



City of Santa Clara

HISTORICAL AND LANDMARKS COMMISSION MEETING MINUTES

Thursday, June 6, 2013 – 7:00 P.M.
CITY COUNCIL CHAMBERS
1505 Warburton Avenue
Santa Clara, CA 95050

Please refer to the Historical and Landmarks Commission Procedural Items guideline for information on all procedural matters. An audio recording of this meeting is available in the Planning Office for review or purchase the Friday following the meeting.

ITEMS FOR COUNCIL ACTION

The following items from this Historical and Landmarks Commission agenda will be scheduled for Council review following the conclusion of hearings and recommendations by the Historical and Landmarks Commission. Due to timing of notices for Council hearings and the preparation of Council agenda reports, these items will not necessarily be heard on the date the minutes from this meeting are forwarded to the Council. Please contact the Planning Division office for information on the schedule of hearings for these items:

- **Item 8.D. Review of Historical Preservation Ordinance Report to City Manager for Council Action**

1. CALL TO ORDER

The meeting was called to order at 7:11 p.m.

2. ROLL CALL

Commissioners Present: Chair Brian Johns, Robert Luckinbill, Kris Motyka, Jeannie Mahan and Jerry McKee

Commissioners Excused: Shawn Hartung and Rosalie Wilson

Staff Present: Alexander Abbe, Assistant City Attorney and Yen Chen, Associate Planner

3. DISTRIBUTION OF AGENDA AND STAFF REPORTS

Copies of current agendas and staff reports for each of the items on the agenda are available from the Planning Division office on the Friday afternoon preceding the meeting and are available at the Commission meeting at the time of the hearing. Chair Johns reviewed this procedure.

4. DECLARATION OF COMMISSION PROCEDURES

Chair Johns reviewed the Historical and Landmarks Commission procedures for those present.

5. REQUESTS FOR EXCEPTIONS, WITHDRAWALS AND CONTINUANCES

- A. Withdrawals – None
- B. Continuances - None
- C. Exceptions (requests for agenda items to be taken out of order)

Commissioner Motyka requested reordering of items on the agenda in the following order: Item 8.B., 8.C., 8.D., 8.A.

6. ORAL PETITIONS/ANNOUNCEMENTS AND COMMUNICATIONS

- Mr. James Rowen commented on the ethics and values, and noted that decisions should be based on established guidelines and procedures.
- Dennis Dowling, volunteer with Ulistac Natural Area, reviewed the history of the Ulistac Natural Area. He explained the importance and unique history of the area. He offered to give historical tour of the Ulistac. Lorie Garcia noted that she wrote the history of Agnews and a copy is in the library which includes references to Ulistac.
- Lou Faria asked for clarification on naming streets. He also noted that 3 weeks had passed with no additional contact from city staff on the placement of the plaque at his residence.

7. CONSENT CALENDAR

Consent Calendar items may be enacted, approved or adopted, based upon the findings prepared and provided in the written staff report, by one motion unless requested to be removed by anyone for discussion or explanation. If any member of the Historical and Landmarks Commission, staff, the applicant or a member of the public wishes to comment on a Consent Calendar item, or would like the item to be heard on the regular agenda, please notify Planning staff, or request this action at the Historical and Landmarks Commission meeting when the Chair calls for these requests during the Consent Calendar review.

7.A. Approval of Historical and Landmarks Commission Minutes for the meeting of April 4, 2013.

Commissioner Motyka commented that discussion at the April and May meeting was important and requested a transcribed portion be added to the minutes. Commissioner Luckinbill noted that minutes should be less specific and typically without quotations. Mr. Chen noted that staff is trying to capture the essence of the discussion and action. He noted that recordings of the HLC are available to the public.

Motion/Action: It was moved by Commissioner Mahan, seconded by Motyka to approve the Minutes of April 4, 2013 meeting (4-1-0-2, Luckinbill opposed, Hartung and Wilson absent).

7.B. Approval of Historical and Landmarks Commission Minutes for the meeting of May 2, 2013.

Mr. Chen noted that the minutes were not ready for review. The Commission continued the item.

*****END OF CONSENT CALENDAR*****

8. PUBLIC MEETNG ITEMS

8.A.	File No.(s):	PLN2013-09796
	Location:	1435 Lexington Street, a 7,920 square foot parcel located on the north side of Lexington Street, approximately 60 feet west of Madison Street (APN: 269-26-023). Property is zoned Single-Family, Residential (R1-6L).
	Request:	Applicant / Owner: Joseph Stefan Design Review: Interior remodel and second story conversion of an unfinished attic space into living area, includes exterior alterations to a qualified historic resource
	CEQA Determination:	Categorically Exempt per CEQA Section 15331
	Project Planner:	Shaun Lacey, AICP, Assistant Planner II

Recommendation: Approve the remodel and conversion, subject to conditions

Notice: The notice of public meeting for these items was posted within 300 feet of the site and was mailed to property owners within 300 feet. Commissioner Motyka recused herself due to proximity to her residence.

Discussion: Yen Chen, Associate Planner, gave a brief overview of the proposed project. Lorie Garcia, Honorary City Historian, noted that the house was built in or around 1895. The 1891 Sanborn Map did not show the house. She also commented on the age and accuracy of the existing historical survey and evaluation. She felt that the survey should be updated to capture the updated information and to identify character defining features. She agreed with the staff report that the palladium window should not be replaced. She commented that the home was built as 1.5 stories. Consistent with past Commission approvals, other homes with similar roofs have added dormer to convert space into habitable areas. Craig Mineweaser, Architectural Advisor to the HLC, noted that a majority of the structure is being maintained. He commented that the proposed dormer and the west corner trim don't match the existing house. He recommended that vertical trim match the existing windows. Mr. Mineweaser commented that the windows should be 1/1 ratio and that another style of window should not be introduced at the rear. He noted that the sunroom window replacement should provide smaller panes. He commented that the age of the sunroom has already achieved historical status.

Mr. Joseph Stefan commented that it was his intention to match window trim styles. He noted that the porch windows are in bad condition. Mr. Mineweaser stated that a casement window can be used on the rear dormer. The new dormer should be setback and roof raised to be in scale with the architectural style of the home. He also noted that the requirements for egress windows are different for historical buildings, and consideration for the use of the Historic Building Code be given. Mr. Mineweaser commented that a casement window can be designed as a double hung style for the proposed palladium window.

Mr. Stefan noted that his intention is to apply for a historical preservation contract (Mills Act) with the City. Commissioner Johns noted that project steps are out of order. He commented that an updated survey would describe the character defining features and how much of the historical context remain. The Commission noted their concern that the property owner may damage or remove character defining elements and jeopardize a future request for Mills Act contract.

Public comment period was opened and closed with no comments.

Motion/Action:

It was moved by Commissioner Luckinbill, seconded by Commissioner McKee and was carried (4-0-1-2, Motyka recused, Hartung and Wilson absent) to recommend approval of the project design subject to matching window trim styles and the use casement windows.

8.B.	File No.(s):	PLN2013-09849
	Location:	4030 George Sellon Circle, Agnews Auditorium, SCA03 Building, aka 4160 Network Circle, (APN: 097-08-058). Property is zoned Planned Development (PD).
	Applicant:	Laurie Orlov, Facility Planner
	Owner:	Oracle Corporation
	Request:	Design Review: Interior renovations to finishes and fixtures, augment or replace building systems to a qualified historic resource (Agnews Auditorium).
	CEQA Determination:	Categorically Exempt per CEQA Section 15331
	Project Planner:	Yen Han Chen, Associate Planner

Recommendation: Approve the interior renovations and changes to building systems, subject to conditions

Notice: The notice of public meeting for these items was posted within 300 feet of the site and was mailed to property owners within 300 feet.

Discussion: Yen Chen, Associate Planner, provided an updated Secretary of Interior Standards review letter and gave a brief overview of the project. Mr. Chen noted that Oracle Corporation has been working with city staff for over one year to bring the building facilities up to date. He noted that the auditorium facility will be used as a meeting and conference center. Gensler Architectural firm provided a handout to better illustrate the lighting and sound system installations.

Craig Mineweaser, HLC Architectural Advisor, commented that the overall project will keep character defining details and items which are added can be removed in the future. Commissioner Motyka noted that the plaster medallions need to be preserved. Commissioner McKee inquired about the accessibility of the facility. Mr. Chen noted that the elevator and ADA accessibility was incorporated in the facilities in the 1990's.

Public comment period was opened. Beverly Hromec commented that the site was on the Historical Home Tour in the past and that there are lots of details to be preserved. The public comment period was closed.

Commissioner Johns inquired as to the number of public functions held in the auditorium annually. Lorie Orlov from Oracle noted that there are about 5 weddings per year. She noted that these public functions and uses of the building are arranged through the City. Commissioner Luckinbill commended Oracle on the proposed preservation project. Commissioner Motyka noted historical items that are removed such as the medallions need to be preserved.

Motion/Action:

It was moved by Commissioner Luckinbill, seconded by Commissioner Mahan and was carried (5-0-0-2, Hartung and Wilson absent) to recommend approval of the project design, subject to preserving items that are removed.

8.C. File No.(s):	PLN2012-09250
Address/APN:	1091 Harrison Street, a 7,000 square foot parcel located on the northeast corner of Harrison Street and Main Street (APN: 269-05-049). Property is zoned Single-Family, Residential (R1-6L)
Applicant/Owner:	Haggag Hosam
Project:	Design Review: Rehabilitation of historic home, includes new foundation and basement, the relocation and addition of new windows, and the construction of single-story addition at the northeast corner of the house.
Project Planner:	Yen Chen, Associate Planner
Recommendation:	Provide review comments on the Historic Resource Survey and Evaluation Report, Secretary of the Interior's Standards Review Report, and Preservation Plan which is incorporated into the Permit Drawings

Notice: The courtesy notice of public meeting for this item was posted within 300 feet of the site and was mailed to property owners within 300 feet.

Discussion: Yen Chen, Associate Planner, gave an overview of the proposed project. Alexander Abbe, Assistant City Attorney, briefed the Commission on the legal status of the project. He noted that the Commission has limited authority when building permits have been issued. The Commission reviewed the Historical Resource Survey and Evaluation Report, Secretary of Interior's Standards Review Report, and Preservation Plan. Mr. Chen noted that the Preservation Plan is incorporated into the Permit Drawings for the project. Mr. Chen stated that the construction drawings are available for the public to review at the City's Permit Center. Mr. Chen provided an update on the project, and reviewed the process by which the owner obtained approvals and permits.

Craig Mineweaser, Architectural Advisor to the HLC, inquired as to whether the preservation plans are being followed. Mr. Chen noted that the house has been raised to add a basement and that the character defining elements above have not been affected. Lorie Garcia, Honorary City Historian, provided copies of the Secretary of Interior Standards for Rehabilitation and an email from Lucinda Woodward on the CEQA review and CLG program. Ms. Garcia noted that in general she was okay with the proposed Preservation Plan, Secretary of Interiors Review and DPR. She noted that there can be differences of opinion on the Secretary of Interiors Review and that not all information is available for an evaluator when preparing a survey and evaluation. Ms. Garcia commented that she felt the porch was too large, the side addition needed to be on a different plane than the existing house and there were too many windows added.

Mr. Chen noted that there is a difference between compliance with the construction drawings and other issues such as noise, hours of construction and dust abatement. Commissioner Luckinbill asked who in the city hall is responsible for the preservation elements in the plans and to ensure they are being followed. Mr. Chen noted that the Planning staff, code enforcement personnel and building inspectors are the primary people to ensure the plans are being followed.

Commissioner Motyka asked if the owner was willing to work with the neighbors. Mr. Hosam, property owner, responded that he was willing to hear their concerns. Commissioner Motyka then presented a handout of her review of the proposed project. She noted the three top design concerns which included the request to remove the concrete stairway to the basement on the east side, frost or treat the new window on the east side of the house, and to rebuild the front porch with matching newel posts.

Mr. Hosam noted it was his intention to rebuild the front porch to match the original as required in the preservation plan. He commented that the door to the basement area was original to the house, and noted that he was not willing to remove it from the plans. Mr. Mineweaser noted that in order to match the newel post and rebuild the porch to match original design the owner will need to use the Historic Building Code.

Public comment period was opened.

Sara Doty commented that based on the Sanborn map the residences along Harrison Street have porches. The removed porch reveals paint which indicates that the porch was original to the residence. Ms. Doty requested that the flight of stairs to the basement be relocated away from her residence. She also requested that bathroom window which faces her residence be frosted or stained glass. She commented that the preservation plan is not being followed. She noted that the siding and trim is not being preserved and is sitting on piles of dirt.

James Rowen commented that ethics and value code of the City clearly states the role of the Commission. The Commission should have a dialog with the owner. The Commission does not have role to issue a stop work order.

Lou Faria thanked Commissioner Johns, Motyka and Mahan for attending the City Council Meeting. Mr. Faria comment on his concerns over the front porch. He commented that the stairway should be moved to the west side of the property. He noted that frosting of the window should be easily accommodated.

Commissioner Motyka commented that restoration materials from the house should be stored off the dirt, labeled and cataloged. Mr. Hosam noted that there is already a process to review the foundation height. He also commented that there should not be a requirement for an organizational plan for the materials.

It was moved by Commissioner Motyka, seconded by Commissioner Luckinbill and failed (2-1-2-2, Motyka and Mahan ayes, McKee nos, Johns and Luckinbill abstain, Hartung and Wilson absent) for staff to verify the foundation height, to ensure that the preservation plan is being followed, that the materials are organized, covered and not being stored on dirt, and to report back to the HLC at the next meeting.

8.D. Review of Draft Historical Preservation Ordinance Report to City Manager for Council Action.

Discussion: The Commission requested that the Council provide overall guidance with respect to referral of items to the Commission. Commissioner Johns noted that there was discussion at the City Council about the HLC role as currently codified in the City Code and the absence of an ordinance related to the City's participation in the Certified Local Government Program.

Mr. Chen noted that the preparation of an ordinance will help clarify expectations of the Commission and the public and provide direction to staff in processing and reviewing applications and issues related to historic resources in the City. Mr. Chen stated that an ordinance could be made applicable to residential, commercial, as well as some industrial properties, once they reach 50 years of age and meets other certain criteria. He commented on the need for public outreach and notification to involve potentially affected property owners.

Commissioner Johns noted that the City Council will provide direction to staff on whether to move forward with the drafting of a preservation ordinance. Alexander Abbe, Assistant City Attorney, commented that it can take up to 6 months to prepare a draft ordinance. Commissioner Mahan commented that projects of historic sensitivity or within 100-foot radius of a listed historic resource be referred to the Commission for review while the draft ordinance is under considerations.

Craig Mineweaser commented that staff in the past had brought projects to the Commission for review. The reason being that staff does not have the expertise and training to review projects. He noted that HLC has qualified advisors and that is why the City has maintained its CLG status. Commissioner McKee noted that the City has many good advisors and that the City should be using these resources in drafting the preservation ordinance.

Public comment period was opened. Sara Doty noted that Commission review is necessary to maintain an open democratic process. Haggag Hosam commented that the 1091 Harrison Street had been discussed and should not be referenced or attached to this request for a preservation ordinance. He also noted concerns about conflict of interest with the City's advisors being on the list of consultants for the public to select from to perform the Secretary of Interior Standards review or historic survey and evaluation. He also commented that when the City's advisors are not available due to conflict of interest, whether an alternate is available to advise the Commission. Lou Faria commented that 1091 Harrison is not a mute point. A petition is up before the City Council to determine why the project did not come before the commission. The public comment period was closed.

10. OTHER BUSINESS

9.A. Commission Procedures and Staff Communications

i. Announcements/Other Items

- National Historic Preservation Month Activities (verbal update)
 - Commissioner Motyka reported that 17 people participated in the walking tour guided by Honorary City Historian Lorie Garcia. She commented that the participants became aware of the event through the advertisement in the weekly. The participants found the SCU Archaeology Lab very fascinating. Mr. Chen reported on the display case and Mayor proclamation of Preservation Month.
- Monthly Report on HT properties: Residential reversions (verbal update)
 - None
- Review of Staff and Commission work items (verbal update)
 - Mr. Chen reported on the concept for an ongoing work item list.

ii. Report of the Liaison from the Planning and Inspection Department

- City Council and Planning Commission Actions (verbal update)
 - Mr. Chen reported on the merger of the Street Department into the Public Works Department. Mr. Chen noted that the installation of the plaques has been delayed.

iii. Commission/Board Liaison and Committee Reports

- Santa Clara Arts and Historic Consortium (McKee / Wilson as alternate)
[Fourth Monday of each month at 7:15 p.m. - Headen-Inman House]
- Historic Preservation Society of Santa Clara (Mahan / Luckinbill as alternate)
[Second Friday of each month at 10:00 a.m.- Harris Lass Preserve]
- Commissioner Mahan reported that the preparation of the Annual Historic Home Tour has begun.
- Old Quad Residents Association (Motyka / Johns as alternate)
- Architectural Committee (Mahan / Johns as alternate)
- Agnews Historic Cemetery Museum Committee (Wilson / Luckinbill as alternate)
- Mr. Chen reported that information and history on Agnews is currently being displayed in the west wing of City Hall.
- BART/ High Speed Rail Committee (Johns / McKee as alternate)
- Zoning Ordinance Update (Motyka / Wilson as Alternate)

iv. Commission Activities

- Commissioner Travel and Training Reports
 - Walking tour was hosted by Lorie Garcia and Lynda Hylkema

v. Upcoming Agenda Items

- Status on the drafting of the preservation ordinance
- Office of Historic Preservation – eLearning Training (Yen Chen)
 - Interpretation and Application of Secretary of the Interior's Standards for the Treatment of Historical Properties (Module 1-3, Approximately 1 Hour)
- Franklin Post Office Update (Lorie Garcia) – TBD
- Review of Street Name List – August 1, 2013
- Status on Updating General Plan Appendix of Historically Significant Properties – November 2013
- Annual report on matter of document retention – November 2013

10. ADJOURNMENT

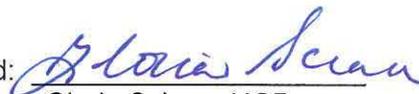
The meeting was adjourned at 11:13 p.m. The next regular Historical and Landmarks Commission meeting will be held on Thursday, July 11, 2013 at 7:00 p.m. eLearning Training will be held from 6:00 to 7:00 p.m.

Prepared by:



Yen Chen
Associate Planner

Approved:



Gloria Sciarra, AICP
Development Review Officer