Sim confirmed the material is acrylic exterior cement plaster. She commented that the evolution of the project has been an improvement.

Commissioner Arnold thanked the applicant and architect for their efforts. She inquired whether signage will be placed on the site about the church, the origins of the church and the bell to recognize the history of St. Patrick's Church. Mr. Sim stated that a memorial and dedication has been discussed internally, as well as a plaque, which will contrast

with the exterior material. Ms. Shah stated that the plaque can be made a condition of approval of the Historic Preservation Permit.

Vice Chairman Boehm thanked the applicant for consenting to the plaque. He inquired about the multi-purpose room and whether its construction would obstruct the view of St. Patrick's School from East Santa Clara Street. Mr. Sim stated that the multi-purpose hall was previously entitled and its scale was designed in relation to the school. He stated that it may be proposed in the future, but not at this time. Vice Chairman Boehm expressed concern regarding the view of St. Patrick's School from the heavily trafficked East Santa Clara Street. Ms. Shah noted that the multi-purpose building is not part of the current project and if proposed in the future, would need to be brought back to the Historic Landmarks Commission. Vice Chairman Boehm inquired about the fencing fronting East Santa Clara Street. Mr. Sim stated that the proposed fencing along the urban corridor would be decorative and ornamental facing, not chain link fencing. Any internal chain link fencing would be powder coated with a black finish (factory finished). Vice Chairman Boehm requested to view the design of the proposed fencing. Mr. Sim showed the proposed fencing in the rendered plans.

Chair Saum commented on the thought and evolution of the project, and stated that the refinements have improved the project. He appreciated the design solution and pedestrian scale for the bell pavilion because of its location on East Santa Clara Street and proximity to City Hall. Chair Saum appreciated the opportunities to interact with the bell at the pedestrian level. He supported comments regarding signage. Chair Saum supported the materiality which respects the historic nature of the site.

Vicrim Chima inquired about the position of the bell pavilion with regard to vehicular site distance requirements for East Santa Clara Street. Angela Wang stated that the design has been reviewed by Public Works, which did not have any issue with the placement of the bell pavilion.

Commissioner Arnold moved to close the public hearing and the motion was seconded by Commissioner Royer. The motion was approved 5-0 (Polcyn, Royer, Arnold, Vice Chairman Boehm and Chair Saum - Commissioner Raynsford recused himself).

Vice Chairman Boehm recommended that the multi-purpose building be reviewed by the Historic Landmarks Commission in the future.

Commissioner Polcyn made a motion to recommend approval of the project, with the exception of the Phase II multi-purpose building to be reviewed in the future by the Historic Landmarks Commission, and the Historic Landmarks Commission find that the project will not be detrimental to the St. Patrick's School City Landmark and will be consistent with the spirit and purposes of the Historic Preservation Ordinance. The motion was seconded by Commissioner Royer. Vice Chairman clarified that the exception regarding the multi-purpose building should be a condition and Commissioners Polcyn and Royer confirmed that intent of the motion was that it be a condition of approval.

Commissioner Polcyn made a motion to approve the staff recommendations. Commissioner Royer seconded the motion. Motion passed (5-0-1; Raynsford abstained).

- c. [HL20-006](#): City Landmark designation of the “Greenawalt House” as a landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of an historic nature. The Greenawalt House is located on a 14-gross acre site at History Park. Council District 7. **CEQA**: Exempt pursuant to CEQA Guidelines Section 15331 for Historical Resource Restoration/Rehabilitation.

PROJECT MANAGER, RINA SHAH

Staff Recommendation: Recommend that the City Council approve City Landmark designation for the Greenawalt House (File No. HL20-006).

Rina Shah presented the project with Power Point slides stating that the Greenawalt House was listed in the City’s Historic Resources Inventory as a Contributing Structure and is located in the History Park at 1650 Senter Road.

She continued stating that the History Park was a 14-acre site containing 32 original and reproduced homes, businesses and landmarks that portray the historical development of the Santa Clara Valley.

The Greenawalt House was originally built in 1877 as part of a farmstead by David Greenawalt on the west side of Almaden Expressway, just north of U.S. Highway 85. The building was moved to the History Park in 1991.

The location of the Greenawalt House in the History Park is significant as it preserves the public’s understanding of the 19th century agricultural and rural history of City of San José and exemplifies the Italianate Style of architecture in both materials and artisanship.

The house had undergone very few alterations since originally built in 1877 and then she went on to describe the character defining and architecturally significant features of the house. She continued stating a few important facts as follows:

- *The Viet Museum was a non-profit organization which had occupied the building since 2006.*
- *The Greenawalt house now showcases cultural, political, and religious artifacts of the Vietnamese refugees and is known as the Viet Museum or the Museum of the Boat People & the Republic of Vietnam.*
- *Historic Landmarks Commission had unanimously recommended designation of the Greenawalt House and site to the Council on September 6, 1989.*
- *The City Council public hearing on the proposed designation was scheduled for November 8th, 1989, at which time it was deferred and has been subsequently deferred.*
- *In 2019 the Viet Museum applied for a Historical Heritage Grant by the County of Santa Clara to restore, repair and maintain the Greenawalt House, since the last major work was done more than a decade ago.*
- *The City Council approved the submittal of the grant application on November 17, 2020, with Resolution No. 79786.*
- *The County’s Historical Heritage Grant program utilizes County Park Charter Development Funds and stipulates that grants can only be awarded to projects involving properties that have been formally designated a local landmark.*

- *By awarding this landmark designation, the City will be facilitating the improvement of a significant architectural and cultural community asset. In order to meet the County's requirements, the landmark designation must occur prior to April 30, 2021.*
- *This Historic Landmark Commission meeting was to request designation of the Greenawalt house as a landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of a historic nature. The proposed designation promotes several General Plan Goals such as promoting historic awareness and community identity throughout the City of San José.*
- *The Greenawalt house qualifies as a City Landmark based on four out of eight (1, 3, 4, 6 & 8) criteria under the Historic Preservation Ordinance Chapter 13.48.*
- *The Greenawalt House represents a 19th century farmhouse characterized by the Italianate Style popular from 1860 to 1880.*
- *The house retains historic integrity as discussed earlier in its character-defining features and represents the culture and history of a successful rancher as seen in the architecture, materials and craftsmanship associated with the Italianate farmhouse built in 1877.*
- *In the present location at History Park, the setting is with other houses from the mid-1860 to the late 1880s that form a grouping of residential styles that were part of the Santa Clara Valley's architectural heritage.*

She concluded stating that staff requests that the Historic Landmarks Commission (HLC) consider the project exempt from CEQA Guidelines Section 15331 for historical resource restoration/rehabilitation and recommend approval of the Landmark designation of the Greenawalt House to the Council.

She also indicated that the applicant, Cuong Nguyen, was present to provide a few comments.

Cuong Nguyen thanked the HLC for considering and recommending the Landmark designation of the Greenawalt House to the City Council. He said that the house will contribute to the historic significance because granting the designation will put the history of the Greenawalt House and the City of San José on the world map. The Greenawalt house was not only historic but was also a home to the Vietnamese refugees and was also called a museum of the Boat people. Greenawalt House had become a popular destination for visitors worldwide. It welcomed more than 15,000 visitors per year. As a manager of the museum he was proud to play a role in it. On behalf of the Greenawalt House and home of the Viet Museum, he offered his sincere thanks to the commission for their consideration.

Chair Saum then requested to open public comment period.

Public comments

*Mike Sodergren (PAC*SJ) strongly supported this proposal for Landmark designation and the use of historical application grants from the County. He thanked the commissioners in advance for supporting the landmark designation.*

Chair Saum then motioned all commissioners to provide their comments or questions.

Commissioner Raynsford requested clarification on whether the project was approved for designation but was then delayed by 32 years?

Vicrim Chima, HPO, confirmed that the delayed time was approximately 30 years. The Greenawalt House was meant to be designated at the Council meeting but was deferred until public right-of-way issues were figured out. An intermediate report was filed by the Director of Planning at that time which stated that the final hearing shall be deferred until environmental and public right-of-way issues were resolved.

Commissioner Raynsford asked whether those issues had been resolved?

Rina Shah stated that the designation was not completed in 1989 as the Highway 85 was destined for expansion and three homes were in the way. One of them was the Greenawalt House which was moved in 1991 to the History Park without its accessory features such as the water tower. In 2006, Viet Museum, affiliated with IRCC as a non-profit organization, occupied the house. They renovated and restored with their own money. But that was almost a decade ago. Now they were requesting County grants for continued maintenance of the house, but in order to get the County grants they needed the local landmark designation.

Raynsford said he got that and restated the facts and asked for reconfirmation of his analysis as follows: The house was moved from the site that was designated and nothing was done until now. We are now considering the new location for the designation at the History Park for the first time, correct?

Vicrim Chima confirmed the facts and analysis.

Commissioner Polcyn stated that this was a real political mystery and the once designated house and site package was deferred and what was moved was just the house to the History Park. The house was then left alone for a while. Regardless, he felt that the house should be designated and currently has the best adaptive reuse and he fully supported the designation.

Commissioner Royer thanked the Viet Museum for their stewardship of the house and would fully support designation.

Vice Chair Boehm appreciated the project and stated it was part of their job that they loved to do. Preservation of history from the 19th century per the criteria in the staff report was appropriate and he fully supported the designation.

Chair-Saum described the History San Jose VHS video of the house being moved, with its roof taken off, moved in the night of September 1991. He described it as an interesting sight and available for everyone to watch on YouTube. He added that currently there was an OfficeMax building on the site.

He described the house as a perfect example of an Italianate architectural style unique in San Jose. He added that there were very few examples from that time period and it presently had good community use. He further opined that the designation would help perpetuate the use.

Commissioner Raynsford added that the house is also on the National Register and asked staff if there was any activity to pursue that?

Rina Shah stated that staff could certainly pursue that as part of the City's initiative, but the applicant was not seeking that at the moment. Vicrim Chima stated that the local designation would definitely protect the house to the highest degree, but he will communicate with the applicant to pursue National Register in the future.

Vice Chair Boehm inquired if there was a plaque or a marker on the building commemorating the building's history.

Staff deferred the question to the applicant who confirmed that there was none.

Commissioner Boehm stated that a plaque/marker depicting the history of the building should be made as part of the condition of approval.

Commissioner Polcyn agreed.

Public Hearing was then closed (5-0-0).

Additional Commissioner Comments:

Chair Saum restated the Commissioners' conditions that they could recommend pursuing both State and National Register applications for the house and also have a substantive historic marker placed at front of the building that depicts the history of the building.

He then asked for a motion.

Commissioner Polcyn made a motion with the stated conditions and Commissioner Royer seconded the motion.

Chair Saum then requested all commissioners to state their name first and give their roll call vote. The motion was approved with conditions.

Commissioner Polcyn- Yes (made the motion)

Commissioner Royer – Yes (seconded the motion)

Commissioner Raynsford- Yes

Vice Chair Boehm- Yes

Commissioner Arnold- Abstained

Chair Saum- voted yes, and the motion carried 5-0-1 (Commissioner Arnold abstained).

Chair Saum thanked the applicant for bringing this Landmark designation to them and the work that was done so far to restore and maintain the Greenawalt House. He then thanked staff for bringing closure to a long-awaited designation and also to Admin staff for putting the votes up on screen for clear display.

He then moved on to the next item on the agenda.

Commissioner Polcyn made a motion to approve the staff recommendations.

Commissioner Royer seconded the motion. Motion passed (5-0-1; Arnold abstained).

4. EARLY REFERRALS UNDER CITY COUNCIL POLICY

No Items

5. GENERAL BUSINESS

No Items

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

No Items

7. 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.

8. GOOD AND WELFARE

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

- i. Future Agenda Items: Downtown West Mixed-Use Plan: HP20-002 HP Permit Amendment, HL20-005 Landmark Amendment (San Jose Water Co), HL20-004 Landmark Amendment (Southern Pacific Depot).
- ii. There will be a special Historic Landmarks Commission meeting on March 17, 2021.
- iii. [Summary of communications received by the Historic Landmarks Commission](#)

b. Report from Committees

- i. Design Review Subcommittee: No meeting held on February 17, 2021. Next meeting on March 17, 2021.

c. Approval of Action Minutes

- i. **Recommendation:** [Approval of Action Minutes for the Historic Landmarks Commission Meeting of February 3, 2021.](#)

Commissioner Polcyn motioned to approve the amended action minutes for the Historic Landmarks Meeting of February 3, 2021. Commissioner Arnold seconded the motion. The Commission voted unanimously (6-0).

d. Status of Circulating Environmental Documents

No items

ADJOURNMENT

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

The meeting was adjourned at 9:21 p.m.