

HISTORIC LANDMARKS COMMISSION

May 5, 2021

Action Minutes

WELCOME

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

ROLL CALL

Present: Commissioners Saum, Boehm, Arnold, Polcyn, Royer, 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. [HP21-003](#): Historic Preservation Permit to allow alterations to ground floor store fronts, installation of accessible exit doors, code required ventilation, minor modifications to existing building entrances along East Santa Clara Street and South Third Street, new rooftop mechanical equipment and signage alterations on a designated City Landmark (HL80-012) at 82-96 East Santa Clara Street on a 0.28 gross-acre site.

PROJECT MANAGER, DANA PEAK

Staff Recommendation:

1. Consider an exemption in accordance with CEQA Guidelines Section 15331 for Historical Resource Restoration/Rehabilitation; and
2. Find the proposed project will not be detrimental to the City Landmark and will be consistent with the spirit and purposes of the Historic Preservation Ordinance; and
3. Recommend approval of the Historic Preservation Permit File No. H21-003 to the Director of Planning, Building and Code Enforcement.

Chairman Saum introduced the item and Dana Peak, Historic Preservation Review Planner, provided a general overview of the project and the staff report and recommendation. She introduced project managers Michelle Park (shared screen) and Ryan Cupps.

Mr. Cupps began with a brief presentation on the historic significance of the buildings on site and the designation of the property. He expressed excitement about the revitalization of the corner location and buildings, which are currently vacant, and the reactivation of the storefronts. Mr. Cupps explained the project as a public eating establishment including commercial kitchens for small businesses and operators with a dine-in component on the ground floor and office space on the second and third floors. He stated that the proposed ingress and egress was purposefully located and designed to align with the historic nature of the buildings and minimize impacts to the significance of the City Landmark. John Frolli, historical architect, summarized the historical evolution of the buildings and prior alterations that have occurred on the facades over the years. He

explained that new entrances and work would focus on replacing materials in-kind, matching existing conditions and in accordance with the original design. He stated it is a low impact project that retains the character-defining features of the buildings.

Chair Saum called for public comments. Ben Leech, Preservation Action Council San Jose, stated that the scope of work is low impact and supported the reactivation of the space. He noted the buildings warrant rehabilitation in the future and expressed support for the current project.

Commissioner Arnold commented that she is familiar with the Odd Fellows Hall, and was pleased to see the building proposed for use and the retention of the historical character.

Commissioner Raynsford commented that the project is a good reuse of the buildings and sensitive and low-impact in scope. He inquired whether the details of the project had been developed. Jeff Eaton, the project architect, responded that the detailing had been developed and elevation and sections drawings were visually shared. He stated the intent is to retain and replicate historic materials and maintain the character. Commissioner Raynsford inquired whether doors in an entry proposed to be shifted closer to the street were original. John Frolli stated that the new doors would be replicate the existing - wood doors with kickplate and glass.

Commissioner Polcyn inquired if the building was ever retrofitted with sprinklers and would the existing paint colors be matched? Jeff Eaton responded that the building is partially sprinklered via tenant improvements over time. He stated that the project would fully sprinkler the structures. John Frolli stated that the color palate would remain similar to the existing. Commissioner Polcyn. Ryan Cupps stated that there will be multiple phases to the project, but the first phase is to carry out the tenant improvements on the ground floor and get the building occupied. Commissioner Polcyn inquired about the location of loading and unloading for the project. Mr. Cupps stated that loading would occur on South Third Street. He further explained that the main pedestrian entrance would be on East Santa Clara Street and separate areas for deliveries and food pick-up would be on South Third Street.

Commissioner Royer commented that she was pleased with the proposed use and activation of the buildings. She inquired about the changes to the storefront entrances on East Santa Clara Street (pulling the doors forward) and asked if the reason was code-related or to accommodate additional seating. Ryan Cupps confirmed that the changes would accommodate more seating in the dine-in area. Commissioner Royer commented that the changes would likely require the removal of more existing fabric than indicated and inquired about the proposed materials, profiles, etc. that would be used for the replacement construction. She suggested that entry floor tiles are laid into concrete and it would likely not be possible to reuse the tiles as asserted. Commissioner Royer inquired if the proposal was to leave the tiles in place or to recreate the tiled entry. Ms. Peak added that the site is located in a Downtown Active Use overlay and the project is required to have on-site dining to address the purpose of the overlay. Mr. Cupps replied that selective demolition would be required to pull the entries forward and to recreate the style of the features and appearance of the entry tile. Commissioner Royer inquired whether those details would be reviewed by staff during the building permit process. Ms. Peak replied that the building permit plans would be reviewed for conformance with the Historic Preservation Permit plans. Commissioner Royer inquired if there was an existing loading zone on South Third Street. Jeff Eaton and Ryan Cupps responded there is an existing loading zone on South Third Street. Commissioner Royer inquired how the

exhaust fans will be installed through the roof. Jeff Eaton stated that there is a primary shaft for the majority of the exhaust through the roof.

Vice Chairman Boehm commented that the project is an interesting use of a historic building. He inquired whether the site was selected because it contained historic buildings. Ryan Cupps responded that the buildings have prominence and opportunities for multiple uses and connectivity with proximity to a university and city hall. Vice Chairman Boehm commended the investment in the Downtown Commercial Historic District and activating the vacant buildings. He noted the finials and dome that were present on the building early in its history and inquired if the applicant intended to replicate that detail in the future. Ryan Cupps stated that the logics and cost were a consideration. Vice Chairman Boehm suggested reflecting the historical background of San Jose on the menus.

Chairman Saum was pleased with the novel use of the buildings - an engaging use and site. He expressed concern there was not enough detailing shown on the plans to document the proposed work would be sensitively carried out. Ms. Peak referenced the draft Historic Preservation Permit in the commission packet and stated the Historic Landmarks Commission could add a condition if it desired for consideration at the Director Hearing. Chair Saum appreciated the reuse of the historic signage.

There were no additional comments by commissioners.

Commissioner Royer made a motion to close the public hearing and the motion was seconded by Commissioner Arnold. The motion was approved 6-0.

Commissioner commented on the history of the paint scheme existing on the buildings and stated that it was done through the City of San Jose's façade improvement program. He noted the colors were controversial at the time and recommended that a future change in color be reviewed by the Historic Landmarks Commission. Commissioner Raynsford recommended a condition of approval for staff review the details of the project to restore or replicate the historic details of the ground floor, particularly the entries. Vice Chairman Boehm supported the addition of a condition requiring the provision and review of additional detail, including a change in color.

Commissioner Royer made motion to accept the staff recommendations and to add a condition of approval requiring historic preservation staff review of the architectural details for proposed alterations prior to construction and any color change to the buildings be reviewed by the Historic Landmarks Commission. Commissioner Raynsford seconded the motion.

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

4. EARLY REFERRALS UNDER CITY COUNCIL POLICY

- a. **SP20-032:** Special Use Permit to allow the construction of a 20-story 1,277,694-square foot mixed-use building with office, retail, and museum space and a roof deck and four levels of below grade parking and to allow the demolition of 42,550-square-foot commercial building (Parkside Hall).

PROJECT MANAGER, ANGELA WANG AND DANA PEAK

Staff Recommendation: Provide comments on the Park Habitat project (SP20-032) located at 180 Park Avenue under the “Early Referral” City Council Policy on the Preservation of Historic Landmarks and Municipal Code Section [20.70.110\(c\)](#).

Chairman Saum introduced the item and Patrick Kelly, Supervising Planner, provided a general overview of the project.

The architect representative, Balazs Bogнар of Kengo Kuma and Associates, provided a brief presentation on the key points of the project which is on the same site as the Tech Museum and the Civic Auditorium. He stated the drivers of the project are the connection to nature and engineered performance to address the comfort of the users and the surrounding environment.

Chairman Saum opened the public comment. Ben Leech, Preservation Action Council San Jose, inquired about the interface of the project with McCabe Hall because demolition has been proposed to address loading dock issues. He commented that the building was well thought out and sensitive to its environment.

Commissioner Royer inquired about the loading area and its relationship to McCabe Hall. She appreciated that the building did not appear to overpower the surrounding buildings and that it has a vertical park feeling. Commissioner Royer commented that it was interesting to tie the green infrastructure into the Tech Museum. Balazs Bogнар responded that McCabe Hall is outside of the scope of work for the project. The project focuses on the relationship between the proposed new building and its compatible with its context. Andrew Jacobson, Westbank representative, stated that the project has been designed to function well and effectively with the retention of McCabe Hall in place. Ms. Peak added that McCabe Hall is not presently proposed for demolition. Commissioner Royer appreciated the consideration of the loading dock within the project. Andrew Jacobson added that the project team is sensitive to the logical needs of the venue and spent a lot of time addressing the needs of the Civic Auditorium. The drawings of the loading area were visually reviewed.

Commissioner Arnold asked for additional comment on McCabe Hall. Andrew Jacobson confirmed that the project assumes the retention of McCabe Hall and the functionality of the loading dock. He commented that the future of McCabe Hall is out of the purview of the applicant, which has no relationship to that site or the building. Commissioner Arnold inquired about the relationship of the project to the Tech Museum. Andrew Jacobson commented that Westbank has been collaborating extensively with the Tech and the project shares a design team to ensure the two buildings function together. Commissioner Arnold inquired what the expansion of the Tech Museum would look like and Mr. Jacobson responded that there would be an entrance and frontage off Park Avenue and opening between the two segments of the buildings. Commissioner Arnold inquired about the use of additional space. Mr. Jacobson responded that the space will

be constructed and then the air space transferred back to the City and Tech Museum for development and programming.

Commissioner Raynsford commented on the design as interesting, striking and creative. He commented that he did not view the design as a modest backdrop to the Civic Auditorium, but more like a juxtaposition or collage. Commissioner Raynsford inquired why the solidity of the facades were not varied. Balazs Bognar responded that the densities have been tuned to the solar exposure (amount of sunlight) in terms of the fins, glazing and vegetation. He commented that there is subtle variation on all facades with a balance between the unity of the project and variation taking into account environmental factors.

Commissioner Polcyn commented that the concept and design was impressive and confirmed the retention of McCabe Hall and integration of the loading dock. He stated that there is a possibility that the Tech Museum could be a historic resource in the future and the future of the building is important to take into consideration. Commissioner Polcyn also wondered, like Commissioner Raynsford, whether the proposed building would be a backdrop to the Civic Auditorium and questioned whether the design and size would be respectful to the context. He believed the head and shoulders concept as it relates to the Civic Auditorium was solidly reasoned. Commissioner Polcyn did not believe that the design of the new building picked up on the horizontality, cornice or roofline of the Civic Auditorium. He recommended an elevation from the Park Street side and a 3D view from the Paseo and integration of the verticality in those areas to strengthen the relationship between the two buildings.

Vice Chairman Boehm concurred with Commissioner Raynsford, and to some extent Commissioner Polcyn, with regard to the verticality, prominent fenestration and materials appearing in contrast to the Civic Auditorium, rather than compatible and complementary. He inquired whether there would be an archaeologist on site during the excavation of the underground parking because the site is close to the Guadalupe River. Andrew Jacobson responded that an archaeologist is working on a proposed mitigation plan. Vice Chairman Boehm inquired whether the loading dock would be used for both the Civic Auditorium and the proposed project. Andrew Jacobson affirmed that was the case. Vice Chairman Boehm suggested that the design of the building could have additional transitioning to address historic adjacency.

Chairman Saum noted the importance of the functionality of the loading dock for both the proposed project and the Civic Auditorium, and design of a project in relation to the logical operation and programming of a whole site and integrated block. He noted the challenge of compatibility of new construction with historic buildings and recommended the consideration of palate, cornice heights, façade variation, and a differentiation in the building termination to address the adjacency and compatibility. Chairman Saum inquired if the project would be brought to the Design Review Subcommittee. Ms. Peak responded the process typically begins with the Design Review Subcommittee, and the project would not be brought to the Design Review Subcommittee. Comment on the project is requested from the Historic Landmarks Commission in the Early Referral process and the project would not come back to the Historic Landmarks Commission for additional review. She noted that associated environmental documents would be provided to the Historic Landmarks Commission for comment.

Commissioner Raynsford suggested detailed studies of the south façade (view from San Carlos) with the Civic Auditorium in the foreground and studies on how the façade of the proposed building could better respond to the Civic Auditorium. He also suggested a

shadow study and details of the ground level adjacent to McCabe Hall showing how the facades would interact.

Commissioner Polcyn concurred with Commissioner Raynsford and suggested the horizontal aspect of the Civic Auditorium warrants additional studies in the proposed design.

Vice Chairman Boehm suggested the consideration of the lower level as more prominent and pedestrian oriented and compatible with the Civic Auditorium. He inquired whether stone or terra cotta could be used on the lower level and whether the louvers could be placed horizontally. Vice Chairman Boehm commented that he would want to be informed of any archaeological findings related to the Ohlone Indians and inquired about the process if anything was found. Ms. Peak stated that mitigation measures would be approved as part of the project and City staff (CEQA team) would review compliance with the mitigation measures and work directly with the qualified archaeologist.

No action was taken.

5. GENERAL BUSINESS

a. [Certified Local Government Report for 2019-2020:](#)

PROJECT MANAGER, VICRIM CHIMA

Staff Recommendation: Accept the proposed Certified Local Government annual report to the State Office of Historic Preservation for the reporting period from October 1, 2019 to September 30, 2020.

Vicrim Chima, Historic Preservation Officer, stated that the Certified Local Government (CLG) Report is an annually compiled list for State Historic Preservation Office (SHPO) outlining local preservation activities.

He gave a brief overview of the accomplishments demonstrated in the reporting period from 2019-2020.

Mr. Chima explained that CLG status is a partnership between SHPO and local government. CLG grants provide annual appropriations from the Federal Historic Preservation fund to participating local governments. Being a CLG grants access to technical support from SHPO for historic preservation commissions, building assessments, surveys, etc., and also offers training opportunities.

CLGs are required to:

- *Established a historic preservation commission*
- *Enforce state and local legislation for designation and protection through a historic preservation ordinance*
- *Facilitate public participation in local preservation*

Highlights of the CLG reporting period:

- *Designated 7 City Landmarks*
- *Approved 8 Mills Act Contracts*
- *Completed Annual Retreat and training October 11, 2019*
- *Added 307 properties in North Willow Glen Conservation Area and 136 properties in Alameda Schiele Park Candidate Landmark District to the Historic Resources Inventory*
- *Carried out survey work, in the Downtown and North First Street areas*
- *CLG Report was submitted to SHPO by April 30, 2021 4/30/21*

Commissioners thanked Mr. Chima for the summary and were interested to see all the work accomplished.

Vice Chairman Boehm inquired whether there is a local acquisition program which could effectively be used to channel funds to preserve properties if donations were made?

Dr. Robert Manford, Deputy Director, responded that there currently is no acquisition program and any such activity would be managed by the City's Office of Economic Development (OED).

Chairman Saum requested a vote to accept the CLG Report. Vice Chairman Boehm made a motion to accept the CLG report as presented. Commissioner Arnold seconded the motion and the motion was unanimously approved. (6-0).

b. **Removal of 1150 Minnesota Avenue from Historic Resources Inventory:**

PROJECT MANAGER, VICRIM CHIMA

Staff Recommendation: Concur with the Historic Preservation Officers finding that 1150 Minnesota Avenue is not eligible as a potential historic resource and does not qualify for listing on the Historic Resources Inventory. `

Vicrim Chima requested the consideration of the removal of 1150 Minnesota Avenue from the Historic Resources Inventory (HRI) and concurrence with the staff report. He reported that staff was contacted by the property owner, Glen Bulycz, who provided documents justifying the property's removal from the HRI. Mr. Chima then provided a summary of alterations to the property and building permits issued over a period of years that made the house ineligible for listing on the HRI. He stated that the building is a Spanish Revival style vernacular house built in 1945 and does not meet the criteria for City Landmark designation. Glenn Bulycz responded that he was surprised the house was listed in the HRI and was available to answer questions. Commissioner Raynsford questioned the history of the house and why it had been placed on the HRI. Mr. Bulycz responded that there might have been an error in typing the street address. The house is adjacent to a property listed in the HRI and 1150 Minnesota Avenue may have been added by mistake. Vice Chairman Boehm inquired whether it had been disclosed to him that his house was on HRI when he purchased it. Mr. Bulycz was aware of the listing, but because he and his family want to add on the house did not want to incur the additional associated cost of being listed on the HRI. Vice Chairman Boehm responded that he did not think it was additional burden since the house was not a designated City Landmark.

Dana Peak added that a Single-Family House Permit would be required because of the listing on the HRI. Chairman Saum called for a motion Commissioner Raynsford made a motion to accept the removal of 1150 Minnesota Avenue from the HRI. . Commissioner Royer seconded the motion and the motion passed unanimously (6-0).

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.

No Items

8. GOOD AND WELFARE

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

- i. [Correction to Department of Parks and Recreation \(DPR\) 523 forms for City Landmark HL12-205 \(Resolution No.76485\) at 494 Cypress Avenue.](#)

Vicrim Chima informed the commission of a revised DPR form for 494 Cypress Avenue, a designated City Landmark, which will replace the DPR forms currently on file. He provided a summary of changes to the DPR forms and stated that the new information augments and clarifies facts in the original DPR. Mr. Chima noted the information further substantiates the property status as a City Landmark. He added that the historic evaluation was done by Krista Van Laan who is also the homeowner of the property. Krista Van Laan commented that she had worked on documenting the history of the property for years and had early photographs of the house. She acquired the photographs from the original owner's nephew who brought them to her. Ms. Van Laan described what it felt like to be a homeowner of a City Landmark. She is proud to have purchased and restored the house. The first thing she did after the designation was to install a plaque with the history of the house. Since the plaque was installed, Ms. Van Laan noted she gets a lot of admirers that read the history on the plaque and looking closely at her house. She has a Mills Act Contract which helps maintain and restore the house originally designed by Wolf and Higgins. The house was built in 1921, not 1913 as stated in the older DPR forms. In 1998, a developer in 1998 wanted to tear the house down and build a fourplex. A neighbor alerted the City, which requested a DPR form and the house was retained. Ms. Van Laan restored the house a few years later. Researching of the history set her on the path to become a historic consultant. She has written two books on the work of Wolfe and Higgins architects and continues to work in the field of with historic preservation. Vice Chairman Boehm thanked her for restoring the house and writing the books which have helped others research their own homes. He appreciated her work in conveying the history of San Jose. Commissioner Raynsford concurred and realized through her books that San José has a large collection of Prairie style homes. Ms. Van Laan added that the City's historical projects helped to maintain the homes and history in San José.

- ii. *Chairman Saum thanked Ms. Van Laan for her work and thanked Mr. Chima for bringing the item to the commission. Future Agenda Items: Cambrian Park Plaza (PD20-007), Bo-Town Residential Project (H20-038), Election of Officers, Commendation of Service for Chair Saum.*

- iii. Summary of communications received by the Historic Landmarks Commission.

No items

b. Report from Committees

- i. Design Review Subcommittee: No meeting held on April 21, 2021. Next meeting on May 19, 2021.

One item will be brought before the DRC, so the meeting will be held.

c. **Approval of Action Minutes**

- i. **Recommendation:** Approval of Action Minutes for the Historic Landmarks Commission Meeting of [March 17, 2021](#) and [April 7, 2021](#).

Commissioner Royer motioned to approve the action minutes for the Historic Landmarks Meeting of March 17, 2021 and April 7, 2021. Commissioner Arnold seconded the motion. Vice Chair Boehm had corrections on the March 17 meeting minutes and the minutes had been amended. He chose to abstain from the motion because he was absent at the April 7, 2021 meeting. The motion was approved (5-0-1; Boehm abstention).

d. **Status of Circulating Environmental Documents**

- i. [First Amendment to Downtown West Mixed Use Project Draft Environmental Impact Report](#)
- ii. [Diridon Station Area Plan \(DSAP\) Amendment Draft Initial Study/Addendum to the Downtown Strategy 2040 EIR Errata and Response to Comments](#)
- iii. [Notice of Availability of Draft Environmental Impact Report for the Marriott Townplace Suites Project.](#)

Dana Peak stated the Planning Commission hearing was held for the first two items on April 28, 2021. The Planning Commission recommended approval to the City Council and the City Council hearing is tentatively for May 25, 2021. Comments on or the Marriot Townplace project are due May 20, 2021.

Vice Chairman Boehm noted that the minutes with the commission comments included in the Downtown West response to comments (pages 88-103) were in draft form and the minutes were later amended. Chairman Saum added that a name had not been redacted and he suggested a letter could be sent to staff for the record.

ADJOURNMENT

Commissioner Polcyn motioned to adjourn the Historic Landmarks Commission meeting of May 5, 2021. Commissioner Arnold seconded the motion.

The Commission voted unanimously (6-0) in favor of a motion to adjourn the meeting. The meeting was adjourned at 9:16 p.m.