

City of Santa Clara

1500 Warburton Avenue Santa Clara, CA 95050 santaclaraca.gov @SantaClaraCity

Agenda Report

23-1348 Agenda Date: 12/7/2023

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Consideration of a Significant Property Alteration Permit for a 556 Square-Foot Addition to the Basement and a 590 square foot First Floor Addition to a Mills Act Residence and a Variance for the Construction of a New Nonconforming Garage at 324 Madison Street

BACKGROUND

The 8,950 square-foot subject property is located on the northwest corner of Madison Street and Jonathan Street and includes a 1,393 square-foot three-bedroom, one-bathroom one-story residence constructed in 1936 or 1938 in the Mediterranean Revival architectural style. The property has a 364 square foot detached one-car garage that was built in 1955. The subject property was added as a historic resource to the City's Historic Resource Inventory (HRI) List and received a Mills Act Contract in 2022.

The project is before the Historical and Landmarks Commission (HLC) for a recommendation to the Planning Commission for the proposed Major Significant Property Alteration Permit to add habitable square footage to the basement and first floor of the existing three-bedroom, one-bathroom main residence resulting in a four-bedroom, 3-bathroom single-family residence. The applicant has also applied for a Variance to demolish the existing detached garage for the construction a new detached two-car garage. The Variance is required because the new proposed garage would not conform to the height and square footage requirements in the Zoning Ordinance.

DISCUSSION

The applicant is proposing to add habitable square footage to the basement and first floor of the historic main residence. The rear wall of the house is proposed to be removed as a part of the construction of the new addition. This portion of wall includes repetitive features and duplicate wall cladding and represents a proportionately small amount of loss. There are three windows that are proposed to be salvaged and reused in new locations within the project. The alterations and additions proposed will be compatible with the historic character of the main residence and differentiated through detailing, materials, and forms. The proposed roofing tiles will match and be continuous with the existing roofing tiles to create compatibility while still providing differentiation. The new addition will have compatible stucco cladding siding but will feature a differentiated texture from the existing walls.

Also proposed is the removal of the existing garage, which was constructed after the main residence. The existing one-car garage is not a contributing building to the historic residence. The new proposed garage is larger in size and includes a half bathroom. Variances are required for the proposed garage's size and height. The applicant has applied to increase the allowable garage size from the Code maximum of 480 square feet to 671 square feet and to increase the building height of the accessory structure to 17 feet where 12 feet is the maximum.

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The Planning Division is currently updating the City's Zoning Ordinance. As proposed, the draft Zoning Ordinance would make several changes to the residential accessory structure development standards, including increasing the height allowance to 16 feet and the square footage allowance to 600 square feet.

Conclusion

A Secretary of the Interior's Standards Review was prepared by Archives and Architecture to analyze both aspects of the project. The report concludes, and staff concurs, that the proposed additions to the main residence adhere to the Secretary of the Interior's Standards for Rehabilitation in that the addition will not destroy historic materials, features, and spatial relationships that characterize the property. The proposed scope and treatment outlined in development plans indicate that the proposed alterations would be compatible with the historic materials, features, size, scale, proportion, and massing to the protect the integrity of the property and its environment.

Given that the Zoning Code is currently being updated and would modify aspects of the residential accessory structure development standards, staff recommends that the size of the structure is reduced to 600 square feet and that the height of the structure is reduced to 16 feet to comply with the proposed Zoning Ordinance.

ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 - Existing Facilities, in that the project is limited to an addition to a historic single-family residence and the construction of a new two-car garage.

PUBLIC CONTACT

On November 22, 2023, a notice of public hearing of this item was posted in three conspicuous locations within 300 feet of the project site and mailed to property owners within 300 feet of the project site. At the time of preparation of this report, the Planning Division has not received any public comments.

RECOMMENDATION

Staff recommends that the Historical and Landmarks Commission recommend approval of the Significant Property Alteration (SPA) Permit to the Planning Commission for the proposed addition to the historic resource, subject to the procedures outlined in the Preservation Treatment Plan attached to the Development Plans.

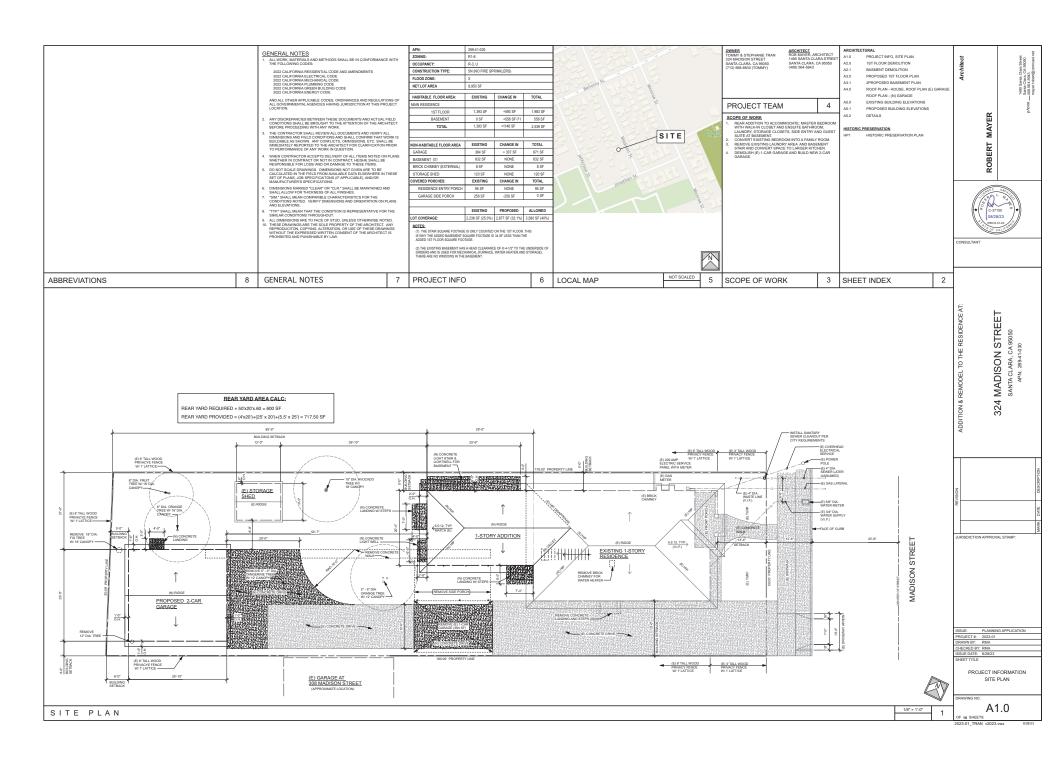
Staff recommends the Historical and Landmarks Commission recommend the redesign of the proposed garage to the Planning Commission prior to approving the Variance to reduce the size of the garage to 600 square feet and to reduce the height of the garage to 16 feet.

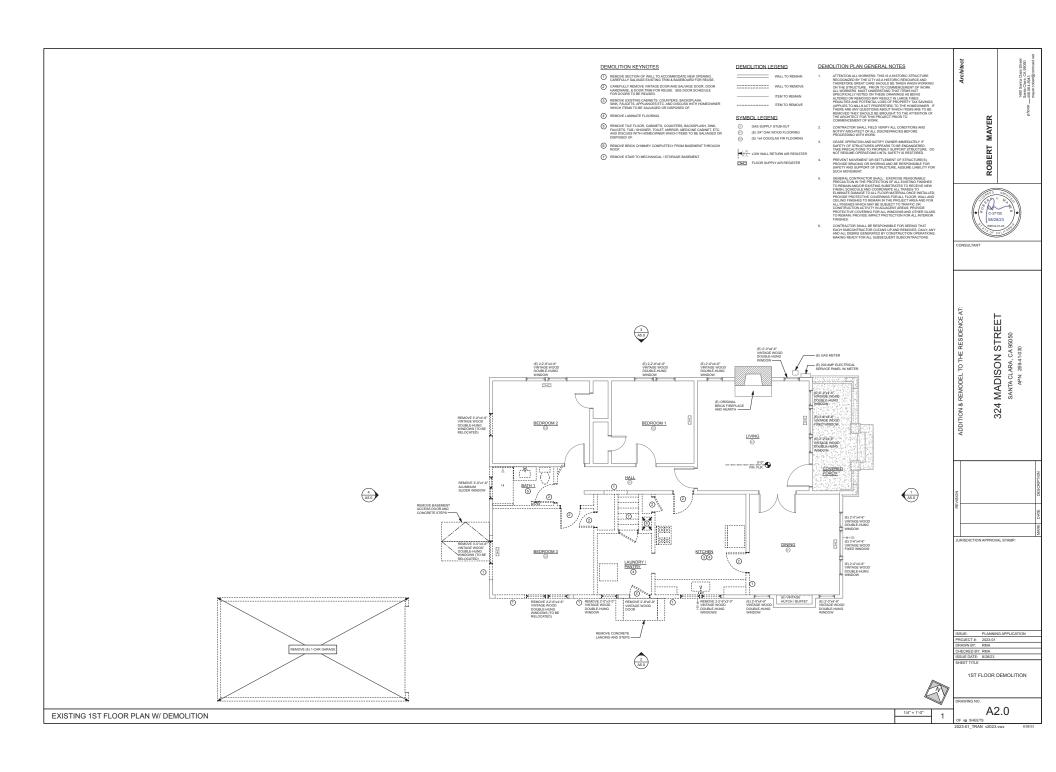
Prepared by: Tiffany Vien, Associate Planner Reviewed by: Rebecca Bustos, Principal Planner Approved by: Lesley Xavier, Planning Manager

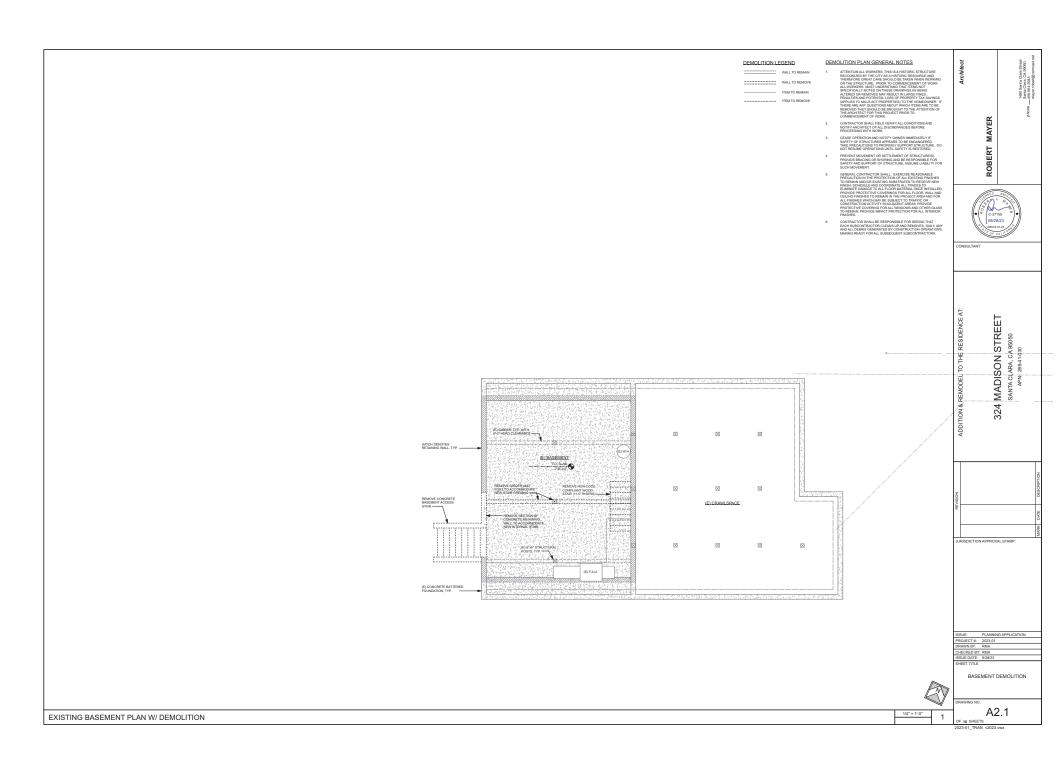
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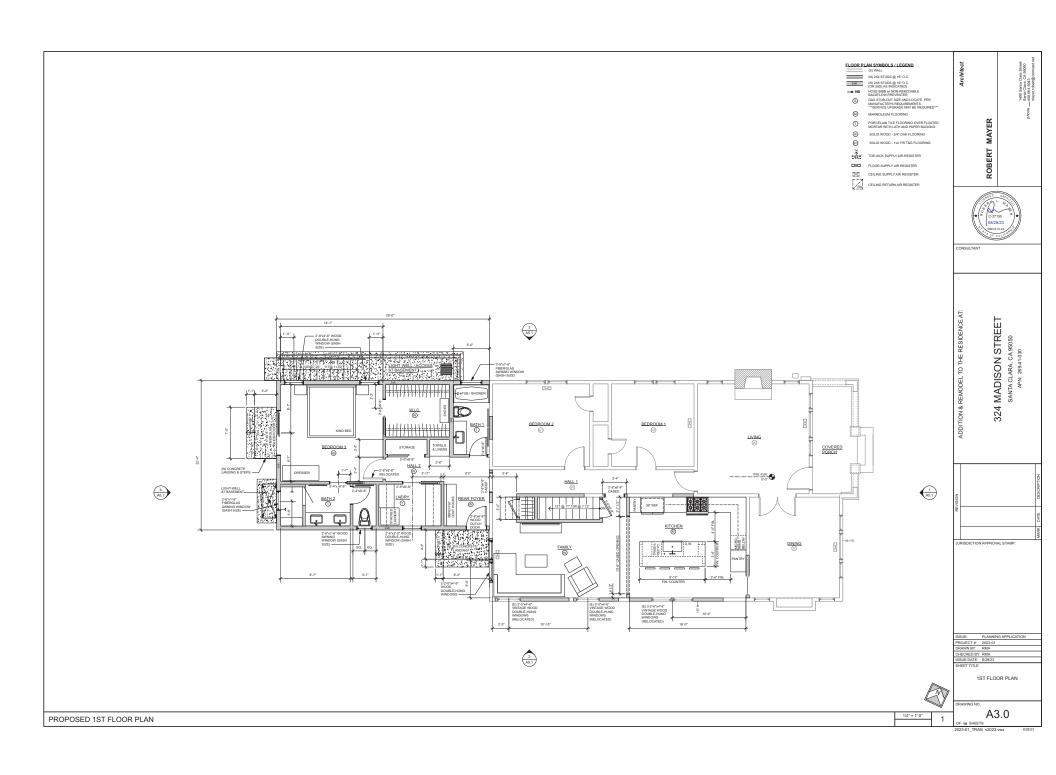
- ATTACHMENTS

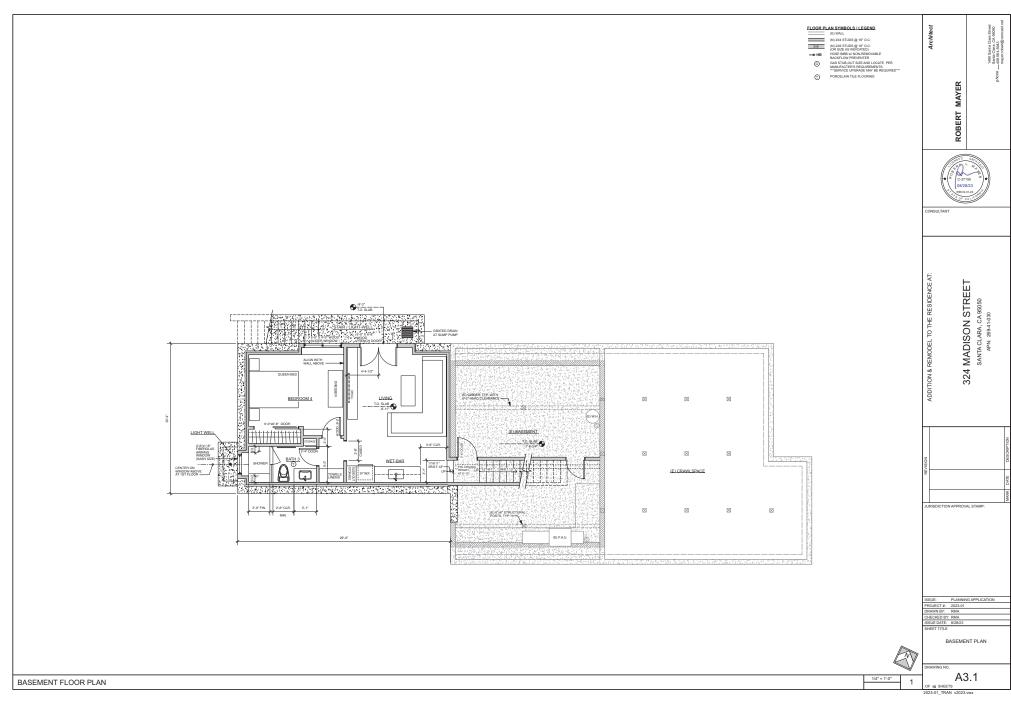
 1. Development Plans
- 2. Variance Statement of Justification
- 3. Secretary of the Interior's Standards Review
- 4. Mills Act Contract

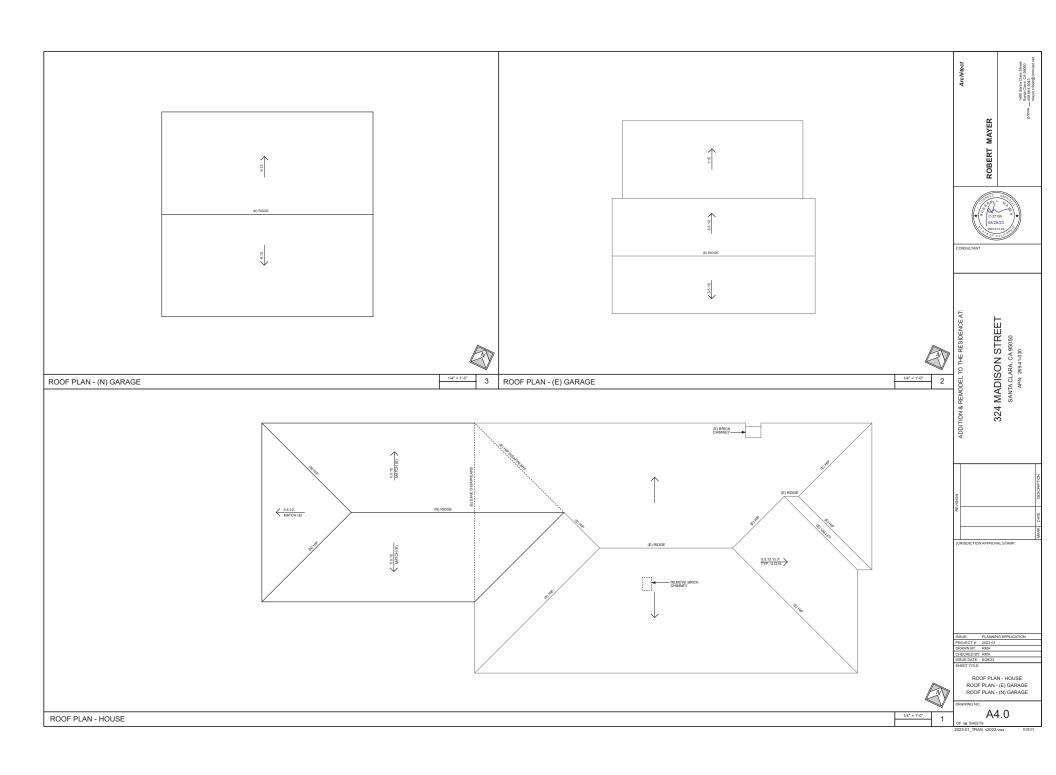


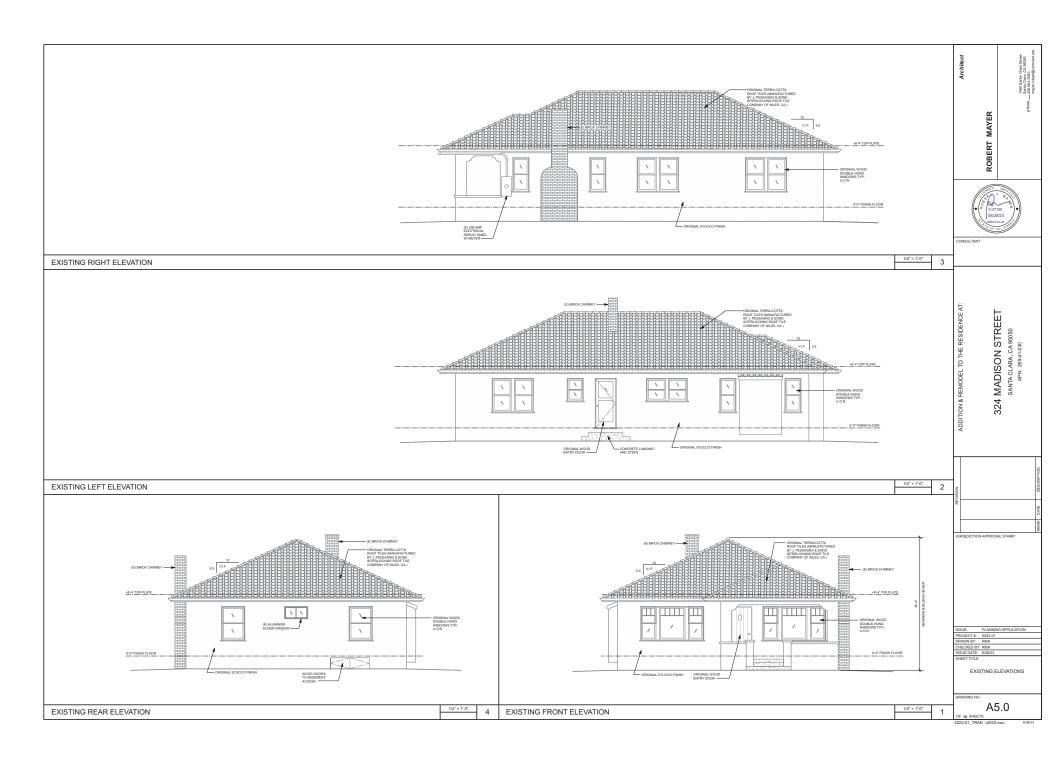




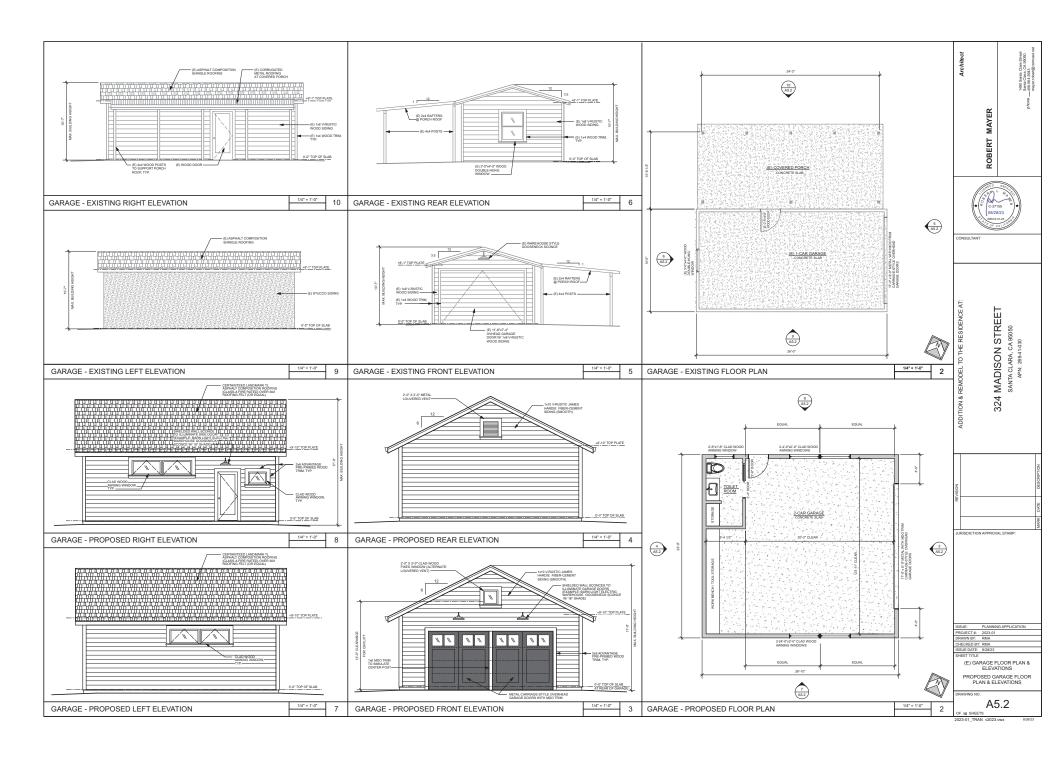












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	REAR ELEVATION BATH 1: ONE ORIGINAL ALUMINUM SLIDER WINDOW IS IN GOOD CONDITION. THE WINDOWS IS NOT ORIGINAL TO THE HOUSE AND IS NOT A CHARACTER- DEFINING FEATURE.	THIS WINDOWS IS PROPOSED TO BE REMOVED FROM THE RESIDENCE.
	BIGHT FLEVATION BEDECOM 2: ONE ORIGINAL WOOD DOUBLE-HUNG WINDOW (ONE-OVER-ONE LIGHTS) IS IN GOOD CONDITION. THE WINDOW IS A CHARACTER-DEFINING FEATURE IN ITS ENTIRETY BUT ALSO A REPETITIVE HISTORIC FEATURE.	THESE WINDOWS (SASH, TRIM, PULLEYS, WEIGHTS) TO REMAIN IN SITU AND ARE PROPOSED TO BE PRESERVED. WHERE GLAZING PUTTY HAS FALED IS SHALL BE CAREFULLY REMOVED AND REPLACED. ALL SASHES AND TRIM TO BE PREPARED FOR PAINTING USING THE GENTLEST MEANS POSSIBLE AND REPAINTED. REPLACE
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DOORS AND TRIM	FRONT ENTRY DOOR ORIGINAL 3*0" X 6*3" WOOD DOOR WITH VERTICAL PLANKS AND DECORATIVE BRASS GRILLE AND BRASS HARDWARE IS IN GREAT CONDITION.	THE DOOR IS PROPOSED TO REMAIN INSITU AND BE PRESERVED AND TO BE PREPARED FOR PAINTING USING THE GENTLEST MEANS POSSIBLE AND REPAINTED.
	LEFT ELEVATION LAUNDRY. ONE ORIGINAL WOOD DOOR (ONE-LIGHT OVER SOLID WOOD PANEL) IS IN POOR CONDITION. THE WINDOWS IS NOT CONSIDERED A CHARACTER-DEFINING FEATURE.	THE DOOR IS PROPOSED TO BE REMOVED FROM THE RESIDENCE.

INTERIOR FINISHES			
FEATURE	DESCRIPTION AND CONDITION	TREATMENT	
FLOORING	ORIGINAL 34" THICK OAK FLODRING IS IN GREAT CONDITION IN THE EXISTING ENTRY, LIVING ROOM, DININING ROOM & HALL	FLOORING TO BE PRESERVED AND UNTOUCHED EXCEPT WHERE THE DOOR BETWEEN THE KITCHEN AND DINING IS TO BE RELOCATED. AT THE NEW OPENING OAK FLOORING SHALL BE INSTALLED AND FINISHED TO MATCH EXISTING.	
	ORIGINAL 1x4 T&G FIR FLOORING AT BEDROOM 1, BEDROOM 2 & 3.	FLOORING TO BE PRESERVED AND UNTOUCHED AT BEDROOMS 18.2 BUT TO BE REPLACED WITH OAK FLOORING AT BEDROOM 3 WHICH IS BEING CONVERTED INTO A FAMILY ROOM.	
	MODERN LAMINATE FLOORING AT KITCHEN & LAUNDRY.	FLOORING IS PROPPOSED TO BE REMOVED AND TO BE REPLACED WITH MARMOLEUM AT THE EXPANDED KITCHEN (THE LAUNDRY IS BEING RELOCATED).	
	MODERN TILE FLOORING AT BATH.	FLOORING IS PROPOSED TO BE REMOVED AND BATH RELOCATED.	
WALLS AND CEILING FINISH / INTERIOR TRIM	THE ORIGINAL PLASTER AND WOOD TRIMISIN GOOD CONDITION AT ALL ROOMS WITH SOME MINOR CRACKING.	THE DISION PROPOSES TO LEWE THE EXISTING PLASTER RINSH INTACT AT LINGOUS EXCEPT ATCHON, LAUNDRY BEDROOM A. BATH, PORTION OF HALL TO NISTAL NEW BASEMENT STARIJ WHICH WILL RECEIVE ALL NEW SHEETENOON DUE TO THE EXTENSIVE ALTERATIONS AND ADDITIONS. THE ORIGINAL WOOD DOORS AND ASSOCIATED TIME, ASSESSANCE, TO: WILL BE SALVAGED AND REINSTALED WHERE POSSIBLE AND NEW WOOD TRIM WILL BE MILLED TO MATCH DISTING AS RECEIVED.	

FEATURE	DESCRIPTION AND CONDITION	TREATMENT	
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FLOOR PLAN	THE ORIGINAL FLOOR PLAN REMAINS MOSTLY INTECT WITH THE HOUSE RETAINING TO CORIGINAL 3 EXPROVEM, 1 BATH, FORMAL LIVING AND DINING ROOMS, AND LAUNDRY ROOM.	THE SITTEY, LIVING, DRING, BEDROOM, A AND BEDROOM A ABE- PROPOSED TO BEAMIN THAT CITY ON WALL OR WINDOW CHANGES BEDROOM 3 IS BEING CONVERTED TO A FAMILY ROOM AND STAIL DOWN TO BASEMENT. THE LANDRY ROOM IS REMOVED TO ACCOMMODATE A LARGE KITCHEN THAT IS OPEN TO THE FAMILY ROOM, AN ADDITION IS PROPOSED TO ACCOMMODIATE A BEDRO WITH HOSUITE BATHROOM ALONG WITH A 4TH BEDROOM AND 36 BATH IN THE BASEMENT.	
STRUCTURAL SYSTEM, FRAMING	THE CONVENTIONAL WOOD FRAMING IS MOSTLY IN GOOD CONDITION. THE FRAMING IS NOT A CHARACTER DEFINING FEATURE, EXCEPT HOW IT IS EXPRESSED IN THE MASSING AND FORM OF THE PLAN.	THE DESIGN PROPOSES ALTERATIONS AND ADDITIONS TO REAP PORTION OF THE HOUSE TO ACCOMMODATE A RIS BERNOOM A RENUME ZAD BATHROOM WITH HARGE WALFAM, CLOSET, THE KITCHEN IS BEING EXPANDING INTO THE EXISTING LAUNDRY RC AND OPENED UP TO THE NEW PARMILY ROOM. THE ADDITIONS A ALTERATIONS WILL REQUIRE MODIFICATIONS TO THE WALF, RO AND FLOOR FRAMING ATT HE REAP PORTION OF THE STRUCTURE.	
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FRONT ENTRY PORCH	THE ORIGINAL HIPPED PORCH ROOF LINE WITH STUCCO COLUMNS WITH STUCCO CORBELS ARE IN GOOD CONDITION.	THE DESIGN PROPOSES PERSERVE THE PORCH ROOF AND ALL ELEMEMENTS OF THE STUCCO COLUMNS.	
	THE CONCRETE PORCH SLAB AND STEPS ARE IN FAIR TO GOOD CONDITION WITH SOME VISIBLE CRACKING.	THE DESIGN PROPOSES PERSERVE THE PORCH SLAB AND STEE AND INJECT EPOXY AT THE CRACKS.	

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FOUNDATION ARE IN FAIR	THE DESIGN PROPOSES TO INSTALL NEW FOUNDATION SYTEM BELOW THE PROPOSED ADDITION WITH SOME MINOR FOUNDATION RETROFITTING AT THE EXISTING FOUNDATIONS.
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E IN FAIR TO GOOD	THE DESIGN PROPOSES PERSERVE THE PORCH SLAB AND STEPS AND INJECT EPOXY AT THE CRACKS.

ROBERT MAYER



ADDITION & REMODEL TO THE RESIDENCE AT:

324 MADISON STREET SANTA CLARA, CA 55050 APN: 28941-030

JURISDICTION APPROVAL STAMP:

SUEDATE: MICENAL
HEET TITLE
HISTORIC PRESERVATION
PLAN

HP1

September 25, 2023

Planning Department City of Santa Clara Santa Clara, CA

Variance request for: 1. Garage building height.

2. Garage floor area.

Project Location: 324 Madison Street

Santa Clara, CA 95050

APN: 269-41-030

Dear Planning Staff & Commissioners:

This application includes plans to demolish an existing detached 364 square foot one-car garage with 256 square foot side porch with a 671 square foot 2-car garage with toilet room.

We understand that the Planning Commission must make the following four findings in order to grant the variances (Sec 18.108.040). Our justification for the variance is as follows:

(A) That there are unusual conditions applying to the land or building which do not apply generally in the same district:

(1) Unusual property due to its location in the historic Old Quad.

This R1-6L zoned property is unusual in that it resides in the Old Quad where many detached accessory structures (garages, carriage houses, barns) built prior to the 1969 Zoning Ordinance exceed the 12 foot height limit and 480 square foot floor area limit set by the Ordinance. Though other detached garages in the R1-6 zoning district exist that comply with the current Ordinance, most are associated with the newer ranch-style tract developments built after the 1969 Zoning Ordinance was approved and have lower pitched ranch-style roofs that are discouraged in the Old Quad. It is no surprise that the long overdue Zoning Ordinance update currently in draft form proposes to increase the allowable building height for a garage (accessory structure) to 16 feet and increase the allowable floor area of a detached garage to 600 square feet with the ability to increase both metrics by up to 25% more with a Zoning Administrator Modification. The proposed project meets the criteria of the Draft Zoning Ordianance.

We are proposing a 17 foot building height to provide a building form that is more in keeping with the design aesthetic of the older "carriage-style" accessory structures built throughout the Old Quad and to provide a minimum ceiling height required for the homeowner to work on his many historic truck restoration projects. Additionally, the steeper 6/12 roof pitch proposed is more in keeping with many historic outbuildings in the Old Quad versus those associated with

ranch-style homes throughout the R1-6L zoning district that have lower pitched roofs that are discouraged in the Old Quad. .

At 8,950 square feet in area, the subject property is unusual for the R1-6L zoning district in that it is nearly 50% larger than the 6,000 square foot standard lot size for the district. The proposed 671 square foot garage is 40% larger than the 480 square foot allowed under the current zoning ordinance and so the proposed increase is proportional to the unusually large property.

The existing zoning ordinance is outdated in only permitting a 480 square foot detached garage. Garages of this size are barely large enough to fit modern cars (think large SUV's and trucks) with little room for much needed storage or workbench space. Many garages of this size that do have storage lining the sides and rear walls require you to be houdini to get in and out of your car and shimmy between the car and storage. This is supported by the fact that the Draft Zoning Ordinance update proposes to allow a 600 square foot garage with the ability to increase up to and additional 25% with a Zoning Adminstrator Modification. The proposed project meets the criteria of the Draft Zoning Ordinance and would not require a Variance.

(B) That the granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner:

The homeowner restores vintage trucks and would like to build a garage that is of sufficient height and floor area to allow to use the garage for this purpose and therefore is necessary for the preservation and enjoyment of their property.

(C) That the granting of such variance shall not, under the circumstances for the particular case, materially affect adversely the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood of the applicant's property, and will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood:

(1) Designed Sensitively to Neighbors

The proposed garage will not materially affect adversely the health, safety, peace, morals, comfort, or general welfare of the neighborhood. The proposed garage is located at the rear of the property similar to other accessory buildings on neighboring properties and preserves all of the adjacent neighbors' privacy and sunlight. The garage proposed will back up to the existing garage of the neighbor to the rear and it is located to the North of the neighbor to the South where the additional height will not shade their pool.

(D) That the granting of the variance is in keeping with the purpose and intent of this title:

Granting this variance does not allow the property owner to by-pass the developmental requirements for all future buildings proposed. We are proposing 5-foot side yard (3-foot is allowed by the current zoning ordinance) and rear yard building setback which meets the requirements for accessory structures.

We appreciate you taking the time to consider our project and hope that you agree that it is a good project worth supporting.

Regards,

Tommy and Stephanie Tran



SECRETARY OF THE INTERIOR'S STANDARDS REVIEW

REHABILITATION AND ADDITION PROJECT AT A HISTORIC PROPERTY

including

ADDITION & REMODEL TO THE RESIDENCE

and

NEW DETACHED GARAGE REPLACEMENT

324 Madison Street (Parcel Number 269-41-030) Santa Clara, Santa Clara County, California

For:

Tommy and Stephanie Tran 324 Madison Street Santa Clara, CA 95050

Prepared by:

A R C H I V E S & A R C H I T E C T U R E L L C PO Box 1332 San Jose, CA 95109 408.369.5683 www.archivesandarchitecture.com

Leslie A. G. Dill, Partner and Historic Architect

September 5, 2023

INTRODUCTION

Executive Summary

The proposed residential rehabilitation project at 324 Madison St. in Santa Clara, California, can be found to be substantially compatible with the *Secretary of the Interior's Standards for the Treatment of Historic Properties – Rehabilitation Standards* (Standards); the project, therefore, can be found to be mitigated to a less-than-significant impact under the California Environmental Quality Act (CEQA) and within the parameters of Mills Act Contracts.

The proposed rehabilitation project would substantially preserve the integrity of the historic property in terms of location, design, materials, artisanship, feeling, and association. The proposed project would maintain the current level of integrity of the setting. The authenticity of the property would be adequately preserved.

There is one recommendation/suggestion for clarification regarding the soffits (Standard 5), and a note regarding typos in the Preservation Plan (Standard 6) that should not affect the overall findings.

The analysis is described more fully in the report that follows.

Report Intent

Tommy and Stephanie Tran, the homeowners, retained Archives & Architecture LLC, to conduct a Secretary of the Interior's Standards Review and Integrity Analysis of the proposed project.

Archives & Architecture was asked to review the exterior elevations, plans, and site plan of the project to determine if the proposed design is compatible with the *Secretary of the Interior's Standards for Rehabilitation* (Standards). The Standards are understood to be a common set of guidelines for the review of historic buildings and are used by many communities during the environmental review process to determine the potential impact of a project on an identified resource. Finding the project to be compatible with the Standards could serve to demonstrate how the project would have a "less than significant impact" on the environment under CEQA and meet Mills Act rehabilitation criteria.

Historic integrity analysis is also useful as a summary component of the design review process. It relates to the criteria for National Register and California Register eligibility. A project that might impact the integrity of a historic resource could impact the significance of that resource. According to the California Office of Historic Preservation Technical Assistance Series #6:

Integrity is the **authenticity** of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Historical resources eligible for listing in the California Register must meet one of the criteria of significance described above and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. Historical resources that have been rehabilitated or restored may be evaluated for listing. Integrity is evaluated with regard to the retention of **location**, **design**, **setting**, **materials**, **workmanship**, **feeling**, and **association**. It must also be judged with reference to the particular criteria under which a resource is proposed for eligibility. Alterations over time to a resource or historic changes in its use may themselves have historical, cultural, or architectural significance. [Emphasis added]

Qualifications

Leslie A. G. Dill, Partner of Archives & Architecture LLC, has a Master of Architecture with a certificate in Historic Preservation from the University of Virginia and a Bachelor of Arts in Architecture from Princeton University. She is licensed in California as an architect. Ms. Dill is listed

with the California Office of Historic Preservation as meeting the requirements to perform identification, evaluation, registration, and treatment activities within the professions of Historic Architect and Architectural Historian in compliance with state and federal environmental laws. The state utilizes the criteria of the National Park Service as outlined in 36 CFR Part 61.

Review Chronology and Methodology

In June 2022, the project architect contacted Archives & Architecture LLC, requesting historic design-review services; that month, a site visit to the property was undertaken by Leslie Dill of Archives & Architecture LLC, where she took photographs and observed the existing buildings and setting.

For this review, Leslie Dill received and referred to the intensive survey documentation and evaluation contained in the State of California Department of Parks and Recreation Form 523 (DPR523), written by William Kostura and dated September 2021. The design review refers to this document for compatibility of the proposed work, and the integrity statement in this review is based on the integrity statement in the DPR523 documentation and analysis.

An electronic copy of the proposed design set, dated on the set 07/31/23, was forwarded to Leslie Dill by Robert Mayer, Architect, date-stamped 08/01/2023. The drawing set reviewed consists of ten sheets (A1.0, A2.0, A2.1, A3.0, A3.1, A4.0 A5.0-A5.2, and HP1). An initial review was provided by Archives & Architecture; no initial comments or recommendations were conveyed to the architect or owners, and no revisions were prepared. The final review was based on this same drawing set with one minor typo corrected; this set has an updated time stamp of 08/28/23. The analysis and conclusions of the design review are presented in this report.

Disclaimers

This report addresses the project plans in terms of historically compatible design of the exterior of the residence and its setting. The consultant has not undertaken and will not undertake an evaluation or report on the structural conditions or other related safety hazards that might or might not exist at the site and building and will not review the proposed project for structural soundness or other safety concerns. The Consultant has not undertaken analysis of the site to evaluate the potential for subsurface resources.

PROJECT DESCRIPTION

Character Defining Features

The original house was described in William Kostura's historic documentation (DPR523) forms as follows:

Architecturally, this house compares very favorably with other Santa Clara houses of the 1920s and 1930s. Most houses in the city from those decades are plain, and are restrained in their treatment to the point of anonymity. By contrast, this house has many notable features. They include:

- * tripartite windows with wooden mullions and with wooden muntins that divide the upper zones into multiple lights,
- * a projecting front porch that stretches for over one-half the width of the house,
- * curved brackets at the top of the porch posts,
- * a hipped roof over both the main body of the house and the porch,
- * molded clay roof tiles,
- * a stucco surface that is textured (instead of smooth),
- * a solid wooden front door with a decorative brass grille and brass hardware, and

* an interior with a high level of finish.

Collectively, these features make this one of the best houses of its size from the 1920s-1930s in the city.

The roof tiles by J. Pessagno and Sons of Niles are a particularly fine feature. While traditional curved clay roof tiles on other Santa Clara houses are also important, the tiles on this house are distinctive in their profile and cause the roof of this house to stand out from other clay tile roofs in the city.

Historic Status and/or Significance of the Architecture

Per William Kostura's historic documentation (DPR523) forms, the property was evaluated as being eligible for the California Register for architectural significance: "...the house appears to be eligible for the California Register under [Criterion 3]. The Period of Significance is 1936-1938, when it was built."

The property was also evaluated in the DPR forms using the Criteria for Local Significance of the City of Santa Clara. It was found to meet Criterion 4 for Historical or Cultural Significance; Criteria 1, 6, and 7 for Architectural Significance; and Criterion 2 for Geographic Significance. Of note is the possibility of contribution of the property within the historic area of Santa Clara known as the Old Quad, and specifically the block on which the property exists.

The DPR523 form evaluated the property for historic integrity, and the house and property were found to have "very high" integrity that embodies authentic associations.

For this report, it is understood that the garage is not a character-defining feature of the property, and its potential demolition would not be considered an impact on the integrity or significance of the property. The garage was not identified in the historical evaluation as a contributing feature in the property. The description indicates that the garage was built in 1955, and it features very different materials and appearance from the house.

Summary of the Proposed Project

The proposed scope of work includes:

- construction of a rear addition with basement living space
- interior rehabilitation of portions of the main house to accommodate an altered basement staircase, laundry area, kitchen, and bedroom layout
- the demolition of the existing detached garage and the construction of a new detached garage in a different location

SECRETARY'S STANDARD'S REVIEW:

The Secretary of the Interior's Standards for Rehabilitation (Standards), originally published in 1977 and revised in 1990, include ten standards that present a recommended approach to repair, while preserving those portions or features that convey a resource's historical, cultural, or architectural values. Accordingly, Standards states that, "Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values." That is the appropriate treatment for the subject property.

Following is a summary of the review with a list of the Standards and associated analysis for this project:

1. "A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships."

Analysis: There is no effective change of use proposed for this residential property.

As a rule of thumb for this reviewer, a project that meets the subsequent nine Standards can be considered to meet this Standard as well. A proposed project that preserves significant historic fabric, provides a compatible new design, and is potentially reversible in the future can be considered to have a compatible use. In this case, the project does meet those Standards, so the use can be considered compatible.

2. "The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided."

Analysis: No primary character-defining portions of the historic main house (footprint, overall roof form, siding material, focal windows, etc.) are proposed for removal; the primary historic residence will be substantially preserved (See also Standard 9).

The rear wall of the house is proposed to be removed as a part of the construction of the new addition. This portion of wall includes repetitive features and duplicate wall cladding, and represents a proportionately small amount of loss, so its alteration would be consistent with this Standard.

The existing detached garage is not original and is not understood to be a contributing building to the property, so its demolition is not in conflict with Standard 2.

3. "Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

Analysis: There are no proposed changes that might be mistaken for original features. There are no features that overtly copy other local or regional buildings. Each of the changes appears to be inspired by the historic house, but they are differentiated in a way that precludes a false narrative. The project is compatible with this Standard (See also Standard 9)

The proposed detached garage will be differentiated from the historic house by materials and massing. The use of these materials is familiar in history, but the detailing and simplicity will be modern, and it will not appear to be falsely historic.

4. "Changes to a property that have acquired historic significance in their own right will be retained and preserved.

Analysis: It is understood that no elements of the property have acquired historic significance in their own right. The project is compatible with this Standard.

5. "Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

Analysis: Distinctive features and finishes that identify the property are shown as preserved on the proposed drawings. Specifically, this means that the historic main house and its immediate setting will be preserved in this project, including each of the character-defining features listed in the DPR523:

- The tripartite focal windows with wooden mullions and muntins are shown to be preserved.
- The projecting front porch will be preserved, including the stucco brackets, heavy porch posts, and low porch wall.
- The main hipped roof and its projecting hipped porch roof are proposed to be preserved.
- The molded clay roof tiles will be retained, and the scroll-shaped end tiles at the south bump-out (not specifically called out in the DPR523), can safely be assumed to be retained as part of that effort.
- The original textured stucco surface is proposed to be preserved and will be differentiated from the texture of the new wall surfaces.
- The solid wood front door and its decorative brass grille and brass hardware are proposed to be preserved.

Additionally, although not noted in the report, the original wood side windows are also proposed to be preserved, and the brick chimney on the side of the house is proposed to remain in-situ. Three windows are proposed to be salvaged and reused in new locations within this project (See Standard 3).

The side door (kitchen door), not identified as a character-defining feature, is not proposed for reuse. Its removal is in keeping with this Standard.

The flat-board soffit design, with its herringbone joints at the corners, is not identified as a character-defining feature of the house in the DPR523 form, and it is not specifically addressed in the plan set. It may be that this might have been an inadvertent omission by the evaluator and, therefore, not addressed in the plans. It is recommended that the flat-board soffits be retained as much as possible in the original portion of the house. This detail can be continued at the eaves of the addition or can be altered subtly if preferred by the architect and homeowners.

The interior of the house is not reviewed in this report. The Preservation Plan does outline the treatment approach of many of the interior finishes.

6. "Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence."

Analysis: The current physical condition of the house appears from observation to be good to very good. The proposed rehabilitation project is primarily focused on alterations to the interior plan, with resulting changes to the exterior elevations. Sheet A2.1 contains Demolition Plan Notes that provide guidance for the repair and maintenance of historic buildings such as this residence. The historic features are shown as substantially preserved in the project drawings and in the Preservation Plan.

Surface cracks in the stucco will be caulked as part of the painting process (See also Standard 7). The window repairs as described in the Preservation Plan are in keeping with this Standard.

In this project, only two deteriorated historic features are listed on Sheet HP1, the Preservation Plan, as being proposed to be replaced or repaired. Broken roof tiles are proposed to be replaced with salvaged matching tiles. The brick chimney is identified as needing stabilization.

This reviewer found a few minor typos within the Preservation Plan, but the intent of each element of the plan remains clear, and the spelling should not affect the proposed findings.

7. "Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used."

Analysis: Per the Preservation Plan on Sheet HP1, no chemical or physical treatments are shown as proposed in this project, or expected, other than preparation for painting. (See also Standard 6)

8. "Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken."

Analysis: Archeological resources are not evaluated in this report.

9. "New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment."

Analysis: The alterations and additions proposed in the drawing set will be compatible with the historic character of the main house and differentiated by their detailing, materials, and forms (See also Standards 2 and 3).

The proposed new rear addition is compatible in form with the main house. Its rectangular footprint and hipped roof are in keeping with the rectangular main footprint and original hipped roof. The proposed new roof has further compatibility with the original residence because it balances with the original porch roof design. The addition will be differentiated through an offset plan, that preserves some of the original rear wall, lowers the proposed new roof, and creates a subordinate wing. On the north (right) side, where the addition is proposed to be in the same plane as the existing wall, the plans include a lightwell and egress for the basement at the new wing. The spatial differentiation formed by the stairwell, curbs, and railings (a two-story wall at the basement landing) will mark the location of the former rear corner and identify the area of new construction.

The proposed addition will feature a mix of matching and differentiated materials that provides compatibility and subtle contrast with the historic house. The proposed roofing tiles will match and be continuous with the existing roofing tiles, creating compatibility, but the roof form will provide differentiation. The proposed new addition will have compatible stucco cladding, but it will feature a differentiated texture. The original house's rough texture is one of its character-defining features, and the new addition will have a smoother finish. The windows will be a mixture of relocated, salvaged windows where possible, and these will be compatible in their wood sash and stucco moldings. The new side door and other new openings will be set apart by a different trim profile. The new sliding glass doors are of a size and simplicity that is in keeping with the overall proportions and simplicity of the historic house openings; these both face the rear yard, where they have less visibility in the larger neighborhood.

The existing garage building is set away from, and to the rear of, the historic main house. The garage will be set back on the side frontage, allowing the main house to remain predominant in the composition. The simplicity of the gabled, shingled garage roof is differentiated from the primary hipped, tiled roof at the house, but compatible in traditional

form. The horizontal Hardie siding is differentiated from the stucco at the main house, but compatible in scale with the highly textured house finish. The size of the gable end is proposed to be relieved by the inclusion of a small attic-style window and integral lighting fixtures. The new windows at the garage are proposed to have a similar size in area as the windows at the house, but they are differentiated by their wide proportions and awning type.

10. "New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired."

Analysis: The proposed design preserves the character-defining form and integrity of the historic property. The original rear wall would remain in part, and the removed portion could be reproduced with ease, basing the materials and location on the remaining surrounding elements. The essential historic features, form, materials, and character of the main house would be unimpaired in this project, and the proposed detached garage could be removed in the future without impact on the integrity of the property.

HISTORIC INTEGRITY ANALYSIS

The following analysis is intended to address how the proposed residential rehabilitation and addition project might potentially preserve or impact the historic integrity of the subject property. The analysis utilizes the seven aspects of historic integrity indicated by the National Register and State of California's definition of authenticity of a resource.

Location: The project proposes to preserve the address and original footprint and orientation of the house. The location of the contributing historic resource would be preserved in this project.

Setting: The immediate setting of the historic house within the property would be preserved in this project; the house would remain in an open space, with opportunities for viewing from all sides per the historic property setting. The construction of a replacement detached garage is in keeping with the historic use of the property and its previous detached outbuilding in the rear yard within the parcel.

The integrity of setting within the Old Quad Neighborhood would not be impacted by the proposed project. The project would maintain the existing immediate setbacks for the historic house to be used, viewed, and understood, and the detached garage is proposed for a traditional rear corner placement on the property. The larger neighborhood setting would also be maintained as-is, per the existing size, massing, and scales of the historic and associated buildings in the larger landscape.

Design, Materials, Artisanship: The project proposes to preserve the house's residential form, materials, scale, and character-defining features. The proposed scope of work alters a small area of non-character-defining materials at the rear of the property, and the windows affected by the addition will be salvaged and reused. The character-defining features, form, and materials of the house will be preserved.

Feelings: The historic residence would continue to convey the modest early twentieth-century feeling embodied in the Mediterranean Revival style and character-defining original materials.

Associations: With this project, the property would continue to provide continuity of associations with the period of historical and/or cultural significance, architectural significance, and geographic significance of the house, its design, and its contribution to the Old Quad neighborhood and the City of Santa Clara.

CONCLUSIONS

There is one recommendation for clarification regarding the soffits, and a note regarding typos in the Preservation Plan that should not affect the ability to make findings.

The proposed project can be found compatible with the *Secretary of the Interior's Standards for the Treatment of Historic Properties – Rehabilitation Standards*. A project that meets the Secretary of the Interior's Standards can be found to be mitigated to a "less than significant impact" under the California Environmental Quality Act and in keeping with the Mills Act intentions.

The proposed project can also be found to preserve the historic integrity of the significance of the property. With the proposed rehabilitation and addition project, the property can be found to continue to convey its historic associations, including the continued prominence of an authentic early-nineteenth-century residence, with integrity of location and setting, with methods and materials of construction, feelings, and associations.

RECORD WITHOUT FEE PURSUANT TO GOV'T CODE SECTION 6103

Recording Requested by:

Office of the City Attorney City of Santa Clara, California

When Recorded, Mail to:

Office of the City Clerk City of Santa Clara 1500 Warburton Avenue Santa Clara, CA 95050

Form per Gov't Code Section 27361.6

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Regina Alcomendras Santa Clara County - Clerk-Recorder

12/23/2022 03:20 PM

Titles: 1 Pages: 46

Fees: \$0.00 Taxes: \$0 Total: \$0.00

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HISTORIC PROPERTY PRESERVATION AGREEMENT

This Agreement, (herein, "Agreement"), is made and entered into this day of <u>December</u>, 2022, ("Effective Date"), by and between Stephanie and Tommy Tran, owners of certain real property located at 324 Madison Street ("OWNER") and the City of Santa Clara, California, a chartered California municipal corporation with its primary business address at 1500 Warburton Avenue, Santa Clara, California 95050 ("CITY"). CITY and OWNER may be referred to herein individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

A. Recitals.

- (1) California Government Code Section 50280, et seq. authorizes the CITY to enter into a contract with the OWNER of qualified Historical Property to provide for the use, maintenance, and restoration of such Historical Property so as to retain its characteristics as property of historical significance.
- (2) OWNER possesses fee title in and to that certain real property, together with associated structures and improvements thereon, shown on the 2022 Santa Clara County Property Tax Rolls as Assessors' Parcel Number 269-41-030, and generally located at the street address 633 Park Court, in the City of Santa Clara ("Historic Property"). A legal description of the Historic Property is attached hereto as "Legal Description," marked as "Exhibit "A," and incorporated herein by reference.
- (3) The Historic Property is on the City of Santa Clara Architecturally or Historically Significant Properties list. OWNER submitted a Mills Act Proposal to City on September 9, 2022. The Proposal included a Primary Record from the State of California's Department of Parks and Recreation. A true and correct copy of the Proposal is attached to this Agreement as "Exhibit B".
- (4) CITY and OWNER, for their mutual benefit, now desire to enter into this Agreement both to protect and preserve the characteristics of historical significance of the Historic Property and to qualify the Historic Property for an assessment of valuation pursuant to Section 439.2 of the California Revenue and Taxation Code.

Historic Property Preservation Agreement/324 Madison Street Typed: 10/5/2022

B. Agreement.

NOW, THEREFORE, CITY and OWNER, in consideration of the mutual covenants and conditions set forth herein, do hereby agree as follows:

(1) Effective Date and Term of Agreement. The term of this Agreement shall commence on the effective date of this Agreement and shall remain in effect for a term of ten (10) years thereafter. Each year upon the anniversary of the effective date, such term will automatically be extended as provided in paragraph 2, below.

(2) Renewal.

- (a) Each year on the anniversary of the effective date of this Agreement, ("renewal date"), one (1) year shall automatically be added to the term of this Agreement unless notice of nonrenewal is mailed as provided herein.
- (b) If either the OWNER or CITY desires in any year not to renew the Agreement, OWNER or CITY shall serve written notice of nonrenewal of the Agreement. Unless such notice is served by OWNER to CITY at least ninety (90) days prior to the annual renewal date, or served by CITY to OWNER at least sixty (60) days prior to the annual renewal date, one (1) year shall automatically be added to the balance of the remaining term of the Agreement as provided herein.
- (c) OWNER may make a written protest of a nonrenewal notice issued by CITY. CITY may, at any time prior to the annual renewal date of the Agreement, withdraw its notice to OWNER of nonrenewal. If either CITY or OWNER serves notice to the other of nonrenewal in any year, the Agreement shall remain in effect for the balance of the term then remaining, from either original execution date or the last renewal date of the Agreement, whichever is applicable.
- (3) <u>Standards for Historical Property</u>. During the term of this Agreement, the Historic Property shall be subject to the following conditions, requirements, and restrictions:
- (a) OWNER shall preserve and maintain the characteristics of historical significance of the Historic Property. "The Secretary of the Interior's Standards for Rehabilitation," marked as "Exhibit C" to this agreement, and incorporated herein by this reference, contains a list of those minimum standards and conditions for maintenance, use, and preservation of the Historic Property, which shall apply to such property throughout the term of this Agreement.
- (b) OWNER shall, when necessary or as determined by the Director of Planning and Inspection, restore and rehabilitate the property to conform to the rules and regulations of the Office of Historic Preservation of the State Department of Parks and Recreation, the United States Secretary of the Interior Standards for Rehabilitation and the California Historical Building Code and in accordance with the attached schedule of potential home improvements, drafted by the OWNER and approved by the City Council, attached hereto as "The Description of the Preservation and Restoration Efforts," marked as "Exhibit D" to this agreement, and incorporated herein by this reference.
- (c) OWNER shall allow, and CITY requires, that after five (5) years, and every five (5) years thereafter, an inspection of the property's interior and exterior shall be conducted by Historic Property Preservation Agreement/324 Madison Street Typed: 10/5/2022

a party appointed by CITY, to determine OWNER' continued compliance with the terms of this Agreement. OWNER acknowledge that the required inspections of the interior and exterior of the property were conducted prior to the effective date of this Agreement.

(4) <u>Provision for Information</u>.

- (a) OWNER hereby agree to furnish CITY with any and all information requested by the CITY to determine compliance with the terms and provisions of this Agreement.
- (b) It shall be the duty of the OWNER to keep and preserve, for the term of the Agreement, all records as may be necessary to determine the eligibility of the property involved, and the OWNER compliance with the terms and provisions of this Agreement, including, but not limited to blueprints, permits, historical and/or architectural review approvals, and schedules of potential home improvements drafted by the OWNER and approved by the City Council.

(5) <u>Cancellation</u>.

- (a) CITY, following a duly noticed public hearing as set forth in California Government Code Section 50280, et seq., shall cancel this Agreement or bring an action in court to enforce this Agreement if it determines any one of the following:
 - (i) the OWNER breached any of the terms or conditions of this Agreement; or
 - (ii) the OWNER allowed the property to deteriorate to the point that it no longer meets standards for a qualified historic property.
 - (b) CITY may also cancel this Agreement if it determines that:
 - (i) the OWNER allowed the property to deteriorate to the point that it no longer meets building standards of the City Code and the codes it incorporates by reference, including, but not limited to, the Uniform Housing Code, the California Historical Building Code, the California Fire Code, and the Uniform Code for the Abatement of Dangerous Buildings or;
 - (ii) the OWNER has not complied with any other local, State, or federal laws and regulations.
 - (iii) the OWNER failed to restore or rehabilitate the property in the manner specified in subparagraph 3(b) of this Agreement.
- (c) In the event of cancellation, OWNER shall pay those cancellation fees set forth in California Government Code Section 50280, et seq. As an alternative to cancellation, OWNERS may bring an action in court to enforce the Agreement.

(6) No Waiver of Breach.

(a) No waiver by CITY of any breach under this Agreement shall be deemed to be a waiver of any other subsequent breach. CITY does not waive any claim of breach by OWNER if CITY does not enforce or cancel this Agreement. All other remedies at law or in equity which are not otherwise provided for under the terms of this Agreement or in the City's laws and regulations are available to the City.

Historic Property Preservation Agreement/324 Madison Street

(7) Mediation.

- (a) Any controversies between OWNER and CITY regarding the construction or application of this Agreement, and claim arising out of this contract or its breach, shall be submitted to mediation upon the written request of one party after the service of that request on the other party.
- (b) If a dispute arises under this contract, either party may demand mediation by filing a written demand with the other party.
- (c) The parties may agree on one mediator. If they cannot agree on one mediator, there shall be three: one named in writing by each of the parties within five days after demand for mediation is given, and a third chosen by the two appointed. Should either party refuse or neglect to join in the appointment of the mediator(s) or to furnish the mediator(s) with any papers or information demanded, the mediator(s) may proceed ex parte.
- (d) A hearing on the matter to be arbitrated shall take place before the mediator(s) in the city of Santa Clara, County of Santa Clara, State of California, at the time and place selected by the mediator(s). The mediator(s) shall select the time and place promptly and shall give party written notice of the time and place at least fifteen (15) days before the date selected. At the hearing, any relevant evidence may be presented by either party, and the formal rules of evidence applicable to judicial proceedings shall not govern. Evidence may be admitted or excluded in the sole discretion of the mediator(s). The mediator(s) shall hear and determine the matter and shall execute and acknowledge the award in writing and cause a copy of the writing to be delivered to each of the parties.
- (e) The submission of a dispute to the mediator(s) and the rendering of a decision by the mediator(s) shall be a condition precedent to any right of legal action on the dispute. A judgment confirming the award may be given by any Superior Court having jurisdiction, or that Court may vacate, modify, or correct the award in accordance with the prevailing provisions of the California Mediation Act.
 - (f) Each party shall bear their own cost(s) of mediation.

(8) Binding Effect of Agreement.

- (a) The OWNER hereby subjects the Historic Property described in Exhibit "A" hereto to the covenants, reservations, and restrictions as set forth in this Agreement. CITY and OWNER hereby declare their specific intent that the covenants, reservations, and restrictions as set forth herein shall be deemed covenants running with the land and shall pass to and be binding upon the OWNER successors and assigns in title or interest to the Historic Property. Each and every contract, deed, or other instrument hereinafter executed, covering, encumbering, or conveying the Historic Property, or any portion thereof, shall conclusively be held to have been executed, delivered, and accepted subject to the covenants, reservations, and restrictions expressed in this Agreement, regardless of whether such covenants, reservations, and restrictions are set forth in such contract, deed, or other instrument.
- (b) CITY and OWNER hereby declare their understanding and intent that the burden of the covenants, reservations, and restrictions set forth herein touch and concern the land in that OWNER' legal interest in the Historic Property.

Historic Property Preservation Agreement/324 Madison Street

(c) CITY and OWNER hereby further declare their understanding and intent that the benefit of such covenants, reservations, and restrictions touch and concern the land by enhancing and maintaining the historic characteristics and significance of the Historic Property for the benefit of the CITY, public (which includes, but is not limited to the benefit to the public street generally located at 324 Madison Street), and OWNER.

(9) Notice.

(a) Any notice required to be given by the terms of this Agreement shall be provided at the address of the respective parties as specified below or at any other address as may be later specified by the parties hereto.

CITY: C

City of Santa Clara

Attn: City Clerk

1500 Warburton Avenue Santa Clara, CA 95050

OWNERS:

Stephanie and Tommy Tran

324 Madison Street Santa Clara, CA 95050

- (b) Prior to entering a contract for sale of the Historic Property, OWNER shall give thirty (30) days notice to the CITY and it shall be provided at the address of the respective parties as specified above or at any other address as may be later specified by the parties hereto.
- (10) No Partnership or Joint Enterprise Created. None of the terms, provisions, or conditions of this Agreement shall be deemed to create a partnership between the parties hereto and any of their heirs, successors, or assigns; nor shall such terms, provisions, or conditions cause them to be considered joint ventures or members of any joint enterprise.
- (11) Hold Harmless and Indemnification. To the extent permitted by law, OWNER agree to protect, defend, hold harmless and indemnify CITY, its City Council, commissions, officers, agents, and employees from and against any claim, injury, liability, loss, cost, and/or expense or damage, however same may be caused, including all costs and reasonable attorney's fees in providing a defense to any claim arising there from for which OWNER shall become legally liable arising from OWNER' acts, errors, or omissions with respect to or in any way connected with this Agreement.
- (12) <u>Attorneys' Fees.</u> In the event legal proceedings are brought by any party or parties to enforce or restrain a violation of any of the covenants, reservations, or restrictions contained herein, or to determine the rights and duties of any party hereunder, the prevailing party in such proceeding may recover all reasonable attorney's fees to be fixed by the court, in addition to costs and other relief ordered by the court.
- (13) <u>Restrictive Covenants Binding</u>. All of the agreements, rights, covenants, reservations, and restrictions contained in this Agreement shall be binding upon and shall inure to the benefit of the parties herein, their heirs, successors, legal representatives, assigns and all persons acquiring any part or portion of the Historic Property, whether by operation of law or in any manner pursuant to this Agreement.

Historic Property Preservation Agreement/324 Madison Street

- (14) <u>Mills Act Historic Property Contract Application Requirements.</u> An application for a Mills Act Historic Property Contract shall be made through the Planning Division and shall include the following:
 - a. a Historic Resources Inventory form;
 - b. the description of the preservation or restoration efforts to be undertaken as referenced in paragraph 3 (b) as Exhibit "D";
 - c. a statement of justification for the Mills Act Historic Property designation and reassessment; and,
 - d. the Mills Act Historic Property Contract filing fee pursuant to paragraph 17.
- (15) <u>Mills Act Historic Property Contract Approval</u>. Based upon the Historical and Landmarks Commission's ("Commission") review of the Mills Act Historic Property Contract criteria and recommendation to Council, and based upon the recommendation and approval by Council, a Mills Act Historic Property Contract may be entered into with OWNER. The decision of the City Council shall be final and conclusive in the matter.
- (16) <u>Recordation and Notice</u>. No later than twenty (20) days after the parties execute and enter into this Agreement, the CITY shall cause this Agreement to be recorded in the office of the County Recorder of the County of Santa Clara.
- (17) <u>Fees.</u> The Planning Department may collect such Mills Act Historic Property Contract application fee of \$8,078.70 (eight thousand, seventy-eight dollars, and seventy cents), or other fees for the administration of this contract as are authorized from time to time by the City Council. Such fees do not exceed the reasonable cost of providing the service for which these fees are charged. OWNERS shall pay the County Recorder's Office recordation fees for recordation of this Mills Act Historic Property Contract and the recordation of the OWNERS updated Historic Resources Inventory form.
- (18) Ordinary Maintenance. Nothing in this contract shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in or on any Historic Property covered by this contract that does not involve a change in design, material, or external appearance thereof, nor does this contract prevent the construction, reconstruction, alteration, restoration, demolition, or removal of any such external architectural feature when the Director of Planning and Inspection determines that such action is required for the public safety due to an unsafe or dangerous condition which cannot be rectified through the use of the California Historical Building Code and when such architectural feature can be replaced according to the Secretary of Interior's Standards.
- ("CHBC") provides alternative building regulations for the rehabilitation, preservation, restoration, or relocation of structures designated as Historic Properties. The CITY's building permit procedure shall be utilized for any Historic Property which is subject to the provisions of this Agreement, except as otherwise provided in this Agreement or the CHBC. Nothing in this Agreement shall be deemed to prevent any fire, building, health, or safety official from enforcing Historic Property Preservation Agreement/324 Madison Street

laws, ordinances, rules, regulations, and standards to protect the health, safety, welfare, and property of the OWNERS or occupants of the Historic Property or the public.

(20) <u>Conservation Easements</u>.

- (a) Conservation easements on the facades of the Historical Property may be acquired by the CITY, or on the CITY's behalf, by a nonprofit group designated by the CITY through purchase, donation, or condemnation pursuant to California Civil Code Section 815.
- (b) The OWNERS, occupant, or other person in actual charge of the Historical Property shall keep in good repair all of the exterior portions of the Historic Property, and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior architectural feature.
- (c) It shall be the duty of the Director of Planning and Building Inspection to enforce this section.
- (21) <u>Severability</u>. If any section, sentence, clause, or phrase of this Agreement is, for any reason, held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, or by subsequent preemptive legislation, such decision shall not affect the validity and enforceability of the remaining provisions or portions of this Agreement. CITY and OWNER hereby declare that they would have adopted this Agreement, and each section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared invalid or unconstitutional.
- **(22)** Integrated Agreement Totality of Agreement. This Agreement embodies the agreement between CITY and OWNERS and its terms and conditions. No other understanding, agreements, or conversations, or otherwise, with any officer, agent, or employee of CITY prior to execution of this Agreement shall affect or modify any of the terms or obligations contained in any documents comprising this Agreement. Any such verbal agreement shall be considered as unofficial information and in no way binding upon CITY.
- (23) <u>Captions</u>. The captions of the various sections, paragraphs and subparagraphs are for convenience only and shall not be considered or referred to in resolving questions of interpretation.
- (24) <u>Statutes and Law Governing Contract</u>. This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California.
- (25) <u>Amendments</u>. This Agreement may be amended, in whole or in part, only by a written recorded instrument executed by the parties hereto.

Historic Property Preservation Agreement/324 Madison Street Typed: 10/5/2022

IN WITNESS WHEREOF, CITY and OWNERS have executed this Agreement on the day and year first written above.

CITY OF SANTA CLARA, CALIFORNIA, a chartered California municipal corporation

APPROVED AS TO FORM:

Office of the City Attorney City of Santa Clara

RAJEEV BATRA

City Manager

1500 Warburton Avenue Santa Clara, CA 95050

Telephone: (408) 615-2210

Fax: (408) 241-6771

"CITY"

Stephanie and Tommy Tran, Owners of 324 Madison Street

By

Stephanie Tran
324 Madison Street

Santa Clara, CA 95050

Tommy Tran

324 Madison Street

Santa Clara, CA 95050

"OWNER"

Exhibits:

A - Property Description

B - Primary Record

C - Standards for Rehabilitation

D - Restoration Schedule

California All-Purpose Certificate of Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California	
County of Sawfa Clara	s.s.
On <u>December 14, W17</u> before me, <u>Anne</u>	Name of Notary Public, Title
personally appeared Tommy Tran	and ame of Signer (1)
Stephenie Tran	
who proved to me on the basis of satisfactory evidence is/are subscribed to the within instrument and acknow the same in his/her/their authorized capacity(ies), and instrument the person(s), or the entity upon behalf of instrument.	vledged to me that he/she/they executed d that by his/her/their signature(s) on the which the person(s) acted, executed the
I certify under PENALTY OF PERJURY under the law of the State of California that the foregoing paragraph true and correct.	COMM #2313839 =
WITNESS my hand and official seal.	
Signature of Notary Public	Seal,
Although the information in this section is not required by law, it could this acknowledgment to an unauthorized document and may prove us	prevent fraudulent removal and reattachment of
Description of Attached Document	Additional Information
The preceding Certificate of Acknowledgment is attached to a	Method of Signer Identification
document titled/for the purpose of	Proved to me on the basis of satisfactory evidence:
	☐ form(s) of identification ☐ credible witness(es)
containing pages, and dated	Notarial event is detailed in notary journal on:
The signer(s) capacity or authority is/are as:	Page # Entry #
☐ Individual(s)	Notary contact:
☐ Attorney-in-fact ☐ Corporate Officer(s)	Other
Title(s)	☐ Additional Signer ☐ Signer(s) Thumbprints(s)
☐ Guardian/Conservator ☐ Partner - Limited/General ☐ Trustee(s) ☐ Other:	
representing: Name(s) of Person(s) Entitly(les) Signer is Representing	

OWEDGMENTACKNOWLEDGMENTACKNOWLEDGMENTACKNOWLEDGMENTACKNOWLEDGMENTACKNOWLEDGMENT ACKNOWLEDGMENTACKNOWLEDGMENTACKNOWLEDGME

ORDER NO.: 0611023364

EXHIBIT A

The land referred to is situated in the County of Santa Clara, City of Santa Clara, State of California, and is described as follows:

Beginning at a point in the Westerly line of Madison Street distant thereon Five Hundred six (506) feet Southerly from the point of intersection of said Westerly line of Madison Street with the Southerly line of Bellomy Street, in said Town of Santa Clara; thence Southerly along said Westerly line of Madison Street Fifty (50) feet; thence at right angles Westerly One Hundred Eighty (180) feet, more or less, to the Westerly line of Sub Lot 40 in said Town of Santa Clara; thence Northerly along said Westerly line of Sub Lot 40, Fifty (50) feet; more or less, to the intersection with a line drawn through the point of beginning at right angles to Madison Street; thence Easterly on a line drawn at right angles to Madison Street One Hundred Seventy-eight (178) feet, more or less, to the point of beginning, being a portion of Sub Lot 40 as shown on the Map of the said Town of Santa Clara of Record, in the Office of the County Recorder of the County of Santa Clara, State of California, in Book B of Maps, at Pages 103.

APN: 269-41-030

		chibit B	
State of California — The F DEPARTMENT OF PARKS			#
PRIMARY RECORI		Trinomial	
	Other Listings	NRHP St	atus Code
	Review Code	Reviewer	Date
age <u>1</u> of <u>33</u>	*Resource Name or #	: (Assigned by recorder)	324 Madison Street
2. Location: ☐ Not	nuel and Clementina Ferreira for Publication ■ U or P2d. Attach Location Map as n	Jnrestricted	*a: County <u>Santa Clara</u>
*b. USGS 7.5' Quad c. Address <u>324 Madi</u>	Dateson Street	T; R;½ CitySanta Clara	of% of Sec;B.M. Zip95050 ;mE/mN
*e. Other Locational Di	ata: (e.g., parcel #, directions to	resource, elevation, etc., as a	appropriate) alterations, size, setting, and boundaries)
This property falls w	ithin the Old Quad area o	of Santa Clara, which	contains hundreds of houses dating
	~		uildings. It encompasses the area
bordered by Scott Bo	ulevard to the west, New	whall Street to the sour	th and east, and the railroad tracks
the north and east. W	Vithin Old Quad, the wes	t side of the 300-400	block of Madison Street (the subject
block) has one of the	larger concentrations of	houses that pre-date	World War II. Ten of the eleven
houses from #306 to	#476 appear to have been	n built from the 1880s	s (or earlier) to 1938 and retain mo
	* *		The two oldest include #466, a bl
			(See Continuation Sheet, page 2.)
P4. Resources Present: solates, etc.)	■ Building □ Structure	e □ Object □ Site □ Dis	P5b. Description of Photo: (View, date) View looking west, April 2021
WA L			
		<u> </u>	*P6. Date Constructed/Age and
			Source: ■ Historic □ Prehistoric □ Both
	324		1936-1938 *P7. Owner and Address: Stephanie and Tommy Tran
Dw D. A			324 Madison St.
			Santa Clara, CA, 95050 *P8. Recorded by: (Name,
			affiliation, and address)
No.			William Kostura
in the second			P. O. Box 60211 Palo Alto, CA 94306
	2. 200年(A)大	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	*P9. Date Recorded:
A STATE OF THE PROPERTY OF THE PARTY OF THE	Construction of the Constr		September 2021
			*P10. Survey Type: (Describe) _intensive
11. Report Citation*: (Cite	survey report and other sources,	or enter "none".) <u>none</u>	
			Building, Structure and Object Record
I Archaeological Record □		ture Record LI Milling Sta	tion Record ☐ Rock Art Record
3	,		

State of California — The Resources Agency	
DEPARTMENT OF PARKS AND RECREATION	
CONTINUATION SHEET	

Primary # HRI/Trinomial

Page 2 of 33	Resource Identifier: 324 Madison Street		
Recorded by William Kostura	*Date September 2021	Continuation	☐ Update

Description (continued)

The subject house, 324 Madison, is situated on a lot measuring 50 feet in width by 180 feet in depth. The house is set back from the front property line by roughly twenty feet, which allows for a front lawn that is bisected by a concrete path leading to the front entrance. A very narrow strip of land runs alongside the house on the north (right) side, while a wider strip of land with a driveway is to the south. At the end of the driveway, toward the rear of the property, is a small wood-framed garage with a front-gabled roof, rustic siding, and a tilt-up door clad in rustic siding. The garage was built in 1955, and an open, shed-roofed addition on its north side is clearly newer.

The house is one story in height, is wood-framed in construction, is clad in stucco, has a hipped roof with boxed eaves, and measures thirty feet in width by fifty feet in depth. An open porch occupies slightly more than half of the width of the house on its north side. This porch fills a recess on that side and extends forward from the front plane of the house by two feet. Thus, except for this slight projection and recess for the porch at right, the footprint of the house is rectangular in shape.

Two concrete steps lead up to the porch. Its cement floor is polished smooth, while the steps are left unpolished. These steps and porch floor appear to be original.

With one minor exception, all windows have original wooden frames and sash. In front are two identical tripartite windows, one facing the porch, and each with a large fixed central sash flanked by double-hung sash. The upper zone of each part is divided into multiple lights by wooden muntins. On the south side (at left) are two sets of paired windows and three single windows, each double-hung. On the north side are two sets of paired windows and two single windows, all double-hung. In the rear are two double-hung windows plus a single small window with replacement aluminum sash.

The front door is composed of polished wooden boards laid vertically, with a decorative brass grille and decorative brass hardware. This door is fronted by a screen door, also of wood. On the south side of the house is a simple paneled wooden door with upper-level glazing.

The roof of the house is its most distinctive feature. The portions over both the main body of the house and the porch are hipped, and the pitch is moderately steep, giving it a dramatic shape. Instead having traditional molded clay tiles, the roof is covered with clay tiles that are molded so that they interlock with each other. The manufacturer of these tiles was J. Pessagno and Sons, also known as the Interlocking Roof Tile Company, of Niles. In all likelihood this company also made the clay covering of a small living room projection on the south side of the house. The Pessagno company will be described in the History section of this report, below.

(See Continuation Sheet, page 3.)

Primary # HRI/Trinomial

Resource Identifier: 324 Madison Street

*Date September 2021

■ Continuation □ Update

Page 3 of 33 Recorded by William Kostura

There are two chimneys in this house. One is placed against the north wall, while the other is fully within the body of the house and can be seen from the outside where it rises above the roofline.

The style of the house is Mediterranean Revival, and this is mainly due to its clay tile roof and the stucco surface. The stucco is rough-textured in emulation of vernacular buildings of southern Europe. Small curvilinear brackets at the top of the porch posts are the only overtly decorative features aside from the brass elements on the front door.

The interior has a fine finish that remains in original condition. Paired wooden doors with full-length glazing of ten lights each open from the living room to the dining room. Windows possess their original wooden casings, and hardwood floors survive in the living room, dining room, and kitchen. The fireplace is stucco-faced, has a wooden mantle top, and has decorative tiles around the opening.

Signatures of the Ferreiras, the first owners of this house. Please see the history section of this report below for information about them. In the possession of the current owners.

	of California — The Resources Agency ARTMENT OF PARKS AND RECREATION	Primary # HRI #
505050000000000000000000000000000000000	LDING, STRUCTURE, AND OBJECT RECO	
Page .	_4_ of <u>_33</u>	*NRHP Status Code3
B1. I	*Resource Name or # (Assi Historic Name: <u>Manuel and Clementina Ferreira residence</u>	gned by recorder) 324 Madison Street
	Common Name: B4. Present Use:	
*B5. /	Architectural Style: Mediterranean Revival	
- V	Construction History: (Construction date, alterations, and date of alte The house was built in 1936 (according to the owner) or in 1938 (was built in 1955 (according to a building permit).	according to the County Assessor's office). The garage
*B8. F	Related Features:	Original Location:
	Clay roof tiles manufactured by J. Pessagno and Sons, of Niles (F	
B9a. * B10 .	<u>Designer: Joseph Ferreira</u> b. Builder: <u>Marchitecture</u> b.	anuel Ferreira
	Period of Significance 1936-1938 Property Type ss importance in terms of historical or architectural context as defined by the state of	nouse Applicable Criterion 3
subje	s section will cover the history of the Old Quad neighb ect house, and a brief description of 1920s stucco-clad	•
archi	itecture of this house in context.	
Old	Quad history	
bord the n	Old Quad covers the quadrangle shown in an 1866 sur- lered by Scott Boulevard to the west, Newhall Street to north and east. The area includes Santa Clara Universi- a. Generally speaking, the Old Quad is the oldest part is historic buildings are located here.	ty, which was once the site of Mission Santa
	5	(See Continuation Sheet, page 5.)
Histor		
B11.	Additional Resource Attributes: (List attributes and codes)	(Chatch man with and barrow and wind)
*B12.	· · · · · · · · · · · · · · · · · · ·	(Sketch map with north arrow required)
DIZ.		
	See Continuation Sheet.	
B13.	Remarks:	
	Evaluator: William Kostura of Evaluation: _September 2021	
	(This space reserved for official comments.)	

State of California — The Resources Agency DEPARTMENT OF PARKS AND RECREATION

Primary # HRI/Trinomial

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Recorded by William Kostura	*Date September 202	1 ■ Continuation	☐ Update

Old Quad history (continued)

Major factors in Santa Clara's growth and economy include:

1777. Founding of Mission Santa Clara de Asis by the Franciscan order of Spain. This mission was secularized by Mexico in 1833 but the mission chapel continued to function as a church afterward. It was enlarged and rebuilt several times over the next century.

1851-present. After the takeover of California by the United States, the Jesuits acquired the mission and established Santa Clara College in 1851. It became known as the University of Santa Clara in 1912 and as Santa Clara University in 1985. The older buildings on this campus date to the period 1911-1930 and were designed by architects Will D. Shea, John J. Donovan, and Henry A. Minton. The chapel of 1928 was designed by Minton to replicate the old adobe mission building of ca. 1824.

1852. The City of Santa Clara incorporates.

1863. The railroad connecting San Francisco and San Jose reaches Santa Clara. The railroad depot still stands, now at 1005 Railroad Avenue.

1885-1990s. Agnew's State Hospital. The Victorian building of 1885 collapsed in the earthquake of 1906, with great loss of life. New buildings were built from 1908 through the 1910s to designs by the State Architect George C. Sellon. After the campus was sold to Sun Microsystems in the late 1990s, only the best four of the Agnew's buildings were retained, and the rest were demolished.

1890s-1950s. Santa Clara Tannery. This long-lasting business occupied many wooden buildings at the northeast corner of Lexington and Grant streets.

1890s-1960s. The Pacific Manufacturing Company was a huge business occupying many buildings in the block of Alviso, Bellomy, Grant, and Locust streets, plus warehouses and sprawling lumber yards in adjacent blocks. It made coffins, window sash, doors, blinds, cabinets, and windmills.

1910s-1960s. Fruit canning. There were several canneries in Santa Clara during these decades, but three were the largest and longest lasting: Rosenberg Brothers and Company; the Pratt-Low Preserving Company; and Libby, McNeill and Libby. Pratt-Low's complex included a huge one-story cannery building plus 25 seasonal workers' cabins in 1915, and by 1950 it had expanded to include over 100 workers' cabins. By 1950 Rosenberg Brothers had absorbed Libby, McNeill and Libby, and by 1961 Rosenberg Brothers had been taken over by the Mayfair Packing Company. Collectively, these canneries were probably the largest employer in the City of Santa Clara during most of the 20th century.

(See Continuation Sheet, page 6.)

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State	e of California –	- The Resources Agency	Primary #	

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Recorded by William Kostura	*Date September 2021	_ Continuation	☐ Update

Old Quad history (continued)

1960s-present. The semiconductor industry becomes important in Santa Clara.

1963. The city's old downtown is razed in order to receive funding from the federal government for urban renewal.

To the above list should be added Santa Clara's close proximity to the city of San Jose, where some Santa Clara residents worked.

The demolition of the city's old downtown was a major loss, but the built environment in Santa Clara is otherwise able to represent, or evoke, important themes in Santa Clara's early history. An adobe house at 3260 The Alameda (now the Santa Clara Women's Club) is a ca. 1790s building that was part of the Spanish-era mission complex. The Berryessa adobe at 373 Jefferson Street (late 1840s) represents the Mexican or very early American period. Two other early properties evoke Santa Clara's early agricultural economy. The older is the James Lick flour mill complex, at 4101 Lick Mill Boulevard, at Mansion Park Drive. Its four buildings were built in 1857, the 1860s, and the 1880s and include a granary, a house, an office, and a hall. The Harris-Lass house at 1889 Market Street (1865) includes a farmhouse, a barn, a water tank, and farming implements. As mentioned above, four early twentieth century buildings survive at Agnew's State Hospital, and about eight buildings from 1911-1930 survive at Santa Clara University.

Most prolifically, the Old Quad area is filled with hundreds of 19th and early 20th century houses that retain good to high integrity. A few houses date to the 1850s, a moderate number date to each decade of the 1860s, 1870s, and 1880s, and very many date to the 1890s-1930s. While it is beyond the scope of this report to describe these houses in any detail, it can be said that they range from modest, vernacular working-class houses to large houses built for the well-to-do. Houses in the latter group are often elaborately decorated, but smaller houses, especially those built before the 1920s, often possess fine details as well.

Because the subject house dates from the 1930s, a number of similarly-scaled stucco houses of the 1920s-1930s are illustrated below. It will be evident that houses from these two decades vary widely in their treatment, from expressive to perfunctory. The photographic selection will illustrate where the subject house falls in this spectrum.

(See Continuation Sheet, page 7.)

Primary # HRI/Trinomial

Resource Identifier: _

324 Madison Street

*Date September 2021 ■ Continuation

☐ Update

History of the subject house

The first house on this site

Recorded by William Kostura

This is the second house to have stood on this lot of land. The first was a very small, one-story wood-framed house built some time between 1891 and 1910. Through the year 1926 it was occupied by:

1910: Mrs Isabel Alves, a widow

1915-1916: Joseph Ross, a laborer and laundry worker

1918: Joseph Enos, a driver

1919-1920: Frank Quadros, a laborer and box maker

1922-1926: John Shane, a farmer

In 1926 or 1927 the house was purchased by Manuel and Clementina Ferreira, who probably lived in it at first and then at an uncertain date replaced it with the current house. They were natives of Portugal who moved first to Hawaii, where their first seven children were born, and then in 1925 to Santa Clara, where their next three children were born. They briefly lived with a relative on the 300-400 block of Madison Street, then purchased the house on the subject property. The family lived in the small house for about a decade, and then in the new one that they built.

The Ferreira family

Manuel Ferreira is usually listed in city directories of the 1920s-1940s as working as a laborer, while the 1930 and 1940 censuses and 1939 directory state that he worked as a laborer in fruit canneries. Which canneries he worked at are unknown. In 1955 he worked at Security Warehouse in San Jose. He died in 1964.

His and Clementina's children, Manuel, Jr., John, Frank, , Anthony, Ernest, Adeline, Frances, and William are listed as variously being laborers, cannery workers, employees of the Pacific Manufacturing Company, a clerk at a local drugstore, and a laborer on a farm. Joseph attended classes at San Jose State University where he took drafting. During World War II Frank, John, and Anthony were in the Army, Ernest was in the Navy, and Joseph was in the Marine Corps. Joseph died in the Pacific Theater, apparently in the Philippines in 1944. After the war Manuel and Clementina's daughter Josephine became an assistant librarian at the University of Santa Clara. Clementina lived into the 1970s, and daughter Frances continued to live in the house until her death in 2018.

(See Continuation Sheet, page 8.)

Primary # HRI/Trinomial

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Recorded by William Kostura	*Date September 2	2021 ■ Continuation	□ Update

The design and construction of the house

The exact year the subject house was built is uncertain. The current owners, who have been in touch with the Ferreira family, were told the house was built in 1936, while the official Assessor's date is 1938. What is known beyond doubt is that the house was built from plans drawn by Manuel and Clementina's son, Joseph, who was taking drafting classes at San Jose State University at the time. His drawings on linen of the front and side elevations, the plan, and some construction details survive in the current owners' possession. (He was 20 years old in 1936 and 22 in 1938.) According to the Ferreira family, Manuel Ferreira built the house himself with the help of family members.

The house is very similar to another house just three doors to the north at 372 Madison Street. The dimensions, the composition, the shape of the roof, the roof tiles, and even the brackets at the top of the porch posts are the same. There are two differences of some note. The stucco coating of #372 is smooth instead of textured, and the pattern of muntins in the upper zone of the front windows is different. The official Assessor's date for #372 is 1920, although it may not be not quite that old. At any rate it seems likely that Joseph Ferreira used that house as a model when drawing the plans for #324.

The owners of #372 were George and Rosaline Gomes (or Gomez), who like the Ferreiras were natives of Portugal. Before coming to Santa Clara, they lived in Hawaii where they had seven children, just as the Ferreiras had done. George Gomes owned a fruit ranch in 1940, and this may have been the fruit ranch that Frank Ferreira worked on in that year. It thus seems plausible that the Ferreira and Gomes families were related, that the Ferreiras followed the Gomes family to Santa Clara in a pattern of chain migration, and that this is why Joseph Ferreira modeled the design of 324 Madison after that of #372.

J. Pessagno and Sons, Interlocking Roof Tile Company, of Niles

The roof tiles of 324 Madison Street were manufactured by J. Pessagno and Sons, also known as the Interlocking Roof Tile Company. This is known because spare tiles stamped with the Pessagno name were found in the back yard of #324. The firm was located in Niles, which today is part of Fremont.

Pessagno and Sons was founded by Joseph Pessagno (1886-1963), a native of Italy, in 1927. In January of that year he purchased five acres in Niles that were rich in clay and dug a trench pit to remove the material. He built three gas-fired kilns that were each thirty feet in diameter and twelve feet high and two smaller kilns as well. Here he and his sons manufactured roof tiles and other clay products. After being baked, the tiles remained in the kilns to cool for one week. In 1950 the company was staffed by Pessagno, his wife, their sons, the sons' wives, and eight male employees. After Joseph Pessagno died, his sons continued the business until it closed in 1970.

(See Continuation Sheet, page 9.)

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Recorded by William Kostura	*Date September 2021	■ Continuation	□ Update

The company was prolific. Their products have been found in Fremont, Hayward, Union City, San Francisco, Oakland, Palo Alto, and San Jose. In Fremont alone, more than 35 buildings with their roof tiles have been found in recent years, though a few of these have since either been torn down or have had their roof tiles replaced. The roof tiles are distinctive in appearance and are readily identifiable by sight because they were molded with grooves that channel rain water and that fit into each other. This molding gave the firm its "Interlocking Roof Tile Company" name. Several houses in Fremont with their tiles are shown below.

Houses of the 1920s and 1930s in Santa Clara

A moderate number of houses of this age and material — most likely in the dozens — can be found in Santa Clara. They are typically one story in height, covered with stucco, and restrained rather than elaborate in their treatment; and thus they are readily differentiated from houses of the 1850s-1910s, which are sheathed in wooden siding and are often picturesque in their composition and their wooden details.

Most houses of the 1920s-1930s are, in fact, plain. Some take the form of Craftsman-style bungalows, with gabled roofs and porches with tapering posts, but by the 1920s such houses in Santa Clara were usually covered with stucco and these lack exposed rafter tails and similar Craftsman touches. Other houses of these decades are closer to Mediterranean Revival in their feeling. Some of these relate to that style only in their form, but others are more expressive. The best examples have two or more of the following features: clay tile roofs or pent roofs; broad porches that project forward from the main part of he house; textured (instead of smooth) stucco surfaces; tripartite windows with wooden mullions, muntins, and sills; arched window and door openings; and columned entrances.

One house is worth specific mention here: 1285 Main Street (1926), which has qualified for the Mills Act. With its broad porch, hipped roof, and tripartite windows it is similar to 324 Madison Street, but differs from that house in being slightly wider, lacking a clay tile roof, and having smooth instead of textured stucco cladding. 1285 Main Street is a fine house, but with its tile roof by Pessagno and Sons, and its textured stucco surface, 324 Madison possesses greater distinction.

Please see photographs of some houses from these decades below.

Integrity

The house has never been moved, so it retains integrity of location. It has not been significantly altered, so it retains integrity of design, materials, workmanship, and feeling. Its early residents would certainly recognize it as the house they had lived in, so it retains integrity of association. Most of the houses that stood on this block in the 1930s still stand, and most of them have not been much altered, so this property also retains integrity of setting.

State of California — The Resources Agency DEPARTMENT OF PARKS AND RECREATION CONTINUATION SHEET Page 10 of 33 Resource Identifier: 324 Madison Street Recorded by William Kostura *Date September 2021 ■ Continuation □ Update

Evaluation to California Register criteria

The California Register of Historical Resources (California Register) is an inventory of significant architectural, archaeological, and historical resources in the State of California. Resources can be listed in the California Register through a number of methods. State Historical Landmarks and National Register-listed properties are automatically listed in the California Register. Properties can also be nominated to the California Register by local governments, private organizations, or citizens. The evaluative criteria used by the California Register for determining eligibility are closely based on those developed by the National Park Service for the National Register of Historic Places.

In order for a property to be eligible for listing in the California Register, it must be found significant under one or more of the following criteria:

- * Criterion 1 (Events): Resources that are associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.
- * Criterion 2 (Persons): Resources that are associated with the lives of persons important to local, California, or national history.
- * Criterion 3 (Architecture): Resources that embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of a master, or possess high artistic values.
- * Criterion 4 (Information Potential): Resources or sites that have yielded or have the potential to yield information important to the prehistory or history of the local area, California, or the nation. This criterion typically applies to archaeological remains, which, because there are no plans to excavate the lot, are not being addressed in this report.

Criterion 1 (Events)

This house was built in 1936 or 1938 (sources differ) and was the second house on this site. This is not early in the history of the City of Santa Clara, and thus the house does not evoke the early developmental history of the city. The first owner, Manuel Ferreira, worked as a laborer at one or more of the city's canneries, but so did very many other residents of Santa Clara, many of whose houses probably also still stand. This house does not evoke that important aspect of Santa Clara's history in a particularly notable way. No other patterns of history related to this house come to mind, and so it does not appear to be eligible for the California Register under this criterion.

(See Continuation Sheet, page 11.)

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Recorded by	William Kostura

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Criterion 2 (persons)

As mentioned above, Manuel Ferreira worked as a laborer, usually at a fruit cannery. His children also worked in canneries, at the Pacific Manufacturing Company, and at other blue collar and clerical jobs. The canneries and Pacific Manufacturing were important industries in the city, but many other houses that their employees lived in must still stand. None of the Ferreiras were notable in Santa Clara's history, and so the house does not appear to be eligible for the California Register under this criterion.

Criterion 3 (Architecture)

Architecturally, this house compares very favorably with other Santa Clara houses of the 1920s and 1930s. Most houses in the city from those decades are plain, and are restrained in their treatment to the point of anonymity. By contrast, this house has many notable features. They include:

- * tripartite windows with wooden mullions and with wooden muntins that divide the upper zones into multiple lights,
- * a projecting front porch that stretches for over one-half the width of the house,
- * curved brackets at the top of the porch posts,
- * a hipped roof over both the main body of the house and the porch,
- * molded clay roof tiles,
- * a stucco surface that is textured (instead of smooth),
- * a solid wooden front door with a decorative brass grille and brass hardware, and
- * an interior with a high level of finish.

Collectively, these features make this one of the best houses of its size from the 1920s-1930s in the city.

The roof tiles by J. Pessagno and Sons of Niles are a particularly fine feature. While traditional curved clay roof tiles on other Santa Clara houses are also important, the tiles on this house are distinctive in their profile and cause the roof of this house to stand out from other clay tile roofs in the city.

Finally, the integrity of this house, inside and out, is very high. For all of these reasons, the house appears to be eligible for the California Register under this criterion. The Period of Significance is 1936-1938, when it was built.

<u>Criterion 4 (Information Potential, or Archaeology)</u> — This criterion is not addressed in this evaluation because no excavation of the lot is proposed or is being contemplated.

Evaluation under City of Santa Clara criteria

The Criteria for Local Significance were adopted on April 20, 2004, by the City of Santa Clara City Council and are listed under Section 8.9.2 of the City of Santa Clara General Plan, Criteria for Local Significance. Under this section of the General Plan, any building, site, or property in the City that is 50 years old or older and meets certain criteria of architectural, cultural, historical, geographical or archeological significance is potentially eligible.

The subject property appears to most clearly meet the following local criteria:

Criterion for Historical or Cultural Significance

4. The property is associated with a significant industrial, institutional, commercial, agricultural, or transportation activity.

Because the house's first owner, Manuel Ferreira, worked at local fruit canneries for many years, and because none of the cannery buildings survive to evoke that aspect of the city's history, this house reflect's that history in their stead, although it is probably one of very many to do so.

Criterion for Architectural Significance

1. The property characterizes an architectural style associated with a particular era and/or ethnic group.

With its dramatic clay tile roof, broad porch, textured stucco surface, curvilinear brackets (at the top of the porch posts), tripartite windows, and wooden door with ornamental brass grille and hardware, this is one of the best houses of the 1920s-1930s and of its size in Santa Clara. The stucco surface and the clay tile roof evoke the Mediterranean Revival style.

6. A building's unique or uncommon building materials, or its historically early or innovative method of construction or assembly.

This is the only known house in Santa Clara with roof tiles manufactured by J. Pessagno and Sons of Niles (Fremont). Pessagno's Interlocking Roof Tile Company made tiles that were molded to interlock with each other and to guide rainwater, and it was prolific over the 43 years of its existence (1927-1970). The shaped tiles add a distinctive appearance to this house's hipped roof and help to distinguish it from other houses of its period in Santa Clara.

7. A building's notable or special attributes of an aesthetic or functional nature. These may include massing, proportion, materials, details, fenestration, ornamentation, artwork or functional layout.

(See Continuation Sheet, page 13.)

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This house's most notable features are its roof, the broad porch and the way the roof is composed of two hips, one over the main body of the house and the other over the porch. This creates a double-hipped effect that adds drama to the roofline.

Criterion for Geographic Significance

2. A building's continuity and compatibility with adjacent buildings and/or visual contribution to a group of similar buildings.

This house is one of about ten on the west side of the 300-400 block of Madison Street and several on the east side that pre-date World War II and retain good to high integrity. The range of construction dates is wide (from the 1880s or earlier through the 1930s) and the block includes a variety of styles; nevertheless, the block does convey the feeling of a historic neighborhood. Although Santa Clara is rich in historic houses, it is uncommon to find so many on a single block. No formal survey has been performed to document the existence of a historic district here, but it seems likely that one would be found to exist if a survey was performed.

Conclusions and Recommendations

The house at 324 Madison Street is eligible for listing on the City of Santa Clara Architecturally or Historically Significant Properties based on its age (over eighty years), its high integrity, and its meeting local criteria for historical, architectural, and geographic significance.

References

Santa Clara and San Jose city directory listings 1910-1974 for residents of this house, of the previous house on this site, and of 372 Madison Street. Found online at Ancestry.com.

U. S. Censuses of 1930 and 1940 for the residents of the same houses. Found online at Ancestry.com.

Ancestry.com. "Birth, Marriage, and Death Records." For Manuel and Christina Ferreira, and Manuel Ferreira, Jr.

National Archives. "U. S., World War II, and Korean Conflict Veterans Interred Overseas." For Joseph Ferreira. Found online.

Stephanie Tran. Email to this writer, June 9, 2021, regarding Ferreira family history. She acquired this information from a granddaughter of Manuel and Christina Ferreira.

Dan Mosier. Telephone conversation April 8, 2021 regarding J. Pessagno and Sons and their Interlocking Time Company, of Fremont.

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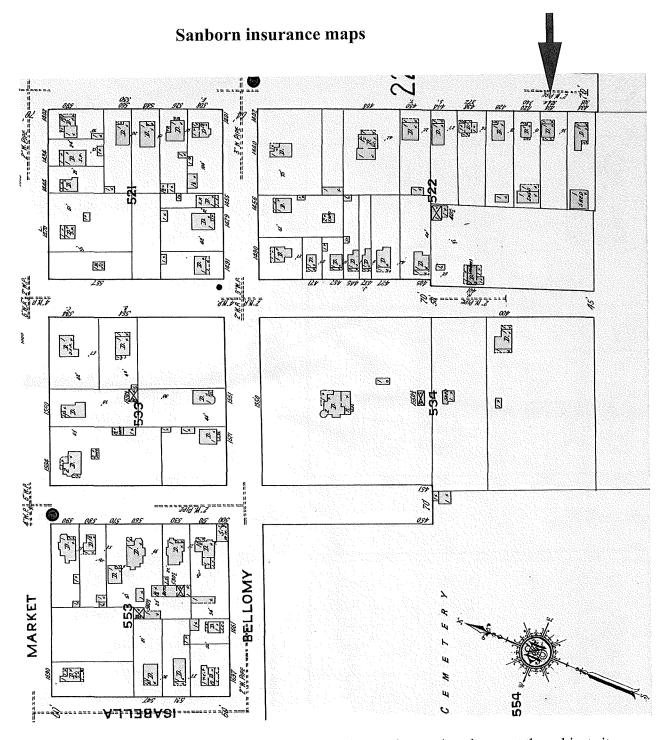
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1915 Sanborn map, page 212. Red arrow points to the previous house at the subject site. It was one story in height, narrow in width, and had a full-width front porch.

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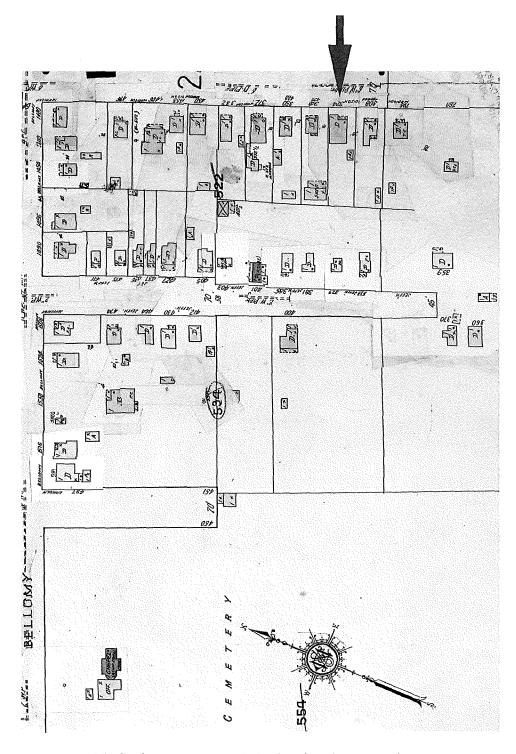
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1950 Sanborn map, page 212, showing the current house.

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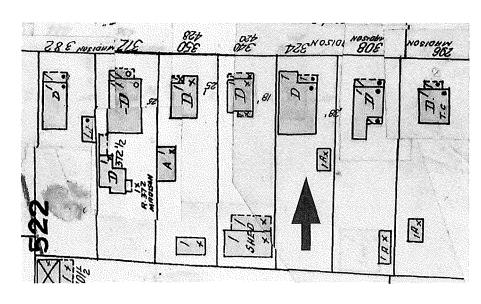
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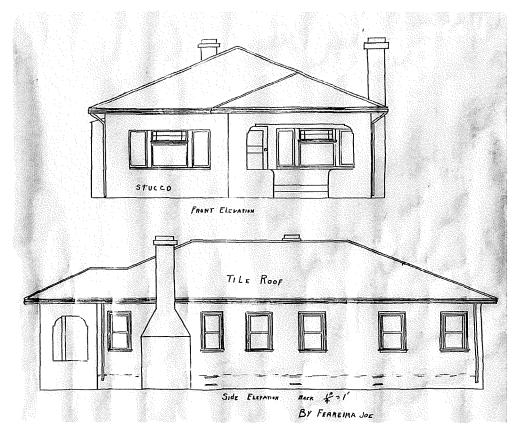
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At left: Enlarged detail of the 1950 Sanborn map.

Front and side elevations of 324 Madison Street by Joseph Ferreira

Given to the owners by the Ferreira family.



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Photographs of the subject house





Two views of the front of the house.

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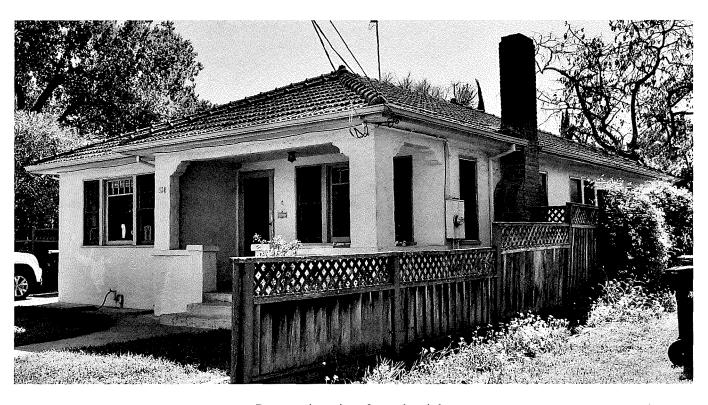
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Perspective view from the right



The front yard is a lawn bisected by a concrete path.

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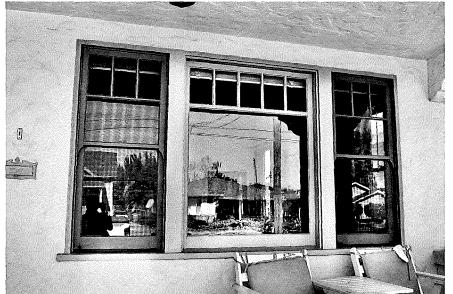
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Tripartite window facing the porch. Note the dividing mullions and upper sash divided by muntins.

The window to the left of the porch is the same.

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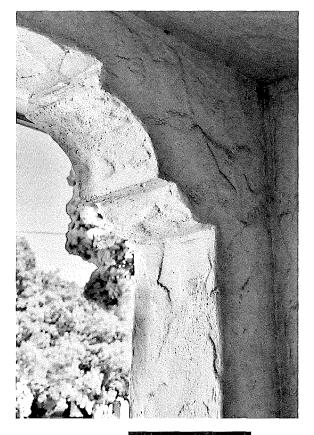
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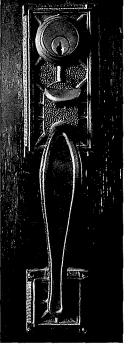
At right: This photo of the curvilinear bracket at the top of a porch post illustrates the very rough texturing of the stucco surface on this house. This texturing is one of the several features that distinguishes this house from other stucco houses of the 1920s and 1930s in Santa Clara.

Below: Front door with ornamental grille and hardware. These are very fine features.









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*Required Information

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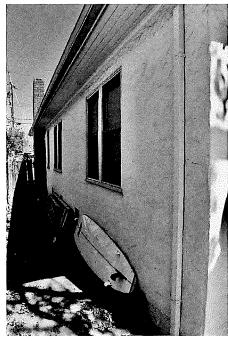
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Above: The base of the porch. Its polished concrete deck and steps contrast with the rough texture of the stucco.

At right: The right side of the house, looking toward the street.



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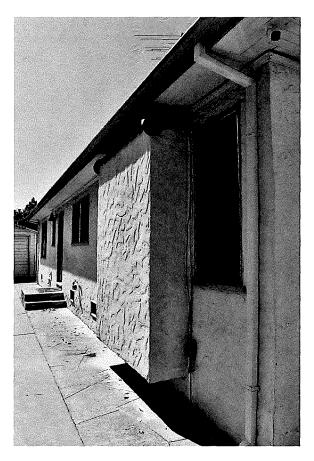
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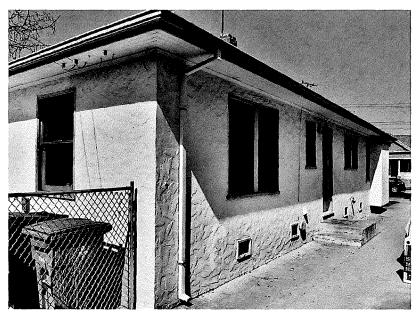
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Three photos of the left side of the house. Top left: Looking toward the rear. Bottom left: Looking toward the front. Above: Terra cotta cap to the projection from the living room.



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Three views of the roof from the front. The clay tiles by J. Pessagno and Sons, of Niles, also known as the Interlocking Roof Tile Co., are molded so they fit snugly together and guide rainwater effectively. They add to the drama of the roofline.

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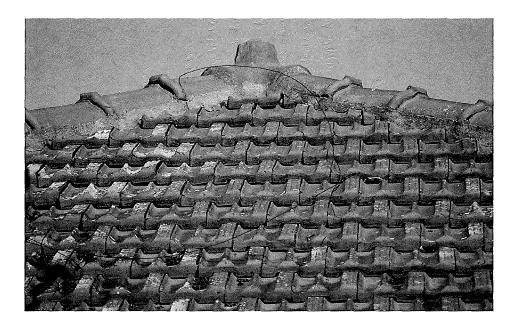
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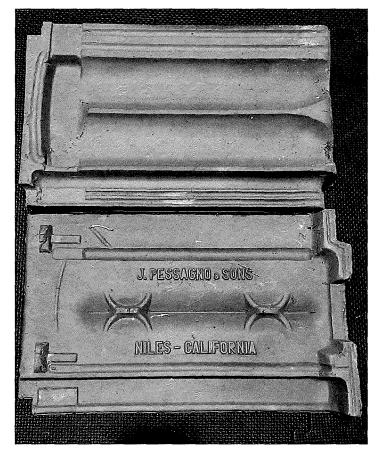
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Top: Another roof detail.

At right: These spare roof tiles were found on the property by the current owners. They are stamped J. Pessagno and Sons.



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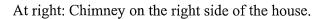
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Above: Boxed roof eaves.





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Above: The rear wall and roof of the house.

Below: The garage.



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A sampling of other old houses on the 300-400 block of Madison Street



372 Madison Street. This house appears to predate the subject house but closely resembles it in its form, composition, fenestration, and use of roof tiles. The main difference is its smooth, instead of textured, stucco surface. It seems likely that Joe Ferreira used it as a model when he drew plans for the subject house.







382 Madison

395 Madison

421 Madison







426 Madison

463 Madison

466 Madison

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☐ Update

Other stucco-clad houses from about the 1920s-1930s in Santa Clara's Old Quad

For purposes of comparison with the subject house, the author of this report has informally surveyed the Old Quad area looking for stucco-clad houses that appear to date to the 1920s and 1930s. The examples shown below exhibit a range of architectural quality. With a few exceptions, the construction dates are unknown; the inclusion of houses on these pages is based mainly on their architectural appearance.

Best examples





1310 Lincoln Street

1436 Main Street

Examples comparable in quality to 324 Madison Street







828 Benton

936 Fremont (1937)

1185 Main



1220 Main (1931)



625 Washington

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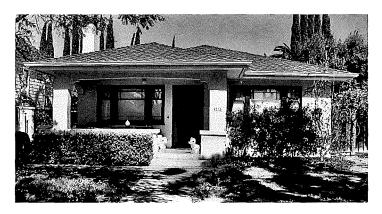
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Examples comparable in quality to 324 Madison Street (continued)



1285 Main Street (1926). As mentioned in the text above, this house is similar in its design to 324 Madison. It is perhaps slightly wider. Other differences are the composition asphalt roof tiles and smooth stucco. This house has been approved for the Mills Act.

Lesser but still notable examples





673 Park Court



481 Monroe (resembles 324 Madison) Has smooth instead of textured stucco. Roof tiles look like Pessagno and Son's.

853 Benton

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Lesser and plain examples





665-669 Washington

896 Bellomy





587 Washington

605 Washington





441 Madison

1395 Market



At left: 820 Benton

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■ Continuation

☐ Update

Houses in Fremont with J. Pessagno and Sons roof tiles

Dan Mosier, of the Museum of Local History, Washington Township (Fremont), has identified for this writer some houses in Fremont for which Pessagno and Sons made roof tiles. For purposes of historical context, some of these houses are shown below. The older houses and those with broader roofs are particularly effective. These photos were taken in 2012 by this writer for another project.





Above: Gene Pessagno residence, 35583 Mission Boulevard





At left: Joseph and Nick Pessagno residence, 35687 Mission Boulevard

Below: 34240 Fremont Boulevard, since demolished



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Houses in Fremont with J. Pessagno and Sons roof tiles, continued



34254 Fremont Blvd, since demolished





210 Hillview Drive

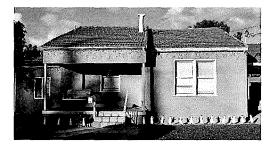
34618 Fremont Boulevard



37587 Second Street, Niles



2912 Decoto Road



36708 Niles Boulevard (roof tiles since removed)

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Assessor's Parcel Map

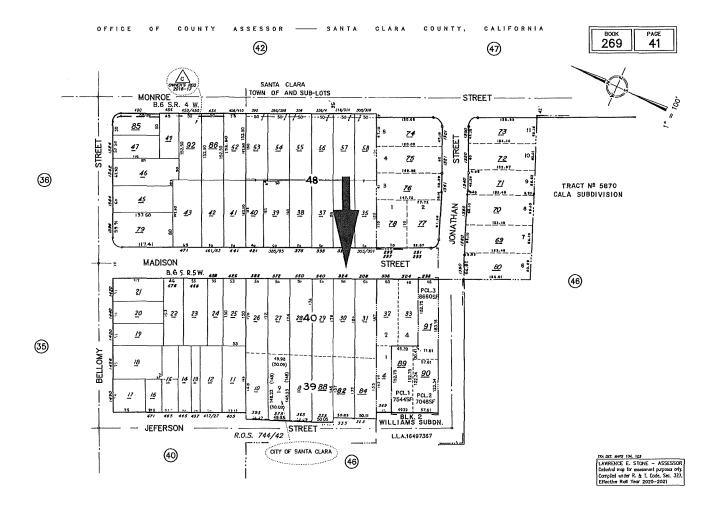


Exhibit C

Secretary of Interior's Standards for Rehabilitation

- 1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
- The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
- 3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
- 4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
- 5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- 6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
- 7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- 8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
- 9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- 10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Exhibit D

10 Year Restoration Maintenance Plan

September 8, 2022 (rev. 11/9/22)

Tommy and Stephanie Tran 324 Madison Street Santa Clara, CA 95050

Dear Planning Staff and Historic & Landmark Commissioners,

The following is our proposed 10-year plan for the restorations and maintenance of our historic home at 324 Madison St. All items to meet the Secretary of Interiors standards for Treatment of Historic Properties:

YEAR 1-4 (2023-2026)

Repair damaged wood structure due to termite

- Roof truss between 1st and 2nd bedroom
- Truss above electrical panel in attic
- Truss above back bedroom by the bathroom

Foundation: Repair chimney foundation due to poor drainage.

Grading & Drainage: Correct grading and drainage along the North side of the house with the chimney. Pooling of water when it rains has caused the chimney to shift and pull away from the house and cause cracking in the stucco along the lower portion of the house on this side.

Stucco: Repair cracked/damaged stucco due to the chimney pulling away from the house.

Plumbing: replace all galvanized plumbing throughout the house

Addition: A rear addition to the residence to accommodate: a master bedroom with ensuite bathroom (a second bathroom as there currently is only one) and walk-in closet and a laundry room to adapt the home to meet the homeowners growing family needs (adaptive reuse of a historic structure).

YEAR 5 (2027)

Electrical: Update all electrical systems including replacing knob and tube wiring.

YEAR 6-7 (2028-2029)

Window Restoration: Restore / Repair existing historic wood window sashes. Where windows sashes are inoperable from being painted shut or where pulley ropes have been they will be restored to working order by cutting the paint and installing new pulley ropes where required. Any minor dry rot areas on the window sashes shall be repaired with epoxy filler and repainted to match. Where elements of the existing window sashes have excessive rot (stiles or rails) they shall be replaced with salvaged or custom milled wood to match. Glazing putty, where cracked, shall be replaced and the window sash shall be painted to match existing.

YEAR 8-9 (2030-2031)

Roofing: Replace ~24 broken historic clay roof tiles with similar tiles from salvage yard. Replace gutters and downspouts to period specific style. The current downspouts are detaching from the gutters. Meanwhile the gutters are showing their age. Downspouts will also be tied into sub-surface drain lines to avoid saturating ground along the foundation.

Kitchen remodel: Replace flooring, counter tops, fixtures, and backsplash with period-specific finishes. Replace cabinets with shaker style cabinets

YEAR 10 (2032)

Painting: Repaint entire exterior of residence, including all exterior eaves, gutters, downspouts, windows, doors and associated trim. Any minor dry rot or pest/rodent damaged areas found shall be repaired with epoxy filler and repainted to match. Where wood material is excessively damaged it shall be replaced with salvaged or custom milled wood to match the profile of the original.

We are excited about restoring and rehabilitating our wonderful historic home so that it can be preserved and enjoyed for many years to come.

Sincerely,

Tommy & Stephanie Tran