



## City of Santa Clara

### HISTORICAL AND LANDMARKS COMMISSION MEETING MINUTES

Thursday, July 12, 2012 – 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.: Santa Clara University Art / Art History Building Project**

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

The meeting was called to order at 7:00 p.m.

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

Commissioners Present: Chair Brian Johns, Shawn Hartung, Rosalie Wilson, Robert Luckinbill, Jeanie Mahan and Jerry McKee.

Commissioners Excused: Kris Motyka.

Staff Present: City Planner, Steve Lynch, and Associate Planner, Yen Chen.

#### **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 Johns reordered the items under Public Meetings (Items 8.A and 8.B).

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

Members of the public may briefly address the Commission on any item not on the agenda.  
- None

**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 May 10, 2012.

**Motion/Action:** The Commission approved the Minutes of May 10, 2012 meeting as amended by Commissioner Lukinbill (6-0-1-0, Motyka absent).

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

**8. PUBLIC MEETING ITEMS**

<b>8.A. File No.(s):</b>	<b>PLN2011-08955 / CEQ2011-01129</b>
Project Name:	<b>Santa Clara University Art / Art History Building Project</b>
Location:	A 2.21 acre project site comprised of two parcels (APNs: 269-23-046 and 083) that make up the majority of the city block defined by Benton Street to the north, The Alameda to the east, Franklin Street to the south, and Alviso Street to the west and that include building site addresses: 1043, 1045, 1065, 1071 and 1073 Alviso Street; 724, 734 and 770 Benton Street; and 735, 741, 743, 755 and 773 Franklin Street. Properties zoned Downtown Commercial (CD) and Public (B).
Applicant:	Steve Brodie, Master Program Management
Owner:	Santa Clara University
Request:	<b>Rezone from Downtown Commercial and Public (B) to Planned Development (PD) to construct a three-story, 44,111 square foot Art and Art History Building and four level parking garage containing 383 parking spaces as part of the expansion of the Santa Clara University campus; in conjunction with the demolition of 11 existing buildings, including up to four historic structures.</b>
CEQA Determination:	Environmental Impact Report (EIR)
Project Planner:	Debby Fernandez, Associate Planner
<b>Staff Recommendation:</b>	<b>Review of the Environmental Impact Report and Approve project with modified design, subject to conditions</b>

**Notice:** The notice of public meeting for this item was posted within 500 feet of the site and was mailed to property owners within 500 feet.

**Discussion:**

Mr. Chen gave an overview of the proposal to construct a three-story Art and Art History Building and four level parking garage. He noted that since the June 7<sup>th</sup> meeting, a Draft Environmental Impact Report (DEIR) was completed and released for public review and comment.

Mr. Chen proceeded to review the Site Design Alternative examined in the DEIR, and based on the Environmental Analysis and Project Analysis, the recommendation to the Commission is that the Historical and Landmarks Commission recommend that City Council approve the project with a modified design. Mr. Chen then reviewed the recommended conditions for the modified design.

Commissioner McKee asked whether the three properties that qualify for National and California Registry will still be eligible as historic resources once relocated. Ms. Shannon George from David J. Powers and Associates commented that even though the setting of the structures will be compromised over time, it is not the critical component for the determination for significance. The qualification for the three eligible historic resources is based primarily on the architecture, so moving them to a new location on that block does not diminish the eligibility for the California and National register. She noted that the Secretary of Interior allows for relocation to preserve from demolition.

Commissioner Mahan asked for clarification on the relocation plan. Mr. Chen noted that the DEIR includes an environmentally superior alternative to the project proposed by the University. The superior alternative is the "Site Design Alternative" which relocates and retains historical buildings on the site. A second alternative presented in the DEIR is the "Relocation Alternative" which proposes relocation of all four historic structures off-site.

Ms. Lorie Garcia noted that she was not going to address the DEIR or all of the properties. She noted that the most important property is the Larder House, and understanding the importance of the German Colony to Santa Clara. She noted that the consultants addressed the National and California Register discussion in the DPR. Ms. Garcia noted her concern that the DPR prepared for the Larder House did not adequately address the City's Local Criteria. Ms. Garcia noted that it is important to evaluate what is important to the local community and not necessarily what is important at the national level.

Ms. Garcia commented that in the 1860's the German Colony, at one time, comprised 20 percent of the town population. She noted that the area was mostly located north of the University with a mix of residences and businesses. She stated that the only standing vestige structure of this colony is the Larder House, and is also known as the German Colony House.

She noted that the Larder House is associated with an important individual or group who contributed in a significant way to the political, social and/or cultural life of the community. She discussed the relationship of notable Santa Clara businesses and residents. She commented on the relationship of the Larder House with Senator Frank, Antoine Bisel and Eberhard Tannery.

Ms. Garcia disagrees with the consultants view on the Criterion for Architectural Significance. She noted that the property has a visual symbolic meaning and appeal for the community. She commented that the community knows the property as the "Larder House, False Front House, and German Colony House".

Ms. Garcia commented that the project is not consistent with the General Plan. She noted that there are reasonable alternatives where the buildings can be moved on the site and maintain their context verses moving the buildings off the site. Ms. Garcia asked the Commission to look at the project objectives and consider the environmentally superior alternative as discussed in the DEIR Section 6.0 Project Alternatives under Site Design Alternative.

Mr. Joe Sugg, Assistant Vice President of University Operations noted that Santa Clara University has spent over 36 months to develop a needs assessment and detailed program for the Art and Arts History Building. The site plan and building location respond to the needs of the University and surrounding community. Mr. Sugg thanked David J. Powers & Associates for their hard work on the DEIR and Albion Environmental, Inc. on the Treatment Plan.

Mr. Sugg stated that the parking structure is set back 56 feet from the street to provide visual and spatial relief along Benton Street, and that the development of a green linear park is consistent with City policy which encourages projects to be compatible and sensitive to nearby development. The space provides land consistent with the Santa Clara Station Focus Area Plan by minimizing surface parking with the construction of the new four-level parking structure set back behind a linear park.

Mr. Sugg also stated that the location for the Art and Art History complex on Franklin Street blends with the scale and texture of the adjacent campus. The location of Sculptured Garden on the western side of the building provides outdoor space for public art exhibition and educational space. The Art Garden on the east provides for green space and area to comply with the State required urban runoff program. The area behind the complex and parking garage provides specific program areas supporting the art complex, such as ceramic ovens, staging area, waste and recycle areas, utilities, and delivery access.

Mr. Sugg stated that in order for the project to support University objectives in higher education and meet specific program requirements of the Art and Art History Building, the existing buildings must be removed to allow construction of the proposed buildings.

Mr. Sugg commented that according to the DEIR, the Queen Anne and bungalow style structures are common and that many representations of these styles from the same time period can be found in the neighborhood. He noted that the demolition of the two houses on Franklin Street and house on Benton Street will not constitute a cumulatively considerable impact to the existing stock of local historic buildings.

Mr. Sugg noted that the Larder House is in very poor condition. A structure and safety evaluation deemed the building unsafe and unusable for years. Mr. Sugg stated that a conditions report prepared by Mineweaser and Associates noted numerous modifications have been made to the interior and exterior of the building resulting in "the destruction of much of its fabric and character defining features".

Mr. Sugg provided comments and observations from the DEIR. He noted that the "No Project" alternative, given the General Plan designation, is unlikely to preserve the historic buildings on-site and be retained.

Mr. Sugg noted that the Site Design Alternative to include retention of three buildings on-site is flawed. He commented that there is an unfair burden on the University. The existing buildings are small and designed for residential use. The reuse of the structures for University purpose is lacking sufficient space for the Art and Art History uses. The retention of the small structures creates an architectural disconnect with other University buildings on Franklin Street. Mr. Sugg also noted environmental flaws, including urban runoff and energy efficiencies, with the retention of the buildings on-site.

The University analyzed the cost of relocation and rehabilitation, and based on prior experience, the estimate is approximately 1.2 million dollars for a single house. Mr. Sugg noted that the average cost for relocation and rehabilitation effort for a single building is approximately \$600,000. The land permits, site development, and site utilities cost estimates are approximately \$400,000. The cost of sale, commission and general overhead is estimated at

\$200,000. Once ready for sale, the market value is \$700,000 to \$800,000. This results in an economic loss of \$400,000 to \$500,000 per structure.

Mr. Sugg noted that based on these observations, the University offers the following recommendation and modifications to staff's recommendation: 1) Approve the project as proposed by the University; and 2) The University will make a good faith effort to relocate and/or salvage the four houses in-lieu of demolition. Mr. Sugg noted that the University will: a) Actively seek private buyers for the four houses on as is basis for \$1.00 each; b) The University will provide additional funds to buyers to offset relocation costs equivalent to the estimated cost for demolition and disposal; and c) Should buyers not be available for one or more of these houses, the University will proceed with the demolition of the houses following the City's recommendations in the Staff report.

Mr. Sugg then reviewed the City's recommendations in the event that the University does not find a receiver for the properties, "The University shall document the structure in accordance with the guidelines established for the HABS and shall consist of drawings, photographs and written data. The University shall then contract with a bona-fide demolition/salvage company to conduct an architectural salvage or the various architectural features in the structure and inventory of architectural features shall be provided to the City prior to the salvage operation taking place."

Mr. Sugg noted that the University's suggested modifications support the City's General Plan, meets the University's requirements, provides an opportunity to extend the life of buildings and is economically practical.

Commissioner Mckee asked if people are living in the buildings at this time. Mr. Sugg noted that the person living in the Bungalow will be moving out at the end of the month, and that the Larder House has not been occupied. The Queen Anne homes are being used by an academic unit of the University that will be relocated to other space on the campus.

Commissioner Johns asked how the existing Art History building compares to the new complex. Mr. Sugg noted that the existing facility is 38,000 square feet compared to 44,111 square feet for the new complex.

Mr. Sugg stressed the good faith effort by the University to find a new home for the residences. Mr. Sugg noted that there are people interested in purchasing the Queen Annes. He commented that the Bungalow is problematic and unsure as to who would want the structure. Mr. Sugg stated that due to the condition of the Larder House it is structurally unsound and will need to be entirely rebuilt.

Commissioner Hartung inquired on the length of ownership by the University for the Larder House. Mr. Sugg commented that it has been approximately 15 years. Commissioner Wilson asked if the University attempted to upgrade the house. Mr. Sugg noted that the University attempted to use the house and the front porch fell through. The only way to enter the house is through the back of the structure. Mr. Sugg commented that there is no context remaining with the Larder House and German Community. He noted that the University did not demolish the other structures commented on earlier by Ms. Garcia. Mr. Sugg suggested putting a mural on the wall of the proposed parking garage depicting the history of the German Colony. He also noted pictures and photographs can be incorporated into the Art History complex.

The public comment period was opened and closed with no public comments received.

Commissioner Luckinbill commented that he could not support total demolition of the buildings. He was not supportive of the idea of having a mural. He commented that he likes the Site Design Alternative that is being recommended by the staff. He stated that the Larder House is

an important asset to the community. Commission Luckinbill stated that relocation on-site of the structures is not perfect, but is preferred over the demolition. Commissioner Mahan echoed the opposition to demolish the historical buildings.

Commissioner Mahan noted that a mural is not an appropriate substitute when the City has the actual house. She noted her preference to relocate the structures on the site and to preserve the Larder House. Commissioner Hartung noted that benign neglect of the property over 15 years is not acceptable. She noted the importance to keep the homes on the site. Commissioner Hartung noted the need to preserve the only building remaining from the German Colony. She is opposed to the University Plan and is willing to consider the Site Design Alternative.

Commissioner Mahan suggested that the University look at clustering the houses around the Adobe on the The Alameda. She commented that the University should have taken into account alternatives at the beginning of the project. Commissioner Mahan stated her concern that once resources are removed and destroyed they are gone forever. She noted that we currently have art and history in these historical resources, so there is no support for demolition of these buildings.

Commissioner Wilson noted difficulty in supporting the project as presented by the University. She commented that the loss of the Downtown was a big loss. Commissioner Wilson stated that it was a loss when the Verein was demolished.

Commissioner Wilson inquired about the activity currently taking place on the property. Mr. Sugg noted the University is performing an archeological investigation which is allowed on the property, and that the work is being performed in accordance with an archeological treatment plan. The University estimates that it will take six months to perform the archeological investigation. The work is authorized by the City and is necessary prior to moving the project forward. Ms. Garcia noted that the City developed a policy to require a Treatment Plan, prior to the start of the project, to develop mitigation and to perform archeological work in certain area of town. She noted that the archeological work being performed is in accordance to the approved Treatment Plan.

Commissioner Luckinbill inquired as to whether the University is interested in the modified project recommended by staff. Mr. Sugg asked that the Commission consider the University's recommendation noted earlier. He noted that there is a severe economic impact for the University to build a four-story building and to relocate to Larder House. Commissioner Hartung noted that all four houses should be saved.

**Motion/Action:**

It was moved by Commissioner Luckinbill, seconded by Commissioner Hartung and was carried (6-0-1-0, Motyka absent) to recommend that City Council approve the project with a modified design that includes the following conditions:

- Approve construction of the Art and Art History building and parking garage structure in the general footprint illustrated in the attached site plan.
- Approve the proposed building architecture for the Art and Art History Building and parking garage.
- Relocate the Larder House and two Queen Anne residences (currently used as offices) on the site and submit the revised Site Plan for City review and approval.
- Allow adaptive reuse of the Larder House and two Queen Anne residences consistent with the residential, office, or educational needs of the University.
- Rehabilitate the Larder House consistent with the Secretary of Interior Standards.
- Any required improvements to the Larder House and/or Queen Anne's shall be conducted consistent with the Secretary of Standards.

- Allow the relocation of the Craftsman Bungalow off-site in the Old Quad or Old Agnew area of Santa Clara for use by the University or offer for-sale to public or private entity for \$1.00 and pay fees for removal and relocation equal to the cost of construction waste disposal.

It was moved by Commissioner Luckinbill, seconded by Commissioner Hartung and was carried (6-0-1-0, Motyka absent) that the June 7<sup>th</sup> and July 12<sup>th</sup> Minutes for this item move forward to the Planning Commission and City Council for review.

## 9. OTHER BUSINESS

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

#### i. Announcements/Other Items

- Election of Commission Officers
  - Commission continued the Election of Officers.
- Draft DPR Policy for City Manager Review
  - Commission continued the discussion on the Draft DPR Policy.
- Discussion regarding Historic Preservation Information (Motyka)
  - None.
- Monthly Report on HT properties: Residential reversions
  - None.
- AB 1234 Mandatory Ethics Training – September 13, 2012
  - Mr. Chen noted that the Ethics Training is mandatory and the City will be offering the training at no cost. RSVP will be made for the Commissioners and reminder will be announced at the September 6, 2012.

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

- City Council and Planning Commission Actions (3 item attached)
  - Mr. Chen noted that the City Council remanded the 3499 The Alameda residential project to the Planning Commission for redesign and to allow for staff analysis of the revised proposal.
  - Mr. Chen noted that the City Council passed a Resolution approving a rezoning of the property located at 1647 Santa Clara Street from R1- to PD.
  - Mr. Chen reported that the City Council passed a Resolution approving an HT zoning amendment for the property at 980 El Camino Real.

#### 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]
  - Building Maintenance has been notified to repair broken windows.
  - Historical items will be donated to the Historical Fire Museum.
  - There are no meeting in July and August.
  - Mission City Opera will be holding final performance on August 26, 2012.
- Historic Preservation Society of Santa Clara (Hartung / Luckinbill as alternate)
  - [Second Friday of each month at 10:00 a.m.- Harris Lass Preserve]
  - Commissioner Hartung noted difficulty in attending morning meetings. The Commission voted to replace Commissioner Hartung with Commissioner Mahan.
- Old Quad Residents Association (Motyka / Johns as alternate)
- Architectural Committee (Mahan / Johns as alternate)
- Agnews Historic Cemetery Museum Committee (Wilson / Luckinbill as alternate)
- Neighborhood University Relations Committee (Johns)
- BART Committee (Johns / McKee as alternate)
- General Plan Steering Committee (Motyka / Wilson Alternate)

**iv. Commission Activities**

- Commissioner Travel and Training Reports

**v. Upcoming Agenda Items**

- Election of Commission Officer – August 2, 2012
- Annual Review of City-Owned Historic Properties – August 2, 2012
- Commissioner photos and Commission committee reassignments– August 2, 2012
- Approval of 2013 meeting schedule – September 6, 2012
- Quarterly report on matter of document retention – October 4, 2012
- Review of Street Name List – October 4, 2012
- Draft 2011-2012 Annual Certified Local Government Report– November 1, 2012

**10. ADJOURNMENT**

The meeting was adjourned at 8:39 p.m. The next regular Historical and Landmarks Commission meeting will be held on Thursday, August 2, 2012 at 7:00 p.m.

Prepared by:   
Yen Chen  
Associate Planner

Approved:   
Gloria Sciara, AICP  
Development Review Officer

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