



City of Santa Clara

Meeting Agenda

Historical & Landmarks Commission

Thursday, April 4, 2024

6:00 PM

**Hybrid Meeting
City Hall Council
Chambers/Virtual
1500 Warburton Avenue
Santa Clara, CA 95050**

The City of Santa Clara is conducting the Historical and Landmarks Commission meeting in a hybrid manner (in-person and methods for the public to participate remotely)

• Via Zoom:

o <https://santaclaraca.zoom.us/j/97233262035> or

o Phone: 1 (669) 900-6833

Webinar ID: 972 3326 2035

Public Comments prior to meeting may be submitted via email to PlanningPublicComment@santaclaraca.gov no later than noon on the day of the meeting. Clearly indicate the project address, meeting body, and meeting date in the email.

PUBLIC PARTICIPATION IN ZOOM WEBINAR:

Please follow the guidelines below when participating in a Zoom Webinar:

- The meeting will be recorded so you must choose 'continue' to accept and stay in the meeting.
- If there is an option to change the phone number to your name when you enter the meeting, please do so as your name will be visible online and will be used to notify you that it is your turn to speak.
- Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
- Use the raise your hand feature in Zoom when you would like to speak on an item and lower when finished speaking. Press *9 to raise your hand if you are calling in by phone only.
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CALL TO ORDER AND ROLL CALL

CONSENT CALENDAR

1. 24-335 [Historical and Landmarks Commission Meeting Minutes of March 7, 2024](#)

Recommendation: Approve the Historical and Landmarks Commission Meeting Minutes of the March 7, 2024 Meeting.

PUBLIC PRESENTATIONS

[This item is reserved for persons to address the body on any matter not on the agenda that is within the subject matter jurisdiction of the body. The law does not permit action on, or extended discussion of, any item not on the agenda except under special circumstances. The governing body, or staff, may briefly respond to statements made or questions posed, and appropriate body may request staff to report back at a subsequent meeting.]

GENERAL BUSINESS

2. 24-312 [Consideration of a Historical Preservation Agreement \(Mills Act Contract\) for 1059 Madison Street \(Continued from the March 7, 2024 HLC Meeting\)](#)

Recommendation: Staff recommends that the Historical and Landmarks Commission determine the project to be exempt from CEQA pursuant to CEQA Section 1561(b)(3) and 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 approval of a Mills Act Contract, and the adoption of a 10-Year Restoration and Maintenance Plan associated with the Historical Preservation Agreement for the property located at 1059 Madison Street.

3. 24-323 [Action on the Request for Proposed Historic District Designation for Park Court Neighborhood](#)

Recommendation: Recommend that the Commission hear testimony, discuss, and take action to demonstrate support of the neighborhood's request.

4. 24-351 [Historical Preservation Month Banners Project Funding](#)

Recommendation: There is no staff recommendation.

STAFF REPORT

Berryessa Adobe Maintenance

Budget Update

TRAVEL AND TRAINING REQUESTS

Update on California Preservation Foundation Annual Conference, May 29 - June 1, 2024

COMMISSIONERS REPORT

Subcommittee Reporting - 20 minutes

Board/Committee

Lead/Alternate

Santa Clara Arts and Historic Consortium
Historic Preservation Society of Santa Clara
Old Quad Residents Association
Development Review Hearing
BART/ High Speed Rail/ VTA BRT Committee
El Camino Real Specific Plan Community Advisory Committee
Downtown Precise Plan
Santa Clara Station Area Task Force

Vargas-Smith / Romano
Vargas-Smith / Leung
Leung
Romano /Vargas-Smith
Vargas-Smith/ Leung
Leung
Vargas-Smith/Stocks
Leung/Stocks

ADJOURNMENT

The next regular scheduled meeting is May 2, 2024 at 6 pm

MEETING DISCLOSURES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

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City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
[@SantaClaraCity](https://twitter.com/SantaClaraCity)

Agenda Report

24-335

Agenda Date: 4/4/2024

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Historical and Landmarks Commission Meeting Minutes of March 7, 2024

RECOMMENDATION

Approve the Historical and Landmarks Commission Meeting Minutes of the March 7, 2024 Meeting.



City of Santa Clara

Meeting Minutes

Historical & Landmarks Commission

03/07/2024

6:00 PM

Hybrid Meeting
City Hall Council
Chambers/Virtual
1500 Warburton Avenue
Santa Clara, CA 95050

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CALL TO ORDER AND ROLL CALL

Chair Vargas-Smith called the meeting to order at 6:07 p.m.

Present 7 - Commissioner Michael Celso , Commissioner Amy Kirby, Commissioner Patricia Leung, Vice Chair Kathleen Romano, Commissioner Ed Stocks, Chair Ana Vargas-Smith , and Commissioner Yvonne Inciarte

CONSENT CALENDAR

1.A [24-243](#) Historical and Landmarks Commission Minutes of February 1, 2024

Recommendation: Approve the Historical and Landmarks Commission Minutes of February 1, 2024.

A motion was made by Commissioner Stocks, seconded by Commissioner Leung to approve Staff Recommendation.

Aye: 7 - Commissioner Celso, Commissioner Kirby, Commissioner Leung, Vice Chair Romano, Commissioner Stocks, Chair Vargas-Smith, and Commissioner Inciarte

1.B [24-124](#) Action on Draft Certified Local Government (CLG) 2022-2023 Annual Report

Recommendation: Recommend that the Commission review and take action to approve the Draft Certified Local Government (CLG) 2022-2023 Annual Report.

A motion was made by Commissioner Stocks, seconded by Commissioner Leung to approve Staff Recommendation.

Aye: 7 - Commissioner Celso, Commissioner Kirby, Commissioner Leung, Vice Chair Romano, Commissioner Stocks, Chair Vargas-Smith, and Commissioner Inciarte

PUBLIC PRESENTATIONS

Public Speaker

Mark Hoag, 763 Park Court

- Mr. Hoag requested an agenda item for April HLC to consider making Park Court and University Square a historic neighborhood

GENERAL BUSINESS

2. [24-185](#) PUBLIC HEARING: Consideration of a Historical Preservation Agreement (Mills Act Contract) for 1059 Madison Street

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 approval of a Mills Act Contract, and the adoption of a 10-Year Restoration and Maintenance Plan associated with the Historical Preservation Agreement for the property located at 1059 Madison Street.

A motion was made by Commissioner Leung seconded by Commissioner Inciarte to continue this item to April 4, 2024.

Aye: 7 - Commissioner Celso, Commissioner Kirby, Commissioner Leung, Vice Chair Romano, Commissioner Stocks, Chair Vargas-Smith, and Commissioner Inciarte

3. [24-173](#) PUBLIC HEARING: Consideration of a Proposed 785 Square-Foot First Floor Addition, 704 Square-Foot Second Floor Addition, and a 451 Square-Foot Detached Garage at 745 Harrison Street That is Located Within 200 Feet of a Historic Resource

Recommendation: Staff recommends that the Historical and Landmarks Commission find that the proposed project located at 745 Harrison Street will not destroy or have a significant adverse effect on the integrity of the abutting HRI listed properties at 755 Harrison Street and 744 Lewis Street; that the alterations and addition are compatible with the existing structure and surrounding neighborhood, and recommend approval to the Development Review Hearing Officer.

Public Speaker:
Mike Hennessy

A motion was made by Commissioner Romano, seconded by Commissioner Leung to approve this item with two recommendations:

- **No Queen Anne trim added to addition**
- **Differentiate the width of the siding on the addition**

Aye: 7 - Commissioner Celso, Commissioner Kirby, Commissioner Leung, Vice Chair Romano, Commissioner Stocks, Chair Vargas-Smith, and Commissioner Inciarte

STAFF REPORT

Berryessa Adobe Maintenance

TRAINING AND TRAVEL REQUESTS

1. [24-249](#) PUBLIC HEARING: California Preservation Foundation (CPF) 2024 Annual Conference

Recommendation: There is no staff recommendation.

Expenditure of funds not to exceed \$4000 for Commissioners Leung, Inciarte, Vargas-Smith, Kirby (maybe), and Celso (maybe) to attend the conference.

A motion was made by Commissioner Leung, seconded by Commissioner Celso to approve this item.

Aye: 7 - Commissioner Celso, Commissioner Kirby, Commissioner Leung, Vice Chair Romano, Commissioner Stocks, Chair Vargas-Smith, and Commissioner Inciarte

COMMISSIONERS REPORT

[24-304](#) HLC Banner Project Samples-Action items

Subcommittee Reporting - 20 minutes

Banner subcommittee provided presentation on potential streetlight banner designs for Preservation Month.

Commission voted to expend funds up to \$2300 for the project.

Aye: 7 - Commissioner Celso, Commissioner Kirby, Commissioner Leung, Vice Chair Romano, Commissioner Stocks, Chair Vargas-Smith, and Commissioner Inciarte

Board/Committee**Lead/Alternate**

Santa Clara Arts and Historic Consortium
Historic Preservation Society of Santa Clara
Old Quad Residents Association
Development Review Hearing
BART/ High Speed Rail/ VTA BRT Committee
El Camino Real Specific Plan Community Advisory Committee
Downtown Precise Plan
Santa Clara Station Area Task Force

Vargas-Smith / Romano
Vargas-Smith / Leung
Leung
Romano /Vargas-Smith
Vargas-Smith/ Leung
Leung
Vargas-Smith/Stocks
Leung/Stocks

Commissioners reported on assignments.

Announcements

Chair Vargas-Smith announced that former HLC Commissioner Spike Standifer passed away. Several Commissioners made statements in memoriam recognizing his contributions to the city.

ADJOURNMENT

The meeting was adjourned at 8:57 p.m.

A motion was made by Commissioner Leung, seconded by Commissioner Inciarte to adjourn the meeting.

The next regular scheduled meeting is Thursday, April 4, 2024 at 6 p.m.

MEETING DISCLOSURES

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Agenda Report

24-312

Agenda Date: 4/4/2024

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Consideration of a Historical Preservation Agreement (Mills Act Contract) for 1059 Madison Street
(Continued from the March 7, 2024 HLC Meeting)

BACKGROUND

Property owners Adalbert Wysocki and Huilin Kohare applied for a Historical Preservation Agreement (Mills Act Contract) (File No. PLN23-00507) for the property located at 1059 Madison 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 7,798 square-foot lot located midblock on Madison Street between Franklin Street and Benton Street. Constructed in 1898, the existing residence on the property is a 2,658 square-foot, one-story house designed in the Queen Anne architectural style. The property has a detached garage that was legally constructed in 1997. The property has been altered since its original construction, including the removal of a chimney in 1995 and a basement addition in 1997.

The property owners submitted the requisite application, including a historic survey (DPR 523A Form) of the property, 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.

The Historical and Landmarks Commission (HLC) provides Mills Act Contract recommendations 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.

On March 7, 2024, the HLC moved to continue this item to the April 4, 2024 meeting in order to receive comment and ask questions of the homeowner.

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 the program, the property and/or building must be listed on either a local, State, or National register. The property owner 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 January 17, 2024, assessing the historical significance of the property based on National and State (California) Register criteria and the City's local criteria for significance. The evaluator found the structure at 1059 Madison Street to be in overall good condition except for the alterations to the basement windows, the rear sliding entry doors, and the double-tiered deck. The evaluator stated that the residence appears to have had little external change since its construction in 1898. The evaluator 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 Restoration and Maintenance Plan includes repainting and refinishing the exterior, fumigation, and pest control, restoring porch flooring and stairs, refurbishing floors throughout, window restoration, roof replacement, and exterior improvements to the gutters, driveway, landscaping, lighting, and fencing. The property owners will obtain Significant Property Alteration permits for the work described in the Restoration and Maintenance Plan as required by the Historic Preservation Ordinance.

Staff finds that the work proposed in the 10-Year Restoration and Maintenance Plan adheres to the Secretary of the 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 the 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

No public notice is required for a Mills Act Contract and no public inquiries have been made regarding the project.

RECOMMENDATION

Staff recommends that the Historical and Landmarks Commission determine the project to be exempt from CEQA pursuant to CEQA Section 1561(b)(3) and 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 approval of a Mills Act Contract, and the adoption of a 10-Year Restoration and Maintenance Plan associated with the Historical Preservation Agreement for the property located at 1059 Madison Street.

Prepared by: Daniel Sobczak, Associate Planner

Reviewed by: Sheldon Ah Sing, Development Review Officer

Approved by: Lesley Xavier, Planning Manager

ATTACHMENTS

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

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 269-20-080

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

,BEGINNING AT A POINT ON THE EASTERLY LINE OF MADISON STREET, DISTANT THEREON 151.5 FEET NORTHERLY FROM THE INTERSECTION OF THE EASTERLY LINE OF MADISON STREET WITH THE NORTHERLY LINE OF FRANKLIN STREET; RUNNING THENCE NORTHERLY ALONG SAID EASTERLY LINE OF MADISON STREET, 50 FEET; THENCE EASTERLY AND PARALLEL TO SAID NORTHERLY LINE OF FRANKLIN STREET 150 FEET; THENCE SOUTHERLY AND PARALLEL WITH SAID EASTERLY LINE OF MADISON STREET, 50 FEET; THENCE WESTERLY AND PARALLEL WITH SAID NORTHERLY LINE OF FRANKLIN STREET, 150 FEET TO THE POINT OF BEGINNING.

HISTORIC RESOURCES INVENTORY

IDENTIFICATION AND LOCATION

1. Historic name Alice Hare House
- * 2. Common or current name _____
- * 3. Number & street 1059, 1075 Madison Street Cross-corridor _____
 City Santa Clara Vicinity only _____ Zip 95050 County Santa Clara
4. UTM zone A 10/593160/4133860 B _____ C _____ D _____
5. Quad map No. _____ Parcel No. 269-21-009 Other and 269-21-010

Ser. No. _____
 National Register status _____
 Local designation _____

DESCRIPTION

Building

6. Property category _____ If district, number of documented resources _____
- * 7. Briefly describe the present physical appearance of the property, including condition, boundaries, related features, surroundings, and (if appropriate) architectural style.

1059 and 1075 are two 1-story Queen Anne cottages, 1059 sheathed in narrow clapboard siding and 1075 in wider shiplap siding. Both cottages have hipped roofs with small front facing gable over a slanted bay and offset porch. 1059 tends to be a more elaborate version of the style as shown by the side facing gable with returns, fishscale shingles and returns in the facade gable, and Eastlake wood decoration across the porch. A side porch with small hipped roof is located under the gable as well. Both homes have front porches supported by turned porch posts, and the slanted bays have cutaway corners with decorative brackets. Fenestration is simple sash, double hung windows throughout with the exception of the center window at the bays which contain larger plate glass sections. Both homes represent a popularized version of the Queen Anne style, the dominate house type during the late 1890's.



8. Planning agency City of Santa Clara
9. Owner & address 1059 Madison
Paul & Valérie Gordon
1059 Madison St, Santa Clara 9505
1075 Madison Street
Floyd E. Baughman
1075 Madison St., Santa Clara 95050
10. Type of ownership Private
11. Present use Residence
12. Zoning OG (General Office)
13. Threats unknown

CA 94296-0001

* Complete these items for historic preservation compliance projects under Section 106 (36 CFR 800). All items must be completed for historical resources survey information.

HISTORICAL INFORMATION

- *14. Construction date(s) 1890s Original location X Date moved _____
15. Alterations & date no apparent exterior alterations
16. Architect unknown Builder unknown
17. Historic attributes (with number from list) 02

SIGNIFICANCE AND EVALUATION

18. Context for evaluation: Theme architecture Area Old Quad
 Period _____ Property type _____ Context formally developed? _____
- *19. Briefly discuss the property's importance within the context. Use historical and architectural analysis as appropriate. Compare with similar properties.

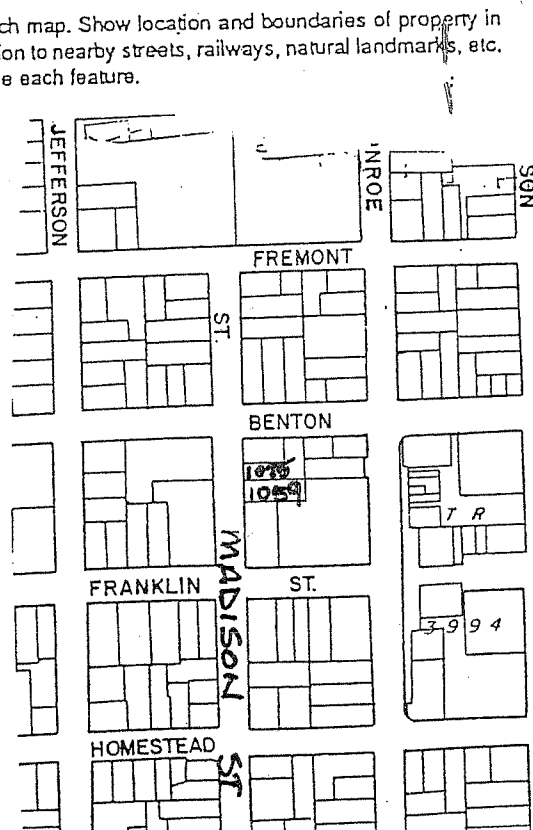
1059 and 1075 represent two versions of the Queen Anne style as shown in the smaller scale cottages, typical of middle class neighborhoods during the 1890s. They are significant for their architecture and are located in one of Santa Clara's older neighborhoods.

20. Sources

Sanborn Fire Insurance Maps,
 1891, 1901, 1930

21. Applicable National Register criteria n/a
22. Other recognition _____
 State Landmark No. (if applicable) _____
23. Evaluator Urban/Rural Conservation
 Date of evaluation January 1981
24. Survey type Single Source
25. Survey name _____
- *26. Year form prepared 1992
 By (name) J. Silva
 Organization City of Santa Clara
 Address 1500 Warburton Avenue
 City & Zip Santa Clara CA 95050
 Phone 408/984-3111

* Sketch map. Show location and boundaries of property in relation to nearby streets, railways, natural landmarks, etc. Name each feature.



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 25

*Resource Name or #: (Assigned by recorder) *Kersell/Mabie House*

P1. Other Identifier: *1059 Madison St., Santa Clara. CA.*

*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 1059 Madison 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: 269-20-080

East side of Madison Street between Benton and Franklin Streets.

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

1059 Madison Street is located in the urban setting of a block that was primarily developed in the late nineteenth century and partially redeveloped following Urban Redevelopment in the mid to late 20th century. Due to the differing periods of development, the lots vary in size. However, for the four lots on the block's north-west parcel, where the subject home is located, the lot widths are comparable ranging from 40' to 60' and the homes have similar setbacks from the street with urban sized front yards. The block is currently a mixture of historic homes, such as those which front on this part of Madison Street, along with commercial development on Franklin Street and a multi-story mixed- use development along Monroe Street, which is of recent construction. (Currently on this block, two of

(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. Photograph or Drawing (Photograph required for buildings, structures, and objects.)



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

Front façade (view toward East) Photo No: 100_3446, 12/2023

*P6. Date Constructed/Age and Source:

☒ Historic ☐ Prehistoric ☐ Both

ca, 1898

Assessor's Records, Census Records, Sanborn Maps.

*P7. Owner and Address:

Adalbert Wysocki and Huilin Koh

1059 Madison 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: *January 17, 2024*

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

*P11. Report Citation: (Cite survey report and

other sources, or enter "none.") *Historic Resources Inventory Form "1059, 1075 Madison St.," dated Jan., 1981.*

*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):

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

Primary #
HRI #
Trinomial

Page 2 of 25

*Resource Name or # (Assigned by recorder) Kersell/Mabie House

Recorded by: Lorie Garcia

*Date 01/17/2024

☒ Continuation ☒ Update

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

the three Madison Street homes (1049 and 1075 Madison St.) and two directly across the street (1080 and 1086 Madison St.) are listed on the City's Inventory of Architecturally or Historically Significant properties.) For the part of Madison Street where these historic homes are located, the streetscape is a pleasant one which evokes the sense of a late nineteenth century neighborhood.

Situated on a 50 x 149.96, 7,798 sq. ft. lot near the center of the Madison Street block face, between Benton and Franklin Streets, the subject house fronts roughly west onto Madison Street and is set back from the street, allowing for an open area with lawn and mature shrubbery in front of the residence. A thick hedge separates the Madison Street sidewalk from the property and very large street trees shade the front.

A straight, patterned brick walkway leads from the Madison Street sidewalk to the front (main) entry, which also faces Madison Street. As the house is offset on its lot, ample space exists on the south side of the property for a wide, patterned brick driveway edged with narrow planting beds, which opens onto Madison Street. At the front steps, a patterned brick walkway branches off from the main entry walkway and runs to both the side entry and the driveway. With the exception of a lower section of wood fencing, located towards the front of the north property line, high wood fencing is found running along the south, east and north property lines, preventing access to the rear of the property from Madison Streets and the neighboring properties. A high wood gate that runs from the rear of the south elevation's side-porch, across the driveway to a connection with the fence that runs along the south property line, prevents access to the rear of the property, while allowing access to Madison Street from the garage and rear of the property. The north side yard is narrow and mainly hardscape. At the front of the house, a low gate between the fence on the north property line and the house, allows access to the front from the rear of the property.

The large rear yard includes, open lawn area, trees, play area, a gazebo and a large, detached garage. Facing Madison Street, the two-car garage has a gable roof with returns and is sheathed in narrow, horizontal siding, both of which are modeled after the house's gable roofs and siding. There are two (2) separate roll-up garage doors each framed with wide trim. The garage's front-facing gable face is sheathed in octagon shingles with a Bullseye framed window set in the center, in imitation of the home's original gable face sheathing and side-gable face window. A paneled solid man-door, set near the rear of the garage's north side-elevation, allows access to the garage from the immediately adjacent rear yard. The garage is new. It was constructed following the post-1990 demolition of a 1 and 1½ story barn that was originally located in the rear of the property.

Supplemental Photograph or Drawing



The primary building on the site is a 2658 sq. ft., one-story house, which was constructed circa 1898 as a small one-story "cottage" in the Queen Anne architectural style. (Note: the small 1 and 1½ story Queen Anne houses were commonly referred to as cottages.) According to McAlester, the Queen Anne (1880-1910), was a transitional style that linked the preceding Stick (1860-1890) with the subsequent Colonial Revival, which supplanted it after about 1910. It was a style "was not highly favored by architects" but "instead owed its popularity to the public's enthusiastic embrace and the pattern books and mail order house plans that allowed them to build a Queen Anne House." The style started in the east, where it was more restrained, then moving southward and westward

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Description of Photo: (view, date, accession #)

(Camera pointing NE) Partial South side-elevation and front facade. Photo No: 100_3312; 12/2023.

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it increased in dominance and ebullience, with "California having some of the most fanciful examples."

McAlester further states that Queen Anne-style "uses wall surfaces as primary decorative elements." In order to avoid plain flat walls this style used bays, towers, overhangs and wall projections and to avoid flat wall surfaces, differing wall textures were the hallmark of Queen Anne houses. These include the use of patterned shingles, Spindlework, cutwork and Eastlake decorative detailing.

Designed in an asymmetrical plan with a rectangular footprint, both the shape and form of a Queen Anne-style home, this wooden, single family residence is set on a concrete foundation over a partial basement, which elevates the living area approximately 4 feet above the ground. Characteristic of the Queen Anne style's Shape subtype identified as "Hipped Roof With Lower Cross Gables", it is distinguished by a cross-gabled hipped roof. As is specifically characteristic of a Queen Anne Cottage, this house has a prominent front-facing gable, whose face is slightly belled at the bottom and whose front and sides meet in a perfect seam. A similar gable projects from the south side. The Queen Anne roof pitch varies from high to medium and the roof on this residence has a high roof pitch. Composition shingles sheathe the various roof planes. The roof planes are further distinguished by molded cornices, gable returns and moderately projecting boxed eaves (all character defining features of the Queen Anne architectural style)..

A water table runs around the house, delineating the first-floor living space from that of the basement below. Above the water table the house is sheathed in narrow, horizontal wood siding and below with wide horizontal wood siding. Under the cornice a fascia board trimmed with molding wraps around the house. Vertical corner boards finish the wall ends. Both gable faces are sheathed with Octagon shingles. A full-height angled bay projects from the front facade and from the south side elevation of the house. The front bay features a cut-away window with carved corner brackets and pendants set into either angled side of the bay, while the side angled bay has only one cut-away window with a side-entry door set into that bay's front-facing angled side. (The Octagon shingles, angled bays and cut-away windows, carved corner brackets and pendants are all characteristic of the Queen Anne style's Decorative Detailing subtype identified as "Spindlework.") (All the "Spindlework" details are character-defining features and are original.) Projecting over a window set in an angled wall that connects the walls of the front façade and north side-elevation is a feature attached under the fascia, which consists of a spindlework frieze and a drop pendant and carved brackets, identical to brackets and pendant found over the cut-away windows found on angled bays.

A rectangular front porch is offset on the front facade. The porch has a low hipped roof, which is supported by delicate turned posts with carved brackets. One full turned post is at the open corner of the porch and one at the center. Two partial turned posts are located where the roof projects from the house walls. The porch is ornamented with an Eastlake decorative block frieze, located between the posts, above the carved brackets. The porch railing consists of a balustrade with a grooved railing and grooved balusters that connect to the house at the open corner of the porch and to the turned posts. Attached to a turned porch post on one side and a partial turned post on the other and running to a newel post with a ball cap at the base of the bottom step, a similar balustrade edges each side of the entry stairs. The turned posts, brackets, frieze, balustrades and newel posts are additional elements of the "Spindlework" subtype, which this home exhibits, and all are original.

A rectangular side porch is located at the front of the south side-elevation. It has a low hipped roof, which is supported by delicate turned posts with carved brackets. One full turned post is set at each open end of the porch and a partial turned post is located where the roof projects from the house walls. The open space between the two full posts, is filled with lattice work that supports an 100+ year old wisteria, shielding the porch from the driveway. The porch is ornamented with an Eastlake decorative block frieze, located between the posts, above the carved brackets, with a single Eastlake carved block at the rear. The porch railing consists of a balustrade identical to that of the front porch with a grooved railing and grooved balusters that runs between the full turned posts, with a two baluster section between the full turned post and partial post at the rear of the porch. A balustrade identical to that of the front porch edges the open side of the entry steps. All of the porch's decorative spindlework is original and a character-defining feature of the Queen Anne architectural style.

The main entry is on the front (west) façade and is accessed by seven (7) wide wood steps that lead from the walkway from Madison Street to the wood porch. The front door is set into the closed end of the porch and faces Madison Street. The wooden door (original) has a design of four small square wood panels set into its lower half with a large stained glass window set into an opening in the top half. Replicated following photographs from an historic house in San Jose, the stained glass window replaced an original, large, clear

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All the wood panels and stained glass window are trimmed with molding. Above the stained glass window a wide strip of ornamental molding, further decorates the front door. Set over the entry door is a wood-framed, rectangular, horizontally orientated, transom window (original) comprised of a pane of clear glass. A narrow molded sill separates the transom from the door. As is typical in Queen Anne homes, the door surround is comprised of wide back-banded trim. All the trim on the entry is original.

Also opening towards Madison Street and accessed by seven (7) wood steps, which lead from a walkway that connects to the front walkway and to the driveway, is a secondary entry located on the south side-elevation. Set at the rear of the side porch into the plain angled wall of the south side-elevation's bay, this door also leads into the main living space of the house (i.e., the parlor). (Note: Commonly found in Queen Anne cottages, this side door is frequently referred to as a "coffin" door, due to the Victorian funeral practice of having the service at home rather than a mortuary and then exiting from this side door to proceed to the cemetery.) This wooden door is inset with two small, vertically oriented molded rectangular panels surmounted by a horizontally oriented molded rectangular panel set in the lower half, with a large single pane clear glass window set into the top half. The door surround is comprised of wide back-banded trim. Both the door and trim are original. Located between the driveway and the house, exterior access to the basement level (new) is provided by six (6) concrete steps that lead to a door opening into it.

Slightly inset from the walls of the main house, a full width, narrow, rear porch (original) is sheltered by a low-pitched, hipped roof. This style of rear porch is common on Queen Anne houses. Characteristic to this architectural style they were usually built as separate attachments rather than integrated into the overall design. As shown on the 1901 and 1915 Sanborn Fire Insurance maps, originally the porch was smaller and projected from the north end of the rear façade but by 1915 had it been enlarged to its current size..

Alterations to the rear façade post-1990, which included the construction of a large, partially roofed, double tiered wooden rear deck, also involved the installation of pair of glass sliding doors flanked by tall windows, opening into the rear porch and providing entrance into the house from the rear yard. Wide trim surrounds the door/window unit. Access to the doors is by five (5) wide wooden steps, which lead to the open lower portion of a rear deck, followed by three (3) full-width steps to the upper deck level. The doors are located off the upper portion of the deck, which is sheltered by a reed roof. This roof is supported by a square post in the center and on each end by the highest level of a tiered wall. This tiered wall, which is slightly inset and attached to the rear porch, surrounds the rear deck to either side of the lower steps from the yard. The wall is sheathed on both the inside and outside surfaces with material that resembles the narrow horizontal siding on the original walls of the house and the walls have an array of framed openings that resemble windows. The sliding doors, deck, and walls are not original.

Characteristic of the Queen Anne style, fenestration is simple, rectangular in form, vertically oriented, single 1-over-1, double-hung windows, trimmed with wide boards. Fenestration of the main story is rectangular in form consisting of tall, vertically oriented, 1-over-1, double-hung wooden windows with projecting sills and trimmed with wide back-banded boards. The windows have a molded apron and are supported by decorative brackets. With exception of the stained glass panel set into the small bathroom window, all the main story windows are original. Fenestration of the angled bay on the front façade, consists of a large, square, fixed, clear glass window surmounted by a smaller, horizontally orientated, rectangular window with a narrow trim board separating the two. Each angled side's cut-away side window is a rectangular, vertically orientated, 1-over-1 double-hung window. Fenestration of the south-side's angled bay is identical to that of the angled bay on the front façade with the exception that the south-side bay has only one cut-away window. (Both angled bay's windows are original.) An arched window flanked by two louver-vented, rectangular openings (Palladian in design), is centered in the front façade gable face while the side gable face features a centered Bullseye window. Trimmed with wide boards, the front gable face window has a projecting sill and molded apron while the Bullseye window set into the side gable face only has wide trim. Both are original and character-defining features. Originally a pair of narrow, vertically orientated wooden windows, framed by wide trim was located in the street-facing portion of the front angled bay's lower, basement level and a single window located at this level in the front façade's angled wall. Although set into the original openings, when the basement's post-2000 conversion to living space occurred, new windows replaced the original ones. The windows on the basement level of both side-elevations also underwent alteration and currently display new rectangular double-hung windows, both single and paired, trimmed with wide boards. At that time, window wells added in front of the windows on the side elevations in order to allow egress.

The property is in good condition and with the exception of the alterations to the basement windows, for its conversion into living space, and to the rear, including the addition of a pair of sliding entry doors and the construction of a large double-tiered deck with surrounding walls, appears to have had little external change since its construction ca. 1898.

BUILDING, STRUCTURE, AND OBJECT RECORD*NRHP Status Code *N/A*Page 5 of 25*Resource Name or # (Assigned by recorder) *Kersell/Mabie House*B1. Historic Name: *None*B2. Common Name: *None*B3. Original Use: Single family residentialB4. Present Use: *Single family residential**B5. Architectural Style: *Queen Anne Cottage*

*B6. Construction History: (Construction date, alterations, and date of alterations)

The residence was constructed ca. 1898. Post 1990, original clear glass window in main entry door replaced with stained glass window; During the 1990s, original 1 and 1½ story barn in rear demolished and new 2-car garage constructed; new foundation constructed and basement converted to living space with addition of new basement windows and windows walls; rear entry altered and new sliding doors installed and double-tier deck constructed.

*B7. Moved? ☒ No ☐ Yes ☐ Unknown Date: _____ Original Location: _____*B8. Related Features: *None*B9a. Architect: *Not known*b. Builder: *Morrison Bros. Builders and Contractors (Kenneth & Angus Morrison).**B10. Significance: Theme Architecture and ShelterArea Santa Clara Old QuadPeriod of Significance 1899-1941Property Type ResidentialApplicable Criteria none

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The parcel located at 1059 Madison Street is a portion of a larger parcel that had originally been identified as Block 1 North, Range IV West, of the original survey of the City of Santa Clara. This survey was done July 1866 by J. J. Bowen and recorded on August 22 of that same year. (It is this survey that forms the basis for the part of Santa Clara known as the "Old Quad.")

As shown in J. J. Bowen's survey, in 1866 Block 1 North, Range IV West (B1N, R4W) was bordered to the north by Benton, to the west by Madison to the east by Monroe and to the south by Franklin Street. According to the list of property owners and their improvements, which accompanied the survey, this block was an undivided 92415 sq. ft. tract with the only improvement being a fence and the owner of the tract was shown to be I. R. Mills.

When the Plat of Santa Clara was drawn in the period between 1873 and 1875, the block, which had been surveyed nine years earlier, was still an undivided tract but it was now owned by John H. Dibble. Born in Pittsburgh Pennsylvania in 1819 and raised in Ohio, where he learned the tinsmith trade, John H. Dibble, came to California via the Isthmus of Panama in 1854 and arrived in San Francisco on the Steamer George Law on August 31st. A widower, in San Francisco he met and married Susan Lent the sister of William Lent, a wealthy mining man. (By 1856, William Lent had purchased a 94-acre farm in Santa Clara and built the house, later to be known as "New Park," after its purchase by James P. Pierce (the site of today's Carmelite Monastery). In April 1857, John and Susan [Lent] Dibble also moved to Santa Clara, where John established a Stove and Hardware store with a tin and sheet iron shop on Main Street. On January 29, 1860 Susan passed away and five months later on June 21st, John H. Dibble married Lucy Parker, his third wife.

John H. Dibble quickly become a respected merchant in Santa Clara and purchased several parcels of land in the "downtown" business

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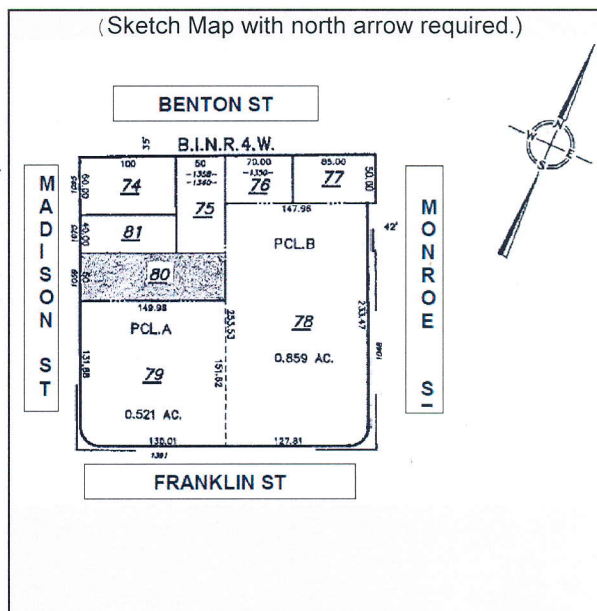
B11. Additional Resource Attributes: (List attributes and codes) *HP2 – Single Family Property*

*B12. References: Census of Canada, 1851, 1861, 1871, 1881; Garcia, Lorie, "Santa Clara: From Mission to Municipality," 1997; Kersell family information; Map of the Town of Santa Clara, drawn by C. E. Moore, 1893; McAlester, Virginia Savage, "A Field Guide to American Houses," Revised ed., 2013; Mission City Memorial Park (Kersell & Mabie); Polk and Husted City Directories, 1890-1974; San Jose Mercury Herald 10/21/1918, 11/25/1920; Sanborn Fire Insurance Maps, 1887, 1891, 1901, 1915, 1930, 1950; Santa Clara County California Great Register, 1890; Santa Clara Historic House Tour 1988, 2000; Sunday Mercury & Herald 03/31/1907; The Evening News 1/25/1892, 10/10/1894, 01/05/1903, 04/13/1913, 10/23/1918; United States Census, 1860, 1870, 1880, 1900, 1910, 1920, 1930, 1940;

B13. Remarks:

*B14. Evaluator: *Lorie Garcia**Date of Evaluation: *January 17, 2024*

(Sketch Map with north arrow required.)



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district (the block between Franklin, Main, Liberty and Jackson Streets) and the entire block between Madison, Benton, Monroe, and Franklin Streets in the residential area and it was on this block that he had his home. Prominently involved in both its civic and political institutions, he was a founding member of the I. O. O. F in Santa Clara, a member of the Columbian Fire Company and by 1881, had already served seven years on the Town Board of Trustees (1864-1870 and 1873) and five years on the Board of Education.

In 1886, for \$2,500, John H. Dibble sold a quarter-block parcel at the block's SW corner, which had been subdivided from the original block, to Samuel Oberdeemer, the prominent Santa Clara pharmacist, who operated Oberdeemer's Pharmacy on Franklin Street. The 1891 Sanborn Fire Insurance map shows that by then that parcel had been divided into 2 lots, with Oberdeemer's house constructed on the lot at the corner of Madison and Franklin Streets, while the second lot was undeveloped. In 1892, four years prior to his death on January 13, 1896, John H. Dibble gave his son, 20-year-old Charles, of all of his business properties and gave his daughter, Julia, the remaining three-quarters of Block 1 North, Range IV West, the residential block on which the family home was located.

As shown on the December 1893 Map of the Town of Santa Clara, drawn by C. E. Moore, the City Surveyor, the lot that two years earlier had been the undeveloped lot fronting on Franklin Street between Oberdeemer's lot and the property owned by Julia Dibble, was now owned by H. Leonard. The Vice-President and Manager of the Bank of Santa Clara, H. M. Leonard had his residence here but in 1894 he was convicted of embezzlement from the Bank of Santa Clara, which had led to its failure in May 1893, and he lost the house when the Court awarded all of his assets, including this property, to the bank. By 1895, David Henderson, who had been named the new President of the re-organized bank, had moved into the home.

Following her father's death in 1896, Julia Dibble divided the quarter-block parcel at the block's NW corner into three individual lots, two fronting on Madison Street and one facing Benton. Over the next few years, the Morrison Brothers (Kenneth and Angus Morrison), well-known Santa Clara contractors and builders, would construct residential structures on each property, which would then be individually sold. As shown on the 1901 Sanborn Map, by then a house had been built on the lot facing Benton Street (1356 Benton St.) and of the lots facing Madison Street, the largest lot, at the corner of Madison and Benton Streets, had had two houses constructed on it (1095 and 1075 Madison St. and the subject residence (1059 Madison St) had been built on the adjacent lot.

In 1897, the home at 1095 Madison St had been purchased by 22-year-old, newly-wed, Henry A. Menzel who moved into it with his 19-year old wife, Jessie. A plumber, Henry worked in his father's business, the Robert A. Menzel plumbing and hardware business, located at the corner of Main and Franklin Streets. The following year, James and 39-year-old Alice Hare had bought the home at 1075 Madison and moved into it. Forty-two-year-old James was employed as a motorman on the San Jose and Santa Clara trolley line and Alice Hare was a writer and photographer, who today is recognized as an important early California female photographer. (As early as 1901, advertisements would start appearing in the business section of the Santa Clara News: "Unmounted views a specialty. Mrs. Alice Hare, phone Clay 253. Residence 1075 Madison street, Santa Clara.") The subject residence at 1059 Madison Street was the last home to be constructed and it was purchased in August 1899 by James Kersell and his wife, Isabella (Beattie), Kersell.

In May 1850 James Kersell was born in Dumfries, Waterloo, Ontario, Canada. Here 28-year-old James Kersell married Isabella "Bella" Beattie on December 31, 1877 and in September, 1881 their daughter, Isabel, was born. In 1884, James, Isabella and their young daughter left Waterloo, Ontario, Canada and immigrated to the United States. Here the Kersells settled in Santa Clara, where they moved into a house on Liberty Street near Main Street. (During the following years, members of both the Kersell and Beattie families would immigrate from Canada, with six of Isabella's brothers following her to California and three originally settling in Santa Clara; William in 1888, Murray in 1890 and Dr. David A. Beattie in 1894.) On July 11 1892, Isabella Kersell purchased the 144.66' x 150' parcel located at the northeast corner of Main and Benton Streets from the Saxe family heirs.

At the time of the purchase of the property on the NE corner of Benton and Main Streets, James was employed as a tinner, for D. H. Shields and Co., and the City Directories show that by 1893 James Kersell was not only working as a plumber and a tinner, but had an interest with Robert Menzel in his plumbing and hardware business. After purchasing the Saxe property James and Isabella resided in the residence on the NE corner of Main and Benton Streets, which had been the Saxe home (1075 Benton St.), prior to the construction of their new home. By 1894, the Isabella and James Kersell had moved into their new residence at 1141 Main Street that had been built for them on a 50' x 150' lot fronting on Main Street, which they had sectioned off from northern end of the parcel

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purchased from Dr. Saxe's heirs two years previously. Three years later, in 1897, Isabella deeded the residence at 1075 Benton Street to her brother, Dr. David A. Beattie, and he moved into it, establishing both his home and medical office there. Then in 1899, the Kersells sold their home at 1141 Main Street to Annie B. Smith, and moved to a new home at 1059 Madison Street.

When they moved into their Madison Street home, James Kersell was the owner of his Plumbing and Tinning business, located in the Widney Building on Franklin near Jackson Streets. However, by the end of 1902 he had sold this business and had gone to work as the Business Manager for the C. C. Morse & Co., one of the two largest seed companies in the United States. It was in this capacity that he oversaw the management of the C. C. Morse Seed Warehouse in Santa Clara (736 Franklin St.), which was continually shipping seeds all over the country and to places throughout the world as far away as Australia. James Kersell would continue to be employed by the C. C. Morse Seed Company until he passed away. He died on October 20, 1918 in his and Isabella's home at 1059 Madison Street and two days later it was here that the services for 68-year-old James Kersell were held.

A lifelong and leading member of the Presbyterian Church, James Kersell's services were conducted by the Reverend C. V. Bedford of Santa Clara's Presbyterian Church and among his pallbearer's were his close friends James E. Glendenning, John Cameron Morrison, J. Berry and David N. Wallace, all of whom were well-known Santa Clara businessmen of Scotch/Canadian ancestry.

Following James Kersell's death, his widow, Isabella, continued living in their home for a few years and then in 1924, sold the property to Alexander Mabie, who, moved into 1059 Madison Street with his wife, Mary. The Kersells would have been very well acquainted with Alexander and Mary Mabie, prior to Isabella's sale to them of 1059 Madison Street. Like the Kersell and Beattie families, Alexander Mabie and his wife, Mary, had emigrated from Canada, both James Kersell and Alexander Mabie were Elders in Santa Clara's Presbyterian Church, both were the owners of important businesses in town and Mary's brother, Bliss, and his family lived in a home on Main Street across from that of the Kersells.

Born in New Brunswick, Canada in 1859, Alexander Mabie had arrived in 1880. A master blacksmith, following his arrival in Santa Clara, he went to work in this trade. Three years later, Alexander married Mary F. Morrison, the oldest daughter of A. J. Morrison. Born in Canada in 1858, she had arrived in Santa Clara with her family two years prior to Alexander. A. J. Morrison and his sons, John and Bliss, were blacksmiths and worked in the carriage and blacksmith shop that A. J. owned on the NE corner of Franklin and Washington Streets. By the mid-1880s, Alexander Mabie had established his own blacksmith shop, near the SW corner of Franklin and Lafayette Streets, which manufactured carriages and wagons along with all types of the necessary metal worked products produced by a blacksmith. In the early 1890s Alexander took Bliss Morrison as a partner and the business became known as Mabie & Morrison.

Following their marriage, Alexander and Mary Mabie had lived in several places close to his business, finally settling into a home at 1071 Alviso Street, (next door to Sophie Larder). During the 1890s they were joined by her youngest sister, Olive (Ollie), who would live with them until 1907, when she married Thomas Mabie from New York. An article in the Sunday Mercury Herald, titled "New Yorker marries Santa Clara Belle," reported on her marriage and said they would live in New York as he had "valuable interests" there. By the next year Alexander and Mary Mabie had moved into a home at 1072 Washington Street. They would live in this home until they moved to 1059 Madison Street.

At the time Alexander and Mary Mabie moved into 1059 Madison Street, he no longer owned his Blacksmith shop but had been employed as a blacksmith/mechanic for the Pacific Manufacturing Company for eleven years. Up until the first part of the 20th Century, Blacksmiths were seen as important members of their communities as along with creating essential everyday products for use in the home and in the fields, by making carriages and wagons they played a major role in the transportation industry. Their Blacksmith shops were not just workplaces, but being open during the summer and comfortably warm in the winter, became gathering places where stories were exchanged and local news was shared and over the years, local businessmen and residents could often be found passing the time at Alexander's Blacksmith shop. For Alexander Mabie being the owner of a blacksmith shop lasted until 1913 when, due to the quickly changing technology and the changes in the transportation industry, 53-year-old Alexander made the transition into the first generation of mechanics. At that time, he sold his business and went to work as a blacksmith/mechanic for the Pacific Manufacturing Company.

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The 1930 Census shows that by now, 70-years-old Alexander Mabie was still working as a mechanic for the P. M. Co. and he and Mary were living alone at 1059 Madison Street. However, by 1935 they had been joined by his niece, Jean Rockwell. Then on September 14, 1936, Mary Mabie passed away and Jean took over acting as the housekeeper for her uncle, Alexander. By April 1940, besides Alexander Mabie and Jean Rockwell, a nurse, Rose Kauffman was living here, most likely to help care for 81-year-old Alexander. On March 6, 1941, Alexander Mabie passed away and was buried next to Mary in Santa Clara's Mission Memorial Park.

After Alexander died, 41-year-old Jean Rockwell inherited the home at 1059 Madison Street. She never married and continued to live here, working at various jobs until she retired in 1963. Following her retirement, Jean Rockwell continued living at 1059 Madison Street until she passed away on October 4, 1976, when she was 76 years old.

During the years she lived here, Jean Rockwell saw the drastic changes made to the area and block on which she lived, caused by the City of Santa Clara's 1960s-70s period of Urban Redevelopment. The razing of the 8 downtown blocks had eradicated all six blocks between Benton, Liberty (Homestead), Lafayette and Franklin and the two blocks between Benton, Liberty, Jackson and Monroe, with Franklin Street completely removed between Monroe and Lafayette Streets. What had been the residential block on which 1059 Madison Street is located became a block with commercial development on the half of the block fronting on Franklin Street and the part fronting on Monroe Street. Only the homes that were on the original quarter-block parcel at the block's NW corner, which Julia Dibble divided into parcels and sold after her father's death in 1896, remained residential properties with the residences that had been built on them at the end of the 19th Century and one of these was 1059 Madison Street.

In 1982, the home at 1059 Madison Street was purchased by Kurt and Allison Beckman. The Beckmans spent six years restoring the house before renting it in 1988 to Conrad and Janet O'Brien. Then in 1989, Kurt and Allison Beckman sold the subject residence at 1059 Madison Street to Valerie and Paul Gordon. After living here for 18 years, during which she also did extensive restoration work, in 2017 Valerie Gordon sold 1059 Madison Street to the current owners, Adalbert Wysocki and Huilin Koh.

Historic Evaluation

In order to be considered historically or culturally significant, a property must satisfy certain requirements. It must be 50 years old or older (except in cases of exceptional significance); it must retain historic integrity; it must meet one or more of the National Register of Historic Places criteria for significance, and/or the California Register of Historic Resources criteria for significance, and/or the criteria for listing in a local historic resource inventory.

Age Requirement.

Constructed ca. 1899, the subject residence at 1059 Madison Street is over 50 years old and thus meets the age requirement.

Integrity Requirement.

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 of Historic Places criteria recognize seven aspects to integrity. These 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. Both the California Register of Historic Resources and the City of Santa Clara Criteria for Local Significance follow the National Register integrity criteria.

While the architectural integrity of the original structure has been slightly diminished by alterations made post 1990, the most significant of the visual and character defining features of the historic building have been preserved and retained. The residence at 1059 Madison Street retains its original location and the property is well maintained. The historical use of the building has not changed and it remains a single-family home. The subject property is set within a historic residential setting in the area of Santa Clara known as the "Old Quad," and, while the block in which it is located has been compromised by redevelopment, the immediate streetscape retains qualities that reflect the period in which the house was constructed.

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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 (integrity).

National Register of Historic Places Criteria

There are not any events associated with the residence at 1059 Madison Street which have made a significant contribution to the broad patterns of history or cultural heritage. It would therefore appear that the building would not be eligible for the National Register of Historic Places based on Criterion A (associated with events that have made a significant contribution to the broad patterns of our history). The building has had six owners over the 125 years of its existence and none appear to reach the level of significant influence required under Criterion B to be considered eligible for the National Register. Neither do any of the occupants appear to be significant to the history of the region, Nation or State of California. It would therefore appear that the building at 1059 Madison Street would not be eligible for the National Register based on Criterion B (associated with the lives of persons significant in our past). Although slightly altered, all of the character-defining features of its original ca.1898 construction as a "Queen Anne cottage" in the Shape subtype identified as "Hipped Roof With Lower Cross Gables" and Decorative Detailing subtype identified as "Spindlework" of the Queen Anne architectural style remain: such as its rectangular plan and hipped roof with lower cross gables, consisting of a small front facing gable with returns over a full-height angled front bay and a side-facing gable and full-height angled bay; its use of "spindlework" detailing including the use of octagon butt shingles to sheathe the gable face and a spindlework frieze; cut-away windows with carved corner brackets; A frieze consisting of Eastlake decorative blocks across both the offset partial width front porch and side porch and the delicate turned posts, which support both porch roofs. Thus, under National Register Criterion C the residence at 1059 Madison Street could be considered to "embody the distinctive characteristics of a type, period, or method of construction" and "represent[s] a significant and distinguishable entity whose components may lack individual distinction" and due to its proximity to other historically significant homes in the area, it does contribute to a potentially eligible Historic District. Therefore, it does appear that the building may be eligible for the National Register of Historic Places under Criterion C.

California Register of Historic Resources Criteria

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. Criterion 1 is the California Register equivalent of the National Register Criterion A (events) and California Register Criterion 2, the equivalent of National Register Criterion B (persons). In the late 1880s, several Canadian immigrants of Scottish background started arriving in Santa Clara, where they became leading businessmen, landowners and professional men. The property at 1059 Madison Street is associated with two of these Canadian immigrant families who arrived in the early 1880s and who made significant contributions to the economic and cultural growth of the City of Santa Clara. Thus, it is associated with the lives of persons important to local history and does appear to be eligible for the California Register on a local level based on Criterion 1 and Criterion 2. Criterion 3 addresses the distinctive characteristics of a type, period, region, or method of construction. The subject home was originally constructed ca.1898 as a "Queen Anne cottage" in the Shape subtype identified as "Hipped Roof With Lower Cross Gables" and Decorative Detailing subtype identified as "Spindlework" of the Queen Anne architectural style. The Queen Anne architectural style, which became a dominant style in California, is associated with the period from the mid-1880s thru the first decade of 1900s and this subtype is associated with the period of 1895-1905. It is a nice example of a "Queen Anne Cottage" and is characterized by being a one-story home with a hipped roof with lower cross gables, front and side facing full-height angled bays, cut-away windows with carved brackets and pendants, "Spindlework" detailing, partial-width front and side porches with turned columns, which project from the main body of the house, a rectangular plan, narrow horizontal wood sheathing, and rectangular, double-hung windows with wide flat trim. Although the property has been slightly altered, the most significant of the character-defining features of its original construction remain. Therefore, it does appear to reach the level of significance necessary to be individually eligible for the California Register under Criterion 3.

City of Santa Clara Criteria for Local Significance

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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:

Criteria for Historically or Cultural Significance:

To be historically or culturally significant a property must meet at least one of the following criteria:

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

The Kersell/Mabie house has interest, integrity and character and reflects the type of residential structures that were constructed in the late nineteenth century for members of Santa Clara's business and professional community.

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.

Built by Kenneth and Angus Morrison, the residence at 1059 Madison Street was first owned by James Kersell and his wife, Isabella (Beattie) Kersell, who were considered "wellknown citizens" of Santa Clara and then by Alexander Mabie and his wife, Mary (Morrison) Mabie all of whom had immigrated here from Canada at the beginning of the 1880s. They were among the group of immigrants from Canada who arrived in Santa Clara in the last decades of the nineteenth century. As leading businessmen, landowners and professional men, these Canadian immigrants of Scottish ancestry, who were ardent supporters of Santa Clara's Presbyterian Church, were greatly involved in Santa Clara's social and cultural life, making significant contributions to both its economic and cultural growth

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.

Bordered by Franklin Street, which provided easy access to the San Jose and Santa Clara Trolley line, the area in which this home is located was primarily developed as a residential block in the late Nineteenth Century and settled by people whose employment was in Santa Clara's "downtown" business district. Constructed ca. 1898, this home at 1059 Madison Street was first owned by James Kersell and his wife. James Kersell was a prominent "downtown" business owner, whose business was located on Franklin and Jackson Streets and who for decades contributed to the economic life of community. Its second owner, Alexander Mabie, was also a Santa Clara businessman who was also well-known in the community for both his social and business activities.

The subject property does meet Criteria 1, 3 and 5 for Historically or Cultural Significance of the City of Santa Clara Criteria for Local Significance. However, it does not meet Criteria 2 or 4 for Historically or Cultural Significance.

Criteria for Architectural Significance:

To be architecturally significant a property must meet at least one of the following criteria:

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

When an 1883 issue of "California Architect and Building News" introduced what came to be known as the Queen Anne style to the Bay area, it marked a dramatic change from the rigorously vertical Italianate and San Francisco Stick- style houses. The Queen Anne house is a concoction of volumes and textures. There is no single roof line but a picturesque composition of merging shapes. They avoid flat, plain, walls and have distinctive decorative detailing (Gingerbread). Constructed ca. 1898 and trimmed with Spindlework, cut-work, Eastlake decoration and windows with cut-away corners and pendants, the residence at 1059 Madison Street is a splendid example of the small one-story Queen Anne dwelling, commonly called a Queen Anne Cottage.

2. The property is identified with a particular architect, master builder or craftsman.

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This residence was constructed ca. 1898 by Morrison Bros. Contractors and Builders. Angus and Kenneth Morrison were well-known, master Santa Clara contractors and builders, who in the late 19th and early 20th Century constructed government, educational, commercial and residential structures in Santa Clara, San Jose, Stockton and Santa Barbara. Along with the numerous residences that they constructed in Santa Clara, they built Fremont grammar school, Washington elementary school, Santa Clara High School and in 1911, they constructed the new City Hall on the corner of Franklin and Washington Streets.

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

Described as a veritable billboard for textural effect, the Queen Anne Architectural style used several devices to avoid a smooth wall appearance. Among these were the use of patterned shingles and being ornamented with a concoction of millwork made possible by the development of machine lathes. The Queen Anne Cottage at 1059 Madison Street is a more elaborate example of this than most of Santa Clara's Queen Anne Cottages. It not only has angled bays with cut-away windows, it uses angled walls in the main body of the house. While most of the Queen Anne homes in town use fish scale shingles, this home displays the use of octagon shingles, which are more rarely found. It also abounds with Spindlework, Eastlake, and cutwork ornamentation along with a prolific use of carved molding making this home a physical example of the items, which a builder could purchase, that are illustrated in Universal Design Book published at the turn of the 20th Century.

The subject property does meet Criterion 1, 2 and 7 for Architectural Significance of the City of Santa Clara Criteria for Local Significance. However, it does not meet Criteria for Architectural Significance 3, 4, 5, or 6.

Criteria for Geographic Significance:

To be geographically significant a property must meet at least one of the following criteria:

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

The subject property is located in the area of the Old Quad that in the late nineteenth century developed into a residential area for important businessmen, due to its close proximity to Santa Clara's "Downtown." Owned by a prominent businessman, the residence at 1059 Madison Street is one of those residential properties and reflects the neighborhood's role in the broad patterns of Santa Clara's early development.

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

Constructed ca. 1898 as a Queen Anne cottage, this house remains as an excellent example of the 1 and 1 ½ storied Queen Anne Architectural style homes built in this Santa Clara neighborhood in the late 19th Century and is important to the integrity of the historic area in which it is located. Within a 10 year period, five Queen Anne homes were constructed across the street from each other on the 1000 Madison Street block faces (either side Madison Street going south from Benton Street), accounting for the continuity of the building styles in the adjacent neighborhood. Currently, four of these homes, two fronting on the west side of Madison Street (1080 & 1086) and two on its east side (1059 & 1075) are listed on, the City of Santa Clara's list of Architecturally and/or Historically Significant Properties.

The subject property does meet Criterion 1 and 2 for Geographic Significance, of the City of Santa Clara Criteria for Local Significance. However, it does not meet Criteria for Geographic Significance 3 or 4.

Criteria for Archaeological Significance:

As the property at 1059 Madison Street contains no known or unknown prehistoric or historic archaeological resources, it would not be Archaeologically Significant under any of the five of the City of Santa Clara's Criteria for Archaeological Resources. However, should any prehistoric or historic archaeological resources be uncovered in the future, this would be subject to change.

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Conclusions and Recommendations

Currently, this property is on The City of Santa Clara Architecturally or Historically Significant Properties list. In this update of the January 19, 1980 Historic Resources Inventory for the City of Santa Clara, the evaluator finds 1059 Madison Street to be a an example of a splendid example of the Queen Anne cottage subtype of the Queen Anne architectural style and, as it has undergone only minimal alteration since the time of its designation as a Historically Significant Property for the City of Santa Clara, to retain sufficient integrity to qualify as a historic property. It appears to continue to be, based on compliance with the National Register of Historic Places Criteria, the California Register of Historic Resources Criteria and the City of Santa Clara's Local Significance Criteria, eligible for listing on the City of Santa Clara Architecturally or Historically Significant Properties List.

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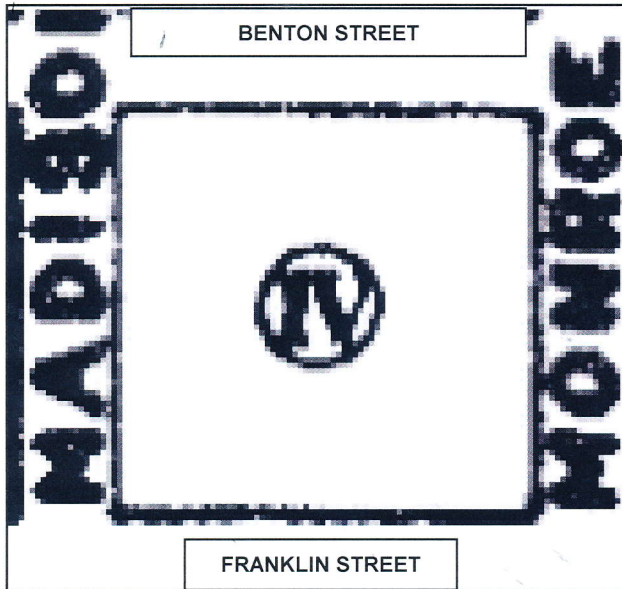
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*Date 01/17/2024

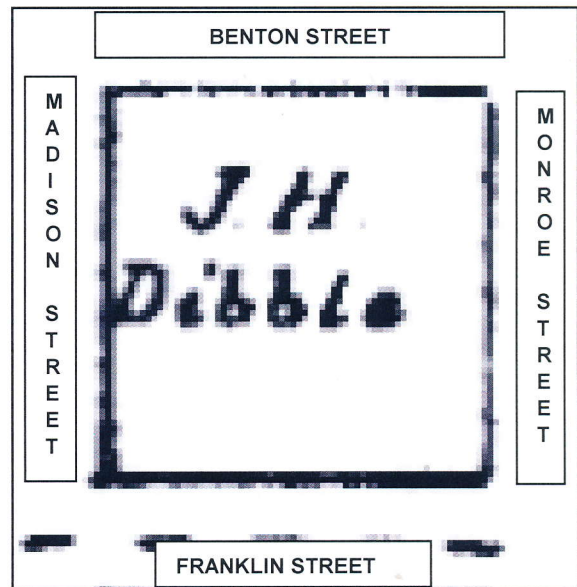
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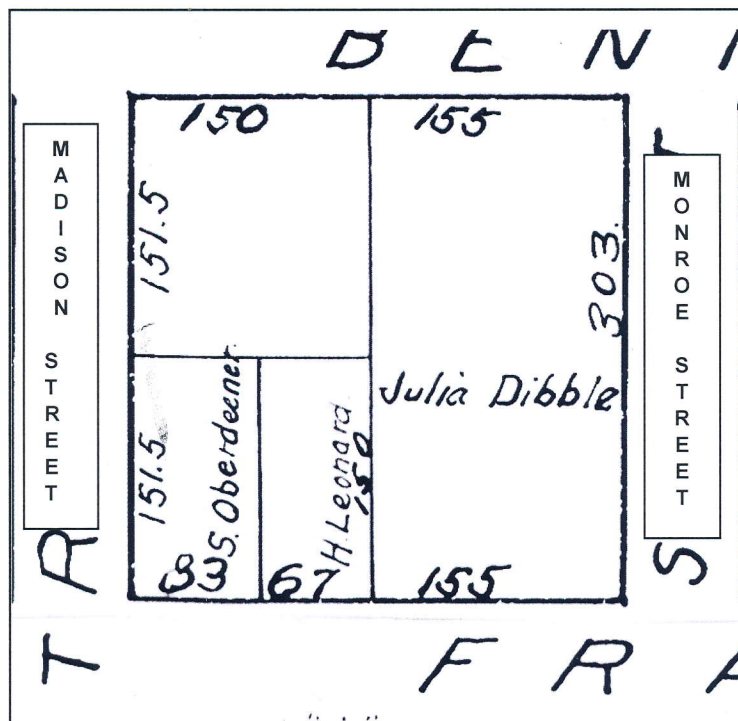
HISTORIC MAPS



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

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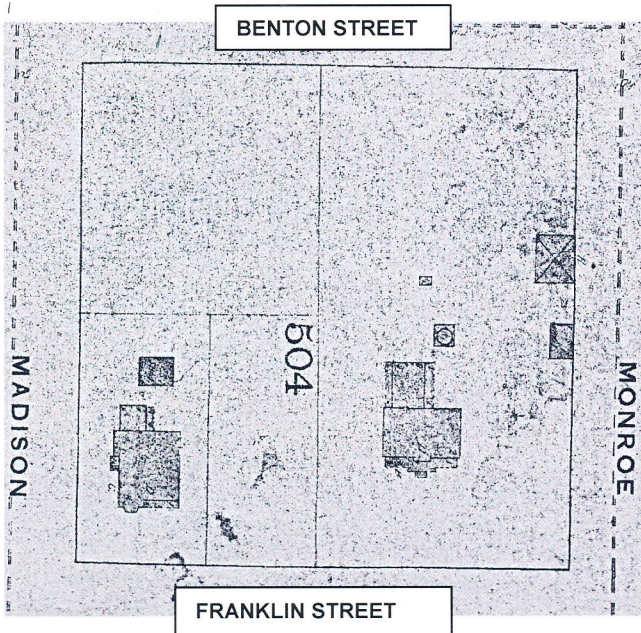
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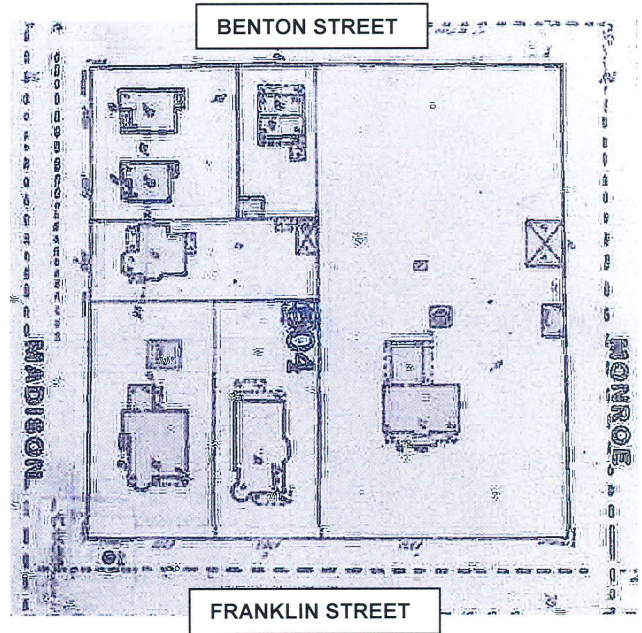
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SANBORN FIRE INSURANCE MAPS

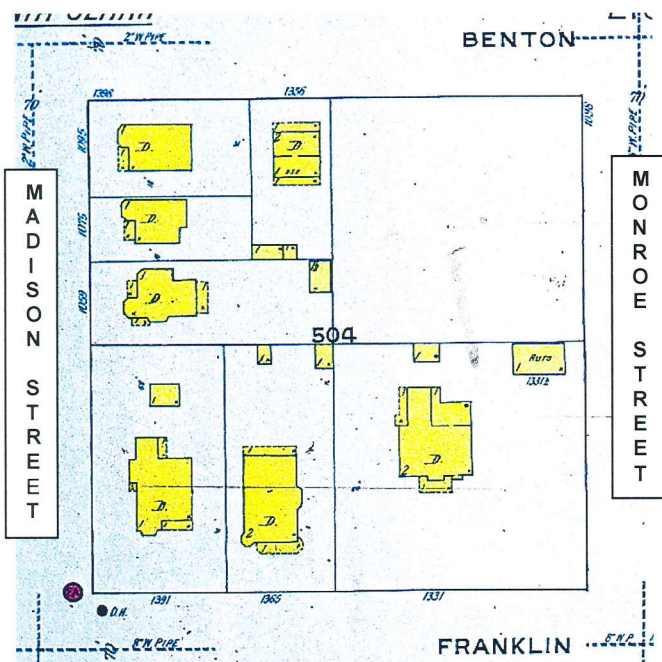
1891 SANBORN MAP



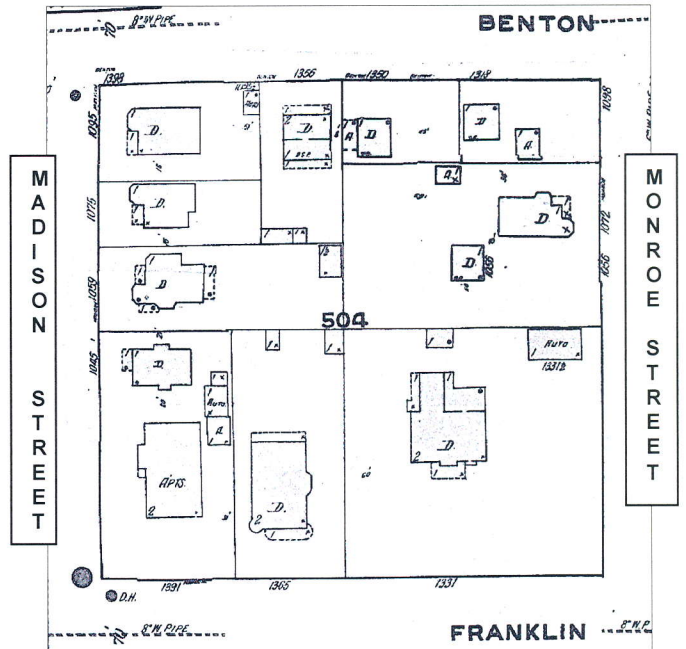
1901 SANBORN MAP



1915 SANBORN MAP



1930 SANBORN MAP



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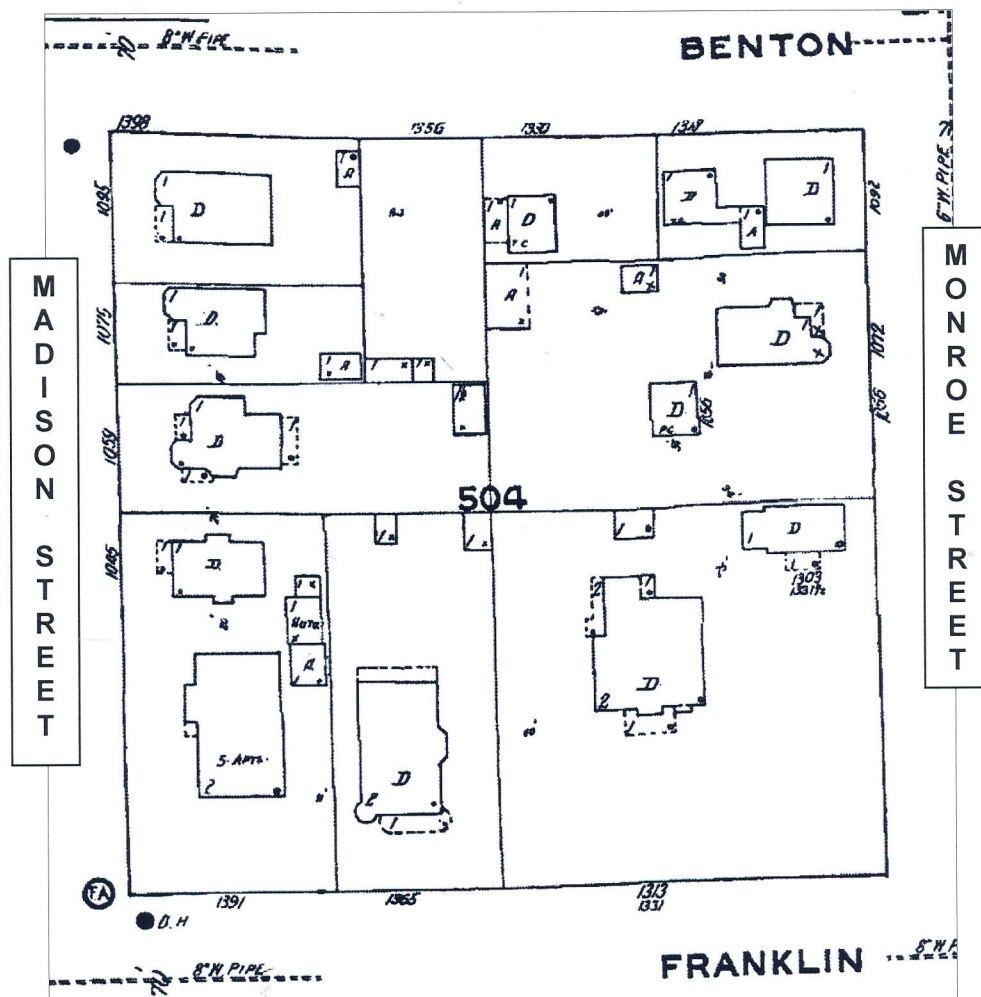
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SANBORN FIRE INSURANCE MAPS

1950 SANBORN MAP



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*Recorded by: Lorie Garcia

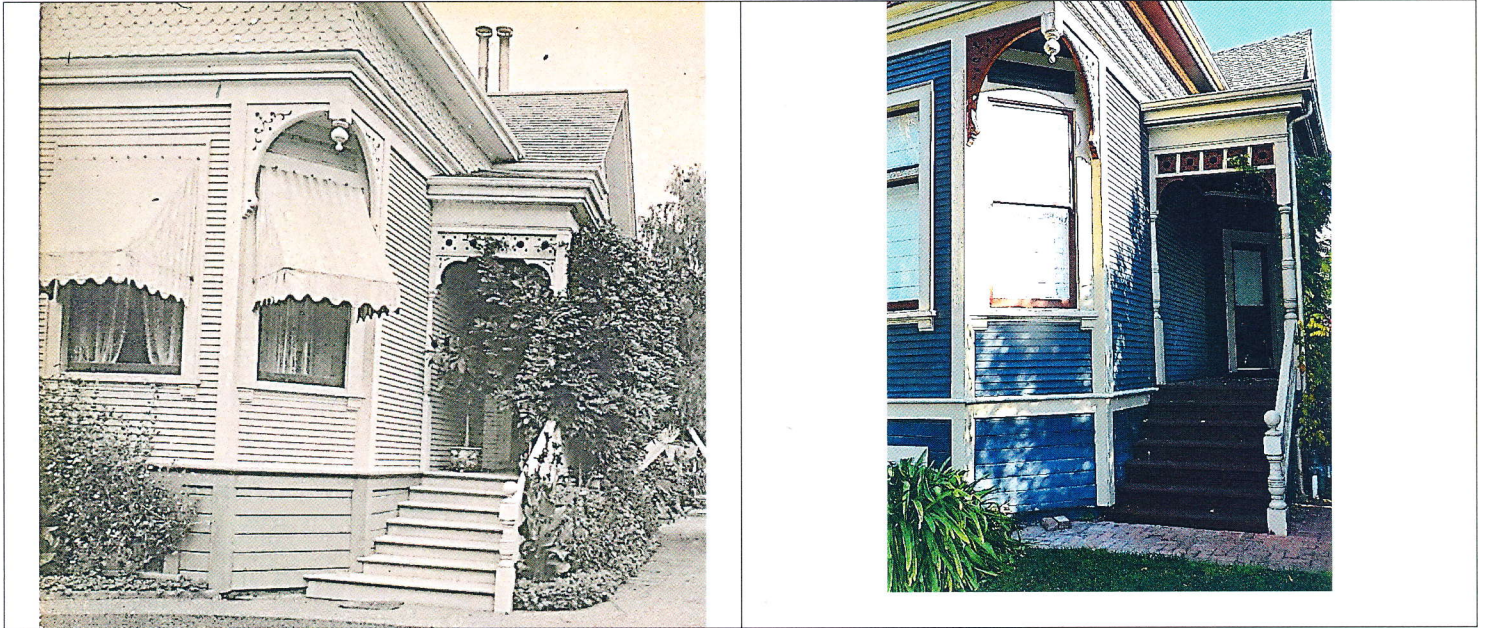
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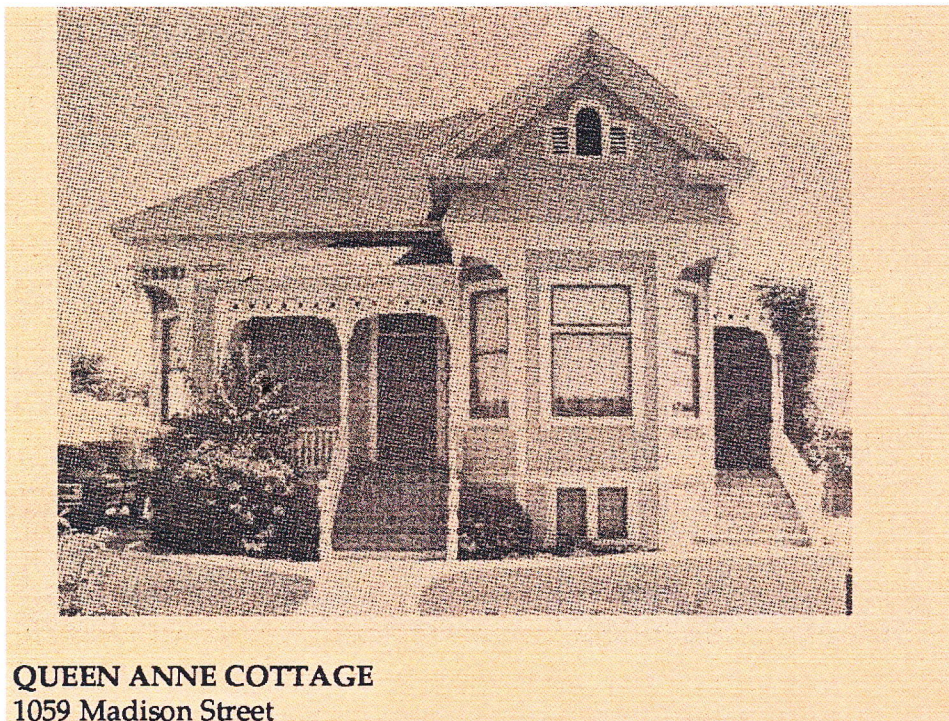
☒ Continuation

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HISTORIC PHOTOS



Top: L., 1904 Alice Hare photo of 1059 Madison Street, showing side porch and corner of front facing bay with cut-away window; R., December 2023 photo taken from same angle, illustrating how unmodified the house is today.
Below: Photo of the subject house as it appeared in the 1988 Historic house Tour booklet.



QUEEN ANNE COTTAGE
1059 Madison Street

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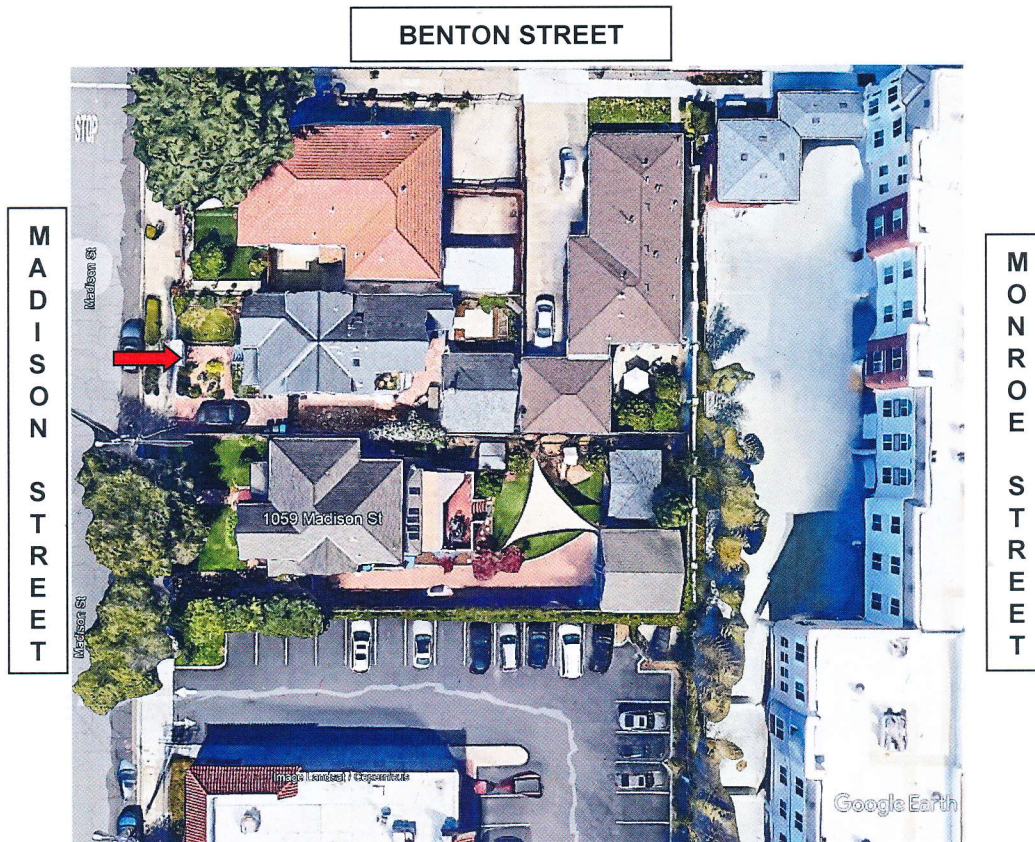
*Resource Name or # (Assigned by recorder) *Kersell/Mabie House*

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Additional Photos



 indicates 1059 Madison Street

2022 Google aerial view of 1059 Madison Street and the block on which it is located, showing the placement of the residence and detached garage on the property along with the large street trees.



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Additional Photos – South Side-Elevation



Photo No: 100_3396

View: S side-elevation gabled bay

Photo Date: December, 2023; Camera Facing: N.

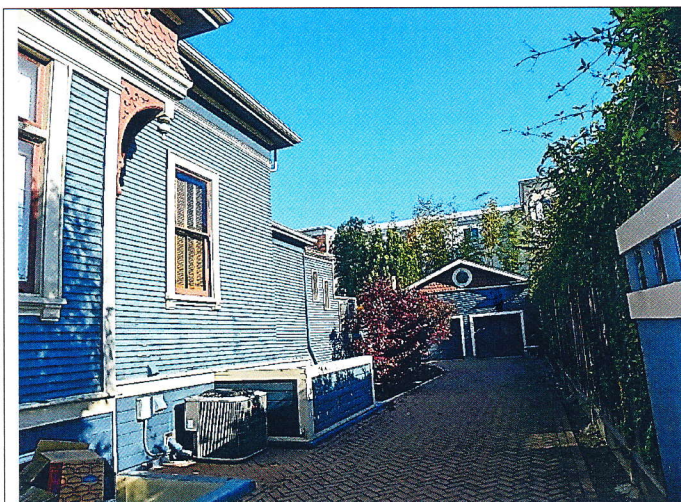


Photo No: 100_3395

View: S side-elevation from bay to garage

Photo Date: December, 2023; Camera Facing: ENE.



Photo No: 100_3404

View: S side-elevation from rear towards atreet

Photo Date: December, 2023; Camera Facing: WSW.

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Additional Photos – North Side-Elevation



Photo No: 100_3308; View: Partial Front Façade & N side-elevation showing angled wall between Front and N side-elevation walls, with window, brackets, pendant and spindlework frieze; Photo Date: December, 2023; Camera Facing: ENE.



Photo No: 100_3392
View: Partial N side-elevation from rear porch towards street
Photo Date: December, 2023; Camera Facing: WSW.



Photo No: 100_3409
View: Partial N side-elevation & Rear Façade from rear deck wall towards street
Photo Date: December, 2023; Camera Facing: WSW.

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Additional Photos – Rear Façade and Deck



Photo No: 100_3406

View: Rear Façade with double tiered deck and deck walls

Photo Date: December, 2023; Camera Facing: WSW.



Photo No: 100_3438

View: Rear porch looking towards driveway showing side wall

Photo Date: December, 2023; Camera Facing: SSE.



Photo No: 100_3433

View: Rear porch showing deck side & rear walls & roofing

Photo Date: December, 2023; Camera Facing: NNW.

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Additional Photos – Front Entry Porch



Photo No: 100_3321

View: Front Entry porch and entry steps and porch's Eastlake frieze

Photo Date: December, 2023; Camera Facing: ESE.



Photo No: 100_3320; View: Looking out through open end showing porch columns with brackets, frieze and balustrade. Photo Date: December, 2023; Camera Facing: WNW.

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Additional Photos – Side Porch Details



Photo No: 100_3342
View: Side porch and steps, columns & Eastlake frieze; Photo Date: December, 2023; Camera Facing: SSE

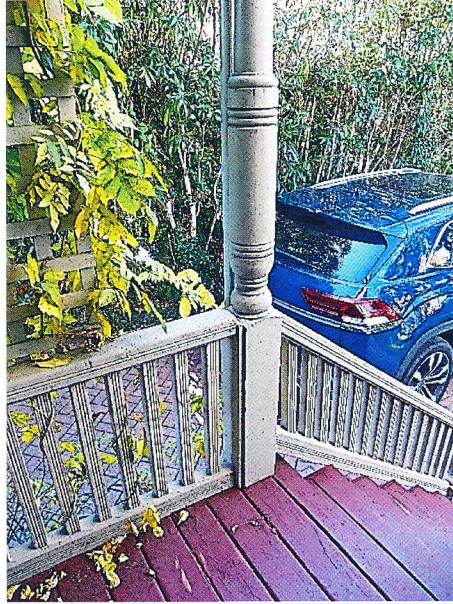


Photo No: 100_3374
View: Side porch balustrade & column base
Photo Date: December, 2023; Camera Facing: S

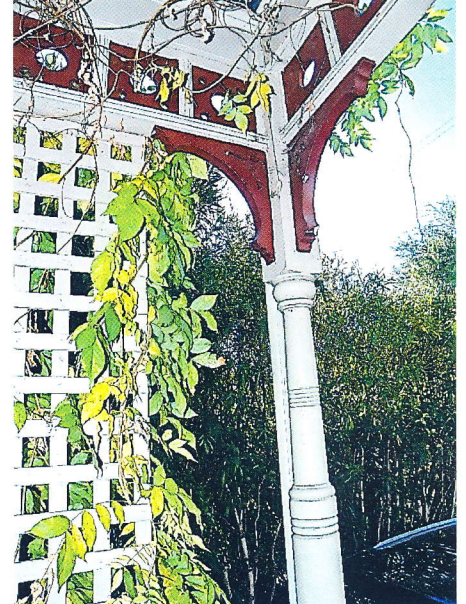


Photo No: 100_3378
View: Side porch column top & brackets, frieze, lattice & wisteria; Photo Date: December, 2023; Camera Facing: S



Photo No: 100_3360
View: Interior rear porch looking toward garage showing 1 full and 1/2 column and 1 Eastlake block; Photo Date: December, 2023; Camera Facing: E



Photo No: 100_3433
View: Exterior rear of side porch towards street from driveway showing 1 full column & 1 Eastlake block; Photo Date: December, 2023; Camera Facing: WSW.

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Additional Photos – Doors & Windows



Photo No: 100_3133
View: Front door; Photo Date:
12/2023; Camera Facing: ENE



Photo No: 100_3358
View: Side Door
Photo Date: 12/2023; Camera Facing: N



Photo No: 100_3429
View: Rear Sliding doors
Photo Date: December, 2023; Camera Facing: WSW



Photo No: 100_3390
View: Typical window; Photo Date:
12/2023; Camera Facing: NNW



Photo No: 100_3396
View: Side gable window; Photo Date:
12/2023; Camera Facing: ENE

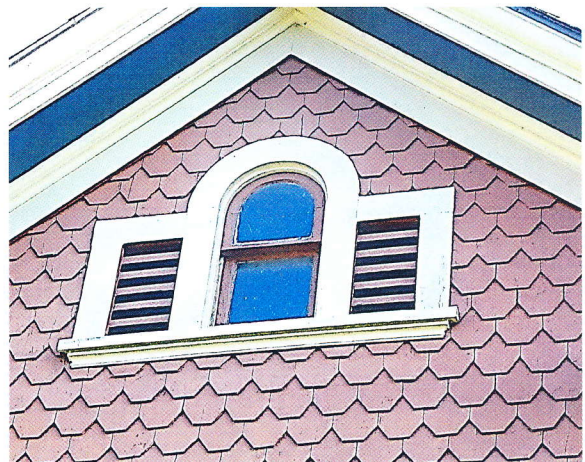


Photo No: 100_3353
View: Front gable Palladian window and louvered vents
Photo Date: 12/2023; Camera Facing: ENE

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Additional Photos – Spindlework and Cutwork Decoration



Photo No: 100_3308

View: Front Porch brackets and Eastlake frieze

Photo Date: December, 2023; Camera Facing: E

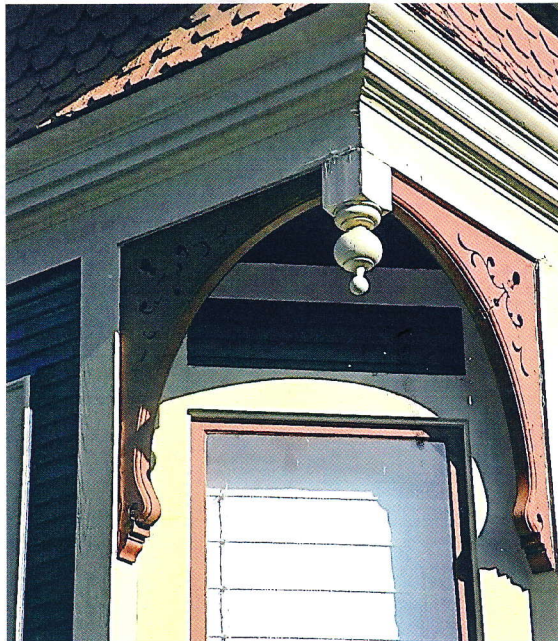


Photo No: 100_3349

View: Cutwork Brackets and Pendant

Photo Date: December, 2023; Camera Facing: NNE.

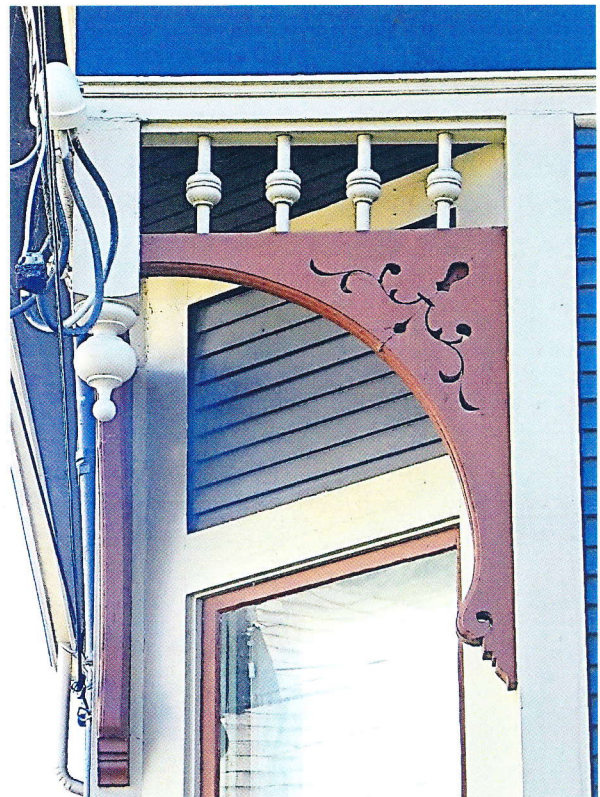


Photo No: 100_3327

View: Cutwork Brackets and Spindlework frieze

Photo Date: December, 2023; Camera Facing: E.

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Additional Photos – Garage and Rear Yard



Photo No: 100_3401
View: Garage Façade
Photo Date: December, 2023; Camera Facing: ENE



Photo No: 100_3420
View: Rear yard from deck, south towards Monroe St.
Photo Date: December, 2023; Camera Facing: S



Photo No: 100_3413
View: Rear Yard Gazebo
Photo Date: December, 2023; Camera Facing: NNE



Photo No: 100_3425
View: Rear yard from deck, looking north towards Monroe St.
Photo Date: December, 2023; Camera Facing: N

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.

Statement of Justification: 1059 Madison Street

Adalbert Wysocki and Huilin Koh
1059 Madison Street
Santa Clara, CA 95050

December 16, 2023

We are the owners of 1059 Madison Street, Santa Clara, a significant piece of the historical "Old Quad" neighborhood. Our home was built in 1898 and we were lucky enough to purchase it in December 2017. Our intention, when we bought this home, was to commit to preserving the original aesthetics so that it stays as a Queen Anne Cottage in all of its original glory. The previous owner meticulously maintained it and we gave her our word that we would continue its legacy. Today, our house remains as a treasure of the past and a symbolic part of Santa Clara history. We are very proud of the fact that twice our home has been a part of the Santa Clara Historic Home tour.

We would like apply for a Mills Act in order to continue its historical legacy. We will use the funds made available to us from the reduction in property taxes to maintain our home's distinctive character and glory.

10-Year Preservation Plan: 1059 Madison Street, Santa Clara, CA 95050 (Mills Act application)

Overview: 1059 Madison Street is a downtown Santa Clara Queen Anne Cottage home that was built around 1898. It has undergone significant preservation work and still retains many of its original features and character. As owners of this beautiful home, we are committed to maintaining the historical features of the home in order to preserve its unique aesthetics and original characteristics.

Year	Item	Projected Timeline	Cost (\$)	Notes
2025	Exterior paint and finishing	Summer 2025	20,000	
2025	Fumigation/pest control	After exterior paint	2,400	
2025	Inspection and regular maintenance	After fumigation	3,500	
2026	Restore porch flooring and stairs	May 2026	500	
2026	Refurbish hardwood floors throughout main level	Summer	15,000	
2027	Exterior lighting enhancements	April - May 2027	5,000	
2027	Inspection and regular maintenance	Summer	3,500	
2028	Restore original windows	June 2028	20,000	
2029	Driveway improvements	Spring 2029	10,000	
2030	Rehabilitate box	Spring 2030	5,000	

	hedge, trees, shrubs (front)			
2031	Replace gutters	Spring 2031	10,000	
2032	Fence update	June 2032	15,000	
2033	Roof replacement	August 2033	50,000	

Regular maintenance (~10K/year) includes but is not limited to following:

1. Maintenance of yard and its upkeep. Cost: \$1,200/year.
2. Maintenance of plumbing issues, taps, electric wiring, leaks.
3. Regular maintenance covering accidental damage.
4. Regular maintenance to adhere to the latest city codes whenever possible and permitted.
5. Regular 2-year inspection.

**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 Adalbert Wysocki and Huilin Koh, owners of certain real property located at 1059 Madison 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 2024 Santa Clara County Property Tax Rolls as Assessors' Parcel Number 269-20-080, and generally located at the street address 1059 Madison 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 October 10, 2023. 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.

Historic Property Preservation Agreement/1059 Madison Street
Typed: 02/13/2024

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 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 1059 Madison 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: Adalbert Wysocki and Huilin Koh
1059 Madison 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 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 \$8,451.00 (eight-thousand, four-hundred, and fifty-one dollars), 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 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

ATTEST:

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

“CITY”

**Adalbert Wysocki and Huilin Koh,
Owners of 1059 Madison Street**

By: _____
Adalbert Wysocki and Huilin Koh
1059 Madison Street
Santa Clara, CA 95050

“OWNERS”

Exhibits:

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



City of Santa Clara

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

Agenda Report

24-323

Agenda Date: 4/4/2024

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Action on the Request for Proposed Historic District Designation for Park Court Neighborhood

During the Public Presentation section of the Historical Landmarks Commission (HLC) Meeting on March 7, 2024, Mark Hoag resident of 763 Park Court, on behalf of the property owners of the Park Court Neighborhood requested HLC's support for historic district designation for the Park Court neighborhood. The HLC agenized this item for discussion at the next HLC meeting.

A boundary map of the proposed district is provided as an attachment.

RECOMMENDATION

Recommend that the Commission hear testimony, discuss, and take action to demonstrate support of the neighborhood's request.

Prepared by: Nimisha Agrawal, Senior Planner

Approved by: Lesley Xavier, Planning Manager

ATTACHMENTS

1. Boundary Map of the proposed district

Attachment 1: Park Court Neighborhood Boundary



Legend

Historic Resources





City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
[@SantaClaraCity](https://twitter.com/SantaClaraCity)

Agenda Report

24-351

Agenda Date: 4/4/2024

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Historical Preservation Month Banners Project Funding

EXECUTIVE SUMMARY

At the March 7, 2024 Historical and Landmarks Commission Meeting Commissioners approved funds for the Historical Preservation Month Banners Project in the amount of \$2300.

DISCUSSION

There has been a change in the vendor for Banner production resulting in an increase in cost. A motion will need to take place if the Commission would like to increase funding for the project.

RECOMMENDATION

There is no staff recommendation.