



City of Santa Clara

Meeting Agenda

Historical & Landmarks Commission

Thursday, November 5, 2020

6:00 PM

Virtual Meeting

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented the following method 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 HistoricalLandmarksCommission@santaclaraca.gov no later than noon on the day of the meeting.

The Staff Liaison and Historical and Landmarks Commissioners will be participating remotely.

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.
- Identify yourself by name before speaking on an item.
- Unmute when called on to speak and mute when done speaking. If there is background noise coming from a participant, they will be muted by the host. Press *6 if you are participating by phone to unmute.
- If you no longer wish to stay in the meeting once your item has been heard, you may leave the meeting.

CALL TO ORDER AND ROLL CALL

CONSENT CALENDAR

Consent Calendar items may be enacted, approved or adopted, based upon the findings prepared and provided in the written staff report, by one motion unless requested to be removed by anyone for discussion or explanation. If any member of the Historical and Landmarks Commission, staff, the applicant or a member of the public wishes to comment on a Consent Calendar item, or would like the item to be heard on the regular agenda, please notify Planning staff, or request this action at the Historical and Landmarks Commission meeting when the Chair calls for these requests during the Consent Calendar review.

1.A 20-1038 [Historical and Landmarks Commission Minutes of October 1, 2020](#)

Recommendation: Approve the Historical and Landmarks Commission Minutes of October 1, 2020.

PUBLIC PRESENTATIONS

Members of the public may briefly address the Commission on any item not on the agenda.

GENERAL BUSINESS

The following items from this Historical and Landmarks Commission agenda will be scheduled for further review following the conclusion of hearings and recommendations by the Historical and Landmarks Commission. Please contact the Planning Division office for information on the schedule of hearings for these items.

2. 20-1008 [Public Hearing: Consideration of a Historical Preservation Agreement \(Mills Act Contract\) for 688 Monroe 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 Council approval of a Mills Act Contract, and the adoption of a 10-Year Restoration and Maintenance Plan associated with the Historical Preservation Agreement.

STAFF REPORT**COMMISSIONERS REPORT**

Subcommittee Reporting - 20 minutes

Board and Committee Assignments - 15 minutes

- Santa Clara Arts and Historic Consortium (Estes / Leung Alternate)
- Historic Preservation Society of Santa Clara (Vargas-Smith)
- Old Quad Residents Association (Leung / Vargas-Smith as alternate)
- Development Review Hearing (Romano / Vargas-Smith as alternate)
- Agnews Historic Cemetery Museum Committee (Standifer / Romano as alternate)
- BART/ High Speed Rail/ VTA BRT Committee (Vargas-Smith / Swartzwelder as alternate)
- Zoning Ordinance Update (Swartzwelder / Romano as alternate)
- El Camino Real Specific Plan Community Advisory Committee (Leung)
- Downtown Revitalization (Vargas-Smith / Romano as alternate)

Announcements and Other Items - 10 minutes

Commissioner Travel and Training Requests - 10 minutes

ADJOURNMENT

The next regularly scheduled meeting is on December 3, 2020 at 6 p.m.



City of Santa Clara

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

Agenda Report

20-1038

Agenda Date: 11/5/2020

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Historical and Landmarks Commission Minutes of October 1, 2020

RECOMMENDATION

Approve the Historical and Landmarks Commission Minutes of October 1, 2020.

Reviewed by: Rebecca Bustos, Senior Planner

Approved by: Gloria Sciara, Development Review Officer

ATTACHMENTS

1. Historical and Landmarks Commission Minutes of October 1, 2020



City of Santa Clara

Meeting Minutes

Historical & Landmarks Commission

10/01/2020

6:00 PM City Manager's Staff Conf. Room - Adjacent to City Hall
Council Chambers
1500 Warburton Avenue
Santa Clara, CA 95050

Revision: Agenda previously stated that the meeting would be a virtual meeting with all Commissioners and Staff Liaison participating remotely. Revised to include that meeting will be held in the City Manager's Office Staff Conference Room with all Commissioners participating remotely and staff present at City Hall.

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented the following method for the public to participate remotely:

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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 HistoricalLandmarksCommission@santaclaraca.gov no later than noon on the day of the meeting.

The meeting set-up is in line with the recommendations of the COVID-19 White House Task Force, which notes no more than 10 people gatherings. Historical and Landmarks Commissioners will be participating remotely. A limited number of staff will also be present.

We highly encourage interested members of the public to stay at home and provide public comment remotely. Any members of the public wishing to come in person should first check-in at the City Manager's Staff Conference Room. City staff may direct you to wait in the City Hall cafeteria or outside the Council Chambers until your item of interest is discussed in order to maintain sufficient social distancing guidelines.

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CALL TO ORDER AND ROLL CALL

Chair Leung called the meeting to order at 6:05 p.m.

Present 7 - Chair Patricia Leung, Vice Chair Stephen Estes, Commissioner J.L. "Spike" Standifer, Commissioner Ana Vargas-Smith, Commissioner Michael Celso, Commissioner Megan Swartzwelder, and Commissioner Kathleen Romano

CONSENT CALENDAR

1.A [20-957](#) Retroactive Vote Regarding Commissioner Standifer Absence at September 3, 2020 HLC Meeting

Item 1.A was pulled from the Consent Calendar for discussion. A motion was made by Commissioner Estes, seconded by Commissioner Vargas-Smith to excuse Commissioner Standifer's absence at the September 3, 2020 Historical and Landmarks Commission Meeting.

Aye: 6 - Chair Leung, Vice Chair Estes, Commissioner Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, and Commissioner Romano

Abstained: 1 - Commissioner Standifer

1.B [20-910](#) Historical and Landmarks Commission Minutes of September 3, 2020

A motion was made by Commissioner Celso, seconded by Commissioner Estes to approve the Historical and Landmarks Commission Minutes of September 3, 2020 with a minor modification.

Aye: 6 - Chair Leung, Vice Chair Estes, Commissioner Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, and Commissioner Romano

Abstained: 1 - Commissioner Standifer

1.C [20-911](#) Historical and Landmarks Commission 2021 Calendar of Meetings

A motion was made by Commissioner Estes, seconded by Commissioner Romano to approve the Historical and Landmarks Commission 2021 Calendar of Meetings.

Aye: 6 - Chair Leung, Vice Chair Estes, Commissioner Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, and Commissioner Romano

Abstained: 1 - Commissioner Standifer

PUBLIC PRESENTATIONS

None

GENERAL BUSINESS

2. [20-880](#) Public Hearing: Consideration of Historic Resource Inventory Property Designation and Historical Preservation Agreement (Mills Act Contract) for 1176 Lincoln Avenue

A motion was made by Commissioner Celso, seconded by Commissioner Estes to approve the staff recommendation with modifications to the 10-Year Restoration and Maintenance Plan and to grant a bronze plaque "c.1923" for 1176 Lincoln Street.

Aye: 7 - Chair Leung, Vice Chair Estes, Commissioner Standifer, Commissioner Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, and Commissioner Romano

3. [20-881](#) Public Hearing: Consideration of Historical Preservation Agreement (Mills Act Contract) for the property 590 Monroe Street

A motion was made by Commissioner Celso, seconded by Commissioner Swartzwelder to approve the staff recommendation and grant a bronze plaque "c.1905" to 590 Monroe Street.

Aye: 6 - Chair Leung, Vice Chair Estes, Commissioner Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, and Commissioner Romano

Absent: 1 - Commissioner Standifer

4. [20-899](#) Public Hearing: Consideration of the Nomination of Pomeroy Green to the National Register of Historic Places

A motion was made by Commissioner Estes, seconded by Commissioner Vargas-Smith to nominate Pomeroy Green to the National Register of Historic Places.

Aye: 6 - Chair Leung, Vice Chair Estes, Commissioner Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, and Commissioner Romano

Absent: 1 - Commissioner Standifer

STAFF REPORT

COMMISSIONERS REPORT

Subcommittee Reporting - 20 minutes

No subcommittee meetings have been held.

Board and Committee Assignments - 15 minutes

Commissioners present reported on assignments.

Announcements and Other Items - 10 minutes

Commissioners discussed the upcoming Parade of Champions event.

Commissioner Travel and Training Requests - 10 minutes

None.

ADJOURNMENT

A motion was made by Commissioner Swartzwelder, seconded by Commissioner Romano to adjourn the meeting.

The meeting adjourned at 8:23 p.m.

The next meeting is on Thursday, November 5 at 6 p.m.

Aye: 6 - Chair Leung, Vice Chair Estes, Commissioner Vargas-Smith, Commissioner Celso, Commissioner Swartzwelder, and Commissioner Romano

Absent: 1 - Commissioner Standifer



Agenda Report

20-1008

Agenda Date: 11/5/2020

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Public Hearing: Consideration of a Historical Preservation Agreement (Mills Act Contract) for 688 Monroe Street

BACKGROUND

Property owners Mark and Genevieve Rogers are requesting a Historical Preservation Agreement (Mills Act Contract) for the property located at 688 Monroe Street. A requirement of the Mills Act 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 architectural integrity of the residential structure.

The existing residence is a 2,783 square foot, two-story Queen Anne Cottage with a partial basement that was constructed circa 1893 as a one-story home. The residence was expanded to include a first-floor addition and second story in 1975 consistent with the architectural style of the original home. At some point in time the basement was converted to habitable space as an accessory dwelling unit (ADU) without building permits. A garage was removed in 1975 to accommodate the construction and was not replaced. The property is a corner lot at the southwest corner of Monroe Street and Santa Clara Street in the Old Quad. The residence is oriented to front Monroe Street and maintains large front and street side yard landscaped setbacks behind a separated sidewalk and tree lined park strip along the street frontages.

The proposal includes approval of a Mills Act Contract and adoption of a 10-Year Restoration and Maintenance Plan associated with the Historical Preservation Agreement.

DISCUSSION

A Department of Recreation (DPR) 523A Form was prepared by Lorie Garcia of Beyond Buildings on September 13, 2020, assessing the historical significance of the property, and is attached to this report. The property was initially designated as a Historically Significant Property and placed on the City's list of Architecturally or Historically Significant Properties in 1975. The evaluator finds the existing residential structure to be in good condition and an example of a sensitively remodeled example of Queen Anne Cottage architecture. The evaluator concluded that the property continues to retain sufficient integrity to qualify as an historic property since first designated as a Historically Significant Property based on National Register of Historic Places Criteria, the California Register of Historic Resources Criteria and the City's Local Significance Criteria as articulated in the report.

The property owners have submitted a statement of justification and 10-Year Plan for restoration and maintenance of the property. The Plan includes repair and replacement of rotted wood elements on the exterior of the home, restoration of the side porch (on the north elevation) and first and second floor double hung windows, closing exterior openings to the basement crawl space, sealing and

weatherproofing doors and windows, and improving site drainage against the foundation. The Plan also includes the legal conversion of the basement as an ADU with the requisite building permits or removal of the nonpermitted habitable living space.

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 support the preservation, protection and maintenance of a locally designated significant structure.

ENVIRONMENTAL REVIEW

The Mills Act program is exempt from the California Environmental Quality Act (CEQA) environmental review requirements per CEQA Section 15331, which exempts project limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior Standards.

PUBLIC CONTACT

The notice of public hearing for this item was posted at three locations within 300 feet of the project site and was mailed to property owners within 300 feet of the project site. No public comments have been received at the time of preparation of this report.

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 Council approval of a Mills Act Contract, and the adoption of a 10-Year Restoration and Maintenance Plan associated with the Historical Preservation Agreement.

Reviewed by Rebecca Bustos, Senior Planner

Approved by Gloria Sciara, Development Review Officer

ATTACHMENTS

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

EXHIBIT A

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

Portion of Block 4, South Range 4 West, as shown upon that certain Map entitled, "Map of the Town and Sub-Lots of Santa Clara, Santa Clara County, California, surveyed by J.J. Bowen, County Surveyor, July 1866", which Map was filed for record in the Office of the Recorder of the County of Santa Clara, State of California, in Volume "B" of Maps, at Pages 103, and more particularly described as follows:

Beginning at the point of intersection of the Southeasterly line of Santa Clara Street with the Southwesterly line of Monroe Street; running thence Southeasterly along the Southwesterly line of Monroe Street, 70 feet; thence at right angles Southwesterly 100 feet; thence at right angles Northwesterly 70 feet to the Southeasterly line of Santa Clara Street; thence Northeasterly along the Southeasterly line of Santa Clara Street, 100 feet to the point of beginning.

APN: 269-36-004

I have read and understand this report

Mark W. Rogers
Genevieve A. Rogers

6/29/2020

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 22

*Resource Name or #: (Assigned by recorder) *Joseph Pereira House*

P1. Other Identifier: *688 Monroe 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 688 Monroe 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: 269-36-04

Southwest corner of Monroe and Santa Clara Streets

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

The subject property at 688 Monroe Street is located in the urban setting of a block of houses with tree lined streets that was primarily developed in the first quarter of the twentieth century. The homes have similar setbacks from the street with urban sized front yards. The lots have varying widths, ranging from 45' to 110.' The block is currently a mixture of historic homes, such as those which front on Monroe and Santa Clara Streets, and ones which are of later construction (currently the block has five homes listed on the City's Inventory of Architecturally or Historically Significant properties, with others eligible). Like the that of the neighboring blocks in the "Old Quad," the streetscape is a pleasant one and, to a large part, evokes the sense of an early twentieth century neighborhood.

(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 West) Photo No: 100_2689, 08/2020

*P6. Date Constructed/Age and Source:

☒ Historic ☐ Prehistoric ☐ Both
ca, 1893

Assessor's Records, Census Records, City Directories, Sanborn Maps,

*P7. Owner and Address:

*Mark Rogers and Genevieve Bever Rogers
688 Monroe 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: *September 13, 2020*

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

*P11. Report Citation: (Cite survey report and other sources, or enter "none.") *Historic Resources Inventory Form "688 Monroe St.," dated Nov. 10, 1980.*

*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

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*Resource Name or # (Assigned by recorder) Joseph Pereira House

Recorded by: Lorie Garcia

*Date 09/13/2020

☒ Continuation ☒ Update

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

The primary building on the site is a 2783 sq. ft., two-story residence, which was constructed circa 1893 as a small one-story house, designed in the Queen Anne Cottage architectural style and remodeled in 1975 with the addition of a second story. The addition was sensitively done and today the building resembles an oversized Queen Anne cottage. Situated on a 70' x 10,' 7,209 sq. ft lot at the south-west corner of Monroe and Santa Clara Streets, the house fronts roughly east onto Monroe Street and is set back from the street allowing for a large cultivated lawn with trees, narrow planting beds and ornamental shrubbery. As it is offset on its corner lot, ample yard space also exists on the north side of the property. A wide concrete driveway, edged with a narrow planting strip is located at the rear of the house. This driveway opens onto Santa Clara Street. There is no garage. (The original garage was removed for the 1975 extension of the house with only part of its foundation remaining to mark the original location.)

A straight concrete walkway, leads from the Monroe Street sidewalk to the front entry. Narrow concrete walkways, which branch off from this walkway, lead to both sides of the house. That on the home's north (Santa Clara Street) side, leads to a secondary entry near the rear of the north side-elevation. The walkway providing access to the south side of the property leads to a smaller side yard, which is mainly finished in concrete and square pavers. A high wood fence with an access gate, which runs between the house and a similar fence on the south property line, separates this elevation from the front. A high wood gate, which runs between the rear of the house and a fence on the west property line secures access from Santa Clara Street. There is no rear yard.

Designed in an asymmetrical plan with a rectangular footprint, 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, it is distinguished by a wide variety of roof planes, with cross-gables dominating the lines. A large dormer (original) punctuates the lower gabled roof (original) with a very low relief hipped roof (original) covering the small, square, wrap-around front porch. A two-story, square tower (not original although a common Queen Anne feature) with a front facing gable roof, is placed at the SE corner of the front façade. On the south-side elevation, a narrow, shed roof (not original) projects between the first and second story of the 1975 addition and runs from the tower to the rear. Composition shingles sheathe the various roof forms. 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).

Supplemental Photograph or Drawing



According to McAlester, the "Queen Anne [architectural style] uses wall surfaces as primary decorative elements." Among the ways this could be accomplished was by avoiding flat wall surfaces by devices such as incorporating bay windows (primarily angled [cut-away] bay windows) with gables that project beyond the bays or by incorporating inserts or projections which "provide random changes in the flat horizontality of the wall plane" and by wall texture variations such as the use of patterned shingles. Several of these "devices" are utilized in the construction of the subject residence at 688 Monroe Street.

The residence is sheathed in wide, horizontal wood siding (the 1975 siding matches the original) and vertical corner boards finish the wall ends. On the front (east) façade, brick sheathes the base of the

(Continued on page 3, Form 523L)

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

(Camera pointing S) North side-elevation and partial front facade, from the corner of Monroe and Santa Clara Streets. Photo No: 100_2646; 8/2020.

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

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*Resource Name or # (Assigned by recorder) Joseph Pereira House

Recorded by: Lorie Garcia

*Date 09/13/2020

☒ Continuation ☒ Update

(Continued from page 2, Form 523L)

porch and tower from ground to floor level (not original). A full-height, gable roofed, angled bay (original) projects from the north side-elevation. The areas above and beneath the bay's windows are filled with framed wooden panels, which highlight the angled bay (original). A front facing gable sheathed with a pattern of both square-butt and fish-scale shingles (typical to the Queen Anne "Spindlework" decorative detail subtype) overhangs the bay. Similar fish-scale shingles sheathe the face of the gabled projection on the front façade. Additional elements of the "Spindlework" subtype, which this home exhibits, are the delicate turned posts and carved brackets used to support the porch roof and the carved brackets and pendants which trim the angled bay's cut-away windows. (All the "Spindlework" details are character-defining features and are original.)

A brick fireplace chimney from the 1975 modification, which projects from the two-story rear (west) façade and breaks up the flat horizontality of that elevation, provides another example of avoidance of flat wall surfaces.

Originally the front porch was full width. However, the 1975 addition of the gable-roofed, two-story tower truncated the porch to the left of the original gable-roofed projection containing the main entry door and today it is approximately two-thirds its original size. The porch railing consists of a balustrade with simple balusters (original) that connects to the house at the open corner of the porch and to the turned porch posts. Running from a turned porch column to a newel post with a ball cap on a bottom step, a similar balustrade edges each side of the entry stairs. (The balustrade and newel posts are original.)

The main entry is on the front (east) façade and is accessed by seven (7) wide, brick steps (not original) that lead from the walkway from Monroe Street to the wood porch. The front door is set into center of the original gable-roofed projection that now abuts the two-story tower and faces Monroe Street. The wooden front door (original) has a design of three narrow, rectangular, horizontally orientated, wood panels surmounted by a single large clear glass pane with three small square wood panels inset above the glass pane. All the wood panels and glass pane are trimmed with molding. It is set into its original opening. As is typical in Queen Anne homes, the door surround is simple. All the trim on the entry is original.

A secondary entrance set near the rear of the Santa Clara Street side-elevation's 1975 addition, is accessed by six (6) wide wooden steps that lead to a wide, medium depth, wood landing and a pair of wood-framed, glass French doors, which open outward. A plain wood railing with simple balusters lines each side of the steps. Simple wood trim surrounds the entry doors.

Three secondary entrances into the 1975 extension are located on the south side-elevation. Set into the middle of this elevation and accessed by six (6) wood steps with simple wood railings, which lead to a small railed wood deck, that's supported on wood posts, the frontmost entry leads into the main body of the house. The remaining two entrances are located in the shed and gable-roofed, enclosed extension that projects at the rear of the home's south side-elevation. Set at ground level, the innermost entry provides access to a basement living unit. Accessed by three (3) wood and one concrete step, with simple wood railings and balusters and set on a concrete landing, the furthestmost entry opens into the house. Both entry doors opening into the house are wooden, inset with four large wood vertical panels surmounted by two small panels. The entry door into the basement unit is plain unembellished wood.

Other character-defining features of this home include its windows and window trim, which are mainly typical Queen Anne style where one-over-one sash windows are common. Fenestration is simple, mainly rectangular in form, vertically oriented, paired and single double-hung wooden windows, trimmed with wide boards.

Fenestration of the first story is rectangular in form, vertically oriented, 1-over-1, double-hung wooden windows with projecting sills. The original windows have a molded apron and are supported by decorative brackets. They are trimmed with wide boards. Those on the 1975 addition's north side-elevation and rear facade closely match the original. A distinction lies in the window trim, which is somewhat narrower in the addition's windows, and in that the windows have no aprons or brackets. Metal framed and vinyl-clad windows are set into the single-story rear projection of the south side-elevation. Fenestration of the second story is rectangular in form, mainly horizontally oriented, 1-over-1, double-hung wooden windows with a small pair of casement windows set near the front of the north side-elevation.

Fenestration of the angled bay on north side elevation, consists of a large, square, fixed, clear glass window surmounted by a smaller, horizontally orientated, rectangular, decorative window, which has a design of diamond shaped panes with crossed muntins surrounded

(Continued on page 4, Form 523L)

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

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*Resource Name or # (Assigned by recorder) Joseph Pereira House

Recorded by: Lorie Garcia

*Date 09/13/2020

☒ Continuation ☒ Update

(Continued from page 3, Form 523L)

by rectangular panes. Decorative molding separates the two central windows. Each cut-away side window is a rectangular, narrow, 1-over-1 double-hung window. A medium size, vertically orientated, 1-over-1 double-hung window is set near the apex of the bay's gable face. (All of the angled bay's windows are original.)

An unusual feature is the ornamental, round-arched window set into a rectangular opening in the gable façade of the two-story tower.

The property is in good condition and appears to have had minimal change since its 1979 designation as a "Remodeled Queen Anne Cottage" and placement on the City's Inventory of Historically Significant Properties.

BUILDING, STRUCTURE, AND OBJECT RECORD

*NRHP Status Code *N/A*

Page 5 of 22

*Resource Name or # (Assigned by recorder) *Joseph Pereira House*

B1. Historic Name: *None*

B2. Common Name: *None*

B3. Original Use: *Single family residential*

B4. Present Use: *Single family residential*

*B5. Architectural Style: *Remodeled Queen Anne Cottage*

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

The residence was constructed circa 1893. House enlarged; extended to rear with original rear porch removed, second story and two-story tower constructed truncating original front porch, side entries added as a result of 1975 remodel. Accessory vehicle-structure demolished.

*B7. Moved? ☒ No ☐ Yes ☐ Unknown Date: Original Location:

*B8. Related Features: *None*.

B9a. Architect: *Not known*

b. Builder: *Not known*

*B10.	Significance: Theme	<i>Architecture and Shelter</i>	Area	<i>Santa Clara Old Quad</i>
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Period of Significance	1893-1975	Property Type	Residential	Applicable Criteria	none
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(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The parcel located at 688 Monroe Street is a portion of a larger parcel that had originally been identified as Block 4 South, Range 4 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 4 South, Range 4 West (B4S, R4W) encompassed the entire block framed by Santa Clara, Madison, Market and Monroe Streets. According to the list of property owners and their improvements, which accompanied the survey, Lot 1 was a 91500 sq. ft. tract that contained a frame house and an orchard. The owner of that lot was shown to be a Mr. Levy. When the Plat of Santa Clara was drawn in the period between 1873 and 1875, it showed no change in the configuration of the block that had been surveyed nine years earlier. However, the ownership of the block had changed and it was now owned by W. J. Chapman. A wealthy real estate developer who resided in San Francisco, William J. Chapman did not live on the site and if someone did occupy the property, his identity is not known.

A successful gold miner, Harvey Morgan Leonard arrived in Santa Clara County in 1861 where he purchased the 280-acre Quito ranch. After improving it, in 1875 H. M. Leonard sold the ranch and moved into Santa Clara. Here he became a prominent businessman, serving on the Santa Clara County Board of Supervisors and as a trustee of the Santa Clara School Board. Among other business enterprises, in

(Continued on page 6, Form 523L)

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

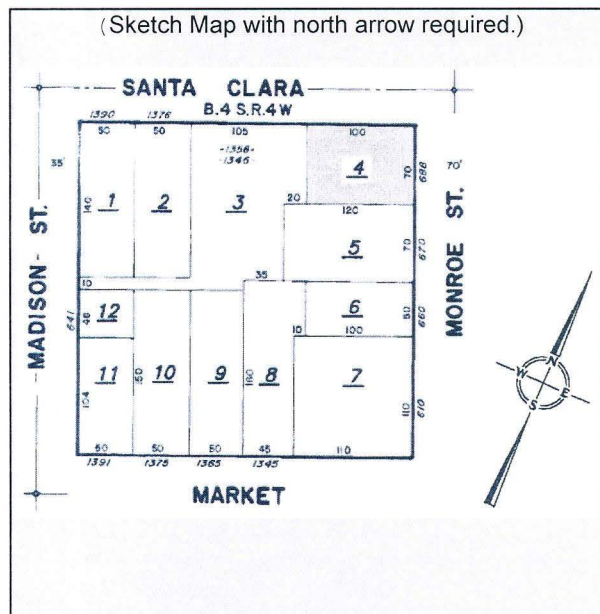
***B12. References:** Carter, Jill (Hughes), *Communication with Lorie Garcia, July-August, 2020*; Garcia, Lorie, "Santa Clara: From Mission to Municipality," 1997, *Franklin Street: A Journey Through Time*, 2020; Manifest of the SS "Monarch," Consulado Geral de Portugal Em Hawaii, 1882; Map of the Town of Santa Clara, drawn by C. E. Moore, 1893; McAlester, Virginia Savage, "A Field Guide to American Houses," Revised ed., 2013; Polk and Husted City Directories, 1891-1974; Sanborn Fire Insurance Maps, 1891, 1901, 1915, 1930, 1950; Santa Clara Commercial League, "Progressive Santa Clara," 1904; San Jose Mercury News, 01/06/1955; The Evening News, 03/02/1889, 08/27/1901, 11/21/1902, 07/25/1918; Thrum, Thomas G., "Hawaiian Almanac and Annual for 1887," 1886; United States Census, 1870, 1880, 1900, 1910, 1920, 1930, 1940.

B13. Remarks:

*B14. Evaluator: *Lorie Garcia*

*Date of Evaluation: September 13, 2020

(This space reserved for official comments.)



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Santa Clara, Leonard was on the Bank of Santa Clara County's Board of Directors and the bank's Vice-President and manager, along with serving on the Board of Directors of the Garden City National Bank in San Jose.

Upon his arrival in Santa Clara, H. M. Leonard had also invested in real estate and by the end of the 1880s had purchased Block 4 South, Range 4 West along with other Santa Clara properties, such as the south half of Block 4 North, Range 1 West. A period of growth in Santa Clara during the last decade of the nineteenth century would result in the expansion of residential development and several of the large tracts in the town were subdivided. Starting in 1890, with his Harrison Street property, Harvey M. Leonard was among the first large property owners to start developing his land-holdings in the town. However, as illustrated on the 1891 Sanborn Fire Insurance map, at this time his B4S, R4W property was still an intact block of undeveloped land with only the orchard and no structures shown.

By December 1893, the Map of the Town of Santa Clara, compiled in by C. E. Moore, the Official Surveyor of Santa Clara, shows that Harvey M. Leonard maintained ownership of B4S, R4W however, at some time during the previous two years, a section of land at the Block's NE corner had been platted into two residential lots, while the balance remained undeveloped. Both lots fronted on Monroe Street and that at the corner of Monroe and Santa Clara Streets is where the subject property at 688 Monroe Street would be constructed. In 1894, H. M. Leonard, was convicted of embezzlement from the Bank of Santa Clara, which had led to its failure the previous May. He was sentenced to San Quentin and filed for insolvency. At this time, his Block 4S, Range 4W property was sold to unknown purchaser(s).

By the time Leonard lost this property there appears to have been a residence in existence on at least one of the lots, as the 1893 City Directory lists Clarence C. and Raymond Peppin, both employed at the Pacific Manufacturing Company, as residing on this block at "Monroe near Santa Clara Street."

The 1900 Census shows that by now Clarence C. Peppin is the owner of the subject residence. Still employed as a carpenter at the Pacific Manufacturing Company, C. C. Peppin had married in 1898 and now lived here with his wife, Carrie, and his 16-year-old brother, Arthur.

Due to the work of entities like the Santa Clara Commercial League, which promoted the area's beautiful climate and the opportunities to be found, at the turn of the 20th century more and more people were attracted to the region. In the Town of Santa Clara, agricultural production expanded and manufacturing enterprises began to grow. This would lead to a rise in the population of Santa Clara during the first decade and one-half of the 20th Century, resulting in an even greater building boom than before.

The first time any structures on this block were depicted on a Sanborn Fire Insurance map was in 1901. The map shows that by now, four residential structures had been constructed on the block, three on the Monroe Street block face and one on the Santa Clara Street block face. Interestingly, only the lot with the subject residence is shown with well-defined property lines marked. The immediately adjacent house and a newer home, which had been constructed on Monroe near Bellomy Street, along with a new home fronting on Santa Clara Street, are all shown on the block with the orchard still in existence in the block center.

The 1910 Census indicates that no additional homes had been constructed on the block during the previous decade and that the occupants of these residential structures had remained the same, with the exception of the subject property. According to this Census, by then the Peppin family had moved to another residence and the home was now rented by 28-year-old Ralph Eaton, an Automobile Dealer for the Maxwell Automobile Company. R. Eaton, occupied the subject home with his wife, Beulah, and their baby daughter, Joyce.

The 1915 Sanborn Fire Insurance map shows that during the preceding five years, the block had been further subdivided and five additional residences constructed. The Block's first four homes occupied two-thirds of the block with the remaining third of block being the area in which the new ones were located; two fronting in Santa Clara, one on Madison and two on Bellomy Street. During this period of time, the subject residence continued to be alternately rented or simply vacant, as it was from 1913-1915. According to the City Directories, by 1916, the residence at 688 Monroe Street was occupied by Francis J. A. O'Farrell, a clerk at Oberdeener's Pharmacy. He moved into the home with his wife, Ann, and his mother, Mrs. Mary J. O'Farrell. In 1920 the O'Farrell's left and moved

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to San Francisco and William J. Soares moved into the home. A cannery worker, 26-year-old William rented the home and lived here with his 24-year-old wife, Mary and his 15-year-old, sister-in-law, Josephine Miller. During the 1920s, the home appears to have continued to be used as a rental property with at times being vacant.

In 1930, the residence at 688 Monroe Street was purchased by Frederick W. Fronicke. Born in Germany in 1883, Frederick had immigrated to the United States with his family in 1886 and was a naturalized citizen. He moved into this home from the one he had been renting around the corner at 1393 Santa Clara Street. At the time he purchased the home, Fronicke was employed as a cannery worker at the Pratt-Low Cannery and he lived here with his 44-year-old wife Nora M. Three years later the Fronicke's left this home, moved to San Jose and rented the subject residence to 44-year-old Thomas H. Vodden. An Engineer, Thomas Vodden worked at the City's Municipal Plant and moved into the home with his family. They were his wife, Minnie, who was employed as a sorter at Rosenberg Bros. & Co., and their three sons, Herbert, age 19 and employed as a bank teller, Ward, age 13 and 7-year-old Kent. The Vodden family continued to rent and occupy the home until 1938, it was purchased by Joseph J. Pereira. Joseph and then his descendants would own 688 Monroe Street for the following eight decades.

Among the earliest of the Portuguese families to settle in Santa Clara, after immigrating from Madeira and the Azores Islands via Hawaii, was that of Joseph Pereira. The Pereira family arrived in 1885, while the majority of the immigrant families who comprised Santa Clara's Portuguese community would not arrive in Santa Clara until after 1910, where their compatriots and relatives had located earlier.

The first immigration from Madeira and the Azores Islands to Hawaii had occurred as a result of a suggestion made in 1876 to the Hawaiian plantation owners of the Planters Society (the forerunner of the Hawaiian Sugar Planters Association) that "to give an impetus to sugar growing, in the midst of a scarcity of labor . . . a good class of helpers could be provided from Portugal." Both the environment and economy of Madeira and the Azores Islands were very similar to that of the Hawaiian Islands; they had a subtropical climate and sugarcane had been the mainstay of the economy for over 400 years. Thus, it was felt that Portuguese immigrants could provide the necessary reliable and stable work force needed for the sugarcane plantations. Immigration began in 1878, with the arrival of the bark, "Priscilla," from Madeira carrying 180 passengers. In 1880, immigration from Madeira was suspended and the Hawaiian representative applied to San Miguel in the Azores Islands. In May 1881, the first ship from the Azores Islands arrived in Honolulu.

Born in January 1875, in San Miguel in the Azores Islands, Portugal, in April 1882, 7-year-old Joseph Pereira, his parents, Jacinto and Francisca, along with his brothers and sisters, Manuel (Peter), James (Sigismunde), Mary, Josephine, Joseph and Anthony, left San Miguel on the British steamship, "Monarch," to emigrate to Hawaii. Unlike the previous five sailing ships to make the long and arduous voyage to Hawaii, which took up to 130 days, the journey on this, the first steamship, was 57 days and on June 8th the Pereira family reached Honolulu. Like the other 857 Portuguese passengers, men, women and children, the "Monarch" had carried, the Pereira family was sent to one of the sugar plantations. Finding conditions in Hawaii to be not what they had been promised, at the expiration of their contracts some of these early Portuguese immigrants returned home or "left the country for California." In 1885, the Pereira Family chose the latter. Following their arrival in California, the family settled in Santa Clara.

Here, Jacinto Pereira and his children, moved into a home on Jackson Street, near the corner of Poplar, (420 Jackson St.), an area where many of the early Portuguese immigrants would locate. During the following years, the Pereira family would become important members of this immigrant Portuguese community.

After reaching Santa Clara, Jacinto found employment at the Eberhard Tannery and his oldest sons, Manuel and James went to work at Emig Brothers, a bottling plant that bottled beer for the Santa Clara Brewery and San Jose's Fredericksburg Brewery. Joseph, and his younger brother, Antonio, attended the Santa Clara Preparatory school (Santa Clara College's school for young boys) where Joseph was on the baseball and boxing team. When Joseph finished school, he joined his older brothers working at "Emig Bros." where he also played baseball on the company's baseball team. It is interesting to note that members of the early Portuguese immigrants mingled with members of the early German immigrant families and it was while working at Emig Bros., that Joseph first met Franz Emig's son, Henry, which led to a decades-long friendship.

Like so many of these early immigrants Jacinto Pereira worked hard, saved his money and now used it to provide for the future security

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of five of his children. In 1901 he purchased Mrs. M. E. Newhall's property, the north half of the Block located between Monroe, Market, Madison and Bellomy streets. The following year, in November 1902, Jacinto divided the sections of this property among three of his sons, Manuel, Joseph and Anthony and one daughter, Josephine. Previously his second daughter, Mary, had been deeded another piece of property located in the area between Lafayette, Clay and the railroad tracks in Santa Clara, which he had purchased in 1899 from Finley Garrigus. His son James already owned property in Santa Clara on the corner of Alviso and Liberty (Homestead) Streets, where by now he had established his James Pereira Bottling Company (After the 1906 earthquake James relocated his business to a new site, he purchased on the corner of Alviso and Franklin Streets and constructed a large building to house the business he now called Pereira Bros. Bottling Company.)

Following the closure of "Emig Bros." at the turn-of-the century, Manuel had gone to work with James at his bottling company while Joseph joined his father at the Eberhard Tannery. (At the time of his retirement in 1943, Joseph had been employed for 39 years in the tanning industry, 28 of those working as a shaver at the Tannery.)

Also active in community groups, Joseph Pereira belonged to the Foresters of America, Sherwood Court, No. 60, the Santa Clara Sodality Club and a talented musician, he was a member of the San Jose Municipal Band. As were his brothers, Manuel and Antonio, Joseph was a member of the Mission Hose Brigade of the Santa Clara Volunteer Fire Department, a group to which he would belong until he passed away.

In 1905, Joseph Pereira married Rose Pimentel. The newly-weds were in Washington where their first son, Ernest, was born in 1906 but soon returned to Santa Clara where they rented a house at 1496 Monroe Street. Here, Rose gave birth to their next two children, John (1907) and Jerome (1908). Their sons were followed by the birth of three daughters, Celia, Ethel and in 1923, their last child, Marian. By the time Marian was born, Joseph had purchased a home valued at \$2,500 at 439 Main Street. In 1938, Joseph M. Pereira sold the home on Main Street and purchased the subject residence at 688 Monroe Street. Their sons now grown no longer lived at home and Joseph, now 63, his wife Rose, age 52, along with their three daughters, Celia, age 24, Ethel, age 18, and 16-year-old Marian, moved into their new home.

By the end of WWII, Celia and Ethel were no longer living at home. Marian was also now married and she and her husband, Clifford Hughes, had moved into 688 Monroe with her mother and father. In 1945, they purchased the home from Joseph. Here, that year, their son Clifford Hughes, Jr., was born. The following year, Joseph and Rose separated. Joseph moved out of 688 Monroe Street and in with his daughter, Ethel (Pereira) Mello, in her home on Jackson Street. Rose continued living in the subject home with Marian and Clifford but moved into her own quarters, which had been constructed in the basement. On January 5, 1955, Joseph Pereira passed away and was buried in the Santa Clara Catholic Cemetery. In the same period of time, Rose moved out of 688 Monroe Street to live with her daughter Celia (Pereira) Reagan. Rose would live with Celia until her death in December, 1968.

As shown on the 1930 and 1950 Sanborn Fire Insurance Maps, with only two new houses constructed in the middle of the Market Street block face, only minimal change had occurred to the block between the time of Frederick Fronicke's purchase of the subject residence and the end of Joseph and Rose Pereira's occupancy. Whether the homes were owner-occupied or used as rental property, the area remained a stable residential neighborhood of individual homes.

In 1955, Marian (Pereira) and Clifford Hughes purchased a new home on Susan Drive in Santa Clara and moved into it with their young son. Here their daughter, Jill was born. Four years later, the Hughes' built a new house on Miles Drive and moved into it. However, they retained ownership of the subject residence and for the 19 years following their departure, Marian (Pereira) and Clifford Hughes used the house as a rental property. Then, in 1974, the Hughes family moved back into the family home at 688 Monroe Street.

Clifford Hughes, Sr., was employed in the City of Santa Clara's Building Department and in 1975, he remodeled the house, enlarging it and adding a two-story tower and second story. Until then, the home had remained virtually as constructed in the early 1890s. In 1979 the subject residence at 688 Monroe Street was added to the City of Santa Clara's list of Architecturally or Historically Significant Structures as a "Remodeled Queen Anne Cottage." As the years progressed, Clifford Sr., passed away but Marian (Pereira) Hughes continued living in the home until she passed away on April 7, 1919. In July 2020, Jill (Hughes) Carter, Marian and Clifford Hughes' daughter and Joseph Pereira's granddaughter, sold the subject residence to Mark and Genevieve Bever Rogers.

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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 circa 1893, the subject residence at 688 Monroe 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.

The property at 688 Monroe Street is well maintained and while the architectural integrity of the original structure was diminished by alterations made in 1975, the majority of the visual and character defining features of the historic building were preserved and retained and the new alterations complemented the home's original architectural style. There have been no alterations to the home's exterior since its addition to the City of Santa Clara's Architecturally or Historically Significant property list in 1979 as a "Remodeled Queen Anne Cottage" and the residence retains its original location. 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 the immediate surroundings retain the majority of the qualities that reflect the period in which the homes in the neighborhood were constructed.

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 688 Monroe 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 several owners over the 127 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 other occupants appear to be significant to the history of the region, Nation or State of California. It would therefore appear that the building at 688 Monroe Street would not be eligible for the National Register based on Criterion B (associated with the lives of persons significant in our past). Although remodeled 45 years ago, many of the character-defining features of its original 1893 construction in the Queen Anne Cottage architectural style remain, such as a wide variety of roof planes with cross gables, molded cornices and gable returns, and its "spindework" decorative detailing, such as fish-scale shingles, an angled bay, turned porch posts, decorative carved brackets and pendants, and thus under National Register Criterion C the residence at 688 Monroe 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 prominent location and 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.

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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). The property at 688 Monroe Street does not appear to be eligible for the California Register based on Criterion 1, or Criterion 2. Criterion 3 addresses the distinctive characteristics of a type, period, region, or method of construction. Characterized by the use of a wide variety of roof planes and "spindlework" with cross gables, molded cornices and gable returns, fish-scale shingles, an angled bay, turned porch posts, decorative carved brackets and pendants, the Queen Anne Cottage style was a popular style for domestic building during the 1890s. Constructed circa 1893 in the Queen Anne Cottage architectural style and remodeled in 1975, the subject building resembles an over-scaled Queen Anne Cottage. The property remains as when it was originally designated a City of Santa Clara historically significant property, a nice example of a sensitively remodeled Queen Anne Cottage, and the integrity of the residence is intact. Thus, it appears to reach the level of significance necessary to be eligible for the California Register under Criterion 3.

City of Santa Clara Criteria for Local Significance

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.

While it is not associated with a historical event, this property does have a direct association with the broad patterns of Santa Clara history. Prominently located on a corner lot, this building has interest, integrity and character and reflects the type of homes built in Santa Clara for middle- and working-class families in the last part of the 19th Century.

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.

Owned for 80+ years by members of the prominent Pereira family, this building is associated with one of the first Portuguese immigrant families from Madeira and the Azores Islands, who emigrated to California via Hawaii and settled in Santa Clara. This hard-working immigrant group not only contributed to the economic life of community but for decades members of Santa Clara's Portuguese community made significant contributions to the town's political, social and cultural life.

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.

As the town's population grew near the end of the 19th Century, the residential growth necessary to accommodate the influx of these working-class families expanded onto the smaller lots developed in the newly subdivided areas of Santa Clara, such as the block where the subject property is located. This home was constructed for one such family and over the ensuing years, provided shelter for other people of similar economic status. By their employment in the burgeoning businesses of the township, the members of these families contributed to the economic growth of Santa Clara.

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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.

The residence at 688 Monroe Street was designed and constructed circa 1893 as a Queen Anne Cottage, an architectural style associated with a particular era (1885-1905). A highly decorative style, the Queen Anne Cottage had a variety of roof planes, cut-away bay windows, wide, horizontal siding and fish-scale shingles and was ornamented with a concoction of millwork made possible by the development of machine lathes. Modifications to the home, made in 1975, retained the majority of this architectural style's character-defining features and additions, such as the two-story tower, reflect elements of the Queen Anne style. Today the subject building resembles an over-scaled Queen Anne Cottage.

4. The property has a strong or unique relationship to other areas potentially eligible for preservation because of architectural significance.

The immediate "Old Quad" neighborhood in which the subject property is located is a neighborhood that contains a large number of architecturally and historically significant homes. Although altered, the property retains its appearance as an historic home and due to its prominent location on a corner lot it has a strong relationship to, and helps maintain, the neighborhood's historic character.

5. The property has a visual symbolic meaning or appeal for the community.

Due to its prominent location on a corner lot in the "Old Quad," this large historic house has a visual appeal for the community.

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

Criteria for Geographic Significance:

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

1. A neighborhood, group or unique area directly associated with broad patterns of local area history.

The subject property is located within the area of Santa Clara known as the "Old Quad" neighborhood, the area that reflects the history of the city's development as manufacturing and agricultural industries expanded at the turn of the 20th Century. As the larger lots of the immediate blocks of the "Old Quad" in which the Joseph Pereira residence is located were subdivided and developed into residential lots during the late 19th and early 20th Century, the new homes constructed on the new lots tended to be dwellings built to accommodate the influx of new middle- and working-class residents. These historic residential properties contribute to the historic setting that reflects the neighborhood's role in the broad patterns of Santa Clara's early development.

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

The majority of the existing residential structures on the block lying between Monroe, Market, Madison Street, and Santa Clara Street identified as Block 4 South, Range 4 West, were constructed between 1893 and 1910 and maintain their original configuration and integrity from the time of their construction. Currently several of these homes are listed on the City of Santa Clara's Historically and/or Architecturally Significant Property List. One of these is the subject property at 688 Monroe Street. This residence's architectural style, form and massing and character-defining details are all compatible with the neighboring and nearby historic homes in this area of the

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"Old Quad" and the corner location of this historic residence results in a highly visual contribution to the neighboring homes. The residence at 688 Monroe Street is representative of the development of this area of the Old Quad during the turn of the 20th century and is important to the integrity of the historic area in which it is located.

The subject property does meet Criteria for Geographic Significance 1 and 2, 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 688 Monroe 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.

Conclusions and Recommendations

Currently, this property is on The City of Santa Clara Architecturally or Historically Significant Properties list. In this update of the November 10, 1980 Historic Resources Inventory for the City of Santa Clara, the evaluator finds 688 Monroe Street to be an example of a sensitively remodeled example of the Queen Anne Cottage architectural style and, as it has undergone no 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.

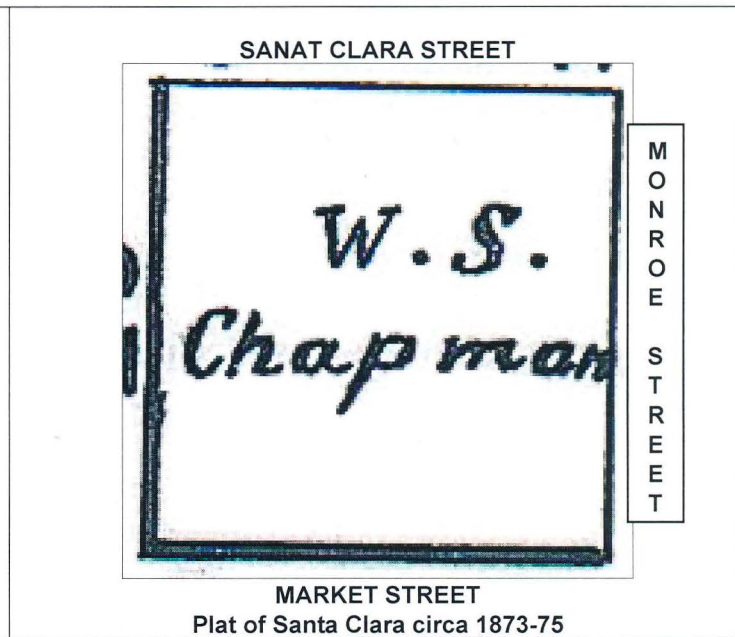
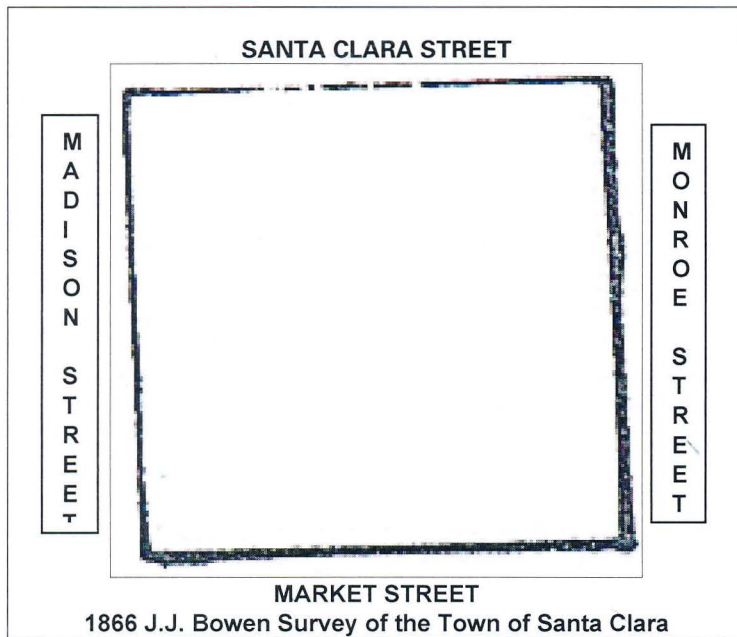
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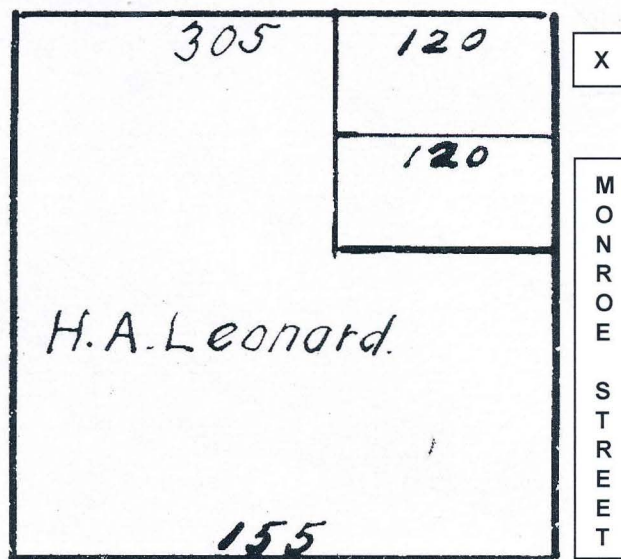
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HISTORIC MAPS



R A



Dec., 1893 Map of the Town of Santa Clara - Compiled by C. E. Moore

(X indicates 688 Monroe Street property.) NOTE: When it was traced in 1932 by G. L. Sullivan, Leonard's middle initial was mis-written. Records show he was H. M., not H. A., Leonard.

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DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary #
HRI #
Trinomial

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*Resource Name or # (Assigned by recorder) *Joseph Pereira House*

*Recorded by: Lorie Garcia

*Date 09/13/2020

☒ Continuation

☒ Update

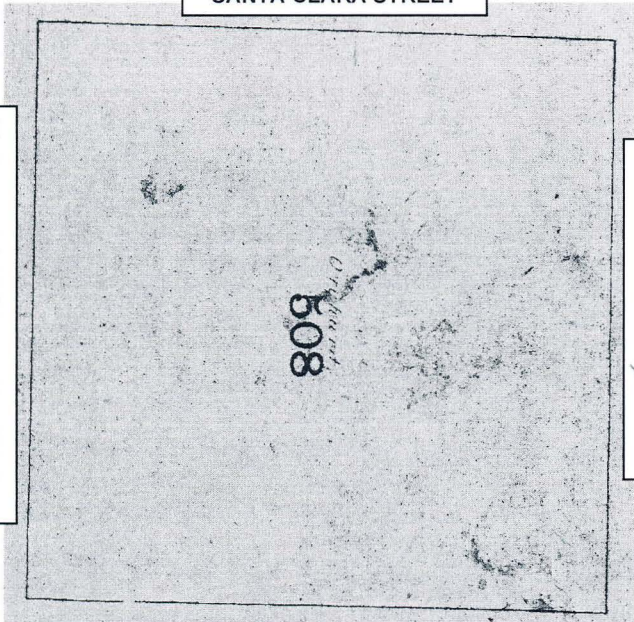
SANBORN FIRE INSURANCE MAPS

1891 SANBORN MAP

SANTA CLARA STREET

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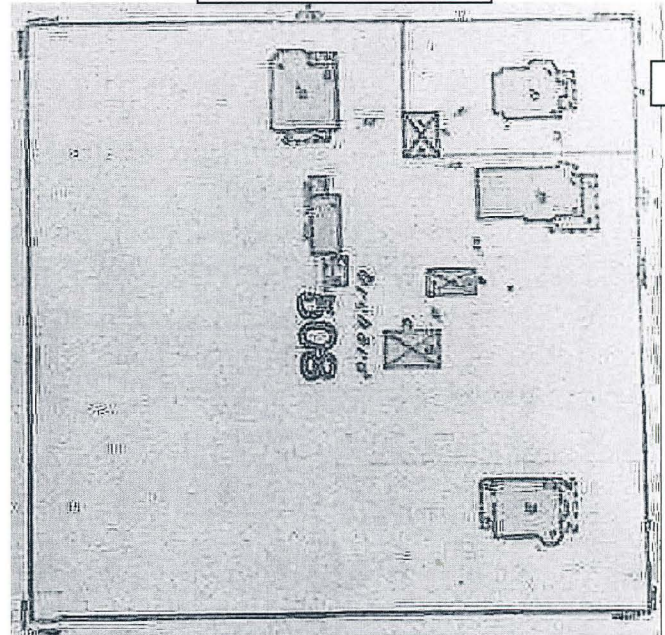


Note: No structures on block but *Orchard* written on Sanborn Map.

1901 SANBORN MAP

SANTA CLARA STREET

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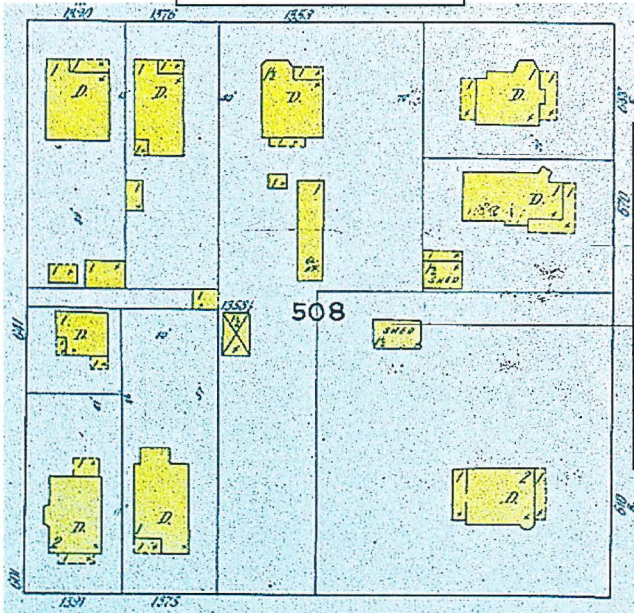


X marks subject residence

1915 SANBORN MAP

SANTA CLARA STREET

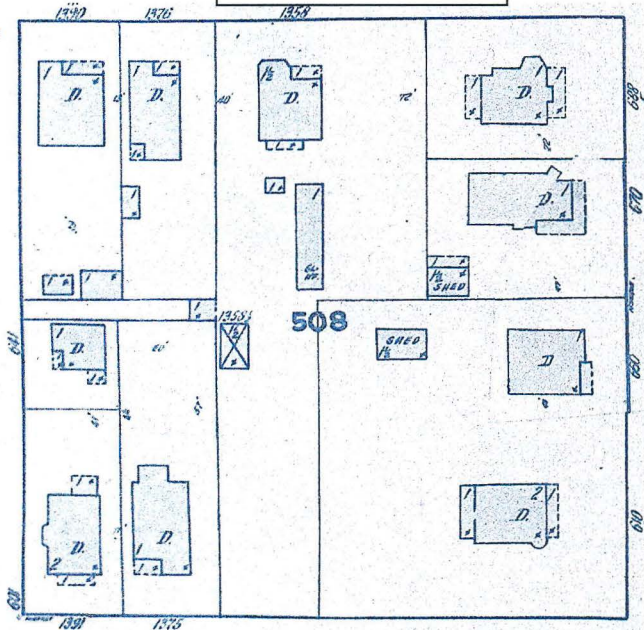
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1930 SANBORN MAP

SANTA CLARA STREET

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State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
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*Resource Name or # (Assigned by recorder) *Joseph Pereira House*

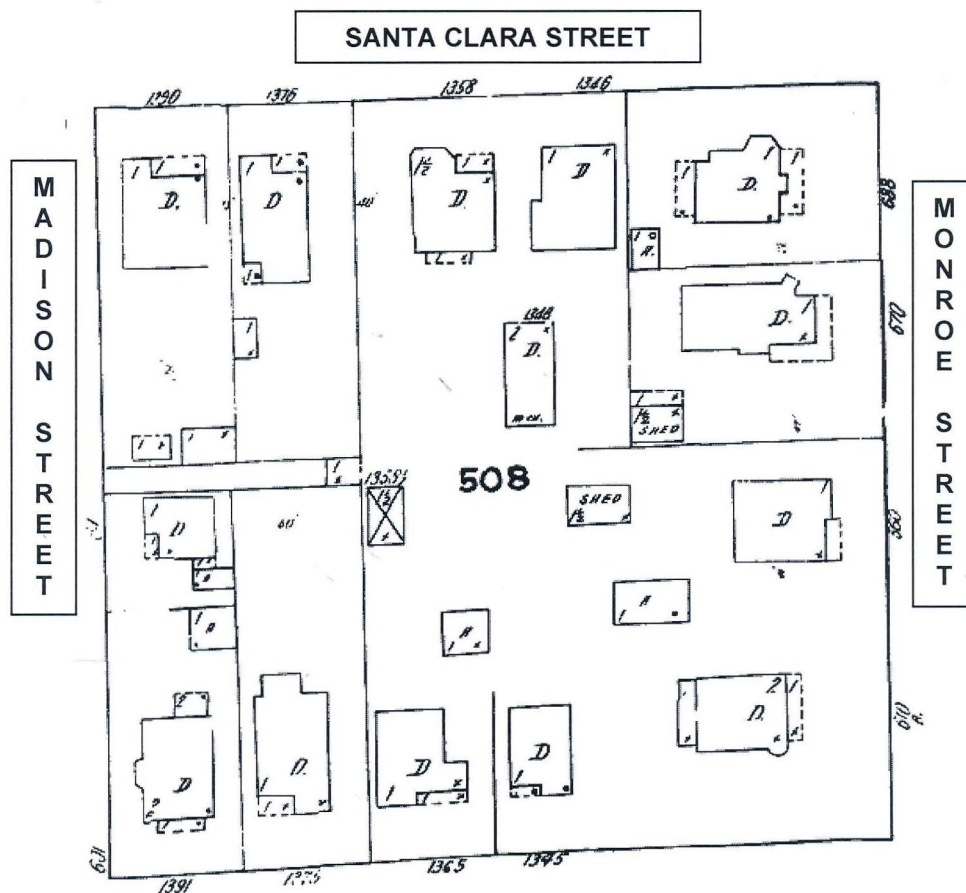
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*Date 09/13/2020

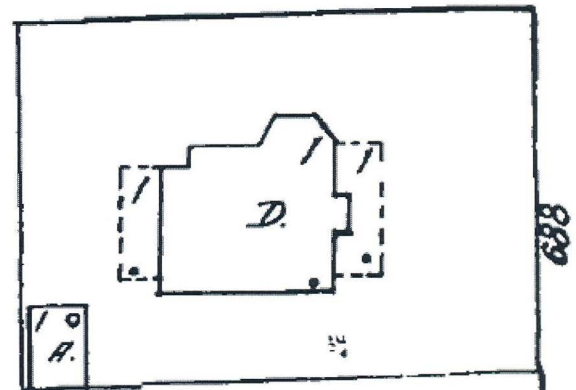
☒ Continuation ☒ Update

SANBORN FIRE INSURANCE MAPS

1950 SANBORN MAP



The outline of the house and front & rear porches (dotted lines) on the 1950 Sanborn Map (right) remains unchanged from that appearing on the 1901 Sanborn Map, indicating that no alterations had been made by 1950. Note the small structure labeled A on the map, this was the garage. When the house was remodeled in 1975, the rear porch and the garage would be demolished and the house extended from where the porch joined the house past the garage corner closest to the outline of the house, as delineated in 1950.



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*Date 09/13/2020

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HISTORIC PHOTOS (Photos Courtesy Jill [Hughes] Carter)



Ca 1974. Above: Shown standing on the front steps are Marian (Pereira) Hughes and her son Clifford Hughes, Jr. Below: Photo shows original front façade with full-width front porch, prior to two-story addition. Note: the porch was truncated and the tower constructed to the left of the gable-roofed projection with the front door, where the main body of the house is set back.



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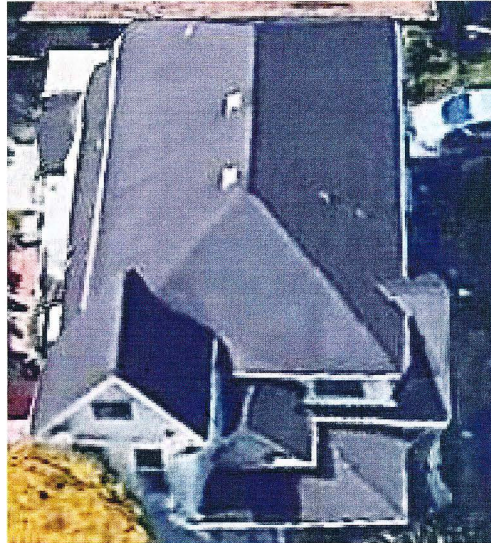
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*Recorded by: Lorie Garcia

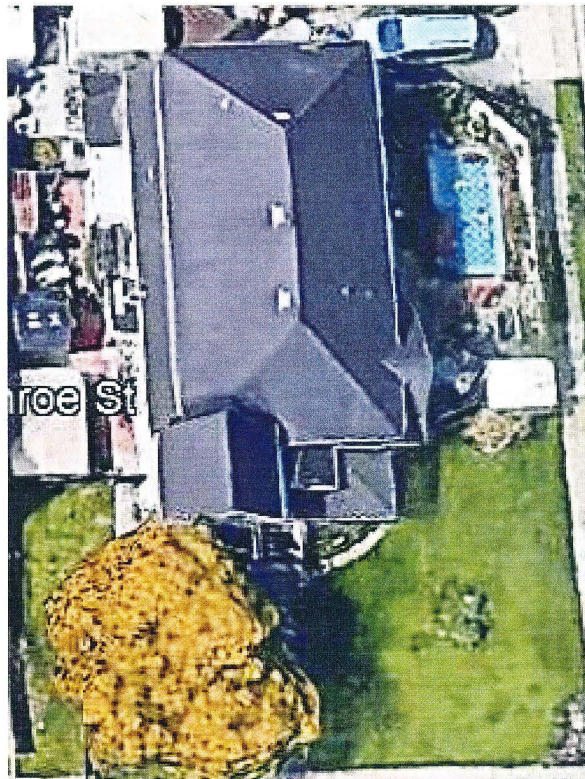
*Date 09/13/2020

☒ Continuation ☒ Update

Additional Photos – Google Aerial Photos 2020



Above: photo shows the wide variety of roof planes.



MONROE ST.

Above: photo shows placement of house on the lot.

State of California — The Resources Agency
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*Resource Name or # (Assigned by recorder) *Joseph Pereira House*

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*Date 09/13/2020

☒ Continuation ☒ Update

Additional Photos – Rear Facade



Photo No: 100_2673
View: Partial N side-elevation and Rear Facade. Photo Date: August, 2020;
Camera Facing: E.



Photo No: 100_2668
View: Rear Façade and partial S side-elevation. Photo Date: August, 2020;
Camera Facing: NE.

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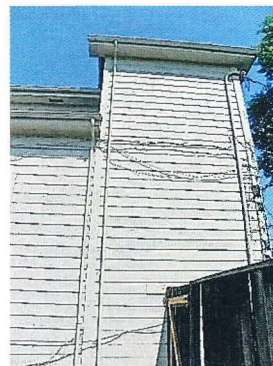
*Date 09/13/2020

☒ Continuation ☒ Update

Additional Photos – South side-elevation



Photo No: 100_2623; View: South side-elevation and Front façade from Monroe street.
Photo Date: August, 2020; Camera Facing: West.



Top: Photo No: 100_2650; View: Tower S side; Camera Facing: NW.
Bottom: S side from tower to middle deck/entry; Camera Facing NW.
Photos: August, 2020;

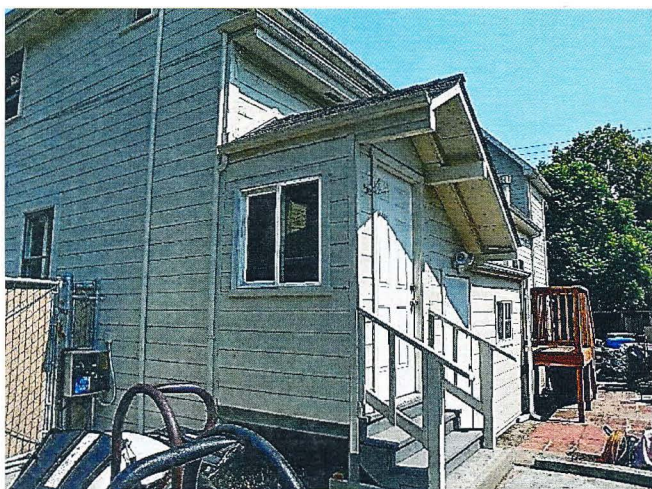


Photo No: 100_2663
View: Partial S side-elevation from rear to middle deck/ house entry.
Photo Date: August, 2020; Camera Facing: East.

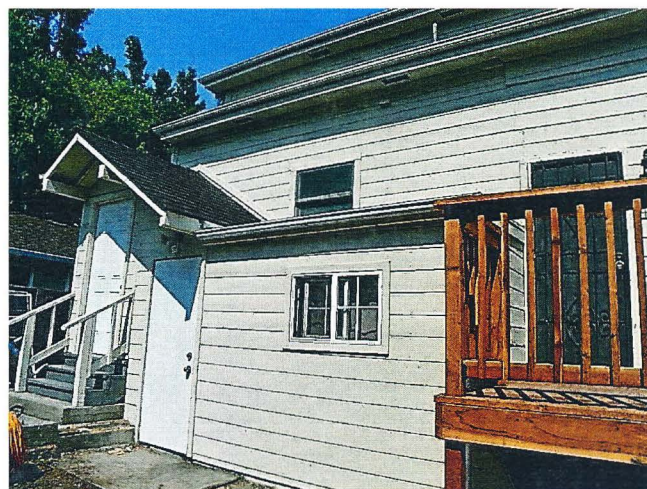


Photo No: 100_2655;
View: S side-elevation rear gable and shed roofed extension.
Photo Date: August, 2020; Camera Facing: NW.

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DEPARTMENT OF PARKS AND RECREATION
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*Resource Name or # (Assigned by recorder) *Joseph Pereira House*

*Recorded by: Lorie Garcia

*Date 09/13/2020

☒ Continuation ☒ Update

Additional Photos – Entry doors



Photo No: 100_2647; View: Main Entry door;
Photo Date: August, 2020; Camera Facing: WSW.



Top: Photo No: 100_2680; View: N side Entry (French Doors);
Photo Date: August, 2020; Camera Facing: SSE.



Photo No: 100_2662
View: S side Entries to house (with steps) & Basement living unit
(groundlevel); Photo Date: August, 2020; Camera Facing: ENE.

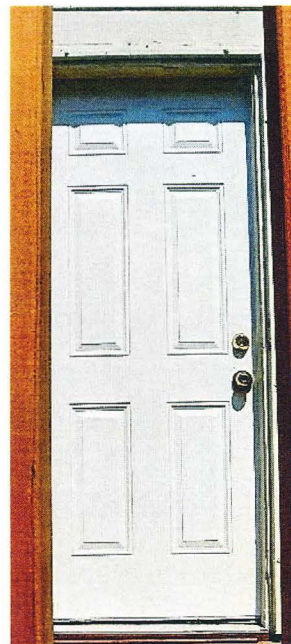


Photo No: 100_2659
View: S side Entry from deck to house;
Photo Date: August, 2020; Camera Facing: ENE.

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*Resource Name or # (Assigned by recorder) *Joseph Pereira House*

*Recorded by: Lorie Garcia

*Date 09/13/2020

☒ Continuation ☒ Update

Additional Photos – Windows



Photo No: 100_2640;
View: Ornamental round-arched Tower window;
Photo Date: August, 2020;
Camera Facing: WSW.



Photo No: 100_2661; View: Typical wooden windows with brackets, circa original 1893 construction;
Photo Date: August, 2020;
Camera Facing: NW.

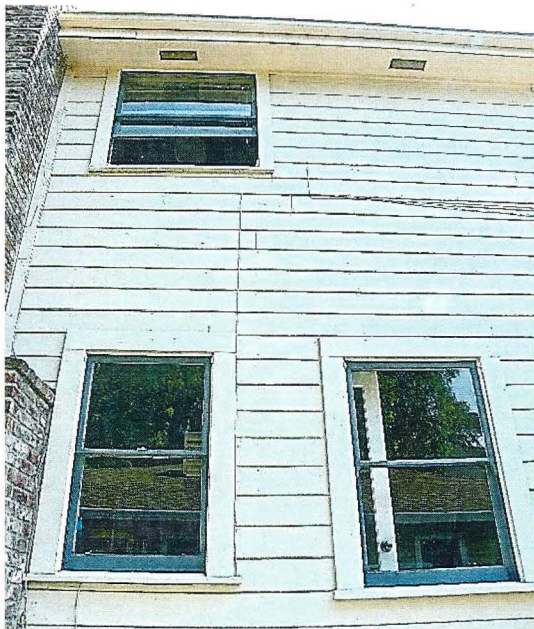


Photo No: 100_2675
View: Typical 1st & 2nd story wooden windows, circa 1975 construction.
Photo Date: August, 2020; Camera Facing: NE.



Photo No: 100_2660;
View: Typical vinyl-clad sliding windows in S side-elevation rear extension.
Photo Date: August, 2020; Camera Facing: NW.

State of California — The Resources Agency
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*Resource Name or # (Assigned by recorder) *Joseph Pereira House*

*Recorded by: Lorie Garcia

*Date 09/13/2020

☒ Continuation ☒ Update

Additional Photos – Queen Anne Decorative Elements and “Spindlework”

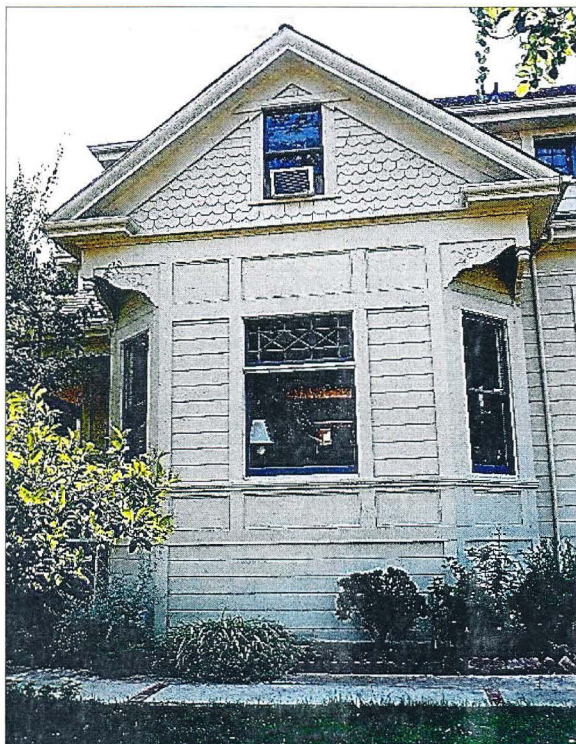


Photo No: 100_2683; View: N side elevation Angled Bay;
Photo Date: August, 2020; Camera Facing: SSE.



Photo No: 100_2681; View: N side elevation Angled Bay & Front
porch railing with turned corner post; Photo Date: August, 2020;
Camera Facing: SE.

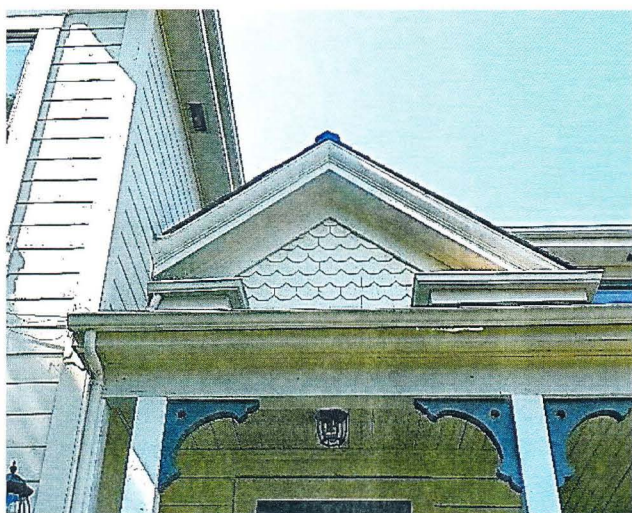


Photo No: 100_2648; View: Front original gable face with fishscale
shingles and porch brackets; Photo Date: August, 2020;
Camera Facing: WSW.

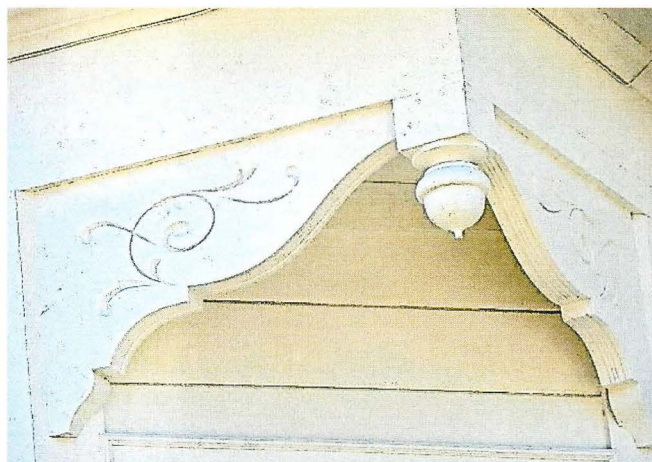


Photo No: 100_2618
View: Angled bay's cut-away window brackets and "acorn" pendant
Photo Date: August, 2020; Camera Facing: SE.

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.

To whom it may concern:

Mark and I met in the dorms at Santa Clara University our freshmen year. After graduating, and getting married in the SCU Mission a couple years later, our dream was to settle down in the same beloved neighborhood where our relationship began. We would walk to the farmers market in Franklin Square and envision a weekly tradition of walking to get a breakfast burrito and fresh fruit as a family. We bought a little condo on Monroe Street in Santa Clara right after getting married, and this home, serendipitously also on Monroe Street, is the perfect place to settle down and raise our growing family.

The beautiful, circa 1893, Queen Anne style home is our dream home, not just for its location, but also for its incredible character and history. We are committed to preserving the historic beauty of our home. This stately corner house is already listed as a house of historical significance in the City of Santa Clara. The distinctive gables define the 19th century era of the Old Quad. The second floor addition in 1975 was meticulously built to be consistent with the Queen Anne style, which led to the house being placed on the list of historically significant homes after the impeccable done addition.

We are a young family, with an 18 month old son, and a daughter due in March 2021. Raising a family in Silicon Valley is very expensive, and we want to prioritize maintaining our gorgeous home throughout the years to come. Given this tumultuous year and future financial uncertainty, the Mills Act enables us to afford the work this historic home deserves. We feel obligated and proud to keep this house in pristine condition, but sadly, our financial situation does not allow us to do all that we want and is necessary to do.

With the Mills Act, we intend to put all the tax savings back into the house, in addition to applying additional funds when needed. The Mills Act will enable us to sustain this dignified home for decades. Since purchasing the home a few short months ago, we have already completed necessary work on the home, while working to maintain the historic nature of the home. See the list of items we have already completed on the next page. We intend to continue the work we have already started in order to ensure this home is restored appropriately.

Thank you for your time and consideration. We look forward to working with you over the years to come.

Sincerely,

Genevieve and Mark Rogers

310-621-1850, genevievebever@gmail.com

916-705-5247, markwrogers20@gmail.com

List of Already Completed Work on the Home

1. Resolved the leak in the roof by the basement entrance by replacing roofing and flashing. There was also dry rot found in the same area as the leak, so we went ahead and replaced that dry rot as well. A new gutter in that area was also installed to better direct rain flow.
2. Replaced flooring upstairs with high quality laminate flooring as carpet smelled of pet urine, which made the living space inhabitable.
3. Upon pulling out the carpet, we also discovered excessive mold in one bedroom. We had a contractor remove the molding areas and treated it before installing the new flooring.
4. We tented the entire structure for termites (termites were excessive). We also had the termite company do spot treatment on some areas to further prevent termites in the future.
5. There was one area on the outside of the house where the crown molding was either rotting away or bit away by rats, who had been entering the interior of the home through the opening. We restored the crown moulding to its original, historic nature while closing up the space so rodents can no longer intrude.
6. Replaced broken or missing light fixtures throughout the home. Many have been replaced with era pieces!

688 Monroe Street | Mills Act
10 Year Restoration and Maintenance Plan

Year 1	We will either remedy or remove the unpermitted space in the basement. This will improve the safety of the home as it will now meet code.
	We will close the exterior openings to the basement crawl space with a wire mesh covering to prevent the intrusion of rodents into the structure.
Year 2	If the permitting process is not yet complete for the unpermitted space, we will continue that work onto year 2 as well.
	We will replace dry rotted wood elements around the base of the building.
Year 3	We will paint outside of house where dry rotted wood was replaced with new wood on the exterior of the house including under the balcony, water heater shed, and basement stair shaft.
	We will replace the baseboards upstairs to be consistent with the Queen Anne Cottage style of it's era.
Year 4	We will repair and restore function of broken ropes on the first floor double hung windows in order to maintain the original character of the home.
Year 5	We will repair and restore function of broken ropes on the second floor double hung windows in order to maintain the original character of the home.
Year 6	We will seal and weatherproof the front door, back door, and 2 side doors. There are currently large gaps around the doors (more noticeably between the doors and the floors) due to the house settling over time.
	We will restore upstairs doors in the hallway and purchase new hardware for the doors that is pertinent to the Queen Ann Style.
Year 7	We will replace nob & tube wiring in the basement and attic with code-compliant electrical standards.
	We will close the exterior openings to the basement crawl space with a wire mesh covering to prevent the intrusion of rodents into the structure.
Year 8	We will restore the side porch on the north side of the house by restoring the existing wood and/or replacing dryrotting pieces.
Year 9	We will inspect the foundation of the structure with a licensed professional and make necessary repairs to the existing structure.
Year 10	We will improve site drainage against foundation of the building by replacing gutters and adding proper downspots.
	We will repair roof flashing to redirect waterfall in order to preserve the roofing and siding of the house.

**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 , 2020, ("Effective Date"), by and between Mark and Genevieve Rogers, owners of certain real property located at 688 Monroe Street, Santa Clara, CA 95050 ("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 2012 Santa Clara County Property Tax Rolls as Assessors' Parcel Number 269-36-004, and generally located at the street address 688 Monroe 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 September 21, 2020. The Proposal included a Primary Record from the State of California's Department of Parks and Recreation. A true and correct copy of the Proposal is attached to this Agreement as "Exhibit B".

(4) CITY and OWNERS, for their mutual benefit, now desire to enter into this Agreement both to protect and preserve the characteristics of historical significance of the Historic Property and to qualify the Historic Property for an assessment of valuation pursuant to Section 439.2 of the California Revenue and Taxation Code.

B. **Agreement.**

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

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

(2) **Renewal.**

(a) Each year on the anniversary of the effective date of this Agreement, ("renewal date"), one (1) year shall automatically be added to the term of this Agreement unless notice of nonrenewal is mailed as provided herein.

(b) If either the OWNERS or CITY desires in any year not to renew the Agreement, OWNERS or CITY shall serve written notice of nonrenewal of the Agreement. Unless such notice is served by OWNERS to CITY at least ninety (90) days prior to the annual renewal date, or served by CITY to OWNERS at least sixty (60) days prior to the annual renewal date, one (1) year shall automatically be added to the balance of the remaining term of the Agreement as provided herein.

(c) OWNERS may make a written protest of a nonrenewal notice issued by CITY. CITY may, at any time prior to the annual renewal date of the Agreement, withdraw its notice to OWNERS of nonrenewal. If either CITY or OWNERS serves notice to the other of nonrenewal in any year, the Agreement shall remain in effect for the balance of the term then remaining, from either original execution date or the last renewal date of the Agreement, whichever is applicable.

(3) **Standards for Historical Property.** During the term of this Agreement, the Historic Property shall be subject to the following conditions, requirements, and restrictions:

(a) OWNERS shall preserve and maintain the characteristics of historical significance of the Historic Property. "The Secretary of the Interior's Standards for Rehabilitation," marked as "Exhibit C" to this agreement, and incorporated herein by this reference, contains a list of those minimum standards and conditions for maintenance, use, and preservation of the Historic Property, which shall apply to such property throughout the term of this Agreement.

(b) OWNERS shall, when necessary or as determined by the Director of Planning and Inspection, restore and rehabilitate the property to conform to the rules and regulations of the Office of Historic Preservation of the State Department of Parks and Recreation, the United States Secretary of the Interior Standards for Rehabilitation and the California Historical Building Code and in accordance with the attached schedule of potential home improvements, drafted by the OWNERS and approved by the City Council, attached hereto as "The Description of the Preservation and Restoration Efforts," marked as "Exhibit D" to this agreement, and incorporated herein by this reference.

(c) OWNERS shall allow, and CITY requires, that after five (5) years, and every five (5) years thereafter, an inspection of the property's interior and exterior shall be conducted by a party appointed by CITY, to determine OWNERS' continued compliance with the terms of this Agreement. OWNERS acknowledge that the required inspections of the interior and exterior of the property were conducted prior to the effective date of this Agreement.

(4) Provision for Information.

(a) OWNERS hereby agree to furnish CITY with any and all information requested by the CITY to determine compliance with the terms and provisions of this Agreement.

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

(5) Cancellation.

(a) CITY, following a duly noticed public hearing as set forth in California Government Code Section 50280, et seq., shall cancel this Agreement or bring an action in court to enforce this Agreement if it determines any one of the following:

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

(ii) the OWNERS have allowed the property to deteriorate to the point that it no longer meets standards for a qualified historic property.

(b) CITY may also cancel this Agreement if it determines that:

(i) the OWNERS have allowed the property to deteriorate to the point that it no longer meets building standards of the City Code and the codes it incorporates by reference, including, but not limited to, the Uniform Housing Code, the California Historical Building Code, the California Fire Code, and the Uniform Code for the Abatement of Dangerous Buildings or;

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

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

(c) In the event of cancellation, OWNERS shall pay those cancellation fees set forth in California Government Code Section 50280, et seq. As an alternative to cancellation, OWNERS may bring an action in court to enforce the Agreement.

(6) No Waiver of Breach.

(a) No waiver by CITY of any breach under this Agreement shall be deemed to be a waiver of any other subsequent breach. CITY does not waive any claim of breach by 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 688 Monroe 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: Mark Rogers	Genevieve Rogers
688 Monroe Street	688 Monroe Street
Santa Clara, CA 95050	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 \$970.00 (nine-hundred, seventy 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 Community Development 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:

Brian Doyle
City Attorney

Deanna J. Santana
City Manager

ATTEST:

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

Hosam Haggag
City Clerk

“CITY”

**Mark and Genevieve Rogers,
Owners of 688 Monroe Street**

By: _____
Mark Rogers
688 Monroe Street
Santa Clara, CA 95050

By: _____
Genevieve Rogers
688 Monroe Street
Santa Clara, CA 95050

“OWNERS”

Exhibits:

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

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