



**PRESERVATION ACTION
COUNCIL OF SAN JOSE**
History Park
1650 Senter Road
San Jose, CA 95112
Phone: 408-998-8105
www.preservation.org

December 8, 2020

VIA EMAIL (shannon.hill@sanjoseca.gov)

Shannon Hill, Planner III
Department of Planning, Building, and Code Enforcement
200 E. Santa Clara Street, T-3
San Jose, CA 95113

**RE: DOWNTOWN WEST (GOOGLE) DRAFT EIR
GP19-009, PDC19-039, PD19-029**

Dear Ms. Hill,

Thank you for the opportunity to provide comments on the Draft EIR for the Downtown West (Google) Project, a proposed 81-acre redevelopment located entirely within the surrounding Diridon Station Area, a 262-acre planning area (pending proposed boundary expansions) subject to the Diridon Station Area Plan (DSAP) adopted by City Council in 2014 and a proposed DSAP Amendment currently under review. The Downtown West (Google) Draft EIR identifies **nine** CEQA-eligible historic resources within the project site itself, and an additional **four** historic resources listed or eligible for listing in the City of San Jose's Historic Resources Inventory (HRI). Within 200 feet of the project site, the DEIR identifies an additional **27** CEQA-eligible historic resources and **10** HRI-listed or eligible historic resources. While HRI-listed properties are not considered historic resources under CEQA, both the 2014 DSAP EIR and the *Envision San José 2040 General Plan* require projects to explore all feasible alternatives to demolition of these HRI resources as a condition of development approval (see *Downtown West Draft EIR*, 3.3-60).

As proposed, the Downtown West (Google) Project is slated to demolish **five of the nine** CEQA-eligible historic resources and **all four** HRI-eligible historic resources within the project area, along with at least **30** additional buildings, some more than 100 years old, not found to qualify as historic resources. **The Preservation Action Council of San Jose (PAC* SJ) strongly opposes the sheer scope of these proposed demolitions and finds the required preservation alternatives analysis included in the Draft EIR to be disappointingly cursory, fundamentally incomplete, and insufficient to justify the project's approval as currently proposed.**

PAC* SJ BOARD

Executive Director
Ben Leech

President
André Luthard

VP Advocacy
Mike Sodergren

Secretary
Cindy Atmore

Treasurer
John Frolli

Donations Chair
Patt Curia

Continuity Editor
Gayle Frank

Sylvia Carroll

José de la Cruz

Marilyn Messina

John Mitchell

Gratia Rankin

Walter Soellner

Lynne Stephenson

Before addressing specific deficiencies and suggesting additional analysis to align the Draft EIR with CEQA law and City policies, PAC* SJ wishes to **reiterate our general support** for the Downtown West (Google) Project in its overall scope and project goals. We do not believe that the objectives of preservation and redevelopment are mutually exclusive. In fact, we commend the project’s stated commitment to *“incorporate high-quality urban design, architecture, and open spaces with varied form, scale, and design character to enliven San José’s downtown”* and to *“preserve and adapt landmark historic resources and assets where feasible to foster a place authentic to San José, and foster contemporary relations to San José’s history”* (Project Applicant Objectives 2.14.7, DEIR p. 2-74). We strongly support those elements of the plan that propose the preservation and adaptive reuse of existing buildings on-site, and we strongly encourage the project applicant and City to pursue additional preservation and adaptive reuse strategies to better align the project with its stated goals and City policies.

Historic Resource Identification

With a few notable exceptions addressed below, PAC* SJ generally concurs with the determinations of historic eligibility included in the Draft EIR and appreciates the thorough documentation undertaken by project consultant Architectural Resources Group included as DEIR Appendices E1-E3. However, we respectfully request a reassessment of the following properties by the City’s Historic Preservation Officer and/or qualified consultant:

- **Kearney Pattern Works and Foundry (40-53 S. Autumn St.)**

PAC* SJ strongly supports the EIR determination that this property meets Candidate City Landmark eligibility and qualifies for listing in the National Register of Historic Places (NRHP) and the California Register of Historical Resources (CRHR). We also support its planned relocation approximately 30 feet to the south to accommodate planned street improvements. However, we question the property’s proposed period of significance (1922-1949) and the exclusion of certain character-defining features from the preservation and relocation plan, namely the c.1958 addition fronting S. Autumn Street and its prominent shed-roofed elevator tower. These features of the property are functionally and visually integral to the property and are well over 50 years old. Given the company’s noted significance in the early years of Silicon Valley’s technology economy (the firm manufactured custom components for IBM, Hewlett-Packard, NASA, and others), a strong case can be made for extending the property’s period of significance beyond 1949 and incorporating the 1958 addition into the preservation plan.

- **Patty’s Inn (102 S. Montgomery Street)**

We concur that this property is a recognized HRI Structure of Merit but question its ineligibility for Candidate City Landmark status. While modest in architectural style, the building represents a significant vernacular building type (the Italianate false-front) that portrays “the environment of a group of people in an era of history characterized by a distinctive architectural style” (City Landmark Criteria 5) and embodies “distinguishing characteristics of an architectural type or specimen” (Criteria 6). In addition, its status as one of San José’s oldest surviving taverns and its remarkable continuity of use over more than a century represents significant “character, interest [and] value as part of the local... history, heritage [and] culture” (Criteria 1) and its “exemplification of the culture, economic, social, or historical heritage of the City of San José” (Criteria 4).

- **Poor House Bistro (91 S. Autumn Street)**

We concur that this property is a recognized HRI Structure of Merit but question its ineligibility for Candidate City Landmark status. The building’s distinctive Neoclassical design elements portray “the environment of a group of people in an era of history characterized by a distinctive architectural style” (City Landmark Criteria 5) and embody “distinguishing characteristics of an architectural type or specimen” (Criteria 6).

- **311-313 N. Montgomery**

This 1895 Folk Victorian wood-framed dwelling was determined ineligible for any historic designation, yet its date of construction, building type, architectural style, and close proximity to similar resources suggest that it be included as a contributing resource in the proposed Candidate City Landmark district encompassing the immediately adjacent and contiguous 559-567 W. Julian Street properties.

- **75 S. Autumn Street, 691 W. San Carlos Street**

Both of these c.1915 workers’ cottages warrant consideration as potential Structures of Merit given their age, characteristic vernacular style, and relative integrity.

Preservation Alternatives Analysis

CEQA regulations require that an EIR explore all reasonable, feasible project alternatives that would reduce or avoid negative impacts to historic resources, and that preservation alternatives which meet most of the stated project objectives must be given full consideration. The Draft EIR presents only a cursory discussion of preservation alternatives, analyzing only the complete preservation of all nine CEQA-recognized historic resources *in situ*. PAC* SJ recognizes that this alternative, while meeting many of the stated project goals, has significant disadvantages for the overall success of the Downtown West Project. However, this “all-or-nothing” analysis does not sufficiently address a number of other feasible, logical, and mutually beneficial preservation strategies that would preserve at least some of these resources *in situ* and/or within the project site itself. Given

the sheer size of the proposed project and the number impacted properties, we do not expect the Draft EIR to address every conceivable preservation alternative. Rather, we suggest an alternative preservation strategy based on relative historic significance, practical feasibility, and alignment with project goals. We therefore respectfully request the following additional alternatives be incorporated into the EIR analysis.

- **In-Situ Preservation of National Register-Eligible Resources**

Of the five CEQA-eligible historic resources currently proposed for demolition, only two—the Sunlite Baking Company (145 S. Montgomery Street) and Democracy Hall (580 Lorraine Avenue)—have been determined eligible for listing in the National Register of Historic Places. These properties therefore merit additional analysis. Because the Draft EIR contains very limited information about the buildings proposed to replace these structures—in fact, the EIR acknowledges that these new buildings have yet to even be designed—it is grossly premature to determine that the preservation and incorporation of these historic resources into the new development is infeasible.

- **Sunlite Baking Company (145 S. Montgomery)**

Arguably the most architecturally and historically significant resource currently slated for demolition, the Sunlite Baking Company is a one-story Art Deco industrial building with a series of large one-story additions to its side and rear. In its limited analysis of preservation alternatives, the Draft EIR makes no distinction between the building’s small historic core and its large later additions, and incorrectly assumes that its preservation would prohibit certain site circulation improvements (namely, the extension of Cahill Street south to Park Avenue) (*Draft EIR*, p. S-5). PAC* SJ finds no compelling reason that the property’s 1936 main block cannot be preserved and incorporated into new development on the larger Block F1 site, as is proposed for the Hellwig Ironworks Building immediately adjacent at 150 S. Montgomery.

- **Democracy Hall (580 Lorraine Avenue)**

The Draft EIR also fails to meaningfully explore the reasonable preservation alternatives for Project Block H1—currently envisioned as a mix of medium-rise and high-rise residential units—with the National Register-eligible Democracy Hall remaining *in situ* on a small portion of the site. Claims that its preservation would significantly reduce the site’s development potential are not substantiated by any meaningful analysis.

- **On-Site Relocation Analysis**

PAC* SJ strongly encourages the project applicant and the City to explore the feasibility of relocating historic resources within the project area itself—a reasonable preservation alternative totally unaddressed in the current Draft EIR. Though we commend the EIR for its inclusion of a relocation study in Appendix E3, we respectfully request that this analysis be expanded and supplemented in the following ways:

- **Expand relocation analysis to include Structures of Merit**
While we acknowledge that Structures of Merit are not CEQA-eligible historic resources for the purposes of EIR review, we strongly encourage the City and project applicant to explore all feasible relocation options for those Structures of Merit that would otherwise be demolished by the proposed project, as mandated by the Diridon Station Area Plan EIR (pp. 229-30) and other established City policies. This analysis should include relocation to receiver sites within the project area itself.
- **Explore receiver site potential of Project Blocks D9-D13**
The current project proposes the retention and adaptive reuse of numerous existing, small-scale non-historic structures located along the east side of Autumn Street. While PAC* SJ encourages the adaptive reuse of some of these structures, we also believe this area has significant potential to accommodate relocated historic resources (CEQA-eligible and/or Structures of Merit) that would otherwise be demolished by the project, and we encourage the prioritization of this zone as an on-site receiver site, even if this involves the strategic removal of some existing non-historic structures. This strategy would be fully compatible with the project's vision for this area as a cluster of small-scale, active-use buildings supporting local businesses and cultural amenities.
- **Modify applicable criteria for on-site and off-site receiver sites**
We question the conclusion that eligible receiver sites, either on-site or off-site, must necessarily maintain the cardinal orientation of the original site, especially in cases where the resource does not include obvious orientation-dependent features (north-facing skylights, etc). There is substantial precedent in San Jose for relocations that do not meet this ideal standard, which we believe is unnecessarily constrictive. We note that the primary goal in relocating a historic resource is **not**, as the relocation analysis contends, to maintain any certain designation eligibility, but simply to prevent its unnecessary demolition. In this scenario, certain loss of integrity is assumed.

Impacts to Adjacent Historic Resources

- **Diridon Station**
While the Draft EIR is primarily focused on impacts to the 81-acre project area itself, it rightly identifies a number of issues potentially impacting adjacent historic resources. First among these are the project's relationship to the adjacent Diridon Station complex, a designated City Landmark and National Register Historic District. On multiple occasions, PAC* SJ has raised concerns that the Downtown West (Google) Project assumes the preservation of the historic depot building *in situ*, while other area plans call for its

relocation or even demolition. Coordination between the Google project, the DSAP planning process, and the Diridon Integrated Station Concept Plan is absolutely essential, and all concerned parties should make every conceivable effort to proactively anticipate potential conflicts that could lead to the station's demolition.

○ **160 N. Montgomery Street**

While currently outside but immediately adjacent to the project area, the c.1900 Victorian residence at 160 N. Montgomery Street is currently owned by Google. PAC* SJ questions why this parcel was not included within the defined project area, and we request that any other Google-owned parcels adjacent to or near the project be identified. We are extremely troubled by the proposed relocation of this property (see *Downtown West Design Standards and Guidelines*, p. 226) for the sole purpose of avoiding adjacency requirements across the street. Not only is this property a recognized Candidate City Landmark, but would contribute to a potential Candidate City Landmark District bounded by Julian, Autumn, St. John, and Montgomery, as identified in the DSAP EIR. This entire area should be reassessed for district eligibility as part of the current Draft EIR analysis.

○ **Julian Street Inn (546 W. Julian Street) and Recent Past Resources**

The Julian Street Inn (1990) is a highly significant architectural and cultural resource designed by notable architect Christopher Alexander. Though less than 45 years old and therefore not included in the EIR analysis of potential adjacent historic resources, the building is likely eligible as a Candidate City Landmark (which has no age requirement). Given the anticipated thirty-year buildout of the proposed Downtown West (Google) Project, other on-site and adjacent resources should be periodically reassessed for historic significance as they approach and exceed the EIR's 45-year age guideline, including but not limited to 595 Park Avenue (architect and construction date unknown).

Proposed Mitigation Scope

Finally, PAC* SJ finds the project's limited mitigation measures (CU-1 through CU-8) to be grossly out of proportion to the project's proposed adverse impacts to on-site historic resources and cumulative impacts to historic resources in the surrounding greater downtown area, and we encourage a far more comprehensive and robust mitigation strategy commensurate with the magnitude of the project itself. At a minimum, this mitigation strategy should include the following:

- A substantial financial commitment on the part of the project applicant to support the relocation and rehabilitation of impacted historic resources and Structures of Merit, including receiver site property acquisition. The project currently proposes contributions equal only to the cost of demolition, which in most cases would be inadequate to support the successful relocation and rehabilitation of an impacted property.



**PRESERVATION ACTION
COUNCIL OF SAN JOSE**

History Park
1650 Senter Road
San Jose, CA 95112
Phone: 408-998-8105
www.preservation.org

- A substantial financial commitment on the part of the project applicant to support additional historic resource surveys and other proactive planning efforts in the surrounding Diridon Station Area, which will undoubtedly be subject to increased development pressure as a direct result of the Downtown West project.
- Required documentation of all impacted CEQA-eligible historic resources and Structures of Merit should include both interior and exterior documentation. Industrial resources should be documented to the standards of the Historic American Engineering Record.
- Required commemoration and interpretation should be informed and guided by a robust community engagement process and a multi-party stakeholders group.

We thank you for the opportunity to provide these comments and look forward to their incorporation into the Final EIR.

Sincerely,

Ben Leech
Executive Director
Preservation Action Council of San Jose