



# Memorandum

## HISTORIC LANDMARKS COMMISSION STAFF REPORT

<b>File Nos.</b>	<b>HL20-005 and HP20-002</b>
<b>Application Types</b>	<b>City Landmark Designation Amendment and Historic Preservation Permit Amendment</b>
<b>Applicant</b>	<b>Google LLC</b>
<b>Location</b>	<b>374 West Santa Clara Street</b>
<b>APN</b>	<b>259-38-128</b>
<b>Existing Zoning District</b>	<b>A(PD) Planned Development (File No. PDC15-051)</b>
<b>Proposed Zoning District</b>	<b>DC(PD) Planned Development (File No. PDC19-039)</b>
<b>Council District</b>	<b>3</b>
<b>Historic Classification</b>	<b>San José Water Works City Landmark HS91-57 (Resolution 63381)</b>
<b>Annexation Date</b>	<b>Original City</b>
<b>CEQA</b>	<b>Environmental Impact Report For the Downtown West Mixed-Use Plan Project (Google Project)</b>

### APPLICATION SUMMARIES:

The following summarizes two applications involving the San José Water Works City Landmark HS91-57 (Resolution 63381) located at 374 W. Santa Clara Street in downtown San José.

The first application, **File No. HL20-005**, proposes to modify the landmark boundary of the designated property from a 0.96-gross acre site to a 0.31-gross acre site.

The second application, **File No. HP20-002**, proposes to amend an existing Historic Preservation Permit (File No. HP16-002) to revise the terms of the Permit to be consistent with the Downtown West Mixed-Use Plan Project (Google Project). The proposed Permit Amendment would retain the existing approval to demolish the non-contributing structures on site, to carry out landscape and hardscape improvements on site and to relocate the Transformer House on the modified 0.31 gross acre site and remove activities that are no longer proposed under the former project (underground garage and access).

**RECOMMENDATION:**

Staff recommends that the Historic Landmarks Commission:

- a. Recommend that the City Council adopt a resolution to modify the boundary of the San José Water Works City Landmark (File No. HS91-57) from a 0.96-gross acre site to a 0.31-gross acre site at 374 W. Santa Clara Street in downtown San José; and
- b. Recommend that the City Council adopt a resolution to approve the Historic Preservation Permit Amendment (File No. HP20-002) to revise the terms of the Permit to be consistent with the Downtown West Mixed-Use Plan Project, which includes the San José Water Works City Landmark at 374 W. Santa Clara Street in downtown San José.

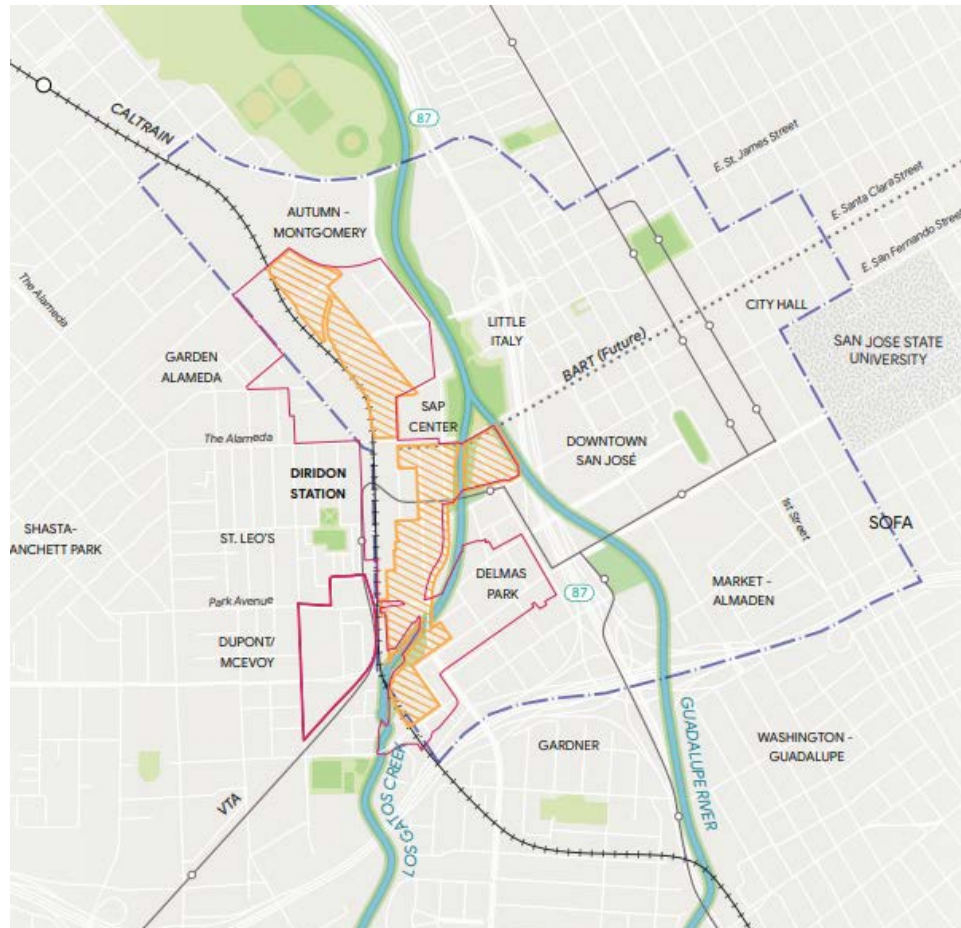
<b>PROJECT DATA</b>			
<b>GENERAL PLAN CONSISTENCY</b>			
<b>General Plan Designation</b>		<b>Downtown</b> <input checked="" type="checkbox"/> <b>Consistent</b> <input type="checkbox"/> <b>Inconsistent</b>	
<b>Consistent Policies</b>		Land Use Goal and Policies LU-13 and LU-13.13	
<b>Inconsistent Policies</b>		<b>None</b>	
<b>SURROUNDING USES</b>			
	<b>General Plan Land Use</b>	<b>Zoning</b>	<b>Existing Use</b>
<b>North</b>	Open Space, Parklands and Habitat	CO(PD) Planned Development & Light Industrial	Arena Green Public Park
<b>South</b>	Downtown and Residential Neighborhood	LI Light Industrial and R-2 Two Family Residence	VTA Light rail
<b>East</b>	Open Space, Parklands and Habitat	Light Industrial	Guadalupe River / Flood Channel
<b>West</b>	Open Space, Parklands and Habitat	CN Commercial Neighborhood & Light Industrial	Los Gatos Creek

<b>RELATED APPROVALS</b>	
<b>Date</b>	<b>Action</b>
<b>3/27/1850</b>	Site annexed into the City of San Jose (Original City)
<b>12/3/1991</b>	File No. HS91-57: City of San José Landmark Designation No.57 for San José Water Works building and site, a City Landmark of Special Historical, Architectural, Cultural, Aesthetic or Engineering Interest or value of a historic nature (Resolution No. 63381)
<b>2/3/2004</b>	PDC02-046: Planned Development Rezoning from CN Commercial District to A(PD) Planned Development District to allow mixed use (1.04 million square feet for office/retail and 325 multi-family attached residences) on a 8.93 gross acre site
<b>1/28/2005</b>	PD04-080: Planned Development Permit to demolish an existing single-family house and allow for use as temporary parking lot on a 0.19 gross acre site
<b>1/6/2005</b>	AD05-006: Historic Preservation Permit Adjustment to remove two fountains

<b>6/3/2005</b>	AD05-446: Historic Preservation Permit Adjustment for replacement of glass on four windows on the first floor of a historic office building (San Jose Water Company)
<b>5/17/2016</b>	PDC15-051: Conforming Planned Development Rezoning from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to allow for a reduced Guadalupe River flood channel setback, and four floors of underground parking for a mixed-use development with up to 1.04 million square feet for office/retail and up to 325 multi-family attached residences on a 8.93 gross acre site
<b>5/24/2016</b>	PD15-061: Planned Development Permit to allow the construction of a mixed-use development with up to 1.04 million square feet for office/retail and up to 325 multi-family attached residences on a 8.93 gross acre site.
<b>8/24/2016</b>	PT16-012: Tentative Map to consolidate 19 parcels into one parcel for subdivision into two parcels, and up to 10 commercial condominiums on a 8.93 gross acre site
<b>5/11/2016</b>	HP16-002: Historic Preservation Permit to allow the demolition of non-historic additions and structures, onsite relocation of the transformer house, the construction of an underground parking garage and garage access, and a landscaped plaza within the San Jose Water Works City Landmark site on a 1.02 gross acre site
<b>8/24/2016</b>	PDA15-061-01: Planned Development Permit Amendment to PD15-061 to allow up to 10 commercial condominiums on the office portion of the 8.93 gross acre site
<b>5/19/2017</b>	AD17-427: Major Permit Adjustment to allow façade and site improvements to the Diridon TOD project. For the Office Building: 1) lowering the height by one foot 2) increasing the width of the roof top elevator shaft/equipment room 3) extending and wrapping the terraces in the middle section 4) modifying the ground floor façade and entries. For the Residential Building: 1) lowering the height by 2 feet; 2) modifying the facades on all elevations; and 3) modifying the ground floor entry stairways on all elevations.
<b>5/8/2020</b>	AD20-251: Permit Adjustment to extend the permit expiration for PD15-061 to May 24, 2021. This one-year extension allowed by 20.100.500 (A)(1).
<b>5/8/2020</b>	HPAD20-007: Historic Preservation Permit Adjustment to extend the permit expiration for HP16-002 to May 23, 2021. This is the one-year extension allowed by SJMC 13.48.340 (D)(1).
<b>8/10/2020</b>	HPAD20-006: Historic Preservation Permit Adjustment to HP16-002 for the exterior modifications to windows and openings.

## PROJECT SITE AND DESCRIPTION

As shown in Figure 1 below, the Downtown West Mixed-Use Plan Project (Google Project) site is approximately one mile from north to south, and generally bounded by: Lenzen Avenue and the Union Pacific railroad tracks to the north; North Montgomery street, Los Gatos Creek, the Guadalupe River, State Route 87, Barack Obama Boulevard, and Royal Avenue to the east; Auzerais Avenue to the south; and the Caltrain rail corridor and Cahill Street to the west.

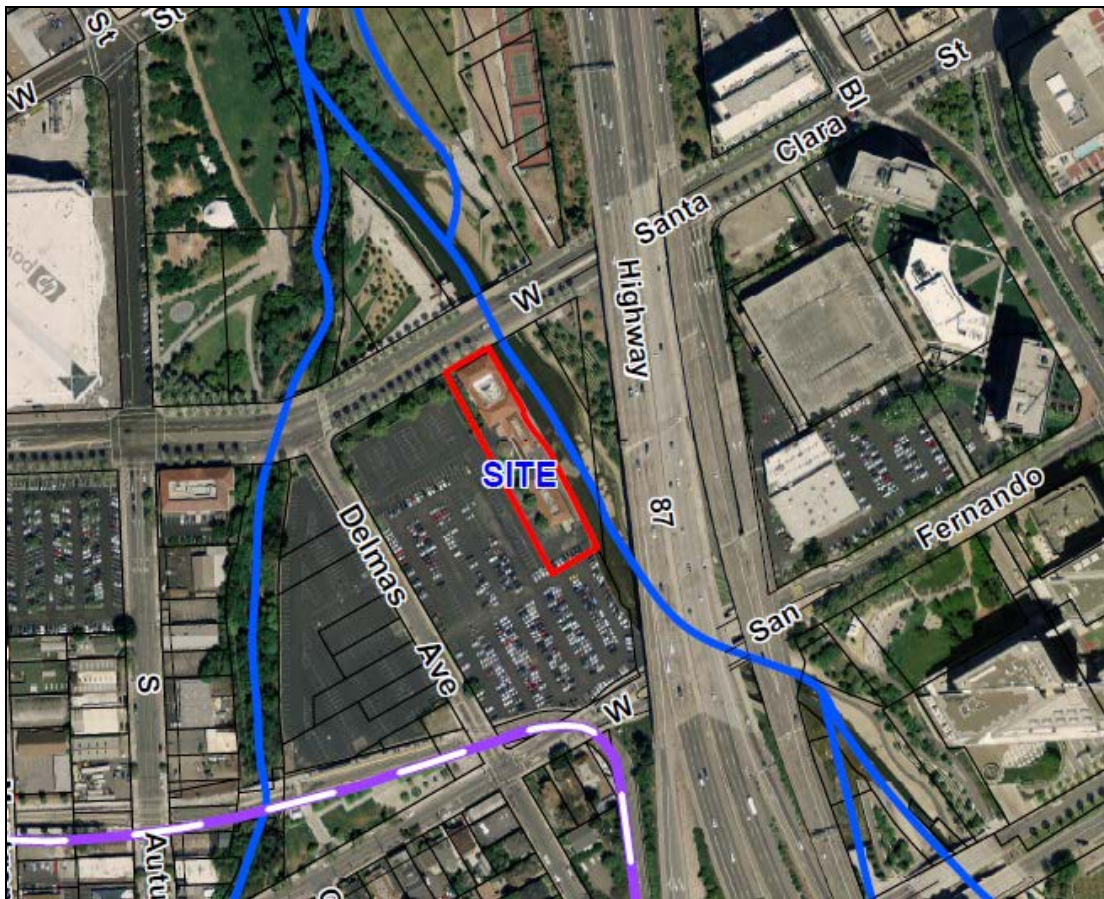


**Legend**  
- - - Downtown Boundary  
Downtown West Project Boundary  
Diridon Station Area Plan Boundary

**Figure 1: Downtown West Mixed-Use Plan Project Location**

The San José Water Works City Landmark is located at 374 West Santa Clara Street. The property is bounded by West Santa Clara Street to the north, the Guadalupe River/Flood Channel to the east, and a surface parking lot to the south and west (see Figure 2). The property contains a small portion of the surface parking lot, the San José Water Works Main Office building, the Transformer House, and several non-contributing structures. The site is adjacent to the VTA Light Rail Station, within 500 feet of the SAP Center, and adjacent to bike trails on the Guadalupe River Trail.



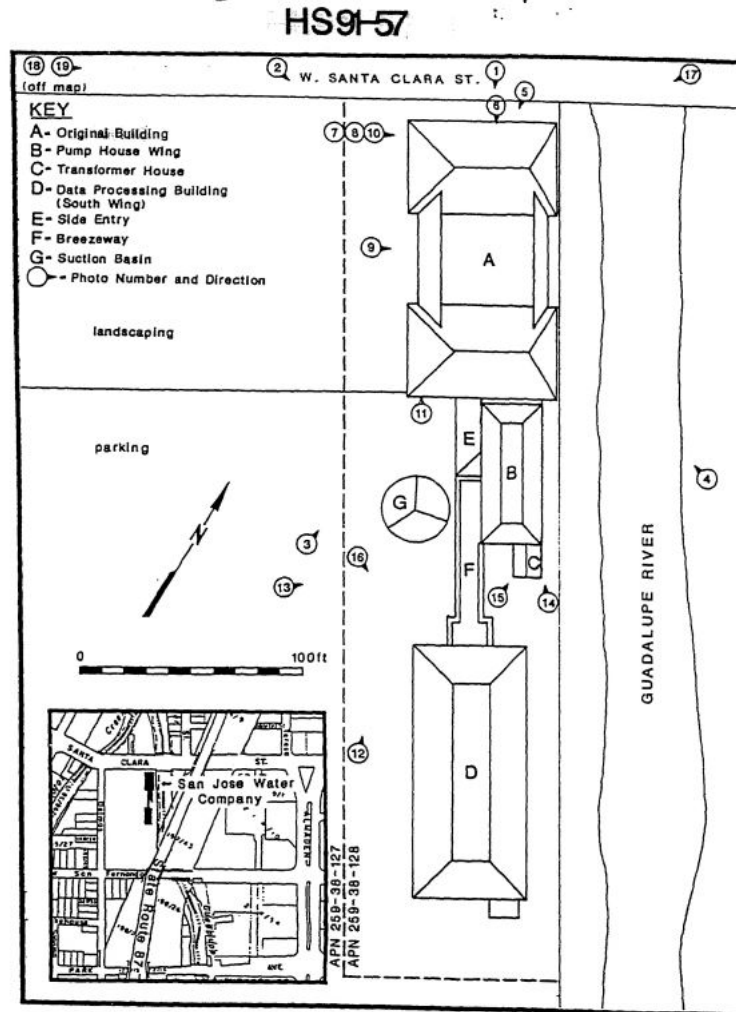


*Figure 2: Aerial Map of San José Water Works City Landmark*

### **Historic Resource Description**

In 1990, the property was determined eligible for listing in the National Register of Historic Places under Criterion A (Events) for its significance as the site of the oldest privately owned water utility in California and under Criterion C (Architecture) as an excellent example of a distinctive type of office building of its period (1934), combining Moderne and Spanish Colonial Revival elements, and designed by the prominent San Jose architecture firm Binder and Curtis. Eligibility was determined by Woodruff Minor and Basin Research Associates in 1999, verified by Ward Hill and Basin Research Associated in 2003, and verified again by Architectural Resources Group in 2019. Because the building is eligible for listing in the National Register of Historic Places, it is automatically eligible for listing in the California Register of Historical Resources.

The San José City Council designated the San José Water Works property a City Landmark on December 3, 1991 (Resolution No. 63381). The 0.96-gross acre site includes one assessor's parcel containing the 1934 San José Water Works Main Office (primary building on site), 1913 Transformer House, 1913 Electrical Pump House (major alterations circa 1920 and 1984-1985), a 1985 breezeway, 1984-1985 Data Processing building, and a Suction Basin (round, reinforced concrete cistern) altered in the 1980s. Figure 3 below identifies all structures on site.



### San Jose Water Works

Figure 3: Structures Within Existing City Landmark Boundary (Resolution 63381)

In the 1950s, there were many more structures associated with the San José Water Works, which occupied the entire block bounded by West Santa Clara Street, Delmas Avenue, West San Fernando Street and the Guadalupe River, with the exception of a row of houses along West San Fernando Street and several businesses west of the Main Office building. Between 1980 and 1985, the greater site underwent considerable change. All non-company buildings were demolished, as were the shop building and parking sheds, and the site was landscaped and paved for a surface parking lot. The original pump house was demolished and replaced with the Data Processing building, the electrical Pump House significantly remodeled, and the Breezeway and Entry constructed.

The only contributing structures remaining on the site are the Main Office building and the Transformer House. The Main Office building was built in two stages in 1934 and 1940 (with minor alterations in 1952 and 1953) and replaced a one-story wood frame building constructed in 1888. Although the building was built in two stages, the work was designed by the same architect, Ernest N. Curtis. The front (north), two-story section and the first story of the central section were built in 1934 and the rear (south) two-story section and the second story of the central section were

built in 1940. The Transformer House is a small rectangular structure constructed of reinforced concrete with a gable roof clad in terra cotta tile (originally clad with asbestos shingle). The Transformer House is the only building that dates to the early historical development of the site and retains its historic integrity. It originally housed an electrical transformer. The other structures on site were either extensively remodeled and lack historic integrity or were constructed in the 1980s.

The site is associated with the San José Water Works, established in 1866 to provide water to San José and neighboring communities. The San José Water Works property has been occupied by a well field and pumping station since circa 1880. The company office was located on the site from 1888 to the early 2000s. The impoundment and distribution system, initially developed between the 1870s and the 1890s, represents an ambitious and highly successful undertaking. The property embodies the theme of water utilities in the San Francisco Bay Area, which is of paramount importance in the urban development of the region. The primary historic context of the property is the development of municipal water supplies in the San Francisco Bay Area in the late nineteenth and early twentieth centuries. The secondary historic context is the design of the Main Office building, a distinctive regional blending of the Moderne and Spanish Colonial Revival styles and the local prominence of the architectural firm Binder and Curtis. The firm handled many of the major San José commissions of a civic and commercial nature prior to World War II, which was typical of prominent architectural firms in medium sized cities. The period of significance for the property is 1888 to 1940.

### **Downtown West Mixed-Use Plan Project (Google Project)**

The Downtown West Mixed-Use Plan Project (Google Project) includes General Plan Amendments, Planned Development Rezoning, a Planned Development Permit, Historic Landmark Boundary Amendments, a Historic Preservation Permit Amendment, a Vesting Tentative Map and a Development Agreement (File Nos. GP19-009, PDC19-039, PD19-029, HL20-004, HL20-005, HP20-002, and PT20-027) and other permits and approvals for the development up to 5,900 residential units; up to 7,300,000 gross square feet (GSF) of office space; up to 500,000 GSF of active uses such as retail, cultural, arts, etc.; up to 300 hotel rooms; up to 800 rooms of limited-term corporate accommodations; up to two event and conference centers totaling up to 100,000 GSF; up to two central utility plants totaling approximately 130,000 GSF; logistic/warehouse(s) totaling approximately 100,000 GSF; and approximately 15 acres of open space, all on approximately 81 acres. The project also proposes infrastructure, transportation, and public realm improvements.

All associated documents about the project can be found or linked at <https://www.sanjoseca.gov/googleproject>.

### **Landmark Designation Amendment Component (File No. HL20-005)**

On October 14, 2020, the applicant, Google LLC, applied for a City Landmark Designation Amendment to modify the boundary of the San José Water Works City Landmark. The existing site is 0.96-gross acres in size. Figure 4 below depicts the existing landmark boundary.

When the property was designated in 1991, the City Landmark boundary was drawn around the existing assessor's parcel which contains the San José Water Works Main Office building and all the associated buildings on site, most of which are non-contributing structures.

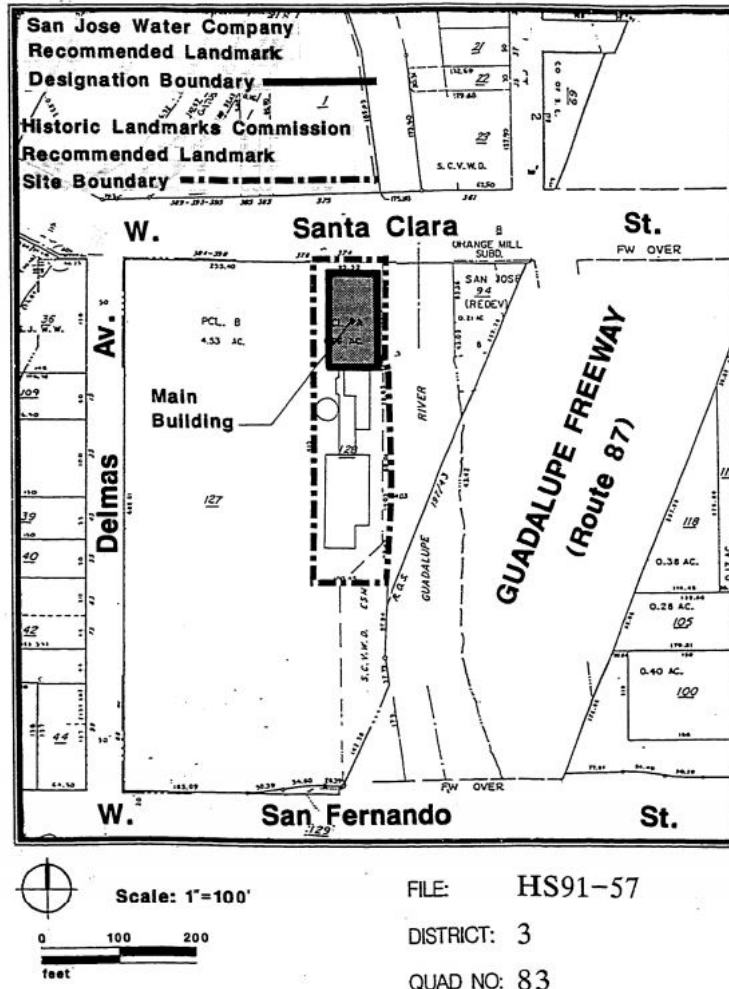


Figure 4: Existing City Landmark Boundary

Since the landmark designation, an entitlement for the site was approved that incorporated the San José Water Works City Landmark. As part of PDC15-052 and PD15-061 (refer to Background section of this report), a Historic Preservation Permit (File No. HP16-002) was approved on May 11, 2016. The HP Permit approved the demolition of the non-contributing elements on the San José Water Works property, landscape and hardscape improvements, and the relocation of the 1913 Transformer House to be positioned directly south of the Main Office building.

The proposed boundary amendment retains the location of the north and east boundaries of the San José Water Works City Landmark and shifts the south and west boundaries to contain the only historic resources on site: the 1934 Main Office building (and the 1940 addition), and the 1913 Transformer House, which will be relocated closer to the Main Office building as depicted in Figure 5. The Main Office building and the Transformer House are the only structures on site that convey the historic significance of the landmark and its period of significance from 1888 to 1940. The modified boundary would remove the portion of the site that contains the non-contributing elements of the City Landmark that were approved for demolition under HP16-002. The draft Resolution to modify the boundary of the San José Water Works City Landmark is attached to this memo as Exhibit A.



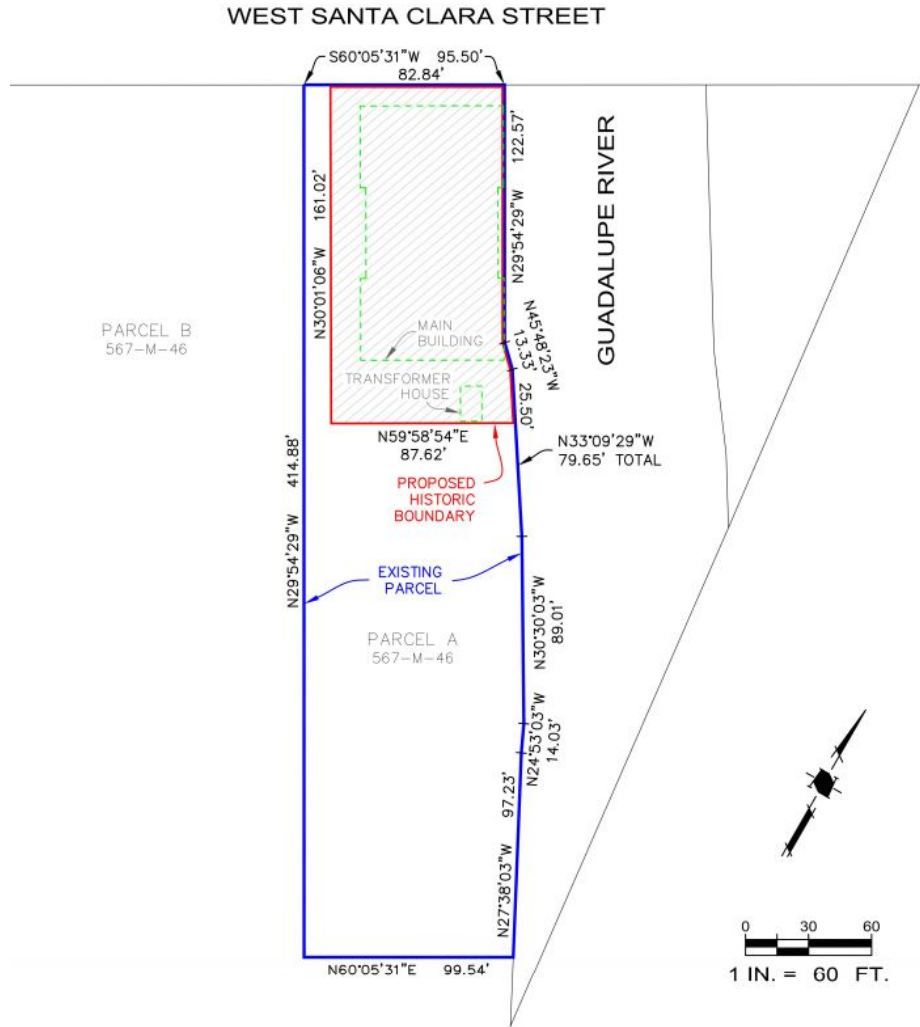


Figure 5: Proposed Boundary for HL20-005

**Historic Preservation Permit Amendment Component (HP20-002)**

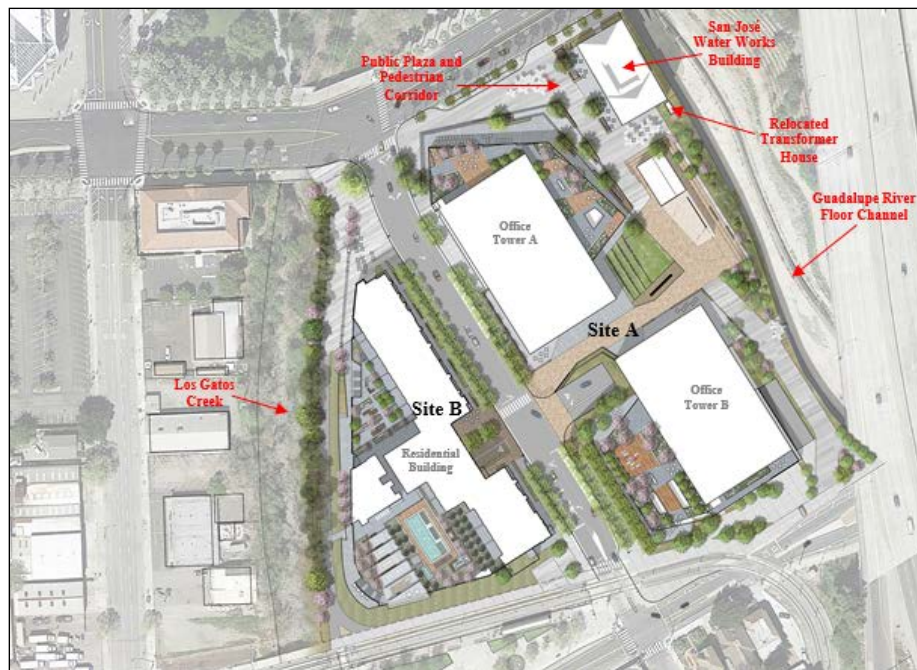
On October 7, 2020, the applicant, Google LLC, applied for a HP Permit Amendment (File No. HP20-002) to update the existing HP Permit (File No. HP16-002) and revise the terms to be consistent with the Downtown West Mixed-Use Plan Project. The proposed HP Permit Amendment would retain the existing approval to demolish the non-contributing structures on site, to carry out landscape and hardscape improvements, and to relocate the Transformer House on the modified 0.31 gross acre site.

The proposed HP Permit Amendment would retain the existing approval to demolish the non-contributing structures on site built outside the property’s period of significance from 1888-1940, to carry out landscape and hardscape improvements, to relocate the Transformer House to the northwest on the modified 0.31-gross acre City Landmark site and to remove activities approved under the former project (underground garage and access). The proposed amendment would revise the terms of the existing HP Permit to be consistent with the proposed Downtown West Mixed-

Use Plan Project. The draft HP Permit is attached to this memo as Exhibit B. Any alterations not already approved in the existing and amended HP Permit would require a new HP Permit.

## BACKGROUND

The existing HP Permit (File No. HP16-002) is related to PDC15-052 and PD15-061. The Planned Development Permit for that project was approved on May 24, 2016 (amended August 24, 2016 and May 19, 2017) to allow Conforming Planned Development Rezoning from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, and to allow for a reduced Guadalupe River flood channel setback, and four floors of underground parking for a mixed-use development with up to 1.04 million square feet for office/retail and up to 325 multi-family attached residences on a 8.93 gross acre site (Figure 4). The project site incorporated the San José Water Works City Landmark within its larger project boundaries (see Figure 6).



*Figure 6: Site Plan for HP16-002, PDC15-052 and PD15-061*

As part of the previously approved project, the HP Permit approved the following work:

- Demolition of non-historic additions on the San José Water Works building and non-contributing structures on site;
- Relocation of the transformer house south of the San José Water Works building;
- Construction of an underground garage and garage access on site; and
- Construction of a paved plaza, and site landscaping.

A public hearing for HP16-002 was held by the HLC on May 4, 2016. The HLC recommended approval and the Planning Director approved the HP Permit on May 11, 2016. The land use entitlements for that project were not implemented as approved.

An HP Adjustment (File No. HPAD20-006) was issued in August 2020 for the Main Office building which included changes to the openings at both the west and south elevations in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Along the west elevation, a non-historic door will be replaced with modern aluminum doors that are more representative of the original door configuration (double-leaf glass-panel doors under a transom). The south (right) section of the building will have new sliding stacking aluminum frame and glass panel doors to replace the non-historic existing glazing. At the south façade, two recessed rectilinear outlines are being added to the left and center bays to illustrate the location of the building's original glazing configuration. Because historic materials are not extant at these locations, modern glass transoms and doors are being inserted into portions of these two bays. The HP Adjustment (File No. HPAD20-006) issued in August 2020 is unchanged and will remain in effect.

### **Historic Landmarks Commission Review**

The newly proposed Downtown West Mixed-Use Plan Project, which includes the subject site, was brought to the HLC on January 15, 2020 for comments under the Early Referral Policy, and on November 4, 2020 for comments on the Cultural Resources component of the Draft Environmental Impact Report for the project. No comments were provided on the subject historic preservation applications on January 15, 2020 because the applications were not received until October 2020. At the November 4, 2020 HLC meeting Commissioner Polcyn commented that the 1991 decision on the specific landmark boundary was somewhat arbitrary and the proposed amendment was appropriate if the adjacent buildings are sensitively designed. Commissioner Raynsford inquired about the larger context of the San José Water Works City Landmark in terms of streetscape and landscape. He commented on the associated plaza and relationship to the landmark and suggested that the architecture and design needs to stand on its own. Commissioner Arnold expressed concern that the San José Water Works City Landmark would lose its prominence. Chair Saum commented that the Downtown West Mixed-Use Plan Project proposes a lot of development adjacent to the San José Water Works City Landmark and referenced the Trammel Crow project which he understood to include more urban open space, like landscaping and plazas.

The HLC comments primarily focused on concern about future development on Block E1 of the Downtown West Mixed-Use Plan Project. It should be noted that the appropriateness of the City Landmark boundary is not assessed in terms of the compatibility of new adjacent development, but whether the proposed boundary maintains the historic significance and integrity of the San José Water Works City Landmark.

## ANALYSIS

The proposed City Landmark Designation Amendment and Historic Preservation Permit Amendment were analyzed with respect to conformance with: 1) the Envision San José 2040 General Plan; 2) the Historic Preservation Ordinance; and 3) and the Secretary of the Interior's Standards for the Treatment of Historic Properties.

### Envision San Jose 2040 General Plan Conformance

The Envision San José 2040 General Plan Land Use/Transportation Diagram designation for the subject site is Downtown (refer to Figure 7).

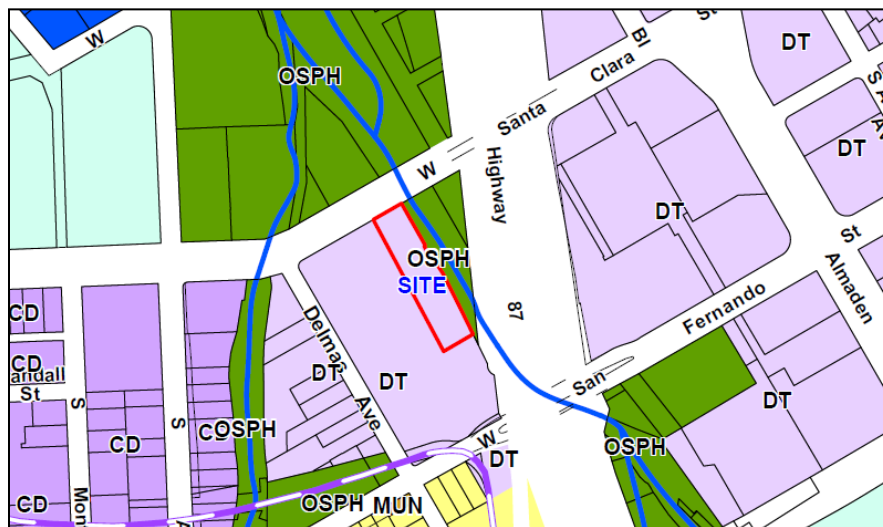


Figure 7: Envision San José 2040 General Plan Land Use/Transportation Diagram

The Downtown designation supports a range of uses and redevelopment at high intensities such as hotel, office, retail, residential and entertainment uses in Downtown. The development within this designation should enhance the “complete community” in downtown, support pedestrian and bicycle circulation, and increase transit ridership.

*Analysis:* The primary building on site, the Main Office building, will be occupied with adaptive uses such as retail, restaurants, small businesses, cultural and other community-oriented uses compatible with those allowed in the Downtown designation.

The proposed project promotes the following goals of the General Plan with respect to historic preservation:

1. Goal LU-13 - Landmarks and Districts: Preserve and enhance historic landmarks and districts in order to promote a greater sense of historic awareness and community identity and contribute toward a sense of place.
2. Goal LU-16 - Sustainable Practices: Preserve, conserve, and/or rehabilitate historic structures as a means to achieve the City of San José’s environmental, economic, and fiscal sustainability goals.

*Analysis:* The San José Water Works City Landmark will continue to maintain its historic significance and integrity, and the two historic resources - Main Office building and Transformer House - will continue to promote an awareness of the site's history and a historic identity for San José. The Main Office building will be preserved in its original location on the modified parcel size with the Transformer House and will retain the sense of place for the San José Water Works, which has always been an important presence at the gateway to Downtown San José. The conservation of the Main Office building and future reuse as part of the Downtown West Mixed-Use Plan Project will also support the City's environmental and economic sustainability goals.

### **Findings for City Landmark Designation Amendment (File No. HL20-005)**

The selection of the boundary for a historic property is a judgment based on the nature of its significance, integrity, and physical setting. The boundary should encompass, but not exceed the extent of the significant resources and land areas comprising the property and include all historic features of the property. The boundary should not include buffer zones or acreage not directly contributing to the significance of the property and peripheral areas that no longer retain integrity due to alterations in physical conditions or setting caused by human forces, such as development should be excluded.

Boundaries for listed properties need to be revised when there are changes in the condition of the resources or the setting. If resources or setting lose integrity and no longer contribute to the significance of the property, it is appropriate to revise the boundaries. Since the San José Water Works City Landmark property was designated in 1991, the demolition of non-contributing structures on the site and the relocation of the Transformer House was approved under the existing HP Permit (File No. HP16-002). Once the non-contributing structures are demolished, the site will a peripheral area that has no historic integrity.

The HLC made the following landmark designation findings on November 15, 1991 under Municipal Code Section 13.48.110(H), which is the San José criteria that supports the finding that a City Landmark has special historical, architectural, cultural, aesthetic, or engineering interest or value of an historical nature. Staff analysis follows the HLC finding and evaluates the proposed boundary modification in relation to the significance findings.

#### **Criterion 1: Its character, interest or value as part of the local, regional, state or national history, heritage or culture.**

**HLC Finding:** The San José Water Works site meets Criterion 1 of Municipal Code Section 13.48.110(H) because it is site of the oldest privately owned water utility in California. The San José Water Works was established in 1866 to provide water to San José and neighboring communities. The property represents the development of municipal water supplies in the San Francisco Bay Area in the late nineteenth and early twentieth centuries and the company office was located there since 1888. The impoundment and distribution system, initially developed between the 1870s and the 1890s, represents an ambitious and highly successful undertaking. The property embodies the theme of water utilities in the San Francisco Bay Area, which is of paramount importance in the urban development of the region.

*Analysis:* The amended boundary of the site will continue to convey its association with the San José Water Works because it retains the Main Office building constructed in 1934 and is only the second company office building on the site since 1888. The Transformer House supports the significance of the site in representing the practical functionality of the business. The two buildings



*that contribute to the historic significance and integrity of the site will be retained and contained within the modified boundaries. The surrounding landscaping was planted in recent years and there are no heritage trees or mature vegetation on the site that contributes to the property's historic integrity of location, setting, feeling or association.*

**Criterion 2: Its location as a site of a significant historic event.**

**HLC Finding:** The San José Water Works site meets Criterion 2 of Municipal Code Section 13.48.110(H) because it is site of the oldest privately owned water utility in California.

*Analysis: The amended boundary of the site will continue to convey its association with the San José Water Works because it retains the Main Office building and Transformer House which are the contributing physical representations of the historic significance of the water company established on the site in 1888. The 1934 Main Office building replaced the original wood frame business office on site, but it is situated in the same location.*

**Criterion 6: Its embodiment of distinguishing characteristics of an architectural type or specimen.**

**HLC Finding:** The Main Office building on the San José Water Works site meets Criterion 6 of Municipal Code Section 13.48.110(H) because it is a distinctive regional blending of the Moderne and Spanish Colonial Revival styles.

*Analysis: The amended boundary of the site will continue to convey its association with the San José Water Works because it retains the Main Office building constructed in 1934. No changes are proposed to the building and it will retain its character defining features including the uniform, symmetrical design, reinforced concrete and stucco-clad construction; cast stone decorative elements: frieze band, diamond and chevron panels, sculptural pediment over the entry, and bas-relief patterns in water-related themes (clouds, raindrops, waves); red tile roof; "San Jose Water Company" integral signage; and modern-style decorative elements (e.g., frieze band, diamonds with flanking chevron panels). The landmark will retain its historic integrity of design, materials, and workmanship.*

**Criterion 7: Its identification as the work of an architect or master builder whose individual work has influenced the development of the City of San José.**

**HLC Finding:** The Main Office building on the San José Water Works site meets Criterion 7 of Municipal Code Section 13.48.110(H) because was designed by Ernest N. Curtis of the prominent architectural firm Binder and Curtis. The firm handled many of the major San José commissions of a civic and commercial nature prior to World War II, which was typical of prominent architectural firms in medium sized cities. Binder and Curtis also designed the De Anza Hotel (City Landmark No. 17) and the Vintage Towers (City Landmark No. 39).

*Analysis: The amended boundary of the site will continue to convey its association with Binder and Curtis because it retains the Main Office building constructed in 1934. Binder and Curtis were responsible for the design of many of San Jose's prominent buildings, particularly between the 1920s and 1930s. Many of Ernest N. Curtis' designs from the 1930s to 1950 incorporated the imagery of the Spanish Colonial Revival style with white planar surfaces and red tiled roofs, as can be seen in the Civic Auditorium. The San José Water Works building combines this recurring style with the classical order and Moderne ornament and programmatic influences. These architectural influences represented in the building will remain. No changes are proposed to the building and it will retain its architect-designed features.*



Page and Turnbull prepared an analysis of the proposed modification of the San José Water Works City Landmark boundary (September 8, 2020) and concluded that the landmark will continue to contain the contributing buildings that convey the significance of the property. This report is included as Exhibit C of this staff report. The analysis prepared by the qualified historic resources consultant and staff demonstrates that the proposed amendment of the San José Water Works City Landmark boundary would not affect the significance, integrity, and physical setting of the property, and the property would continue to possess the special historical, architectural, and cultural value that originally qualified it for landmark designation.

The Resolution to amend the boundary of the San José Water Works City Landmark includes a condition of approval to address the timing for when the landmark boundary amendment would go into effect. The City Landmark boundary modification shall not be recorded until the non-contributing structures on the 0.96-gross acre parcel are removed and the Transformer House is relocated adjacent to the Main Office building in accordance with File No. HP20-002 to ensure continued protection for all contributing buildings on site. The Permittee shall apply for a Historic Preservation Permit Adjustment when the demolition of the non-contributing structures and the relocation of the Transformer House has been completed to effectuate the new boundary as approved under HL20-005 with the recording of the Resolution. This condition assures that all the contributing structures on the property will be protected.

#### **Historic Preservation Permit Amendment Findings (File No. HP20-002)**

Section 13.48.330 of the Historic Preservation Ordinance allows any HP Permit holder to file for an HP Permit Amendment. An HP Permit Amendment is any addition, deletion, or modification to any HP permit, provided that such amendment does not alter the general character, use, or intensity of nor degrade the protections of the historic elements of a structure or site provided through the HP permit to be amended. The review of the application is limited to consideration of the conditions or specifications proposed to be amended in the application.

The existing HP Permit (File No. HP16-002) was approved in 2016 in relation to a development project for a mixed-use development with underground parking on an 8.93 gross acre site (PDC15-052 and PD15-061 - Trammel Crow Company project). At that time, development was proposed on a larger adjacent site, as well as the San José Water Works City Landmark. New construction on the landmark property included the underground garage and garage access, as well as a paved plaza, and site landscaping. The Trammel Crow development was not built and the site was sold to Google LLC. Google LLC is now proposing a new project, Downtown West Mixed-Use Plan Project and the landmark property is part of "Block E" of that plan. The existing HP Permit (File No. HP16-002) approval was extended by the City of San José for one year to May 23, 2021.

The HP Permit Amendment (File No. HP20-002) would delete those construction activities that were part of the old project and modify the approval to reference the current Downtown West Mixed-Use Plan Project. The activities that would remain in the approved HP Permit would be the demolition of non-contributing structures and the onsite relocation of the Transformer House adjacent to the San José Water Works building. The Transformer House will be relocated on a new mat slab foundation and rehabilitated as a support structure to the Main Office building. The exterior stucco and terra cotta roofing will be repaired as needed to match the original.

The HP Permit Amendment would not alter the general character, use, or intensity of the San José Water Works City Landmark, nor degrade protections of the historic elements of any buildings on site. The property maintains the “Downtown” Envision San José 2040 General Plan Land Use/Transportation Diagram designation, which supports a range of uses and redevelopment at high intensities such as hotel, office, retail, residential and entertainment uses in Downtown. The development within the Downtown designation should enhance the “complete community” in downtown, support pedestrian and bicycle circulation, and increase transit ridership. Similarly, the Downtown West Mixed-Use Plan designated the San José Water Works City Landmark for “Active” use and situates the site in the “Core” Character Zone. Under Downtown West Mixed-Use Plan, “Active” uses include retail, restaurants, small businesses, cultural and other community-oriented uses. The “Core is the social heart of the development and aims to provide retail-lined public open spaces, creek ecology and cultural amenities.

Any future work on the site would be required to be consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties. All buildings within the modified parcel would retain the local protections afforded to designed City Landmarks, including being subject to the HP Permit process. New development proposed for the adjacent Block E1 is located outside of the boundary of the modified parcel and is addressed on page 218 of the Draft Downtown West Design Guidelines and Standards. That development is not part of the HP Permit Amendment.

The review of the HP Permit Amendment application is limited to the consideration of the conditions or specifications proposed to be amended in the application. The draft HP Permit amendments are included in this memo as Exhibit B.

#### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

As the Lead Agency, the City of San José prepared a Draft EIR to analyze the environmental impacts of the Downtown West Mixed-Use Plan Project. The Draft EIR was circulated, pursuant to CEQA, on October 7, 2020. The public review period began on October 7, 2020 and ended on December 8, 2020. Public comments on the Draft EIR were received and will be addressed as part of the formal EIR review process. The Draft EIR and written public comments can be viewed at: [www.sanjoseca.gov/activeeirs](http://www.sanjoseca.gov/activeeirs).

The cultural resources analysis in Section 3.3 of the Draft EIR concluded that implementation of the proposed City Landmark Designation Amendment for the San José Water Works would result in Less than Significant impacts (Impacts CU-5) to the environment. The HP Permit Amendment is consistent with the work approved under the existing HP Permit (File No. HP16-002) and would also result in Less than Significant impacts to the environment.

**PUBLIC HEARING NOTIFICATION**

A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. The staff report is also posted on the City’s website. Staff has been available to respond to questions from the public.

**Project Manager:** Dana Peak, Historic Preservation Review Planner

**Approved by:** /s/ Deputy Director, Rosalynn Hughey, Planning Director

**Date:** 3/17/21

<b>EXHIBITS:</b>
Exhibit A: Draft Resolution for HL20-005
Exhibit B: Draft Resolution for HP Permit Amendment
Exhibit C: Page and Turnbull Report (September 8, 2020)

<b>Owner:</b>	<b>Applicant Representative:</b>
Google, LLC 1500 Amphitheatre parkway Mountain View, CA 94043	Page and Turnbull 170 Maiden lane, 5 <sup>th</sup> Floor San Francisco, CA 94108

## **HL20-005 & HP20-002 List of Attachments**

[Exhibit A: Draft Resolution for HL20-005](#)

[Exhibit B: Draft Resolution for HP Permit Amendment](#)

[Exhibit C: Page and Turnbull Report \(September 8, 2020\)](#)

[Correspondence received after 3/10/21](#)