



## City of Santa Clara

### HISTORICAL AND LANDMARKS COMMISSION MEETING MINUTES

Thursday, May 2, 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:

- **Agenda Item No. 8.A.:** Mills Act Contract for 1196 Jackson Street
- **Agenda Item No. 9.A.i:**
  - City Council provide guidance with respect to the 1091 Harrison Street project to be calendared on the HLC next agenda and CEQA to be reviewed as other historical properties are reviewed.
  - City Council provide guidance with respect to when city staff is to bring items before the Historical Landmarks Commission and what is the parameter of the General Plan Policy of the 100 foot rule to a listed resource.

#### **1. CALL TO ORDER**

The meeting was called to order at 7:07 p.m.

#### **2. ROLL CALL**

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

Commissioners Excused: Rosalie Wilson and Shawn Hartung

Staff Present: Yen Chen, Associate Planner, and Steve Lynch, AICP, City 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 that the status on 1091 Harrison Street be moved to the first item in the discussion under item 9.A.i..

**6. ORAL PETITIONS/ANNOUNCEMENTS AND COMMUNICATIONS**

Members of the public may briefly address the Commission on any item not on the agenda.

Mr. Lou Faria requested that the public have an opportunity to address the Commission on 1091 Harrison Street. Chair Johns noted that the public will be able to speak on the item under Agenda Item 9.A.i..

Sarah Doty from 1077 Harrison Street requested clarification on role of the Commission. Mr. Lynch explained that the City Charter list naming of streets as one of the responsibilities of the Commission. He noted that the Commission has an advisory role to the City Council on matters of historical preservation. Mr. Lynch commented that advisories that come from the HLC are taken into consideration by staff, Planning Commissions and others.

**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.

- None

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

**8. PUBLIC MEETING ITEMS**

<b>8.A.</b>	File No.(s):	<b>PLN2013-09771</b>
	Location:	1196 Jackson Street, a 5,430 square foot parcel located at southwestern corner of Jackson Street and Fremont Street (APN: 269-15-018). Property is zoned Single Family (R1-6L).
	Applicant / Owner:	Francois Audet and Genevieve Lamothe
	Request:	Request for Mills Act Contract Approval
	CEQA Determination:	Categorically Exempt per CEQA Section 15331
	Project Planner:	Steve Le, Planning Intern
	<b>Staff Recommendation:</b>	<b>Recommend City Council Approval</b>

**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:** Mr. Chen gave a brief overview of the proposed project. The property is a one-story house, constructed circa 1906 and designed in an early-twentieth century Neoclassical Bungalow architectural style.

The public comment period was opened. Ms. Devera Mack inquired whether the garage will match the style of the home. Commission Luckinbill noted that the 10 year plan has the garage

matching the style of the home. Mr. Chen noted the garage will be reviewed at the time when the request is put forth. He noted ancillary structures such as detached garages can be reviewed and approved by staff. Art Javaras from 1220 Main Street asked whether the ancillary structure will need to be reviewed by the Commission. Mr. Chen noted that staff reviews the project for conformance with the City's design guidelines and the Secretary of Interior Standards. The public comment period was closed.

Genevieve Lamothe, owner, noted that the house had no kitchen and was in very poor condition at the time of purchase. She noted that restoration work had begun in order get the house in move in condition, and described her efforts to preserve as much of the original features.

**Motion/Action:**

It was moved by Commissioner Luckinbill, seconded by Commissioner Motyka and was carried (5-0-0-2, Wilson and Hartung absent) to recommend approval to add this property to the City's Architecturally or Historically Significant Properties List.

It was moved by Commissioner Luckinbill, seconded by Commissioner Motyka and was carried (5-0-0-2, Wilson and Hartung absent) to recommend approval of a Historic Property Preservation Agreement (Mills Act Contract) for this property.

It was moved by Commissioner Luckinbill, seconded by Commissioner Motyka and was carried (5-0-0-2, Wilson and Hartung absent) to recommend approval for a historic oval plaque for this property.

**9. OTHER BUSINESS**

**9.A. Commission Procedures and Staff Communications**

**i. Announcements/Other Items**

- Status on 1091 Harrison Street (Yen Chen)
  - Mr. Chen provided a status update on 1091 Harrison Street. The Commission was provided a Historic Survey and Evaluation report, Secretary of Interior's Standards Review and Preservation and Treatment Program incorporated into the construction drawings. Commissioner Johns noted that the construction drawings are available for the public to review at the City's Permit Center.
  - Mr. Chen gave a brief explanation that a stop work order was issued for work that started prior to the issuance of the Building Permits. He provided an updated on the project, and reviewed the process by which the owner obtained approvals and permits.
  - Commissioner Motyka noted that this project was approved by staff. She commented that project was not review by the HLC or the Architectural Committee.
  - Lorie Garcia, Honorary City Historian, commented in a letter to Commissioner Motyka that such a significant resource must be reviewed by the Commission for both CEQA purposes and substantive historical considerations.
  - Mr. Lynch noted that on a daily basis all projects are reviewed by staff for CEQA review. The City does seek out recommendations from the HLC on historic resources for certain projects
  - Commissioner Luckinbill noted concerns over the idea that the HLC is used in a limited advisory role, especially when the City is a Certified Local Government. Commissioner Mahan noted concerns over the review process and did not understand why the project was not reviewed by HLC.
  - Commissioner Motyka commented that City Clerk noted that staff works for the Commission. She noted concerns over the process and commented that the General Plan established review of historic resources within 100 feet of a

listed resource is not being followed.

- Mr. Chen noted that projects within 100 feet of listed resource are reviewed by staff for impacts to those resources. He noted that projects consistent with Secretary of Interior Standards are reviewed by staff. Projects scheduled for Council, Planning Commission or Architectural Committee are referred to the HLC
- Chair Johns commented that the criteria for HLC review should be based on the scope of visible exterior changes and not limited to the conformance with the Secretary of Interior Standards.
- Public comment period was open. Members of the public raised concerns over construction activity at the property. The public in attendance stressed their disapproval of a staff level process with the lack of opportunity for review and input from neighbors. The following residents commented on the project: Lou Faria, Michael De Young, Charles Petersen, Barbara Mordy, Arthur Javaras, Beverly Hromec, Betty Zonia, Randolph Jarrat, and Sarah Doty. Mr. Hosam, property owner, briefly spoke on the process and that he had worked with staff for 6 months prior to obtaining approvals. The public comment period was closed.

It was moved by Commissioner Luckinbill, seconded by Mahan and carried (5-0-0-2, Wilson and Hartung absent), to recommend that the City Council provide guidance with respect to the 1091 Harrison Street project to be calendared on the HLC next agenda and CEQA to be reviewed as other historical properties are reviewed.

It was moved by Commissioner Luckinbill, second by McKee and carried (5-0-0-2, Wilson and Hartung absent), to recommend that the City Council provide guidance with respect to when city staff is to bring items before the Historical Landmarks Commission and what is the parameter of the General Plan Policy of the 100 foot rule to a listed resource.

- The Commission commented that they wanted the project to be reviewed at a noticed meeting and requested that the motions be scheduled at the next Council meeting on May 21<sup>st</sup> or sooner. Chair Johns was assigned to review the draft reports proposed for City Council.
  - 2013-2014 Budget Memo from City Manager
    - Mr. Chen noted that the Commission approved the FY2013-14 Commission Budget on the April 4, 2013.
  - Progress on National Historic Preservation Month Activities (May 2013)
    - The Commission will have the Display Case in East Wing May 20<sup>th</sup> thru 31<sup>st</sup>.
    - Lorie Garcia will be leading walking tour on May 19<sup>th</sup>. The tour will cover the Mission Period and Early American Period. Tour will end at SCU's Archeology Lab where Linda Hylkema will talk about artifacts found in the area.
  - Annual Review of City-Owned Historic Properties (Ken Winland)
    - Mr. Chen presented report on the proposed repairs to the Headen Inman House and Jamison Brown House. Restoration and Repair reports were prepared by Mineweaser & Associates. City's Building Maintenance will oversee the work.
  - Monthly Report on HT properties: Residential reversions (verbal update)
    - None
  - 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)
    - Commission rescheduled eLearning Training to 6:00 pm – 7:00pm on July 11, 2013.
- ii. **Report of the Liaison from the Planning and Inspection Department**
- City Council and Planning Commission Actions

- Commissioner Motyka requested an update on the proposed Mixed Use Project at 1313 Franklin Street, 1350 Benton Street and 1092 Monroe Street. Mr. Chen noted that staff will follow up with a status report.

**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 on the Annual Historic Home Tour. She reported \$2500 in expenses and \$12,000 in income. She noted presentation was made to the City Council on the donations supporting preservation efforts in the City.
- June 9<sup>th</sup> Tea and vintage show at Harris Lass
- June 10<sup>th</sup> is antique appraisal – 476 Tickets sold
- Old Quad Residents Association (Motyka / Johns as alternate)
- Commissioner Motyka noted that the Old Quad Residents Association has concerns on the proposal for a mixed-use development at Monroe Street and Franklin Street.
- Architectural Committee (Mahan / Johns as alternate)
- Agnews Historic Cemetery Museum Committee (Wilson / Luckinbill as alternate)
- High Speed Rail / BART Committee (Johns / McKee as alternate)
- Zoning Ordinance Update Committee (Motyka / Wilson Alternate)

**iv. Commission Activities**

- Commissioner Travel and Training Reports

**v. Upcoming Agenda Items**

- Status Report on requested items to City Council – June 6, 2013
- Franklin Post Office Update (Lorie Garcia) – June 2013
- Status on Draft Historical Resources Survey Policy for City Manager Review – June 2013
- Review of Street Name List – August 1, 2013
- Status report on plaque requests – 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 9:38 p.m. The next regular Historical and Landmarks Commission meeting will be held on Thursday, July 11, 2013 at 7:00 p.m.

Prepared by:

  
 Yen Chen  
 Associate Planner

Approved:

  
 Gloria Sciara, AICP  
 Development Review Officer

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