



Agenda Report

24-668

Agenda Date: 9/5/2024

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Consideration of a Historical Preservation Agreement (Mills Act Contract) (PLN24-00264) for 1756 Fremont Street.

BACKGROUND

Property owners, Joe Navasca and Yemon Oo, request a Historical Preservation Agreement (Mills Act Contract) (File No. PLN24-00264) for the property located at 1756 Fremont Street. Enacted in 1972, the California Mills Act legislation grants participating local governments the authority to enter into contracts with owners of qualified historic properties who actively participate in the restoration and maintenance of their historic properties while receiving property tax relief. Santa Clara participates in the Mills Act Program. A requirement of the Mills Act Contract is that the building must be a qualified structure, listed on either a local, State, or National register. The property is currently listed on the City's Historic Resource Inventory (HRI) for age and the architectural integrity of the residential structure.

The subject property is a 6,573 square-foot lot located on the southwest side of Fremont Street between Pierce Street and Lincoln Street. The residence was constructed circa 1870 and relocated from the Agnew/Alviso area to the current site in 1924. When relocated, the residence was converted from a National style two-story farmhouse to a one-story house with a new roof and front porch in line with Craftsman Bungalow architectural style. The existing residence on the property is a 1,105 square-foot, one-story house designed in the National architectural style with Craftsman details. The property has a detached shed structure/garage that was constructed in 1924. The property has been altered since its relocation, including the removal of board and batten siding from the rear façade and external brick chimney, and rear addition with a pitched roof and new channel-lap siding. The property has been altered since the release of the 2015 California Department of Parks and Recreation (DPR) form in that the façade of the rear addition now has a paired vinyl door instead of a horizontal door and has fewer windows.

The property owners submitted the requisite application, including a historic survey (DPR523A Form), an Addendum to the 2015 DPR524A Form, a Statement of Justification for the request, and a 10-Year Restoration and Maintenance Plan for evaluation of the proposed workplan to restore, rehabilitate, and maintain the property.

For Mills Act Contract requests, the Historical and Landmarks Commission makes a recommendation to the City Council for their final determination. Approved contracts are executed between the City and the property owner and recorded with the County for a minimum ten-year term. Contracts are automatically renewed each year and are transferred to new owners when the property is sold.

DISCUSSION

The Mills Act Program allows a qualified property owner to receive a potential property tax reduction and use that savings to assist in offsetting the costs to rehabilitate, restore, and maintain their property. To qualify for this program, the property and/or building must be listed on either a local, State, or National register. The property must also have a plan to restore and rehabilitate the property.

A Department of Parks and Recreation (DPR) 523A Form was prepared by Lorie Garcia of Beyond Buildings on March 14, 2015, and the Addendum to the DPR523A Form was prepared by William Kostura in October 2023. Both assess the historical significance of the property based on National and State (California) Register criteria and the City's local criteria for significance. The evaluators found the structure at 1756 Fremont to be in overall good condition except for the alteration to the rear façade. The evaluators concluded that the property continues to retain enough of its historic character and appearance to be recognizable as a historic resource and to convey the reason for its significance as a Historically Significant Property on the City's HRI.

The property owners submitted a Statement of Justification and 10-Year Plan for restoration and maintenance of the property. The Plan includes window and entry porch restoration, original wood siding repair, painting, electrical and HVAC update, and roofing repair. The property owners will obtain Significant Property Alteration permits for the work described in the Plan as required by the Historic Preservation Ordinance (Chapter 18.130).

Staff finds that the work proposed in the 10-Year Restoration and Maintenance Plan adheres to the Secretary of Interior's Standards for Rehabilitation. The proposed improvements, and the owner's statement of justification, support the preservation, protection, and maintenance of a locally designated significant structure.

ENVIRONMENTAL REVIEW

The Mills Act Program is exempt from CEQA environmental review requirements per CEQA Section 15061(b)(3). The activity is covered by the general rule that CEQA applies only to projects which have potential for causing a significant effect on the environment where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

PUBLIC CONTACT

There is no requirement that Mills Act Contracts are publicly noticed.

RECOMMENDATION

Staff recommends that the Historical and Landmarks Commission find that the Mills Act Application and associated 10-Year Plan for restoration and maintenance accomplish the intent of preserving and maintaining the historical significance of the property; and therefore, recommend City Council approve of the City entering into a Mills Act Contract with the property owner, and the adoption of a 10-Year Restoration and Maintenance Plan associated with the Historical Preservation Agreement for the property located at 1756 Fremont Street.

Prepared by: Meha Patel, Assistant Planner

Reviewed by: Sheldon S. Ah Sing, Development Review Officer

Approved by: Lesley Xavier, Planning Manager

ATTACHMENTS

1. Legal Property Description
2. Historic Survey (DPR 523A Form)
3. Historic Survey (DPR 523A Form) Addendum
4. Secretary of Interior Standards for Rehabilitation
5. Statement of Justification
6. 10-Year Restoration and Maintenance Plan
7. Draft Historic Property Preservation Agreement (Mills Act Contract)

ORDER NO. : 0631026639-

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:

Lot 28, in Block 1, as shown on that certain Map entitled, "Map of the New Park Subdivision in the Town of Santa Clara", which Map was filed for Record in the Office of the Recorder of the County of Santa Clara, State of California on October 21, 1908 in Book "M" of Maps, at Page(s) 40 and 41.

APN: 269-12-033

PCN 2015-11045

RECEIVED
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PLANNING DIVISION

State of California — The Resources Agency DEPARTMENT OF PARKS AND RECREATION PRIMARY RECORD	Primary# _____ HRI# _____ Trinomial _____ NRHP Status Code _____
Other Listings Review Code _____	Reviewer _____ Date _____

Page 1 of 18 *Resource Name or #: (Assigned by recorder) *Vasquez/Garcia House*

P1. Other Identifier: *None*

*P2. Location: Not for Publication Unrestricted *a. County *Santa Clara*
and (P2c, P2e, and P2b or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad *San Jose West* Date *1980 photo revised* T *7S*; R *1W*; unsectioned; *Mt. Diablo B.M.*

c. Address *1756 Fremont Street.* City *Santa Clara* Zip *95050*

d. UTM: (Give more than one for large and/or linear resources) Zone __, __ mE/ __ mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

Assessor's Parcel Number: 269-12-033

South side of Fremont Street between Pierce and Lincoln Streets

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The property at 1756 Fremont Street is located in the urban setting of a small, historic subdivision that was primarily developed in the first quarter of the twentieth century. The majority of the lots are 42' x 156.50,' and the homes have similar setbacks from the street with urban sized front yards. Although there are some recent infill buildings in the area, the majority of the homes are original, similar in age, style and scale. This results in a pleasant streetscape that evokes the sense of an early twentieth century neighborhood.

The primary building on the site is a 1,105 sq. ft., one-story house, which was relocated to the site in 1924. Representing two building

(Continued on page 2, form 523L)

*P3b. Resource Attributes: (List attributes and codes) *HP2 Single – Family Property*

*P4. Resources Present: Building Structure Object Site District Element of District Other (Isolates, etc.)

P5a. Photo (s.)



*P5b. Description of Photo: (view, date, accession #)

Front façade (view toward south) Photo No: 100_1530, 02/2015

*P6. Date Constructed/Age and Source:

Historic Prehistoric Both

ca. 1870 and 1924

Sanborn maps; Polk City & County Directories, Assessor's Records, Census Records

*P7. Owner and Address:

Peter and Ashley Bengtsson

1756 Fremont Street

Santa Clara, CA 95050

*P8. Recorded by: (Name, affiliation, and address)

Lorie Garcia

Beyond Buildings

P.O. Box 121

Santa Clara, California 95052

*P9. Date Recorded: *March 14, 2015*

*P10. Survey Type: (Describe) *Intensive*

*P11. Report Citation: (Cite survey report and other sources, or enter "none.") *Historic Resources Inventory Form, "Vasquez House" dated July.30, 1990*

*Attachments: NONE Location Map Continuation Sheet Building, Structure, and Object Record Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record Artifact Record Photograph Record Other (List):

(Continued from page 1, Form 523A, P3a. Description)

phases, originally this residence was constructed circa 1870 as a National style two-story farmhouse. When relocated to its current site in 1924 it was converted to a one-story house with a new roof and front porch added that incorporated details of the Craftsman Bungalow architectural style, popular at the time.

The house fronts roughly north onto Fremont Street and is set back from the street, towards the front of a 42' x 156.50,' 6,552 sq. ft. lot, allowing for a modest lawn area and narrow planting beds with ornamental shrubbery. A straight, brick (new) walkway leads from the Fremont Street sidewalk to the front entry. A large street tree, set in the parking strip between the walkway and driveway provides a visual barrier from the street. A wide brick (new) and gravel driveway with a concrete entry pad (new), located on the west side of the house and opening on to Fremont Street, leads to a detached wood-framed garage. Large trees on the neighboring property shade the east side of the house and as there is no fence from the rear of the house to the front sidewalk, they help define the eastern property line. A stepped wooden fence, adjacent to the driveway, defines that of the western side. A high wooden gate across the driveway separates the front elevation from the garage and the rear yard. The extensive rear yard includes lawn area, a concrete patio, curved walkways, planting beds and large trees. A high wooden fence surrounds the rear yard.

The plan of this wooden single family residence is rectangular, set over a partial basement that elevates the main body of the house approximately 30" above the ground. The front gabled roof is moderately pitched, with one rake eave incorporated into the roof. The open rake eave of the front-facing gable has a wide bargeboard with a V-shaped notch at the end and is supported by a knee brace at the peak and end. Projecting asymmetrically from the front-facing gable end is a gable-roofed porch. Both of the porch's rake eaves, have wide bargeboards with a V-shaped notch at the end and are supported by a knee brace at the peak and each end. The rear extension of the house is slightly lower than the main body. The rake eaves of the main body's rear gable have wide plain bargeboards. The rake eaves of the extension's rear facing gable have wide, plain bargeboards and are supported by a series of five knee braces. Rafter tails project under the medium-width eaves. The roof is clad in composition shingles.

The house is sheathed in wide, horizontal, channel lap siding (original) and is trimmed with flat boards. On the rear (south) facade, new channel lap siding has replaced the original board and batten siding (with chamfered battens) that had remained from the home's first building period. Large, horizontal lattice, attic vents accent the apexes of the front gables. A large louvered attic vent (new) is set under the apex of the main body's rear gable, replacing the original window that remained from the from the home's first building phase. Supported by brackets, a small projecting, shed-roofed, square bay window punctuates the body of the house on the west side-elevation. A small, offset, gable-roofed addition (new) with a horizontal door, projects from the rear of the house, providing entry to the basement. This basement entry has replaced the original ground-level entry.

Supplemental Photograph or Drawing



Description of Photo: (view, date, accession #)
Front facade and west side elevation, view toward southeast
Photo No: 100_1506, 02/2015

The main entrance is on the front (north) facade. It is accessed by 5 wide, concrete steps that lead to an offset medium sized front porch. Typical of the Craftsman Bungalow architectural style, the small gable, echoing the larger gable behind, that caps the entry porch is supported by a classical wooden column at each open end. A balustrade, with squared balusters, connects each column to the house and one column to a similarly-sized square post at the front steps. The steps have supplemental railings that echo those of the porch and connect to a turned newel post. The front (main) door, is constructed of wood with an oval glass insert set into the top half. This entry door is offset on the porch. A secondary entry is centered on the west side-elevation. Accessed by 5 concrete steps, leading to a concrete landing, it is sheltered by a shed roof supported by two squared columns. This secondary entry is wooden with a rectangular 9-light window. Inside the new addition, nine

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*Recorded by: Lorie Garcia

*Date 03/14/2015

Continuation Update

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nine concrete steps (original) provide access to the basement.

With the exception of the large front facing fixed window that opens onto the porch and consists of 9 panes separated by muntins, fenestration is simple, rectangular in form, vertically oriented, single double-hung wooden windows. A single, 2-over-2 double-hung window is set into the front facade facing Fremont Street. On the east side-elevation, fenestration consists of a medium-sized 1-over-1 double hung window, followed by two large 1-over-1 double-hung windows. On the west side-elevation, fenestration consists of a large 2-over-2 double-hung window followed by the bay and then a 6-over-6 double hung window and a small 1-over-1 double-hung window. Fenestration of the bay consists of a narrow casement window on each side with a large 2-over-2 double-hung window on the bay's front face. The rear facade has a large 6-over-6 double-hung followed by a square 1-over-1 double hung window and a ribbon consisting of a 1-over-1 double hung window, a fixed pane and a second 1-over-1 double hung window. All the windows have projecting sills with an apron and are trimmed with wide flat boards. They appear to be representative of both building phases.

Set to the rear of the house, on the west property line and facing Fremont Street, is a medium sized, rectangular shed/garage structure. This wood building is mainly of board and batten construction (plywood currently sheaths the front facade). and dates to the original relocation of the house. The side-gabled roof is sheathed in corrugated sheet metal. Originally constructed as a workshop/garage with an attached wood shed, the structure currently has no automobile access. A wooden Dutch-door provides entry to the original wood shed section and wooden double doors entry to the automobile section. A wooden door, with a glass pane in the top half, provides access from the rear yard.

Most of the original character defining materials and workmanship of the 1924 building phase of the home have been retained on the residence at 1756 Fremont Street and the property is in good condition. However, the recent alterations to the rear facade of the house have seriously impacted those character defining materials and workmanship remaining from the 1870 building phase..

*NRHP Status Code N/A

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- B1. Historic Name: *Vasquez House*
 B2. Common Name: *None*
 B3. Original Use: Single family residential B4. Present Use: *Single family residential*
 *B5. Architectural Style: *National with Craftsman details*

*B6. Construction History: (Construction date, alterations, and date of alterations)
Constructed as a farmhouse circa 1870. Relocated from the Agnew/Alviso area in 1924 to current site. Second story removed and craftsman style roof added, 1924. Between 2005-2010, original, circa 1870, board and batten siding removed from rear facade, rear external brick chimney removed and new channel-lap siding added. Rear Knee braces removed and relocated. New extension with basement door constructed. Review of City records show no permits or Landmark Commission review for the above referenced 2005-2010 alterations

*B7. Moved? No Yes Unknown Date: 1924 Original Location: *On a ranch near Agnew/Alviso*

*B8. Related Features:

Detached garage..

B9a. Architect: *not known* b. Builder: *not known*

*B10. Significance: Theme Architecture and Shelter Area New Park Subdivision - Santa Clara Old Quad
 Period of Significance 1924-2005 Property Type Residential Applicable Criteria none
 (Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The parcel upon which the residence located at 1756 Fremont Street is located, is a portion of two large tracts of land that had been identified as Sub-Lots 21 & 22, on the original survey of the City of Santa Clara. This survey, done July 1866 by J. J. Bowen and recorded on August 22 of that same year, forms the basis for the part of Santa Clara known as the "Old Quad."

According to the list of property owners and their improvements, which accompanied the 1866 survey, Sub-Lot 21 was a 94.70 acre tract containing a frame house, barn, orchard and vineyard and Sub-Lot 22, a 7.75 acre tract containing a frame house and an orchard. The accompanying property owner's list shows that Sub-Lot 21 was owned by J. P. Pierce and Sub-Lot 22, owned by Mr. Lindell. James Pieronnet Pierce had recently purchased Sub-Lot 21 from William Lent, the original owner, for \$48,500. By 1873, J. P. Pierce had also

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B11. Additional Resource Attributes: (List attributes and codes) *HP2 -- Single Family Property*

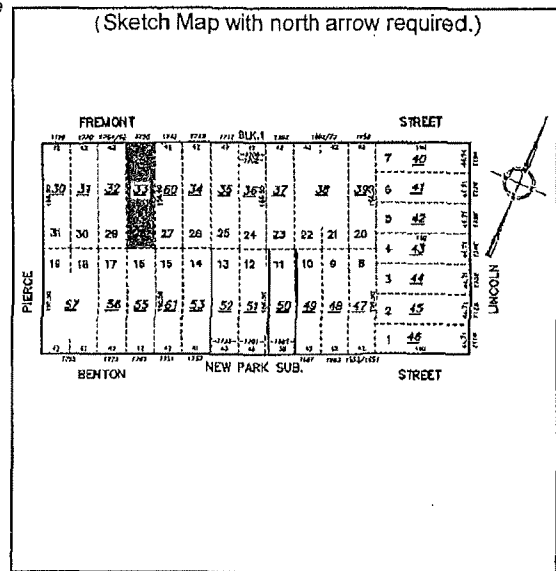
*B12. References: *Garcia, Lorie, "Santa Clara: From Mission to Municipality," 1997; Garcia Lorie, The New Park Subdivision, unpublished manuscript, 1999; Garcia Lorie, Geoff Goodfellow and George Giacomini, "A Place of Promise: The City of Santa Clara 1852-2002," 2002; Garcia, Lorie, New Park 1853-2011: The history of Sub-Lot no. 21, a 95 acre parcel of land in Santa Clara, California, unpublished manuscript, 2011; Interview with Josephine Mano & Frank Vasquez Nov., 1988; Map of the Town of Santa Clara, drawn by C. E. Moore, 1893; Museum of Building Technology, Wash., D.C., Nov. 1988; New Park Subdivision Map, 1908; Polk and Husted City Directories, 1925-1974; Sanborn Fire Insurance Maps 1915, 1930; 1950; Tremont Nail Co., Wareham, Mass., Jan., 1988; United States Federal Census, 1920, 1930, 1940; Warburton, Austin, "The Santa Clara Saga," (articles in The American) March 13 & 20, 1987.*

B13. Remarks:

*B14. Evaluator: *Lorie Garcia*

*Date of Evaluation: *March 14, 2015*

(This space reserved for official comments.)



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purchased Sub Lot 22, from Mr. Lindell.

The two parcels combined gave James Pierce ownership of the entire acreage lying between Harrison Street to the north, Lincoln to the east, Lexington Street to the south and Gould Street (today's Scott Boulevard) to the west. James P. Pierce extended the orchard and vineyard Lent had planted and The Plat of Santa Clara, drawn between 1873 and 1875, indicates the northernmost area, part of which would later become the New Park Subdivision, was planted to grapes with orchards covering the southern area. Until the early 1890s, the western third of the Pierce Estate land bordering on the Homestead Road and bounded by Gould Street, where his son Richard lived, was a grain field. In 1892 this portion of the estate was also made into an orchard.

In 1897, following James P. Pierce's death, Judge Hiram H. Bond purchased 34.5 acres of the Pierce estate for \$25,000 from Pierce's children. This included the main house and outbuildings and the acreage that would later become the New Park Subdivision. (The remainder of the estate continued to be owned by the James P. Pierce Co.) However, in 1905, Judge Bond ran into financial difficulties and put "New Park" on the market. After various abortive attempts to sell the property he had purchased a decade earlier, in January 1906, The Evening News carried the announcement that Judge Bond had sold his 34.5 acre parcel of New Park, valued at \$60,000, to Mr. Henry E. Brace, a wealthy eastern lumberman. A little over 2 years after the purchase of Judge Bond's property by Henry Brace, the redevelopment of this 34.5 acre portion of the original New Park estate began.

In 1908, Henry Brace's property's northern section, which had previously been "New Park" vineyard acreage, was subdivided, to be developed into residential lots. On October 20, 1908 the front page of the Santa Clara News carried the following announcement:

**Another New Residence
Tract Opened**

Another new residence tract is being opened in Santa Clara. The north section of the beautiful Brace property has been purchased by C. J. Hurrle, of Stockton, who is having it cut into choice building lots to be disposed of on easy payments. Cement walks, curbing and carefully graded streets will beautify the tract, which is ideally located, and will, undoubtedly, be transformed within a very short period of time into one of the handsomest residence parks in the State. It will be known as New Park. The opening of streets is now well under way, and Mr. Hurrle will leave nothing undone to make the new subdivision ideal and perfect in every detail.

Development of the New Park Subdivision was undertaken in October of that year, by C. J. Hurrle, a Justice of the Peace from Stockton, San Joaquin County, Letitia Innes of Santa Clara County and the Garden City Bank and Trust Company. As shown on the Map of the New Park Subdivision in the Town of Santa Clara (filed October 1908), the subdivision created 80 lots, ranging from 5000 sq. ft. to 6500 sq. ft., on 2 ½ blocks and dedicated portions of Benton, Fremont and Pierce Streets to the Town of Santa Clara. The subdivision appears to have been developed by F. G. Barrows, a resident of Los Angeles, a marketed by his company, Chowchilla Colonization Co. The lots themselves were relatively inexpensive to purchase and by 1915, 40 of the lots (some combined) had houses located on them. By 1930, homes occupied all but nine of the lots. Aimed at working class and immigrant purchasers, these were modest structures.

Many of the first residents were agricultural laborers working on farms and in canneries, or employed at the Pacific Manufacturing Company's lumber and cabinet factory as millhands. Laborer was the predominant occupation of the residents, most of whom had Spanish surnames. This ethnic identity would remain up to 1980 when a survey showed nearly half the property owners still had Spanish or Portuguese names. The reason for the settlement of the New Park Subdivision by so many Spanish families has its roots in the economic climate in Spain.

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By the 1890s Spain's economy was in deep decline as phyloxera invaded the vineyards. The resultant hard living conditions caused thousands of Spaniards to respond to announcements, which had been posted in Spain after the turn of the century, to lure families to Hawaii, with promises of better opportunities and employment. By 1912, the rise of immigration peaked as 134,000 emigrants left their homeland for various countries including Hawaii. However, life on the Hawaiian sugar-plantations proved difficult and word spread of a better life in California where higher wages could be made. Also came word that California had a climate similar to Spain. By the middle teens, many families decided to immigrate from Hawaii to California; arriving by ship in San Francisco, then moving to Santa Clara where relatives had located earlier.

Upon arrival, several of the new immigrants were made welcome at 1235 Pierce Street, property owned by the Cano family who were earlier Spanish arrivals, in what was known as "El Patio." This was a group of four small rental homes that had been relocated from the Bond Ranch. During the 1920s more and more Spanish families settled in the area, especially on Pierce Street, Fremont Street and Harrison Street. As the Spanish community grew, this area of Santa Clara became known as "Spanish Town." One of these immigrant Spanish families, was that of Alfonso Vasquez (Basques).

Born in 1886, in Esteponia, a small fishing village in the province of Malaga, Spain, in December 1911, Alfonso Vasquez married 19 year-old, Josephine Lopez Gil. Two months after their marriage, they, along with their respective families, left Esteponia to emigrate to Hawaii, where they hoped to find employment on the sugar cane plantations. Unfortunately, upon reaching Gibraltar to board the "Hapalion," the ship that would take them to Hawaii, Josephine became separated from her family. The Lopez Gill family was placed upon a ship to Sao Paulo, Brazil and Josephine never saw them again. On April 17, 1912, after a long and difficult, 56 day, passage, the Vasquez family reached Honolulu. Living in a complex of wooden cabins on a sugar plantation, for almost 6 years they stayed in Hawaii, with Alfonso working shifts at the sugar refinery, where his job was to fire the furnaces, while Josephina cared for her mother-in-law. When family friends told them about the better opportunities in California, Alfonso and Josephine decided to take advantage of the prospect to go to California. They left Hawaii in March 1918 and sailed to San Francisco. Here they lived with friends for a short time and then moved to Santa Clara, where Josephine's aunts and cousins - the Lopez, Garcia, Gil families - lived. After arriving in Santa Clara in 1918, Alfonso and Josephine Vasquez moved into "El Patio."

Both Alfonso and Josephine found work, harvesting agricultural crops. In 1919, while following the tomato harvest in Manteca, Josephine gave birth to a daughter they named Josephine. They had already lost two babies and she would be their first child to survive. Upon their return to Santa Clara, Alfonso found work on several fruit ranches, including the Carpenter and Wright Ranches. His capabilities were quickly recognized and he was made a foreman during the harvest season, finding and training fruit pickers. This enabled him to recruit his unemployed friends to pick cherries, apricots, pears and apples. During the winter months he worked pruning the fruit trees and tending to the orchards' irrigation. Alfonso worked long hours, frequently more than 12 hours a day, six and sometimes seven days a week, to support his growing family. A daughter, Frances, was born in August, 1920 and a year later another daughter, Mary, was born in October. In March 1924, Josephine gave birth to a son, Alfonso, Jr.

In the latter part of 1924, Alfonso bought a two-story frame house from a rancher near the Agnew/Alviso area and had it moved to a lot in Santa Clara that he had purchased for \$10. This lot, at 1756 Fremont Street, was just around the corner from "El Patio," on Block 1 of the New Park Subdivision. When the house was moved, Alfonso, with the help of his friend Manuel Triano, who was a carpenter, removed the second story and at its new location added a craftsman bungalow style roof. This house is the subject residence. Alfonso and Josephine, along with their three children, then moved into their "new" one-story home. Three more children would be born to the family in their home at 1756 Fremont Street; Joseph in 1928, daughter Mercedes in 1930 and Frank in 1935.

More and more Spanish families were settling in the area, some on Fremont Street, others on Harrison Street near Pierce. Along with Vasquez, the names of these families like Toledo, Cintas, Cano, Sapena, Callejon and Sanchez would become well known in Santa Clara, as their offspring grew to play prominent roles in the town. Although a few Portuguese families had settled in the area, the Spanish culture was prevalent in the close-knit community of Spanish immigrants and, while none were rich with money, there was abundant mutual support. Both Alfonso and Josephine were happy with their new home in Spanish Town.

While staples were purchased from John Fatjo's grocery store on Franklin Street, the Vasquez family, like so many of their neighbors,

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depended on their own efforts to feed their family. They raised vegetables in both the front and backyards, along with chickens, rabbits and ducks. During fruit harvesting time close to a 100 jars of peaches, pears and prunes would be canned, with the over-ripe fruit being made into jelly. At times during the year, three or four neighbors would come together to kill a pig, in order to make sausages, salt pork and lard. After the work was done there would be food and wine singing, and dancing to Spanish music. During the grape harvest, some of the families would get together to divide a ton or two of grapes. With a rented wine press, they would make the wine customarily served at dinner. And, despite the problem of prohibition, some families would make their own Spanish whiskey, "Aguardiente" with an improvised still. At the Vasquez home on Fremont Street, at times the men would gather in Alfonso's basement to partake of their efforts and discuss the politics of their new country, as well as of their homeland.

While the Lamiera family lived immediately to the west, vacant land was on the eastern side on the Vasquez home. This was the rear of the property owned by "Cowboy Jim" Donovan. His small house faced Benton Street on a lot that extended from Benton to Fremont Street. On this land behind his house, he kept his horses, goats, ducks, chickens and roosters, horse-drawn wagon and plowing equipment. There was also an old barn housing a blacksmith shop and stocked with hay. With a pear orchard at the end of Fremont Street, living next to Jim's property was like living on a farm.

From the time they were small, Alfonso and Josephine instilled their children with the importance of a good education, a strong work ethic and preserving their Spanish heritage. Just a few blocks down the street, was Fremont Elementary School. (The site is now occupied by Fremont park and the Senior Center.) All the Vasquez children attended school at Fremont Elementary and, as Spanish was the language spoken at home, it was here they learned to speak English. Like many of the young people in Santa Clara at the time, as the children grew older, besides continuing in school, they found jobs and added their contributions to the family. As teenagers, Josephine and Frances found summer jobs working at the Pratt-Low cannery on Bellomy Street. The younger children worked in the fruit orchards, cutting apricots and picking prunes. and by working hard were able to pick as many as 80 to 100 boxes of prunes a day at 10 cents a box.

After graduating from high school, Josephine, Mary and Alfonso Jr and Mercedes, all attended Heald's Business College and received accreditation in their chosen fields, with Alfonso later attending the University of Colorado where he received a degree in engineering. Joe, who was always interested in mechanics, ended up owning his own gas station. Frank, Alfonso and Josephine's youngest child, went on to graduate from Santa Clara University with a degree in municipal management. Having become interested in police work, he joined the Santa Clara Police Department in 1958 as a patrolman under Chief of Police Frank Sapena. After progressing through the ranks, in 1975 he was appointed assistant police chief, a position he held until his election, in 1988, as the Chief of Police for the city of Santa Clara. He was reelected in 1992 and retired in 1996.

Alfonso and Josephine had set the pattern for civic activity with their efforts on behalf of their homeland. When La Democracia Espanola, an association founded during the Spanish Civil War of 1936, was formed, Josephine organized the collection of clothing and with other women sent the supplies to relatives in Spain. Alfonso assisted with fund raisers that sent money to the American Red Cross in Madrid to help the needy.

As adults, Alfonso and Josephine's children followed their parents example, with their own dedication to their community. After working for the State of California for 5 years, and the Federal Government for 10 years, where she received a special commendation for her service to the United States Navy during WWII, Josephine was employed as the secretary to the Dean of Students at Santa Clara High School. In 1974 and 1977, she received a special award from the student body for distinguished service to the students of Santa Clara High School and, in 1976, was named by the student body as faculty favorite of the year. Following her retirement after 12 years, she became involved in a number of projects, including acting as a voluntary interpreter at Kaiser Hospital. She served on the executive board of the Santa Clara Cultural Society and, being interested in Spanish Heritage, in 1985, along with her brother Frank, and sister Mercedes, she founded Santa Clara's Spanish Heritage Society, serving as its president for many years. Joe became active in several community organizations, including the Santa Clara Youth Center. Along with his involvement in professional organizations where he served as president of the Santa Clara Police Officers Association and as president of the Santa Clara County Juvenile Officers Association, Frank became active in various civic organizations, which included the Santa Clara West Rotary Club, the Triton Museum Board of Directors, the Northwest YMCA, the Santa Clara County Boy Scouts, the Vestry of St. Mark's Church and the Spanish Heritage Society.

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*Recorded by: Lorie Garcia

*Date 03/14/2015

Continuation Update

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After their six children had married and left home, Alfonso and Josephine continued to live in their home at 1756 Fremont Street. Alfonso passed away in 1960 and in June 1975, Josephine left the home in which she had lived for half a century. She passed away in 1985

Interestingly, the next owners would also have roots in Spain. While the Vasquez family was part of the early twentieth century Spanish migration to California and Santa Clara, Lorie Garcia's family was part of that of the late eighteenth century, when her 4th great-grandparents, Jose Antonio Garcia and his wife, Petronila Josefa de Acuna arrived with their children in 1776, as members of the Juan Bautista de Anza party.

After living in San Francisco for several years, in early 1969, Lorie Garcia and her husband, Dell Mielich, moved with their infant son, Dell Peter, to Santa Clara. Dell, an industrial engineer, had been transferred to Moore Business Forms' office on Kifer Road, so they rented a house off of Monroe Street near Lawrence Expressway to be near his job. The following year, their daughter, Merry, was born. As the children grew, Lorie became involved in the Santa Clara Parents Nursery School and later in the founding of the Open Classroom at Westwood School. Because of her participation in both schools, she made several friends who lived in the Old Quad. As a 7th generation Californian, whose ancestors had been part of the founding of San Francisco and Santa Clara, (her 4th great-grandfather had been a member of the mission guard at Mission Santa Clara), Lorie had always been passionately interested in California's history and she fell in love with Santa Clara's historic neighborhood.

When the opportunity came in the early 1980s, Lorie Garcia and Dell Mielich jumped at the chance to purchase a home in the Old Quad, and moved with their children into 1756 Fremont Street. At the time the Mielich/Garcia family moved into their "new" home, with the exception of a new 2-story residence that had been constructed on the land, which had been the rear of Cowboy Jims property, the New Park Subdivision was still intact with most of the original, small, 1-story houses in place. Also, many of the original families still lived in these homes and the cohesiveness that had been part of the original neighborhood life still existed. Here, both the house and the neighborhood would inspire the rest of Lorie's life.

Having been raised with the tenet of community involvement, and now part of the historic community, Lorie focused her efforts towards the preservation of Santa Clara's historic resources. Along with working on the restoration her home at 1756 Fremont Street, during which she found and exposed original interior finishes, including a remnant from the original building phase (a board and batten wall with cut nails and newspapers dating to the 1870s located in an interior family room) she became involved in the Historical and Arts Consortium, working on the restoration of the Headen-Inman House. At the same time, Lorie became active in the South Bay Historic Railroad Society, who were restoring the Santa Clara Depot. In 1989, the Consortium gave Lorie Garcia their "Outstanding Service Award for "The restoration of the Headen-Inman House:" When the movement to have the City of Santa Clara purchase the Harris-Lass property, Lorie threw her efforts towards that goal. In 1987, she became a member of the first Board of Directors of the Historic Preservation Society of Santa Clara; the non-profit group that formed to oversee the property, and served as the board's vice-president until 1993. In 1988, Lorie was appointed to the City's Historical and Landmarks Commission, acting as Commission chair from 1989 to 1991.

Just prior to their move to 1756 Fremont Street, Dell had started his own rack and shelving installation company and as the new high-tech companies in the valley grew during the 1980s, so did his business. By 1990, he was buried in work. Dell Peter had finished school and was off on his own, and that year Merry was married, an event in which the neighborhood participated. Lorie now had the time to fully pursue what had become a passion, the preservation of Santa Clara's history and historic resources.

By now, her involvement in historic preservation had extended beyond the City of Santa Clara; in 1989, she had become a founding member of the Heritage Council of Santa Clara County, where she served as Vice-President of the Board of Directors. This organization included all the Landmark Commissions and non-profit organizations involved in historic preservation within the county. In 1992, when it became known that there would be Federal transportation money for historic preservation projects, Lorie Garcia gathered a group of interested people in Santa Clara County to band together as a task force and pursue the funds. Called Destination Cities, this ISTEA task force received more funding for their projects than anywhere else in the country, including \$30,000 for restoration work on Santa Clara's historic railroad depot and control tower.

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In 1992, Lorie was appointed to the City of Santa Clara's Planning Commission, a position she would hold for the next 11+ years. Becoming involved in planning issues led to her, along with Andrea Loshen and Sharon High, revitalizing the Old Quad Homeowner's Association and, with a name change to Old Quad Resident's Association to be more inclusive, leading the way to General Plan Amendments #32 and #34 and the removal of the Plan Lines on Old Quad City Streets all of which gave more protection to Santa Clara's historic homes. This led to her receiving the California Preservation Foundation President's Award for "Initiative and Determination in Bettering Preservation Programs in Santa Clara" in 1993. Lorie Garcia now found that being a planning commissioner gave her an opportunity to bring preservation into planning at a state and national level. Serving six years on the Planning Officials Advisory Committee (POAC) of the American Planning Association, as the Region VI representative, representing the States of California and Nevada, provided the venue to incorporate preservation into the Smart Growth principles the organization developed. She was twice elected to the California Chapter of the American Planning Association, Board of Directors for a 2-year term and, as one responsibility was to develop sessions for the annual State Conference, she was able to share the importance of preservation planning within her home state.

Nearing the end of the 1990s, Lorie Garcia had become aware in the upcoming sesquicentennials of the State of California (2000), University of Santa Clara (2001) and the City of Santa Clara (2002). She formed the Santa Clara's Sesquicentennial committee, which included two Council members, Patricia Mahan and Jamie Matthews, along with Geof Goodfellow, the City's Director of Planning and Inspection, George Wood, Director of Communications and Doug Gross and they started planning ways to celebrate these landmark events. Appointed the official Sesquicentennial Committee for the city, they embarked on a three year project, which included the development of a City pocket park (Sesquicentennial Park) showcasing the Battle of Santa Clara in recognition of the State's sesquicentennial, a lecture series at the University in honor of theirs. Among a multitude of events during the 12 months of 2002, the committee spearheaded the development of the "Stroll into the Past" at the City Hall plaza area, and the restoration of the Berryessa Adobe as a City historic site. While engaged in these projects, Lorie, along with Geof Goodfellow and George Giacomini co-authored the book, "A Place of Promise," the history of the City of Santa Clara from 1852 to 2002.

Living at 1756 Fremont Street in the 1980s and 1990s was a delightful and experience as it had been in the 1920s and 1930s and Lorie Garcia and Dell Mielich shared their home with the community during Santa Clara's Historic home Tours of 1988 and 1998. When she wasn't busy on other projects, it was here in the peace and quiet of her historic Fremont Street home that Lorie could be found writing numerous articles and papers on various aspects of Santa Clara history. In recognition of all her efforts to promote and preserve Santa Clara's heritage, in 2004, the Santa Clara City Council appointed her as "Honorary City Historian," the first individual to receive this title and, in 2010, the first year individuals were eligible to receive the award, the City Council successfully nominated Lorie to receive the State of California, Governor's Award for Historic Preservation.

Besides being deeply involved in the preservation community, Lorie became active in various civic organizations, which included the Women's League, the Santa Clara West Kiwanis and the Santa Clara Woman's Club. She served as president in both of the latter organizations and from 1998-2000, she was the California History and Landmarks Chairman for the Loma Prieta District #9 of the California Federated Women's Clubs.

Unfortunately, in 2004, Dell Mielich suffered a massive stroke and the following year (2005), Lorie Garcia was forced to sell their home at 1756 Fremont Street to pay for his medical care. Leonard Vaughn purchased the residence. Five years later, in December 2010, it was sold to Jaclyn and Eric Neal. The current owners, Peter and Ashley Bengtsson, bought the subject property in May 2013.

Between 1924 and 2005, the residence at 1756 Fremont Street had two sets of owners, but neither appear to be significant to the history of the region, Nation or State of California. While both the Vasquez and Mielich/Garcia families who are associated with it had members important to the history of Santa Clara, this does not appear to reach the level of significant influence required under Criterion B to be considered eligible for the National Register. Neither is the property associated with events that have made a significant contribution to the broad patterns of history or cultural heritage. It would therefore appear that the building at 1756 Fremont Street would not be eligible for the National Register based on Criteria A or B. However, given the potential for a historic district in the immediate neighborhood, the residence does appear to be eligible under Criterion C.

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The Criteria for listing in the California Register of Historical Places are consistent with those for listing in the National Register. However, they have been modified to better reflect the history of California at both a local and State level. Under Criterion 2, the equivalent of National Register Criterion B, the building does have a direct association with the lives of Frank and Josephine Vasquez and Lorie Garcia, persons important to local and California history. Thus, it would appear that the building at 1756 Fremont Street would be eligible for the California Register at both a local and state level based on Criterion 2

In 2004, The City of Santa Clara adopted Criteria for Local Significance. Under these criteria, "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 archaeological significance is potentially eligible," to be a "Qualified Historic Resource." The evaluator finds that the property meets the following criteria:

Criterion A: Historical or Cultural Significance

1. The site, building or property has character, interest, integrity and reflects the heritage and cultural development of the city, region, state or nation.

Due to the economic climate in Spain in the early 20th Century promises of better opportunities and employment led thousands of Spanish families to immigrate to Hawaii. However, life on the Hawaiian sugar-plantations proved difficult and word spread of a better life in California where higher wages could be made. By the middle teens, many families decided to immigrate from Hawaii to California; arriving by ship in San Francisco, then moving to Santa Clara where relatives had located earlier. Upon their arrival several settled in the newly subdivided area, known as the New Park Subdivision of 1980. During the 1920s more and more Spanish families settled in the area, especially on Pierce Street, Fremont Street and Harrison Street. As the Spanish community grew, this area of Santa Clara became known as "Spanish Town." Located on its site in 1924, the house at 1756 Fremont Street belonged to a member of this immigrant community and is only minimally altered from the Vasquez period of occupancy. It reflects Santa Clara's Spanish heritage and early 20th Century cultural development.

3. The property is associated with an important individual or group, who contributed in a significant way to the political, social, and/or cultural life of the community.

Several members of the New Park Spanish community became prominent in Santa Clara life, including the children of Alfonso Vasquez, whose family home was 1756 Fremont Street. Following her retirement from the Santa Clara High School District, Josephine Vasquez served on the executive board of the Santa Clara Cultural Society and, being interested in Spanish Heritage, in 1985, along with her brother Frank, and sister Mercedes, she founded Santa Clara's Spanish Heritage Society, serving as its president for many years. A prominent businessman, Joe became active in several community organizations, including the Santa Clara Youth Center. After progressing through the ranks, in 1975, Frank Vasquez was appointed assistant police chief, a position he held until his election, in 1988, as the Chief of Police for the city of Santa Clara. He was reelected in 1992 and retired in 1996. Along with his involvement in professional organizations, where he served as president of the Santa Clara Police Officers Association and as president of the Santa Clara County Juvenile Officers Association, Frank became active in various civic organizations, which included the Santa Clara West Rotary Club, the Triton Museum Board of Directors, the Northwest YMCA, the Santa Clara County Boy Scouts, the Vestry of St. Mark's Church and the Spanish Heritage Society.

Lorie Garcia was a member of the second family to own the home. A 7th generation Californian, while living here she became immersed in and dedicated to the preservation of Santa Clara history and its historic resources. She served as a member of the both City's Historical and Landmarks Commission and Planning Commission and also as an member of the County of Santa Clara's Historical Heritage Commission, several times as commission chairperson. She helped organize several preservation related groups, including the Old Quad Resident's Association, the Heritage Council of Santa Clara County and Destination Cities, a multi-city organization. As an author, in addition to many articles, academic papers, and presentations on local history she wrote "Santa Clara: From Mission to Municipality" (1997), Agnews," (2003) and, with Geof Goodfellow and George Giacomini, coauthored the City's

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sesquicentennial history, "A Place of Promise; Santa Clara 1852-2002." (2002), also numerous articles on portions of Santa Clara history. Lorie also founded and chaired the City of Santa Clara's Sesquicentennial Committee, which developed and participated in 3 years worth of activities celebrating the sesquicentennial celebrations of the State of California (2000), the University of Santa Clara (2001) and the City of Santa Clara (2002). In 2004, the Santa Clara City Council appointed her as "Honorary City Historian," the first individual to receive this title. In 2010, the first year individuals were eligible to receive the award, the City Council successfully nominated Lorie to receive the State of California, Governor's Award for Historic Preservation.

In addition, Lorie has been active in several civic organizations including the Santa Clara West Kiwanis and Santa Clara Woman's Club, serving terms as president of both.

No.5. A building's direct association with broad patterns of local area history, including development and settlement patterns, early or important transportation routes or social, political, or economic trends and activities. Included is the recognition of urban street pattern and infrastructure.

Due to the work of entities like the Santa Clara Commercial League, which promoted the area's beautiful climate and the opportunities to be found, at the turn of the 20th century more and more people were attracted to the region. In the Town of Santa Clara, agricultural production expanded and manufacturing enterprises began to grow. The township's 3,650 residents in 1900 were estimated at 4,000 by 1902 and, had increased to around 5,000 by the end of the first decade. This rise in the population of Santa Clara resulted in a concurrent demand for additional housing. As a result, at the time many of the larger Sub-Lots were subdivided, including Sub-Lots 21 and 22, known at the Pierce Estate," from which the Therion, Gunckel and New Par Subdivisions were created.

Reflecting this period of growth and development in Santa Clara, the New Park Subdivision which was parceled in 1908, created 80 lots, ranging from 5000 sq. ft. to 6500 sq. ft., on 2 ½ blocks and dedicated the newly developed portions of Benton, Fremont and Pierce Streets to the Town of Santa Clara. The lots themselves were relatively inexpensive to purchase and by 1915, 40 of the lots (some combined) had houses located on them. By 1930, homes occupied all but nine of the lots. Aimed at working class and immigrant purchasers, these were modest structures. The residence at 1756 Fremont Street is one of these buildings.

Criterion C: Geographic significance

No.1. A neighborhood, group or unique area directly associated with broad patterns of local area history.

The subject parcel is located in the two and one-half block, New Park Subdivision of 1908. Originally populated by a large number of immigrants from Spain, as well as some from Portugal (the Azores Islands) and other working class individuals, during the 1920s more and more Spanish families settled in the area; some on Pierce Street and Fremont street and others on Harrison Street near Pierce. As the Spanish community grew, this area of Santa Clara's "Old Quad" became known as "Spanish town." This ethnic identity of this early 20th century immigrant neighborhood would remain up to the 1980s when a survey showed nearly half the property owners still having Spanish or Portuguese surnames. The Vasquez family, who owned this parcel were members of this ethnic community.

No. 2. A building's continuity and compatibility with adjacent buildings and/or visual contribution to a group of similar buildings.

By the 1930s, the majority of the homes in the New Park Subdivision had been either constructed in or relocated to the area. The residence, located at 1756 Fremont Street was constructed circa 1870 and relocated to its current site in 1924. Its reconstruction at that time, reflecting the small working class bungalow building styles of the era, is consistent with the original pattern of small cottage and bungalow development found in the neighborhood. Representative of the development of this area of the Old Quad during the early 20th Century, the building is compatible with those homes in close proximity and contributes by means of its style and scale to the continuity of the early 20th Century building styles of the historic neighborhood in which it is located.

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Definition of Integrity

Integrity refers to a property's ability to convey its significance. Significance is conveyed by the retention of a resource's visual and physical characteristics and its surroundings. The National Register criteria recognize seven aspects to integrity. The seven aspects of integrity are location, design, setting, materials, workmanship, feeling, and association. To retain historic integrity, a property will always possess several, and usually most, of these aspects. The modern test of integrity according to the Office of Historic Preservation is to stand on the sidewalk and ask yourself the following question: "Does the resource display enough of what made it significant for its historical period that it can be easily grasped by the average passerby?"

Properties must have sufficient integrity in addition to meeting the criterion for significance in order to be considered a qualified historic resource.

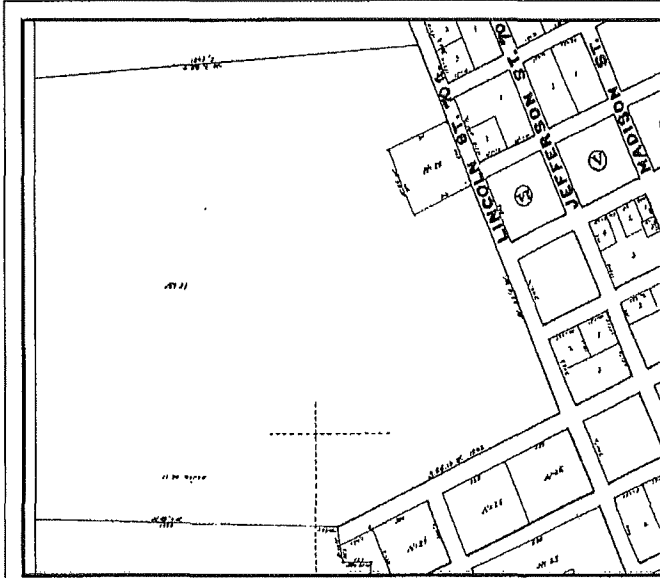
Evaluation of Integrity

The residence at 1756 Fremont Street has been well maintained and although the architectural integrity of the structure has been slightly diminished by alterations to the structure's rear facade, the home retains its original configuration and location. The visual and character defining features of the historic building from its period of its significance have been preserved and retained. The home retains its original configuration and location and the historical use of the structure has not changed; it remains a single family home. The subject property retains enough of its historic character and appearance to be recognizable as a historic property and to convey the reason for its significance.

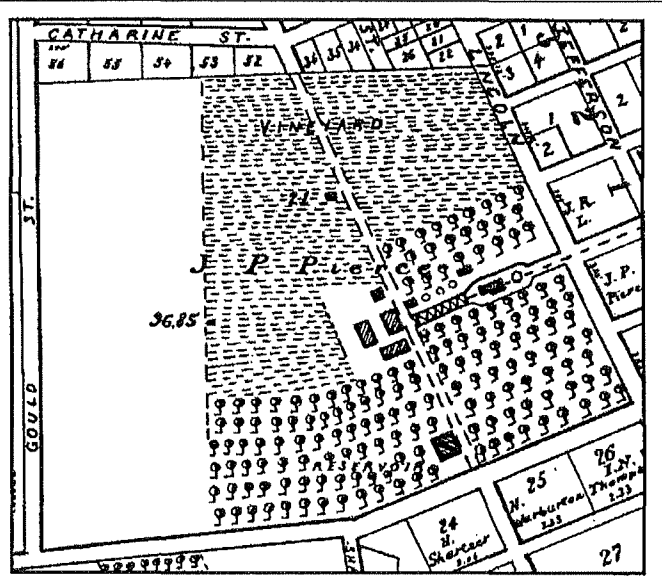
Conclusions and Recommendations

Currently, this property is on The City of Santa Clara Architecturally or Historically Significant Properties list. In this update of the July, 1990 Historic Resources Inventory for the City of Santa Clara, although alterations have impacted the rear facade, the evaluator finds 1756 Fremont Street to retain sufficient integrity to qualify as a historic property. It appears to continue to be, based on compliance with the Local Significance Criteria, eligible for listing on the City of Santa Clara Architecturally or Historically Significant Properties List.

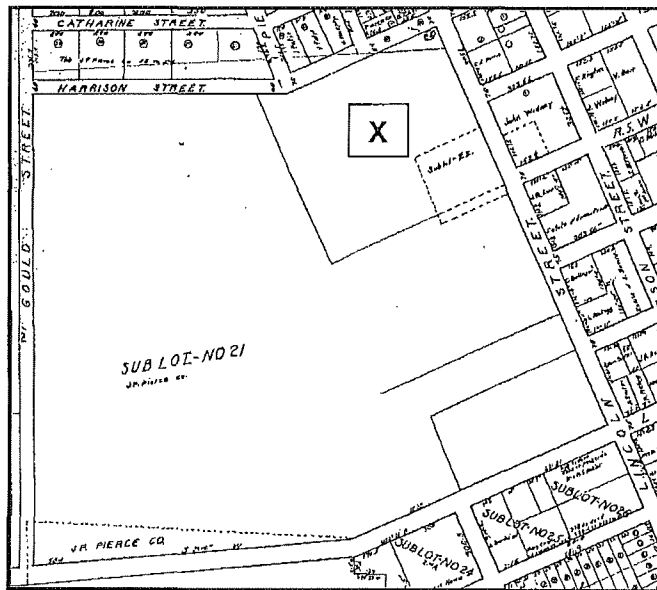
HISTORIC MAPS



1866 J.J. Bowen Survey of the Town of Santa Clara



Plat of Santa Clara circa 1873-75

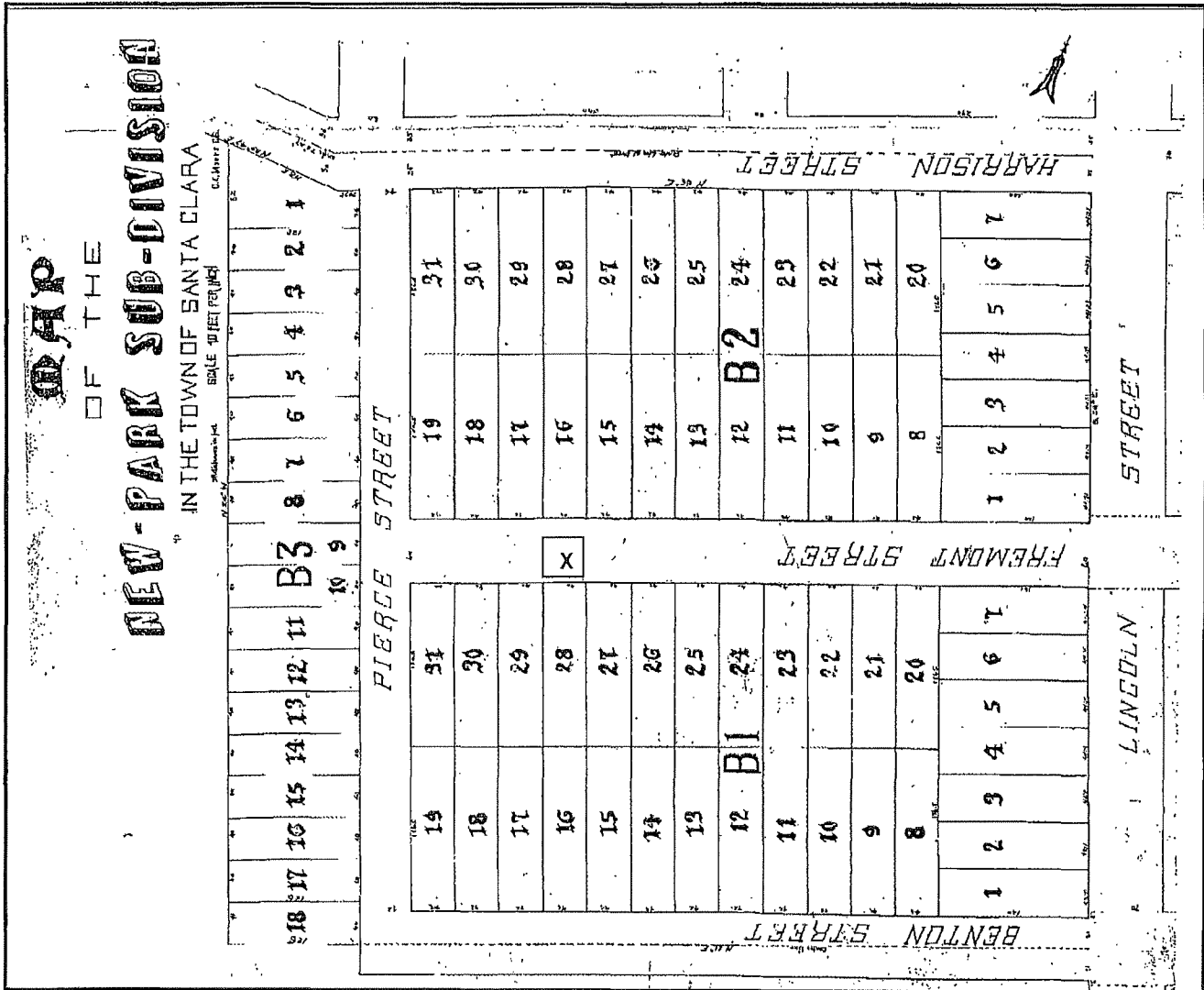


1893 C.E. Moore Map of the Town of Santa Clara

By 1893, a section of the ranch road into the Pierce estate, from Catharine to Harrison, had become part of Pierce Street and Harrison Street was in existence, extending to Gould Street (today's Scott Blvd). **X** marks the location of the New Park Subdivision, which, when platted in 1908, would encompass most of Sub Lot 22 and the northeast corner of Sub Lot 21 with Harrison Street delineating its northernmost boundary.

HISTORIC MAPS cont.

MAP OF THE NEW PARK SUBDIVISION IN THE TOWN OF SANTA CLARA
 (Filed October 1908, Book M of Maps, pages 40 & 41)



X indicates Lot 28 of Block 1 of The New Park Subdivision of 1908. This 42' x 156.50' parcel, is the lot to which the subject residence at 1756 Fremont Street, was relocated In 1924.

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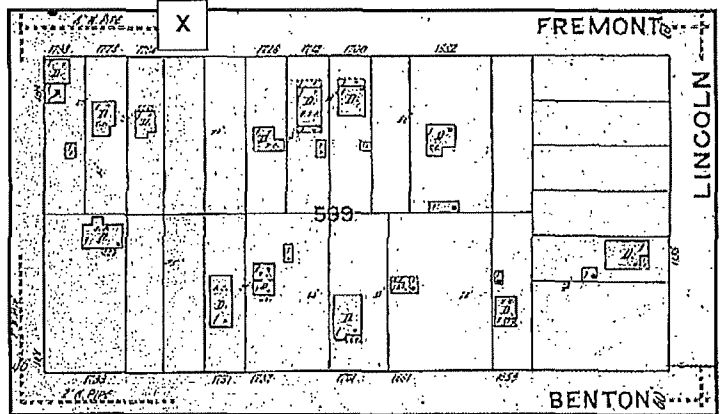
Continuation Update

SANBORN FIRE INSURANCE MAPS

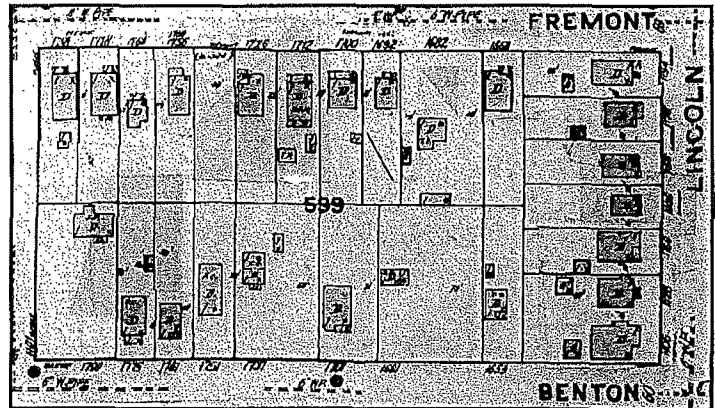
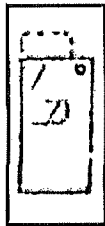
1915 Sanborn Fire Insurance Map

X indicates the site of 1756 Fremont Street

Note: At this date the lot where 1756 Fremont Street would later be located is vacant but the 13 of the houses on Block 1 of the New Park Subdivision have already been constructed



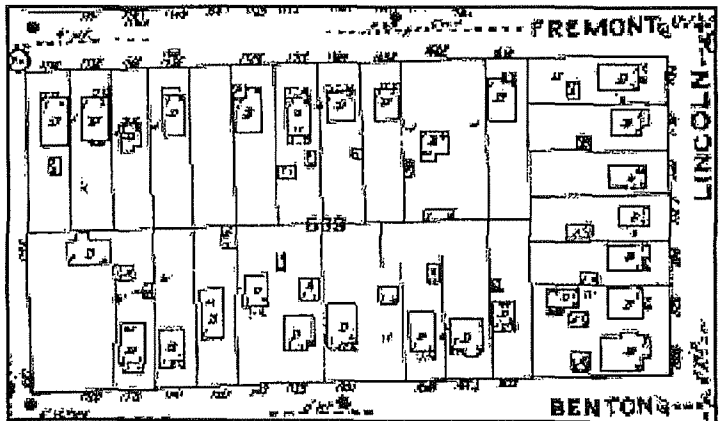
1930 Sanborn Fire Insurance Map



1950 Sanborn Fire Insurance Map



Note: the lot next to 1756 Fremont Street is still vacant.



AERIAL PHOTOS



February 1944 aerial photo above, February 2015 aerial photo below

The white X indicates 1756 Fremont Street. As shown above, pear orchards occupy the land behind the row of Peirce Street houses and Benton, Fremont and Harrison Streets end at Pierce. Below, housing now fills the orchards and Harrison and Benton Streets are extended. However, the configuration of the two "New Park Subdivision" blocks and Fremont Street remain unaltered.



Additional Photos



Photo No: 100_1507
View: East side elevation & partial facade
Photo Date: February, 2015
Camera Facing: South

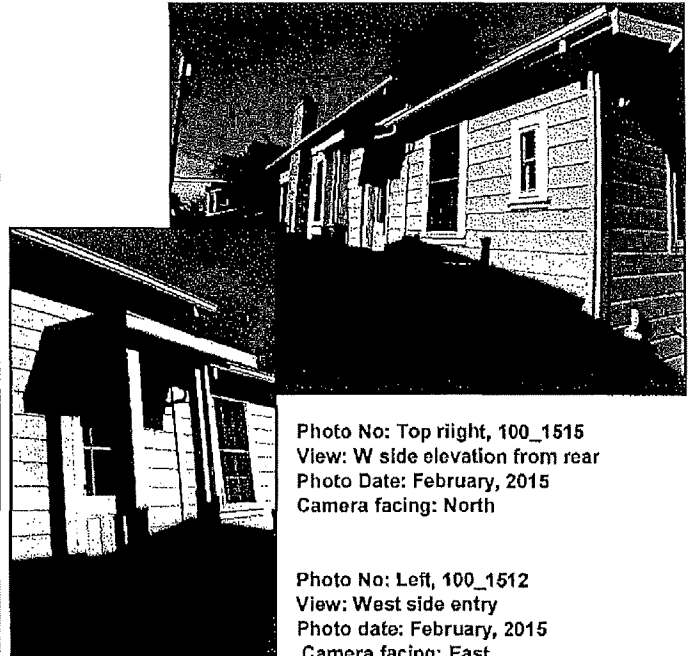


Photo No: Top right, 100_1515
View: W side elevation from rear
Photo Date: February, 2015
Camera facing: North

Photo No: Left, 100_1512
View: West side entry
Photo date: February, 2015
Camera facing: East

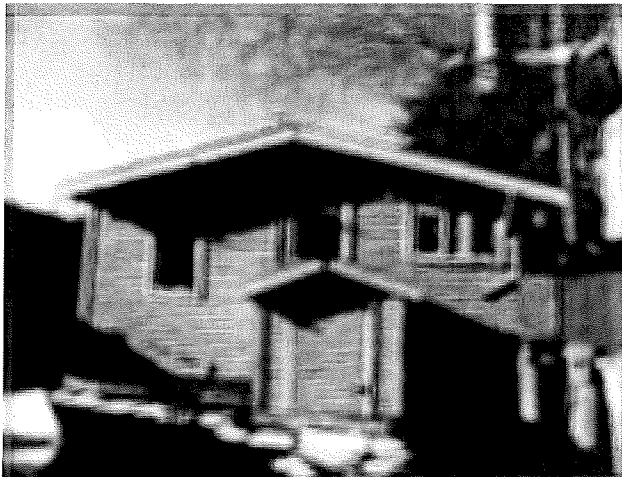


Photo No: 100_1523
View: Rear (South) facade showing new- channel-lap siding that replaced the original board and batten. (Also, the removed brick chimney was located on the rear facade between the driveway and first window)
Photo Date: February, 2015
Camera Facing: NW



Photo No: 100_1516
View: Rear (South) facade showing the new addition with entry door that provides access to the basement, replacing the original ground level flat floor.
Photo Date: February, 2015
Camera Facing: N

Additional Photos (continued)

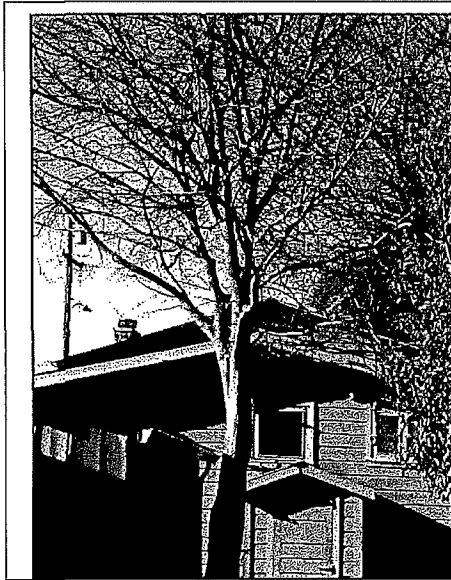


Photo No: 100_1518
View: Rear (South)
facade showing the
rear facing gable end
of the house's main
body, and rear.
Photo Date: 02/2015
Camera Facing: NW



Photo No: 100_1519
View: Rear (South)
facade, close-up of
main body rear gable
showing lowered attic
vent (new) that has
replaced the original
cica 1870 window.
Photo Date: 02/2015
Camera facing: NW

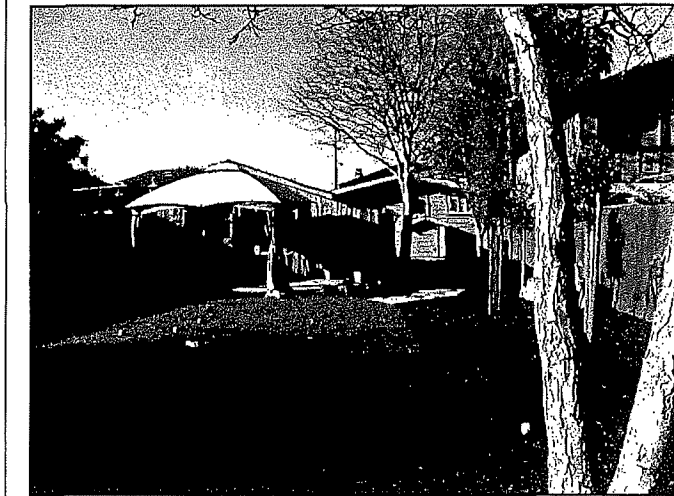


Photo No: 100_1520
View: Rear Yard from south property line
Photo Date: February, 2015
Camera Facing: NW



Photo No: Bottom left, 100_1521; Top right, 100_1513
View: Left, Garage - E side; Right, Garage - front
Photo Date: February, 2015;
Camera Facing: Left, South; Right, SE

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

Primary # _____
 HRI # _____
 Trinomial _____
 NRHP Status Code _____

Other Listings _____
 Review Code _____ Reviewer _____ Date _____

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P1. Other Identifier: _____
 P2. Location: Not for Publication Unrestricted *a: County Santa Clara
 and (P2c, P2e, and P2b or P2d. Attach Location Map as necessary.)
 *b. USGS 7.5' Quad _____ Date _____ T _____; R _____; _____ 1/4 of _____ 1/4 of Sec _____; _____ B.M.
 c. Address 1756 Fremont Street City Santa Clara Zip 95050
 d. UTM: (Give more than one for large and/or linear resources) Zone _____; _____ mE/ _____ mN
 *e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)
APN 269-12-033. South side of Fremont Street between Pierce and Lincoln streets.

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

Statement of purpose. This property was previously evaluated, in March 2015, by Lorie Garcia, a Santa Clara historian and a previous owner of this house. Under the National Register of Historic Places, she found that the property appears to be eligible under Criterion C, for its architecture, as a contributor to a potential historic district. She also found that the property appears to be eligible for the California Register of Historical Resources at the state and local level under Criterion 2; and that the property met the City of Santa Clara's Criteria for Local Significance A1, A3, A5, C1, and C2.

(See Continuation Sheet, page 2.)



*P3b Resource Attributes:
 (List attributes and codes) HP2
— single family house

*P4. Resources Present: Building Structure Object
 Site District Element of District Other (isolates, etc.)

P5b. Description of Photo:
 (View, date, accession #)
View looking south

*P6. Date Constructed/Age and Source: Historic
 Prehistoric Both

*P7. Owner and Address:

*P8. Recorded by: (Name, affiliation, and address)
William Kostura
P. O. Box 60211
Palo Alto, CA 94306

*P9. Date Recorded: October 2023

*P10. Survey Type: (Describe) individual property

P11. Report Citation*: (Cite survey report and other sources, or enter "none".) none

*Attachments: NONE Location Map Sketch Map Continuation Sheet Building, Structure and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List)

Page 2 of 18

Resource Identifier: Vasquez/Garcia house

Recorded by William Kostura

*Date October 2023

■ Continuation ■ Update

P3a. Description (continued)

The main purpose of this present study is to examine the fabric of the house and to determine whether it still retains integrity. Toward this end, this study includes a current description of the property and compares it with the description given in Lorie Garcia's 2015 evaluation. This study finds a few minor differences between the property as it was in 2015 and as it is now; these differences are noted below. This study also lists the character-defining features of the historic property, as well as those that are not character-defining.

The present study does not re-create the history of the property as related in Lorie Garcia's evaluation, nor does it re-evaluate the property under National Register, California Register, or City of Santa Clara criteria. It also does not investigate whether a potential historic district exists in the vicinity. Current photographs of the property are included at the end of this report to support these findings.

Description

The grounds and setting, and a shed in the rear

This house sits upon a lot 42 feet in width by 156.5 feet in depth. It is set back from the property line to allow for a spacious front yard that is intensely planted with trees, shrubs, and ornamental plants dating from recent years. This yard is bisected by a straight red brick pathway, dating from recent decades, that leads from the sidewalk to the front porch. The back yard is also intensely planted, with a pathway of flagstones. One structure is also in the backyard, namely, a shed or former garage that is said in the Garcia report to date to 1924. It is clad on the front by a mix of plywood and horizontal wood siding, and on the other sides by rustic siding.

The house

The house is one story in height and is clad in channel rustic siding (called drop siding in the Garcia report). The plan or footprint of the house is rectangular save for a front porch, also rectangular, that projects from the right (west) half of the house. Both the main body of the house and the porch are sheltered by front-gabled roofs of moderate pitch with overhanging eaves on the front and sides.

The front porch measures twelve feet in width by six feet in depth. As mentioned above, it is sheltered by a gabled roof of moderate pitch with overhanging eaves. This roof is supported by two square posts, each with a tall base and layered crowns. The porch is bounded on three sides by low railings of flat planks and square balusters, has a wooden deck, and is approached by four concrete steps. These steps have wooden railings with square balusters and turned newel posts. The front door is wooden, with oval glazing in the upper half.

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Resource Identifier: Vasquez/Garcia house

Recorded by William Kostura

*Date October 2023

■ Continuation ■ Update

P3a. Description (continued)

The main and porch roofs are each fronted by plain bargeboard with V-notched ends, and their front, or rake, eaves are supported by knee braces. Lattice vents can be found at the top of each gable. Rafters in the side eaves are exposed from below but are fronted by plain boards and gutters, hiding their ends. Because the treatments of the main roof and the porch roof are so similar, the house's double-gable effect is pronounced. The presence of an off-center porch, the double-gable effect, the knee braces in the eaves, and the V-notches in the bargeboards give this house a restrained Craftsman style.

Two further features of the front of the house remains to be described. One is a large, fixed window that faces the porch. It is divided by muntins into nine lights and is trimmed by plain boards. This nine-light window is also consistent with the house's Craftsman style. The other feature is a two-over-two window to the left of the porch.

The only features on the east (left) side of the house, other than the overhanging eaves mentioned above, are three one-over-one double-hung windows, two of standard size and one slightly smaller. The west (right) side of the house has more features. From front to rear they include:

- * a two-over-two double-hung window
- * a non-original red-brick chimney
- * a small, projecting rectangular bay window, and
- * a side entrance with a porch.

The bay window measures three-and-one-half feet in width by one-and-one-half feet in depth. The window in the front plane has two-over-two sash, while those in the narrow sides have fixed five-light sash with bull's eye corners at the top. Scroll brackets support the bay window. Both the bull's eye corners and the scroll brackets have a 19th century appearance, not a 1920s Craftsman appearance. Since the Garcia report states that this one-story house is a 1924 remodeling of a two-story 1870 house that was moved here, perhaps this bay window is a surviving element of the old house. If so, it seems to be the only remaining element from the 19th century.

The narrow porch on the west side has a shed roof supported by square posts, a concrete floor with several concrete steps, and plain wooden railings and balusters. The door has upper level glazing divided by muntins into six lights, and lower-level panels, one replaced by a cat door.

The rear of the house is stated in the Garcia report to be a recent addition of 2005-2010. This rear addition is slightly lower than the main body of the house. In some aspects its appearance fairly closely echoes the style of the front: a pitched roof, albeit at a lesser pitch than the roof in front; plain bargeboard, though without the V-notched ends; knee braces at the eaves; channel rustic siding; and flat and door openings. Paired vinyl doors can be found at left.

Page 4 of 18

Resource Identifier: Vasquez/Garcia house

Recorded by William Kostura

*Date October 2023

■ Continuation ■ Update

Comparison of the house in 2015 with the house today

The report by Lorie Garcia describes these aspects of the property in 2015:

- * Lot dimensions 42 feet by 156.5 feet. *The lot dimensions remain the same.*
- * Front lawn with narrow planting beds with ornamental shrubbery. *The plantings in the front yard are entirely different today, with intense plantings.*
- * New brick walkway leading to the front entrance. *This walkway remains in place.*
- * Rectangular plan, with partial basement 30 inches in height. *The plan remains the same today.*
- * Drop siding (aka channel rustic siding), trimmed with flat boards. *The siding remains the same today.*
- * Front-gabled roof of moderate pitch. Rake eave (that is, the front eave) with a wide bargeboard with a V-shaped notch at the ends. Knee braces at the peak and the ends. Visible rafter tails. *All of these main roof elements remain the same today.*
- * Front porch with gabled roof, projecting asymmetrically (that is, from the right side of the house, not from the center). Wide bargeboard in the porch roof, with V-shaped end notches and knee-braces at the peak and at each end. Roof supported by classical wooden columns. Railings with squared balusters. *All of these porch elements are the same today, although this present report (of 2023) does not describe the porch posts as classical in style.*
- * Latticed attic vents in the main roof and the porch roof. *These are the same today.*
- * Porch accessed by five concrete steps. “Supplemental” railings with turned newel posts and balusters that echo those in the porch railing. *The present report counts four concrete steps leading to a wooden porch deck, not five. The porch deck looks old, so there is no doubt that the steps and porch deck are the same now as they were in 2015. The newel posts and balusters are also the same.*
- * Wooden front door with oval glazing. *The front door is the same today.*
- * Large window of nine lights divided by muntins, facing the porch. *This window remains the same today.*
- * Craftsman style. *The style of this house remains the same today.*

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Resource Identifier: Vasquez/Garcia house

Recorded by William Kostura

*Date October 2023

■ Continuation ■ Update

Comparison of the house in 2015 with the house today (continued)

* Three double-hung windows on the east (left) side of the house, one of them smaller than the others. *These windows remain the same today.*

* On the west (right) side of the house: a two-over-two double-hung window; a non-original chimney; a squared bay window; and a secondary entrance porch. The bay window has a shed roof, supporting brackets, a two-over-two window in the front, and narrow casements on the sides. The secondary entrance has a shed roof supported by squared posts and five concrete steps leading to a concrete platform or deck. *All of these elements remain the same today. Note that these elements are not described in one place in the Garcia report but are scattered in different parts of her report.*

* A rear addition with a pitched roof; channel lap siding; bargeboard; a six-over-six window and a small one-over-one window on the west side; a “horizontal door;” and three windows, including a six-over-six, a one-over-one, and a ribbon of smaller windows. *The rear facade of the rear addition as described in the Garcia report does not fully match the same facade today. Today there are paired vinyl doors and fewer windows.*

* A rear shed/garage structure with a plywood front, board-and-batten siding elsewhere, and a side-gabled roof covered with corrugated sheet metal. *Today this building has a front-gabled roof and there is no board-and-batten siding. Unknown is whether this building has truly been changed since 2015 or whether the earlier description was inaccurate.*

Summary

There have been three changes to the property since the Garcia report was written in 2015. One is the intense plantings in the front and back yards. Another is the changes to the rear facade of the rear addition (removal of one or two windows and the addition of paired vinyl doors). The other is differences between the rear shed/garage as described in 2015 and today (different roof and siding). None of these three parts of the property — the yard plantings, the rear addition to the house, and the rear shed/garage — should be considered as contributing elements to the historic property (in 2015 or today), so these changes do not affect the property’s integrity.

By contrast, all of the other elements of the house — in the front, east, and west sides — remain unchanged since 2015.

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Resource Identifier: Vasquez/Garcia house

Recorded by William Kostura

*Date October 2023

■ Continuation ■ Update

Character-defining features of the historic property

The character-defining features of the historic property include:

- * The existence of a front yard. While the brick pathway and all of the plantings in the front yard appear to be recent, and thus are not historic themselves, the fact that the house is set back from the sidewalk enough to allow for a front yard is typical of a 1920s house in Santa Clara.
- * The channel rustic siding on the house.
- * The front-gabled roof with extended eaves, bargeboard, knee braces, and latticed vent.
- * The front porch, its similar roof, and the squared posts, railings, wooden deck, and concrete steps.
- * The two windows in the front of the house, along with their trim.
- * The trim around the front door.
- * The two-over-two window close to the porch area on the west side of the house, and its trim.

Non-character-defining features of the historic property

Features that are not character-defining include:

- * Plantings in the front and back yards, and the brick path leading to the front porch.
- * The front door. Although it is wooden, its oval glazing seems atypical for the 1920s. It thus may not be original. If it can be shown that the door dates to the 1920s, then it should be considered character-defining.
- * The east side of the house. Although the three windows here are very likely original, this side of the house is not really visible from the street and it does not exhibit a Craftsman style or other strong design aesthetic.
- * The squared bay window on the west side. Its bull's eye ornament and scroll brackets are atypical for the 1920s, and so it may be a late addition. If it can be shown that it dates to the 1920s (or is a surviving element from the 1870s house), then it could be considered character-defining.
- * The brick chimney on the west side.

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Resource Identifier: Vasquez/Garcia house

Recorded by William Kostura

*Date October 2023

■ Continuation ■ Update

Non-character-defining features of the historic property (continued)

- * The secondary entrance and porch on the west side, unless it can be shown to date to the 1920s.
- * The rear addition to the house. This part of the house is said in the Garcia report to be of recent construction.
- * The shed/garage behind the house.

Please see the following pages for photographs.

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Resource Identifier: Vasquez/Garcia house

Recorded by William Kostura

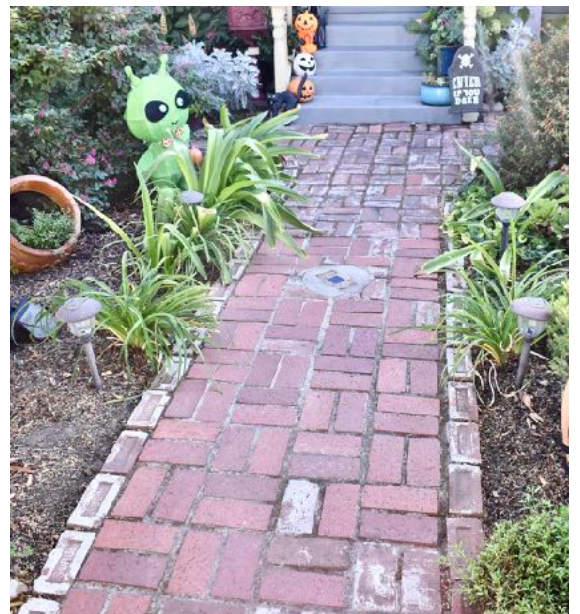
*Date October 2023

■ Continuation ■ Update

Photographs



The front yard and brick pathway



*Required Information

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Resource Identifier: Vasquez/Garcia house

Recorded by William Kostura

*Date October 2023

Continuation Update

Back yard and rear shed (front view)



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Recorded by William Kostura

*Date October 2023

Continuation Update



The front of the house, with detail of the two gables



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Resource Identifier: Vasquez/Garcia house

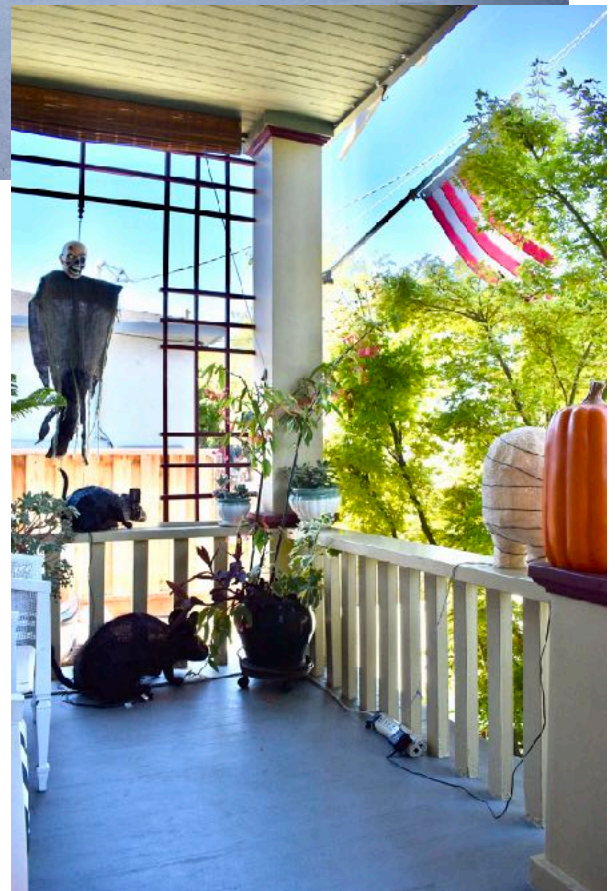
Recorded by William Kostura

*Date October 2023

Continuation Update



Porch deck, posts, and railings



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Recorded by William Kostura

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Continuation Update



At left: Porch ceiling and top of entrance casing. Below: front door.



Below: Two-over-two window to the left of the porch (at left) and the nine-light window facing the porch (at right).



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Resource Identifier: Vasquez/Garcia house

Recorded by William Kostura

*Date October 2023

Continuation Update



Front steps with railings



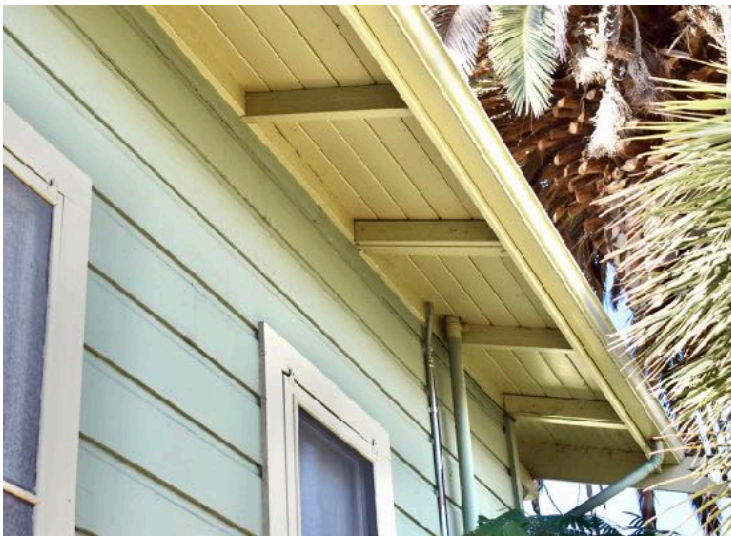
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Resource Identifier: Vasquez/Garcia house

Recorded by William Kostura

*Date October 2023

■ Continuation ■ Update



The left side of the house, with a detail of the eave and rafters

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Recorded by William Kostura

*Date October 2023

■ Continuation ■ Update



The right (west) side of the house, looking toward the rear



At left: Two-over-two window between main porch and chimney.

At left and below: Bay window with supporting brackets.



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Resource Identifier: Vasquez/Garcia house

Recorded by William Kostura

*Date October 2023

■ Continuation ■ Update



The porch and door on the right (west) side of the house.

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Resource Identifier: Vasquez/Garcia house

Recorded by William Kostura

*Date October 2023

Continuation Update



Two views of the modern-era rear addition to the house.



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Resource Identifier: Vasquez/Garcia house

Recorded by William Kostura

*Date October 2023

■ Continuation ■ Update



Three details of the rear addition: The paired vinyl doors (at upper left), a one-over-one window (at upper right), and a tripartite "ribbon" window (at left).

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.
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.
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.

5/29/24

STATEMENT OF JUSTIFICATION FOR THE MILLS ACT

City of Santa Clara Historical and Landmarks Commission

Re: Mills Act Application for 1756 Fremont Street

Dear Historical and Landmark Commissioners,

We're reaching out with great enthusiasm about our Mills Act application for our home at 1756 Fremont Street. Having both grown up in Santa Clara, Yemon and I cherish the community deeply and are eager for our family to create memories here just as we did. Our love for the Old Quad's craftsman homes led us to our dream house after years of searching. It was love at first sight, and we knew it was where we wanted to start our next chapter.

The house itself is a testament to the architectural beauty of a bygone era. Our 3-bedroom, 1 and a half bath craftsman home is a treasure trove of history and charm. The distinctive features like the front-gabled roof with its latticed vent, the rustic siding, and the elegant trim around the doors and windows captured our hearts. These are the details we fell in love with, and these are the details we are committed to preserving. We are deeply appreciative of the Mills Act's role in helping homeowners like us protect the streetscape and character of our historic neighborhood; we're grateful for the opportunity it presents.

We thank you for your time and consideration of our Mills Act application. Our application is supported by William Kostura's historic evaluation (DPR523), which underscores the historical importance of our residence. We are not just preserving a house; we are upholding the legacy of the Old Quad and ensuring that the historical narrative of Santa Clara continues to be told. We look forward to the possibility of working together with you to achieve this goal.

Warm regards,

Joe Navasca & Yemon Oo

1756 Fremont St.

Santa Clara, CA 95050

10-Year Restoration Maintenance Plan

March 12, 2024

Joe Navasca
Yemon Oo
1756 Fremont 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 1756 Fremont Street. All items to meet the Secretary of Interiors standards for Treatment of Historic Properties:

Year 1-2 (2025-2026)

Window Restoration:

Restore and repair the existing historic wood window sashes that are damaged or not working properly. Cut the paint that prevents the windows from opening and closing, and we will install new ropes for the pulleys where needed. Fix any small areas of dry rot on the window sashes with epoxy filler and repaint them to match the original color. Replace any parts of the window sashes that have severe rot (such as stiles or rails) with salvaged or custom-made wood that matches the original style. We will also replace the cracked glazing putty and repaint the window sashes. Replace cracked glass in the kitchen and office window pane with vintage wavy glass from Urban Ore in Berkeley or comparable stores.

Year 3-4 (2027-2028)

Entry Porch Restoration:

Remove the damaged porch deck boards and replace them with new ones that are resistant to dry rot and water damage. Ensure that the new boards are properly sealed and aligned with the existing ones. Repair stair railings and base with new wood that matches the style and profile of similar era houses in the neighborhood. Paint the porch deck and railings with colors that complement the house theme and enhance the curb appeal. Apply multiple coats of paint and primer to protect the wood from weathering and fading. Fill the sun-damaged areas with epoxy filler and sand them smooth. Repaint them with the original color to restore the uniformity and beauty of the porch. Repaint existing concrete porch slab and steps at the entry of the house.

Year 5-6 (2029-2030)

Repair original wood siding:

Repair the wood siding that has been damaged by termites, sun and water. Repair the door that leads to the basement, which has also suffered from termite and water damage. Replace the damaged parts with Redwood or wood that is treated to resist pests and weather. Paint the siding and the door with a high-quality paint that matches the house original color.

Year 7-8 (2031-2032)

Painting:

The entire exterior surface of the house will be repainted, including all the eaves, gutters, downspouts, windows, doors and trim. The paint color and finish will match the existing ones. Any minor damage caused by dry rot, pests or rodents will be repaired with epoxy filler and repainted to blend in with the surrounding area. If the damage is extensive, the affected wood material will be replaced with salvaged or custom-made wood that matches the original profile.

Year 9 (2033)

Electrical & HVAC:

Update electrical systems by replacing existing knob and tube wiring to bring home up to current electrical codes for safety and preserve it long-term.

Update / refresh all existing heating and AC ventilation systems

Year 10 (2034)

Roofing:

The project involves removing the existing asphalt composition shingle roofing and replacing it with new triple layer (tri-lam) asphalt composition shingle roofing that resembles the original wood shingles more closely. The new roofing will have a similar profile and shadow line to the wood shingles, enhancing the historical character of the home. The project also includes repairing any dry rot at the roof rafter tails at the eaves and installing new ogee style gutter with 2" diameter round downspouts. The ogee style gutter is more historically sensitive than the current fascia gutters with rectangular downspouts, and will improve the drainage and appearance of the roof. Install gutter guards.

Our historic home is a precious legacy that we wish to restore to its original splendor and elegance. I am committed to preserving this remarkable piece of history and ensuring that it is admired and respected by future generations.

Sincerely,

Joe Navasca
Yemon Oo

**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

[SPACE ABOVE THIS LINE FOR RECORDER'S USE]

HISTORIC PROPERTY PRESERVATION AGREEMENT

This Agreement, (herein, "Agreement"), is made and entered into this ___ day of _____, 2024, ("Effective Date"), by and between Joe Navasca and Yemon Oo, owners of certain real property located at 1756 Fremont Street ("OWNERS") 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 OWNERS 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 OWNERS 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) OWNERS possesses fee title in and to that certain real property, together with associated structures and improvements thereon, shown on the 2021 Santa Clara County Property Tax Rolls as Assessors' Parcel Number 269-12-033, and generally located at the street address 1756 Fremont Street, 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. OWNERS submitted a Mills Act Proposal to City on May 15, 2024. 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 OWNERS, 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.

B. **Agreement.**

NOW, THEREFORE, CITY and OWNERS, 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 OWNERS or CITY desires in any year not to renew the Agreement, OWNERS or CITY shall serve written notice of nonrenewal of the Agreement. Unless such notice is served by OWNERS to CITY at least ninety (90) days prior to the annual renewal date, or served by CITY to OWNERS 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) OWNERS 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 OWNERS of nonrenewal. If either CITY or OWNERS 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) **Standards for Historical Property.** During the term of this Agreement, the Historic Property shall be subject to the following conditions, requirements, and restrictions:

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

(4) Provision for Information.

(a) OWNERS 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 OWNERS 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 OWNERS 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 OWNERS and approved by the City Council.

(5) Cancellation.

(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 OWNERS breached any of the terms or conditions of this Agreement; or

(ii) the OWNERS have 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 OWNERS have 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 OWNERS have not complied with any other local, State, or federal laws and regulations.

(iii) the OWNERS have failed to restore or rehabilitate the property in the manner specified in subparagraph 3(b) of this Agreement.

(c) In the event of cancellation, OWNERS 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
Historic Property Preservation Agreement/1756 Fremont Street
Typed: 07/03/2024

OWNERS 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.

(7) Mediation.

(a) Any controversies between OWNERS 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 OWNERS hereby subjects the Historic Property described in Exhibit "A" hereto to the covenants, reservations, and restrictions as set forth in this Agreement. CITY and OWNERS 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 OWNERS 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 OWNERS 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 OWNERS' legal interest in the Historic Property.

(c) CITY and OWNERS 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 1756 Fremont Street), and OWNERS.

(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: City of Santa Clara
Attn: City Clerk
1500 Warburton Avenue
Santa Clara, CA 95050

OWNERS: Joe Navasca and Yemon Oo
1756 Fremont Street
Santa Clara, CA 95050

(b) Prior to entering a contract for sale of the Historic Property, OWNERS 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, OWNERS 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 OWNERS shall become legally liable arising from OWNERS' acts, errors, or omissions with respect to or in any way connected with this Agreement.

(12) Attorneys' Fees. 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) Restrictive Covenants Binding. All of the agreements, rights, covenants, reservations, and restrictions contained in this Agreement shall be binding upon and shall inure to Historic Property Preservation Agreement/1756 Fremont Street
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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.

(14) Mills Act Historic Property Contract Application Requirements. 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) Mills Act Historic Property Contract Approval. 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 OWNERS. The decision of the City Council shall be final and conclusive in the matter.

(16) Recordation and Notice. 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) Fees. The Planning Department may collect such Mills Act Historic Property Contract application fee of \$8,735.80 (eight thousand, seven hundred, and thirty-five dollars and eighty 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.

(19) California Historical Building Code. The California Historical Building Code ("CHBC") provides alternative building regulations for the rehabilitation, preservation, restoration, or relocation of structures designated as Historic Properties. The CITY's building Historic Property Preservation Agreement/1756 Fremont Street
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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 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) Conservation Easements.

(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) Severability. 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 OWNERS 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) Captions. 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) Statutes and Law Governing Contract. This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California.

(25) Amendments. This Agreement may be amended, in whole or in part, only by a written recorded instrument executed by the parties hereto.

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:

GLEN R. GOOGINS
City Attorney

JÖVAN D. GROGAN
City Manager
City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

“CITY”

**Joe Navasca and Yemon Oo
Owners of 1756 Fremont Street**

By: _____

Joe Navasca and Yemon Oo
1756 Fremont Street
Santa Clara, CA 95050

“OWNERS”

Exhibits:

- A – Property Description
- B – Primary Record
- C – Standards for Rehabilitation
- D – Restoration Schedule