



City of Santa Clara

Meeting Agenda

Historical & Landmarks Commission

Thursday, January 7, 2021

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

Historical and Landmarks Commissioners and Staff Liaison 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 21-1283 [Historical and Landmarks Commission Minutes of November 5, 2020](#)

Recommendation: Approve the Historical and Landmarks Commission Minutes of November 5, 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. 21-1289 [Public Hearing: Consideration of a request for a new plaque for the property at 1357 Main Street](#)

Recommendation: Approve a modified bronze plaque circa 1915 for the property located at 1357 Main Street, and allocate funds to cover the cost of the plaque in the amount of approximately \$200.00.

3. 21-1254 [Public Hearing: Consideration of a Historical Preservation Agreement \(Mills Act Contract\) for 904 Madison Street](#)

Recommendation: Staff recommends that the Historical and Landmarks Commission find that the Mills Act Application and associated 10-Year Plan for restoration and maintenance accomplish the intent of preserving and maintaining the historical significance of the property; and therefore, recommend Council approval of a Mills Act Contract, and the adoption of a 10-Year Restoration and Maintenance Plan associated with the Historical Preservation Agreement.

4. 21-1250 [Action on Other Business](#)

Recommendation: There is no staff recommendation.

Board and Committee Assignments

- Santa Clara Arts and Historic Consortium (Estes / Leung as 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)

STAFF REPORT

1. Budget
2. Berryessa Adobe Maintenance

COMMISSIONERS REPORT

1. Subcommittee Reporting - 20 minutes
2. 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)

3. Announcements and Other Items - 10 minutes

4. Commissioner Travel and Training Requests - 10 minutes

ADJOURNMENT

The next regularly scheduled meeting is on February 4, 2021 at 6 p.m.

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

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Agendas and other written materials distributed during a public meeting that are public record will be made available by the City in an appropriate alternative format. Contact the City Clerk's Office at 1 408-615-2220 with your request for an alternative format copy of the agenda or other written materials.

Individuals who require an auxiliary aid or service for effective communication, or any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.



City of Santa Clara

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

Agenda Report

21-1283

Agenda Date: 1/7/2021

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Historical and Landmarks Commission Minutes of November 5, 2020

RECOMMENDATION

Approve the Historical and Landmarks Commission Minutes of November 5, 2020.

Reviewed by: Rebecca Bustos, Senior Planner

Approved by: Gloria Sciara, Development Review Officer

ATTACHMENTS

1. Historical and Landmarks Commission Minutes of November 5, 2020



City of Santa Clara

Meeting Minutes

Historical & Landmarks Commission

11/05/2020

6:00 PM

Virtual Meeting

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

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CALL TO ORDER AND ROLL CALL

Chair Leung called the meeting to order at 6:01 p.m.

Present 6 - Chair Patricia Leung, Vice Chair Stephen Estes, Commissioner J.L. "Spike" Standifer, Commissioner Ana Vargas-Smith, Commissioner Megan Swartzwelder, and Commissioner Kathleen Romano

Absent 1 - Commissioner Michael Celso

A motion was made by Commissioner Estes, seconded by Commissioner Swartzwelder to excuse Commissioner Celso's absence.

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

Excused: 1 - Commissioner Celso

CONSENT CALENDAR

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

Commissioner Standifer abstained due to his absence at the October 1, 2020 meeting.

A motion was made by Commissioner Romano, seconded by Commissioner Estes to approve staff recommendation.

Aye: 5 - Chair Leung, Vice Chair Estes, Commissioner Vargas-Smith, Commissioner Swartzwelder, and Commissioner Romano

Excused: 1 - Commissioner Celso

Abstained: 1 - Commissioner Standifer

PUBLIC PRESENTATIONS

None.

GENERAL BUSINESS

2. [20-1008](#) Public Hearing: Consideration of a Historical Preservation Agreement (Mills Act Contract) for 688 Monroe Street

Chair Leung and **Commissioner Romano** abstained due to their proximity to the property.

A motion was made by Commissioner Standifer, seconded by Commissioner Vargas-Smith to approve staff recommendation.

Aye: 4 - Vice Chair Estes, Commissioner Standifer, Commissioner Vargas-Smith, and Commissioner Swartzwelder

Excused: 1 - Commissioner Celso

Abstained: 2 - Chair Leung, and Commissioner Romano

STAFF REPORT

Staff Liaison Rebecca Bustos provided updates regarding the upcoming Mills Act City Council hearings.

COMMISSIONERS REPORT

Subcommittee Reporting - 20 minutes

Commissioners Swartzwelder and Vargas-Smith reported on the first Marketing and Education Subcommittee meeting.

Board and Committee Assignments - 15 minutes

Commissioners present reported on assignments.

Announcements and Other Items - 10 minutes

None.

Commissioner Travel and Training Requests - 10 minutes

No travel or training reported. No requests to attend trainings.

ADJOURNMENT

Motion was made by Commissioner Romano, seconded by Commissioner Standifer to adjourn the meeting.

The meeting adjourned at 7:12 p.m.

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

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

Excused: 1 - Commissioner Celso



Agenda Report

21-1289

Agenda Date: 1/7/2021

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Public Hearing: Consideration of a request for a new plaque for the property at 1357 Main Street

BACKGROUND

The homeowners at 1357 Main Street, Robert and Lisa Bohorquez, submitted a request to the Historical and Landmarks Commission (HLC) to receive a new and modified plaque for their property. Per their request letter (attached), the current plaque lists the construction date as 1900, but there are records that show a different construction date.

DISCUSSION

Information related to the construction date varies by source (attached). A 1980 Historic Survey Report identifies the date of construction as sometime between 1880 and 1930, while a 2004 survey lists the construction date as circa 1915, and County records indicate 1925. Since the construction date varies so widely, 1915 is the median year and including circa before the date would indicate that it is approximate.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

PUBLIC CONTACT

No public comments have been received at the time of preparation of this report.

RECOMMENDATION

Approve a modified bronze plaque circa 1915 for the property located at 1357 Main Street, and allocate funds to cover the cost of the plaque in the amount of approximately \$200.00.

Reviewed by: Rebecca Bustos, Senior Planner

Approved by: Gloria Sciara, Development Review Officer

ATTACHMENTS

1. Homeowner Letter
2. Property Records

October 29, 2020

To: City of Santa Clara Historic & Landmark Commission

From: Robert & Lisa Bohorquez – Owners @ 1357 Main St. Santa Clara, Ca 95050

Re: New Historic Oval Plaque for 1357 Main St Santa Clara, Ca 95050

(Attached: pages of plaque and Santa Clara county property record)

Dear Santa Clara Historic & Landmark Commission,

In January 2006 I was contacted by Judith Silva from the Santa Clara Historic & Landmark Commission. She asked me if I was interested in receiving a Historic Plaque for my property at 1357 Main St. I was happy to accept a plaque for my home. Judith asked me if I knew what the original build date of my home was. I replied, "not sure, I think 1900 something, don't you have a record of that?" Soon after, I received two oval plaques. One wooden and one brass (see attached pictures). These are both incorrectly marked as 1900 for the year my home was built.

I am writing today to request two new plaques with the accurate build date for my property. According to Santa Clara County Records my home was built in 1925. (See attached picture of county records)

Thank you for your attention and considering my request.

Sincerely,

Robert & Lisa Bohorquez

A handwritten signature in black ink, appearing to read "R Bohorquez". The signature is fluid and cursive, with the first name "R" being large and prominent, followed by "Bohorquez" in a more compact, flowing script.



County of Santa Clara

Office of the County Assessor
 County Government Center, East Wing
 70 West Hedding Street
 San Jose, California 95110-1771
 FAX (408) 208-0446
 www.scc-assessor.org

**Public Information - APN:269-05-050**

Printed on: 8/31/2020 4:42:00 PM

APN: 269-05-050 TRA: 07-000 Title ID: 91298037 Doc No: 17324622
 Name: **BOHORQUEZ, ROBERT A AND BOHORQUEZ, LISA LINDA** Last Trnsf. Date: 9/5/2003
 Situs: **1357 MAIN ST SANTA CLARA, CA 95050-4217** PUB: N
 Mailing: 1357 MAIN ST SANTA CLARA, CA 95050-4217
 Appraiser: MIKE HSU (5362) Use Code: 01
 Assessee Type: Owner Type: I (Individual) Sales Conf Code: 1SA District: 6
 LAND: 65,169 IMPR: 169,900 EXEMPT: 7,000 NET VALUE: **228,069**

Values

Value Type	CTR (2020)	HR1 (2019)	HR2 (2018)	HR3 (2017)	HR4 (2016)	HR5 (2015)	HR6 (2014)	HR7 (2013)	HR8 (2012)
LAND	65,169	64,584	80,000	81,500	87,800	69,200	60,000	75,400	63,000
IMPROVEMENT	169,900	167,800	120,004	122,161	131,761	117,159	90,100	113,100	94,600
TOTAL VALUE	235,069	232,384	200,004	203,661	219,561	186,359	150,100	188,500	157,600
HO EXMPT	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000
OTHER EXMPT	0	0	0	0	0	0	0	0	0
TOTAL EXMPT	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000
NET VALUE	228,069	225,384	193,004	196,661	212,561	179,359	143,100	181,500	150,600
EXEMPT TYPE1		7	7	7	7	7	7	7	7
EXEMPT TYPE2	7								
EXEMPT YR	2004	2004	2004	2004	2004	2004	2004	2004	2004

Characteristics

Property Type: SF		
Building No.: 01	Usable SQFT.: 6762	Acres: 0.15
Total Rooms: 6	1st Floor: 1118	Year Built: 1925
Dining: 1	2nd Floor: 0	Effective Year: 1925
Family: 0	3rd Floor: 0	Condition: A
Bedrooms: 3	Basement: 0	Special Prop: N
Bathrooms: 2	Basement Factor: 0	Property Type: 1
Utility: 0	Addition: 134	Zoning: R1
Model No.: 0	Addn Factor: 1	Neighborhood: 303
Quality: D055C	Garage: 0	Sub Neigh: 599
Area of Mod: 1252	Garage Fac: 0	
Remarks: 2013 ADD 260 ST COVERED PORCH IN BACK; 2018 ADD 134SF & M BATH		

The Information contained in this report has been extracted from Assessor records which are not continuously updated. For that reason, neither the Assessor nor the County of Santa Clara accept any responsibility or liability for errors, omissions, or approximations which may exist in the information. The user expressly accepts the information contained herein with the knowledge that errors and/or omissions may exist.

HISTORIC RESOURCES INVENTORY

Ser. No. _____
HABS _____ HAER _____ NR _____ SHL _____ Loc _____
UTM: A 10/593320/4134220 B 593250/4134430
C _____ D _____

IDENTIFICATION

1. Common name: _____
2. Historic name: 1356 - Nathan H. Downing House, 1386 Dr. T. E. Gallup House
3. Street or rural address: 1346, 1356, 1357, 1365, 1386, 1407, 1436, 1460 Main St.
City Santa Clara Zip 95050 County Santa Clara
4. Parcel number: 269-5-30, 29,50,51,28,21,5,3
5. Present Owner: multiple (see attached) Address: _____
City _____ Zip _____ Ownership is: Public _____ Private X
6. Present Use: residential Original use: residential

DESCRIPTION

- All of the sites with the exception of 1436, 1357 & 1365 are single
- 7a. Architectural style: and 2-story wooden Victorian cottages
 - 7b. Briefly describe the present *physical description* of the site or structure and describe any major alterations from its original condition: This small 2 block long stretch of Main Street between Harrison Street North beyond Lewis Street to El Camino Real contains an interesting cluster of single and 2-story wooden and stucco residences which range from vernacular attempts at Greek revival through Queen Anne Cottages and two craftsman bungalows, ending with one stucco Spanish Colonial revival cottage. The uniform lot size and building scale adds to the streetscape which contains minimal landscaping.

3.



8. Construction date:
Estimated 1880-1930 Actual _____
9. Architect Unknown
10. Builder Unknown
11. Approx. property size (in feet)
Frontage _____ Depth _____
or approx. acreage _____
12. Date(s) of enclosed photograph(
April 12 and 16, 1969

13. Condition: Excellent _____ Good ☒ Fair ☒ Deteriorated _____ No longer in existence _____
 No significant alterations to basic structures, appearance except window treatment and wrought iron entry at #1346 and cyclone fence at #1356.
14. Alterations: _____
- Surroundings: (Check more than one if necessary) Open land _____ Scattered buildings _____ Densely built-up _____
 Residential ☒ Industrial _____ Commercial _____ Other: _____
16. Threats to site: None known ☒ Private development _____ Zoning _____ Vandalism _____
 Public Works project _____ Other: _____
17. Is the structure: On its original site? _____ Moved? ☒ 1346 Unknown? ☒ 1460
18. Related features: Garden North of #1365, picket fences at 1386, 1407 and 1460. 1386 also contains a rear barn.

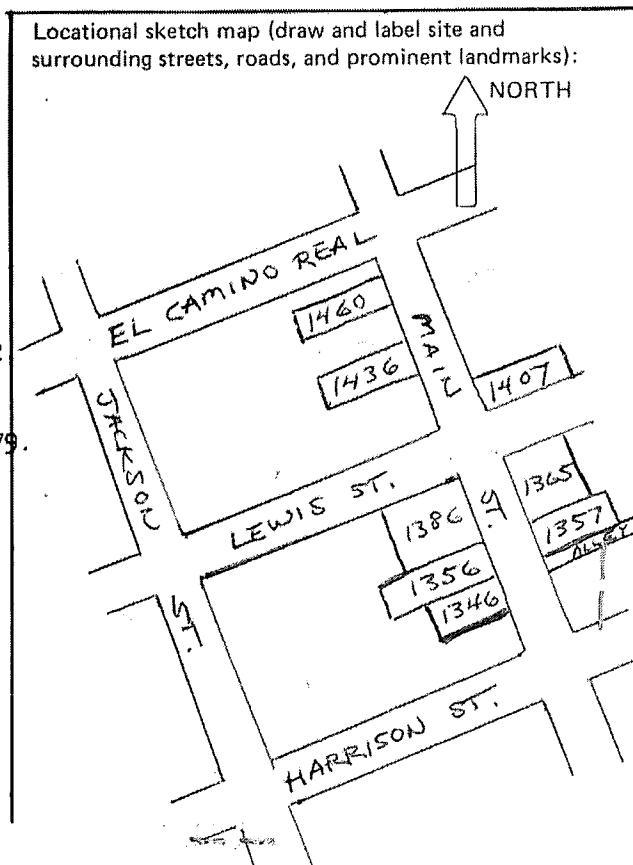
SIGNIFICANCE

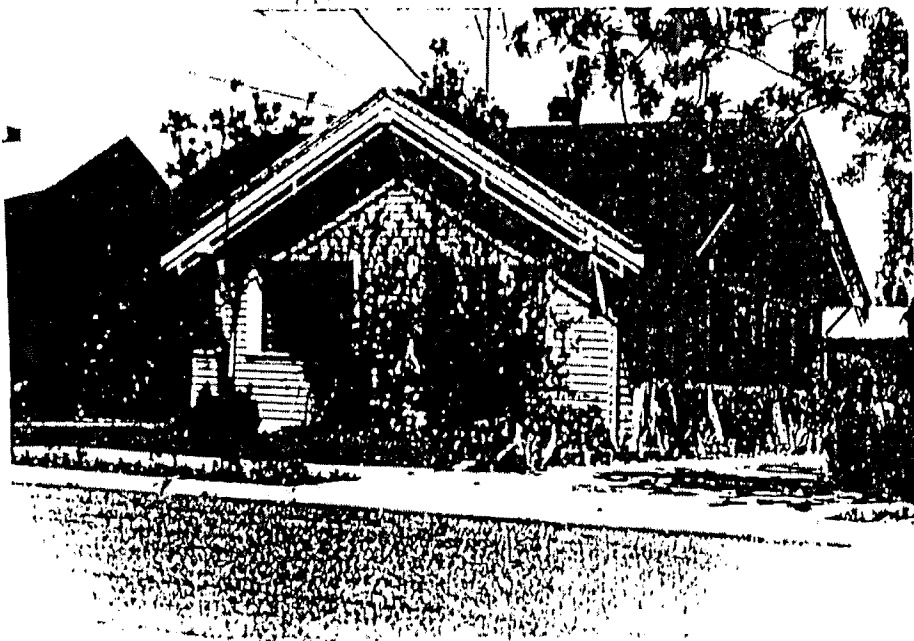
19. Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site.)

The grouping of sites is significant due primarily to the clustering of similarly scaled wooden residences which have not been greatly altered. The group well represents residential architectural styles in Santa Clara over an approximately 50 year time span with a minimum of major intrusions.

20. Main theme of the historic resource: (If more than one is checked, number in order of importance.)
 Architecture ☒ Arts & Leisure _____
 Economic/Industrial _____ Exploration/Settlement _____
 Government _____ Military _____
 Religion _____ Social/Education _____
21. Sources (List books, documents, surveys, personal interviews and their dates):
 1891, 1915 Sanborn Insurance map.
 Polks City Directories 1889, 1892
 1893, 1904, 1916, 1927, 1933.
 City of Santa Clara Photo Survey of 1979.
22. Date form prepared Dec. 28, 1980
 By (name) Dubach/Zavlaris of URC
 Organization for the City of Santa Clara
 Address: 1500 Warburton
 City Santa Clara Zip 95050
 Phone: (408) 984-3111

Locational sketch map (draw and label site and surrounding streets, roads, and prominent landmarks):





3. 1357 Main 1915 (Est.)
A very impressive craftsman bungalow with its particularly fine placement of windows and interesting gable board ornamentation.
#1357 is first listed on the 1915 Sanborn with its reverse-plan twin at #1365. The owner of #1357 in 1915 was Jessie M. Brown who was listed as a clerk.



4. 1365 Main 1915 (Est.)
Craftsman Bungalow with a house plan the reverse of 1357.

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

*Resource Name or #: Brown House

P1. Other Identifier:

***P2. Location:** ☐ Not for Publication ☒ Unrestricted

*a. County Santa Clara and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad Date T ; R ; B.M.

c. Address 1357 Main 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: 269-05-050, located on the eastside of Main Street, between Harrison and Lewis Streets.

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

Craftsman Bungalow

1357 Main Street is a Craftsman Bungalow, with a cross-gabled roof. It is particularly impressive with its classic bungalow placement of windows in bank fashion and interesting bargeboard ornamentation. The partial-width porch is topped with a front gable roof which forms into a cross gable. The column supporting the porch roof is square and extending to the ground level which appears to rest upon a solid porch balustrade. The front windows on this bungalow are a trio of divided light windows, which are located in the dining area which allow an abundance of natural light to fill the home. The recessed window along the front of the porch side has been replaced with a newer type window. The roof has a wide eave overhang and along horizontal edges the rafter ends are exposed. The roof is sheathed in composition shingles. The exterior of the structure is clad in clapboard siding. Much of the interior finish of this structure remains, as does the large Craftsman style fireplace and built shelving in the living room. While the structure is badly in need of restoration, it remains largely intact.

The two block long stretch of Main Street between Harrison and north to the El Camino contains an interesting cluster of single and 2-story wooden and stucco residences which range from vernacular attempts at Greek Revival through Queen Anne Cottages and two craftsman bungalows, ending with one stucco Spanish Colonial revival cottage. The uniform lot size and building scale adds to the streetscape, which contains minimal landscaping.

P3b. Resource Attributes: (List attributes and codes)

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



P5b. Description of Photo: View looking north 1/04, J. Silva

(View, date, accession #)

***P6. Date Constructed/Age and Sources:**

☒ Historic ☐ Prehistoric ☐ Both

c. 1915/1930/1943 Sanborn Map and County Records

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

City of Santa Clara
J. Silva & G. Sciarra
Historic Res. Coord.
1500 Warburton Avenue
Santa Clara, CA 95050

***P7. Owner and Address:**

Robert & Lisa Bohorquez
1357 Main Street
Santa Clara, CA 95050

***P9. Date Recorded:** 01/21/04 ***P10. Survey Type:**
(Describe) Intensive

***P11. Report Citation:** (Cite survey report and other sources, or enter "none".) Sanborn Maps, Polk City Directories, Mary Hanel, Research Librarian – City of Santa Clara Main Library.

***Attachments:** ☐ NONE ☒ Location Map ☐ Sketch Map ☐ Continuation Sheet ☒ Building, Structure and Object Record ☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling State Record ☐ Rock Art Record ☐ Artifact Record ☒ Photograph Record ☐ Other (List) Sanborn Map
DPR 523A (1/95) ***Required information**

BUILDING, STRUCTURE, AND OBJECT RECORD, LOCATION MAP

Page 2 of 2 *NRHP Status Code none

1*Resource Name or # (Assigned by recorder) B1. Historic Name: Brown House

B2. Common Name: Brown House

B3. Original use: Single Family Residence B4. Present Use: Single Family Residence

*B5. Architectural Style: Craftsman Bungalow

B6. Construction History: (Construction date, alterations, and date of alterations) Built c.1910. City directories indicate a Jesse M. Brown (clerk) resided here from 1808 until 1915. In 1916 a Jesse Truax (repairman at S.C. Garage) resided there, 1917 a Jennie Leroy, 1919 a W. C. Scheller, 1923-24 Juliana Cardoza, 1926 a J. S. Souza, 1927-69 a Louis M. Freitas. Appears on 1915 Sanborn Map. The northerly front window has been replaced. A small shed appears along the alleyway in the 1943 Sanborn Map, which has been removed. There is no garage.

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

*B8. Related Features:

B9a Architect: unknown b. Builder: unknown

*B10. Significance: Theme Architecture and shelter Area original survey

Period of Significance Early 20th Century Residential Property Type SF Residential Applicable Criteria none

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

The subject property is located within the Old Quad. The two block long stretch of Main Street between Harrison and north to the El Camino contains an interesting cluster of single and 2-story wooden and stucco residences which range from vernacular attempts at Greek Revival through Queen Anne Cottages and two craftsman bungalows, ending with one stucco Spanish Colonial revival cottage. The uniform lot size and building scale adds to the streetscape, which contains minimal landscaping. The grouping of sites is significant due primarily to the clustering of similarly scaled wooden residences, which have not been greatly altered. The group well represents residential architectural styles in Santa Clara over an approximately 50-year time space (1880 – 1930) with a minimum of major intrusions.

The building exhibits the style that typifies an early or vernacular Craftsman in design. With the exception of the replacement of a front window, the building appears unaltered from its original form. The architectural style of the residence and City records indicate probably construction date as c. 1908. The building is in need of restoration, but retains its integrity to its original design and construction. The building is representative of the development of the Old Quad area during this time and is important to the integrity of the historic area in which it is located. The design is consistent with the workman's cottage architectural. It would not appear to qualify for the National Register of Historic Places based on criteria C individually, but contributes to a potentially eligible district. The building would therefore not appear to be eligible for the Nation Register under criteria A or B. The residence is consistent with other local architecturally or historically significant properties and is similar to resources on the City inventory.

B11. Additional Resource Attributes: (List attributes and codes) None

*B12. References: 1915, 1930, 1943 Sanborn Map, Santa Clara County Assessor's Office, Santa Clara City Directories 1918 - 1960.

B13. Remarks:

*B14. Evaluator:

J. Silva, City of Santa Clara Planning Division

G. Sciara, Historic Resources Coordinator

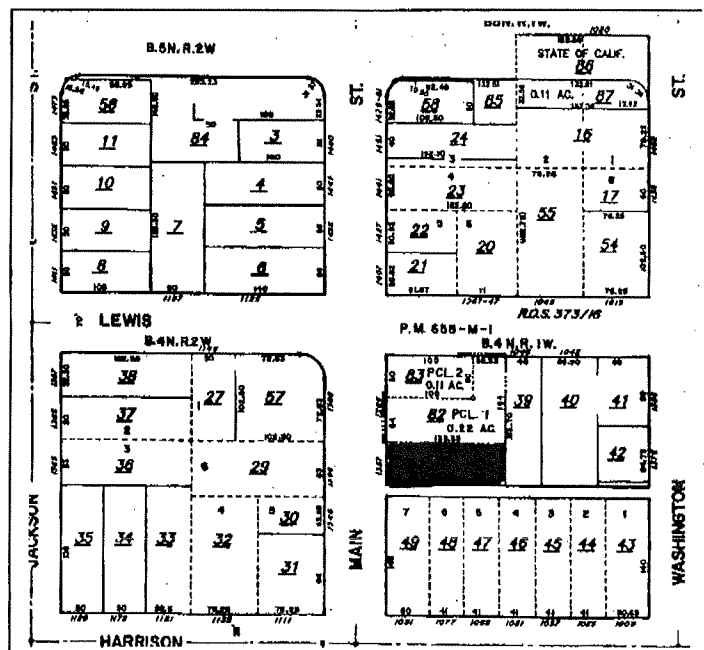
*Date of Evaluation: 01/21/04

DPR 523B

*Map Name: Santa Clara County Assessor's Map

*Scale: n.t.s. *Date of Map: 2003

(This space reserved for official comments.)





Agenda Report

21-1254

Agenda Date: 1/7/2021

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Public Hearing: Consideration of a Historical Preservation Agreement (Mills Act Contract) for 904 Madison Street

BACKGROUND

Property owners Quenton and Marlene Diduck are requesting a Historical Preservation Agreement (Mills Act Contract) for the property located at 904 Madison 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 property is located on the northwest corner of Madison Street and Homestead Road. The existing residence is an approximately 1,540 square-foot, two-story Stick architectural style constructed circa 1875. Typical of a Stick style home, the structure features an asymmetrical plan with a rectangular footprint and a cross-gabled roof with a front-facing gable. The home has had minimal external alteration since its construction other than the pre-1915 enclosure of the small rear corner porch, late twentieth century addition to the rear single-story wing, and 1994 addition of a contemporary raised rear side deck and modification of the rear entry steps. A small detached 280 square-foot one-car garage is also present on-site.

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 February 2, 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 1981. The evaluator finds 904 Madison Street to be a fine example of the rare Stick architectural style and as it has undergone only minimal alteration since the time of its construction, to retain sufficient integrity to qualify as a historic property. 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 the roof, termite inspection and remediation, updating the electric wiring, and inspection foundation and repair,

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

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:

Beginning at the point of intersection of the Northerly line of Liberty Street with the Westerly line of Madison Street; running thence Northerly along said line of Madison Street 56 feet 3 inches to a point; thence Westerly and parallel with the Northerly line of Liberty Street 70 feet, 3 inches; thence Southerly and parallel with the Westerly line of Madison Street 56 feet 3 inches to the Northerly line of Liberty Street, and thence Easterly along said line of Liberty Street 70 feet 3 inches to the point of beginning and being a portion of Lot 3 in Block 1 South Range 5 West, as shown upon the Official Map of the City of Santa Clara, made by J.J. Bowen, County Surveyor of Santa Clara County.

APN: 269-20-042

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) *David J. & Jane W. West House*

P1. Other Identifier: *904 Madison St., Santa Clara, CA.*

*P2. Location: ☐ Not for Publication ☒ Unrestricted *a. County Santa Clara

and (P2c, P2e, and P2b or P2d. Attach a Location Map as necessary.)

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

c. Address 904 Madison Street City Santa Clara Zip 95050

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

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

Assessor's Parcel Number: 269-20-042

Northwest corner of Madison Street and Homestead Road

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

The subject property at 904 Madison Street is located in the urban setting of a block of houses with tree lined streets that was primarily developed in the last quarter of the nineteenth and first quarter of the twentieth century. Although post-1950 multi-family redevelopment occurs on the western (Jefferson Street) block face, the remaining block faces are mainly as originally developed. Due to the differing periods of development, the lots differ in scale ranging from 70.25' to 153.50' deep and from 42' to 84.75' wide. The majority of the original homes are setback from the street with urban sized front yards. Like the neighboring blocks in the Old Quad area, the streetscape is a pleasant one which evokes the sense of an early Santa Clara 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_2531, 01/2020

*P6. Date Constructed/Age and Source:

☒ Historic ☐ Prehistoric ☐ Both
ca, 1875

Assessor's Records, Census Records, Sanborn Maps,

*P7. Owner and Address:

*Marlene and Quinton Diduck
904 Madison Street
Santa Clara, CA 95050*

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

*Lorie Garcia
Beyond Buildings
P.O. Box 121
Santa Clara, California 95052*

*P9. Date Recorded: *February 2, 2020*

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

*P11. Report Citation: (Cite survey report and

other sources, or enter "none.") *Historic Resources Inventory Form "904, 926 Madison St.," dated Feb., 1981.*

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

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DEPARTMENT OF PARKS AND RECREATION
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*Resource Name or # (Assigned by recorder) David J. & Jane W. West House

Recorded by: Lorie Garcia

*Date 02/02/2020

☐ Continuation ☒ Update

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

Situated on a 56.25' wide x 70.25' deep, 3,951.56 sq. ft. lot at the corner of Madison Street and Homestead Road, the subject house fronts roughly east onto Madison Street and is set back from both streets, allowing for a surrounding open cultivated area with lawn and mature shrubbery on the east (front) and south sides of the residence. A straight, concrete walkway leads from the Madison Street sidewalk to the front (main) entry, which also faces Madison Street. Very large street trees shade both street sides of the property. A high wood board fence connects with a gate to the house, in front of the foremost window on the north side-elevation, then continues along the north property line to the rear property line then back to the front southwest corner of the garage. Another row of similar fencing continues from the garage's front southeast corner towards Homestead Road then to the rear of the home's south side-elevation. A gate that provides access to the rear of the house is set into this section. This fencing secures the rear of the property from both Homestead Road and Madison Street and the neighboring properties. The small rear yard includes, open area, planting beds, paved walkway and a small, detached garage. Opening onto Homestead Road is a short Ribbon driveway, composed of 2 parallel concrete strips separated by an unpaved area, that leads to the garage.

The primary building on the site is a 1,540 ft., two-story house designed in the Stick architectural style. An extremely rare architectural style in Santa Clara, the only other Stick-style house, as of yet identified, is the almost identical twin next door (926 Madison). According to McAlester, the Stick (1860-1890) is a transitional style that links the preceding Gothic Revival (1840-1880) with the subsequent Queen Anne (1880-1910). Unlike previous architectural styles such as Italianate, where wood was used as a medium to imitate stone, the Stick architectural style emphasized simple straight lines and right angles which, according to Scully, "stressed the wall surface itself as a decorative element rather than merely as a plane," with flat narrow boards nailed to the outside of the building to repeat and underline the wooden, balloon frame, skeleton beneath. He described it as the "first American house style where wood was treated as wood."

McAlester further states that Stick-style houses in Northern California have their own unique set of identifying features, the most prominent of which "is an almost universal square-sided bay window (box-bay)." Following the display of British designer Charles Eastlake's work at the 1876 Centennial Exposition in Philadelphia, a version of the Stick-style, called the Stick-Eastlake, developed in the San Francisco area, where it peaked in the 1880s. On the later developed Stick-Eastlake, elaborate wood details, such as spindles and incised floral and abstract designs were applied to the surface. Eastlake detailing is absent on the subject residence at

Supplemental Photograph or Drawing



904 Madison Street and this home's plan, shape, materials and details reflect its architectural heritage as the earlier version of a Stick structure constructed in northern California.

Constructed circa 1875, this wooden, single family residence was designed in an asymmetrical plan with a rectangular footprint, features of a Stick-style home. It has a cross-gabled roof, with a front-facing gable, both identifying features of the Stick architectural style (and one of the four principle sub-types). The ends of the gables are truncated. The Stick roof pitch varies from high to low and the roof on this residence has a low roof pitch. As is characteristic of this architectural style, it has overhanging eaves. The roof is sheathed with composition shingles. As the home is set on a foundation over a crawl space, there is no basement; it is only slightly raised above ground level.

(Continued on page 3, Form 523L)

Description of Photo: (view, date, accession #)
(Camera pointing NW) Partial South side-elevation and front facade. Photo No: 100_2494; 01/2020.

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DEPARTMENT OF PARKS AND RECREATION
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*Resource Name or # (Assigned by recorder) David J. & Jane W. West House

Recorded by: Lorie Garcia

*Date 02/02/2020

☐ Continuation ☒ Update

(Continued from page 2, Form 523L)

According to McAlester, a Stick house has "wooden wall cladding interrupted by patterns of horizontal, vertical, or diagonal boards (stickwork) raised from the wall surface for emphasis." The subject residence at 904 Madison Street, is clad in vertical board and batten siding, which consists of wide wooden planks placed vertically side by side with the joints covered by battens. Note: a batten is a narrow strip of wood about two inches wide. The battens on this house are chamfered. Vertical corner boards finish the wall ends. Under the eaves the tops of the boards and battens are cut away in an angular fashion and then finished off with a raised, stickwork frieze designed in a version of the picket-fence pattern consisting of vertical narrow plain boards. The home has dominantly vertical stickwork, which may be seen in its battens, corner boards, vertical extensions of the first floor window trim and the decorative picket-fence frieze.

A rectangular front porch is offset on the front facade. The porch has a shed roof, which is supported by two squared posts with Greek Revival capitals and diagonal braces (a typical Stick detail). One post is at the open corner of the porch and one at the center. Two partial posts are located where the roof projects from the house walls. Short posts, connected by simple railings near the top and bottom are located on the front step and porch. The porch railing consists of a balustrade with turned balusters that connects to the house at the open corner of the porch and to the squared posts and porch's short post.

The main entry is on the front (east) façade and is accessed by 1 (one) concrete step that leads from the walkway from Madison Street to the wood porch. The front door is set into the closed end of the porch and faces Madison Street. The wooden door (not original) has a design of four large, rectangular, vertically orientated, wood panels and two small square panels. It is set into its original opening. Set over the entry door is a wood-framed, rectangular, horizontally orientated, transom window (original) comprised of a two-light pane of clear glass. A narrow sill separates the transom from the door in the opening. Wide, chamfered boards trim the entry. A flat board supported by decorative brackets and ornamented with a strip of decorative molding beneath, projects from the top of the trim providing a decorative cap. All the trim on the entry is original.

According to McAlester, the style of its bay windows is the primary distinguishing feature between a Stick-style house in northern California and the contemporaneous Italianate house. While slanted-side bay windows are a principle identifying feature for an Italianate house, the box-bay window with its straight squared sides is a principle identifying feature for a Stick-style house. Projecting from the first story of its south side-elevation, this residence has a shed roofed, box-bay window. Commonly, the box-bay ensemble formed a continuous decorative element from window base to cornice line, with decorative cornice line brackets and the rectangular area beneath the windows also filled with ornamentation, such as panels. The box-bay window on the residence at 904 Madison Street exhibits both of these character-defining features.

On the north side-elevation, located near the center, is a somewhat narrow projection clad in board and batten siding with a door at the bottom. This projection provides ducting and exhaust pathways for the forced air furnace. The home never had a fireplace and thus has no chimney.

As shown on the earliest Sanborn Fire Insurance map (1891), originally, a single-story wing, with a shed roof similar to that of the front porch, projected from the rear (west) facade. Secondary (rear) access to the home appears to have been provided via a small open porch at the wing's southwest corner, leading to the home's rear entry door. Early alterations to this addition include enclosure of the small open porch and subsequent relocation of entry from the porch into the single-story wing to entry at the wing's north end. Later, the single-story wing was expanded and currently extends across the house's rear facade from its south side-elevation to its north side-elevation.

Currently, a (new) secondary entry is located at the rear of the north side elevation and is accessed by 1 concrete and 2 wooden steps from the rear yard paved walkway that leads to an side-yard, open wood deck (new). A simple wood railing with turned posts at either end is located at the open side of the steps (new).

Other character-defining features of this home include its windows and window trim, which are mainly typical Stick style where one-over-one sash windows are common. (At times, two-over-two sash windows appear on the older homes.) Fenestration of the first and second stories of home's main body's front facade, south-side elevation and north side elevation's first story is rectangular in form, vertically oriented, mainly 1-over-1, double-hung wooden windows both paired and single. Typical of the stick style, the upper window panes have flat tops rather than the slight arch found in Italianate designs. The pair of windows located in the front face of the box-bay,

(Continued on page 4, form 523L)

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along with the pair set into the lower (porch) story of the front facade and the two pair of windows set into the first story of the north side-elevation are rectangular, vertically orientated, 2-over-2 sash windows. A small 1-over-1 double-hung wooden window is set into the south elevation of the single-story wing, adjacent to the wing's southwest corner (now enclosed with siding) where the rear entry porch once existed. With the exception of the pair of windows set into the rear facing gable, which consists of a pair of new vinyl-clad 1-over-1 double-hung windows set into the original opening, all the windows are original.

Two casement, multi-paned, windows (original) are located in the second story of the north side-elevation, followed by a new casement window towards the rear. Fenestration of the rear facade of the single-story wing is not original.

The decorative window trim is clearly a character-defining feature of this house. Wide chamfered boards trim the window sides and flat boards with decorative molding below, which are supported by brackets, cap the upper window panes. Typical of the Stick-style, the brackets align with the window sides. Each window has a narrow sill with strip of decorative molding beneath. Stickwork is further illustrated by the extension down the facade of the vertical boards that trim the window sides. Plain boards trim the casement windows and the single-story wing's new windows.

The small (280 sq. ft.), 1-car, wooden garage is sheathed in vertical board and batten siding. It has a composition roof and verge-boards. A roll-up door (new) on the Homestead Road-side provides automobile access, with a solid wood man-door located at the rear of its east side-elevation. A large 1-over-1 window is set into the rear facade.

The home is in excellent condition and, with the exception of the pre-1915 enclosure of the small rear corner porch and the late 20th Century addition to the rear single-story wing, along with the circa 1994 addition of a contemporary raised rear side deck and subsequent alteration of the rear entry steps, appears to have had only minimal external alteration since its construction circa 1875.

State of California c The Resources Agency Primary #
DEPARTMENT OF PARKS AND RECREATION HRI #
BUILDING, STRUCTURE, AND OBJECT RECORD

*NRHP Status Code N/A

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*Resource Name or # (Assigned by recorder) *David J. & Jane W. West House*

B1. Historic Name: *None*

B2. Common Name: *None*

B3. Original Use: Single family residential

B4. Present Use: *Single family residential*

*B5. Architectural Style: *Stick*

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

The residence was constructed circa 1875. Single-story rear wing altered pre-1915 and late 20th Century. Steps to rear porch entry modified with addition of deck at rear of north side-elevation post-1994. New windows placed in rear facade of single-story wing, post-1994.

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

*B8. Related Features:

Detached single-car garage. Construction date unknown. However it has a Ribbon driveway and according to Paul R. Lusignan (Historian, National Register of Historic Places National Park Service) Ribbon driveways became popular in the 1920s.

B9a. Architect: *Not known*

b. Builder: *believed to be David J. West*

*B10. Significance: Theme Architecture and Shelter Area Santa Clara Old Quad

Period of Significance 1875-1925 Property Type Residential Applicable Criteria none

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

The parcel located at 904 Madison Street is a portion of a larger parcel that had originally been identified as Lot 3, Block 1 South, Range 5 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 on J. J. Bowen's survey, by then the block framed by Liberty (today's Homestead Road), Madison, Franklin and Jefferson Streets had been divided into five lots, of which Lot 3 was the largest. A 43047 sq. ft. tract that encompassed almost half of the block's square footage, on its south property line Lot 3 ran from Madison to Jefferson Street with a portion on the north line abutting Franklin Street. According to the list of property owners and their improvements, which accompanied the 1866 survey, Lot 3 contained 2 frame houses and barn. The owner of that lot was shown to be Ansel Smith. While the exact location of the original houses is unknown, the 1869 Poll List for the Santa Clara Election District shows that Ansel Smith lived in one, which was located on Liberty near Madison.

Born ca. 1800, and originally from Connecticut, Ansel Smith was a painter and it is not known when he arrived in California. The 1860 Census for Santa Clara Township shows that by that time, he was already living here with his wife, Lucy, and 19 year-old daughter,

(Continued on page 6, Form 523L)

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

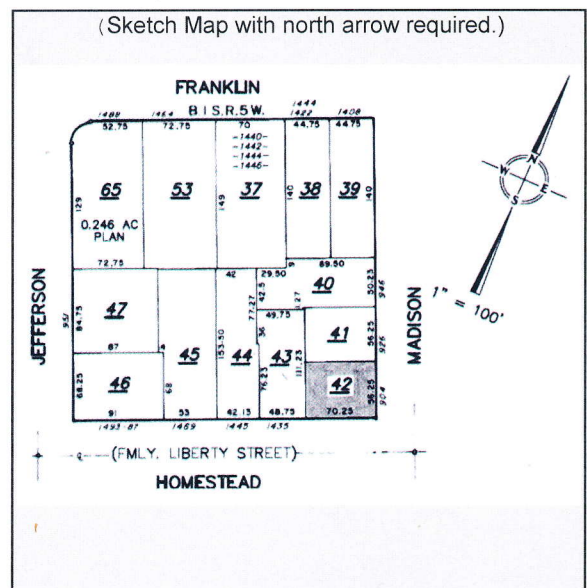
*B12. References: *Garcia, Lorie, "Santa Clara: From Mission to Municipality," 1997; Map of the Town of Santa Clara, drawn by C. E. Moore, 1893; McAlester, Virginia Savage, "A Field Guide to American Houses," Revised ed., 2013; Polk and Husted City Directories, 1890-1974; Sanborn Fire Insurance Maps, 1891, 1901, 1915, 1930, 1950; Santa Clara Commercial League, "Progressive Santa Clara," 1904; Scully, Vincent Jr., "The Shingle Style and the Stick Style: Architectural Theory and Design from Downing to the Origins of Wright," Revised ed., 1971; San Jose Mercury News, 10/22/1912; The Evening News, 09/12/1889, 08/22/1902, 10/23/1912, 02/06/1913; United States Census: 1860, 1870, 1880, 1900, 1910, 1920, 1930, 1940.*

B13. Remarks:

*B14. Evaluator: *Lorie Garcia*

*Date of Evaluation: *February 2, 2020*

(This space reserved for official comments.)



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☐ Continuation ☒ Update

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Mary. In 1870, Ansel and Lucy Smith, now both 71 years old, still resided in their Lot 3 home. 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 and the ownership of Lot 3 remained unchanged. However, in June 1874 Lucy passed away followed by Anson on April 27, 1875. After his death, Lot 3 was divided into smaller parcels and sold. David J. West was the purchaser of a 70.25' x 112.5' parcel located on the northwest corner of Liberty and Madison Streets, which had been portioned from Lot 3.

Originally from New York, in the early 1860s David, Jane and their baby daughter, Vernice Frances, who had been born in Illinois in 1857, arrived in California, where they settled in Benicia. David J. West was a carpenter and here he had made a good living in this profession, accumulating both a sizeable real and personal estate. In the mid-1870s, the West family, 46 year-old David J., his wife, Jane W., age 40, and their daughters, 17 year-old V. Frances and 6 year-old Josephine, left Benicia and moved to Santa Clara. Following their arrival here, he quickly acquired property holdings both in Santa Clara and in Alma in Redwood Township (near today's Los Gatos). (It is interesting to note that residing with the West family in Benicia were Melville S. and Josephine Bowdish and they followed the West family to Santa Clara, where M. S. Bowdish purchased property in Santa Clara on Madison and Santa Clara Streets and also in Redwood.)

Shortly after acquiring his land in Santa Clara, David J. West constructed two almost identical houses on his B1S, R5W, Lot 3 parcel. Today these are 904 and 926 Madison Street. Shortly thereafter, he constructed another larger house on a B2S, R5W, Lot 3 parcel of land, which he had purchased from Jacob Allen. The latter was located on the corner of Lexington and Jefferson Streets (1491 Lexington). During the 1880s, relationships within the West family appear to have changed, which affected their place(s) of residence. Following the marriage and move to Oakland of their daughter, Vernice F. in 1882, an estrangement seems to have developed between David J. and his wife, Jane W. West.

Whereas, originally the entire West family appears to have occupied the subject property at 904 Madison Street, as the end of the decade approached only David J. West was living at 904 Madison while Jane and their daughter Josephine, now a Kindergarten teacher, occupied the residence at 1491 Lexington. Then, as recorded in September 1889, David J. West gave both of the lots occupied by 904 and 926 Madison Street to his wife, Jane W. West while he maintained ownership of 1491 Lexington Street. David J. West then left Santa Clara and moved to his Redwood Township land near Alma, where he developed a fruit farm.

Throughout the 1890s, Jane W. and Josephine West alternated their place of residence between 904 Madison and 1491 Lexington Streets then, in August, 1902, David J. West gave the property occupied by 1491 Lexington Street to Jane W. West. (Note: by now he had left the fruit farm and was living in San Jose and working as a carpenter.) While David J. and Jane W. West would remain married, they never resided together after their estrangement. When David J. West passed away in October 1912, although he and Jane W. were still married and their daughter Josephine was still living with her mother in Santa Clara, his obituary listed him as "beloved father of Mrs. Vernice F. Cushing of Oakland" with no mention of either his wife Jane W. or daughter Josephine B. West.

During most of the first two decades of the 20th Century, Jane W. and Josephine West resided at 1491 Lexington and the house at 904 Madison Street was occupied by short term renters, such as Antone Bandara, a tanner, who lived here with his wife, Mary, and son, Joseph, from 1913 until 1915. In 1915 he purchased the neighboring house at 926 Madison from Jane W. West and moved into it. He was followed by Jacob Bertsch, a Millman, who rented 904 Madison Street in 1916. In 1917, the home was vacant and the following year, Jane W. West moved back into the subject property. By 1920, she had been joined by her now widowed daughter, Josephine Bowen (nee West). Note: around 1915 Josephine had married a Mr. Bowen but by 1920 he had died. Jane appears to have deeded the subject property to Josephine, as the 1920 Census, records Josephine Bowen as the owner of 904 Madison Street.

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 had been attracted to the region. In the Town of Santa Clara, agricultural production expanded and manufacturing enterprises grew. The township's 3,650 residents in 1900 increased to 4,348 by the end of the first decade and 5,220 by 1920. This rise in the population of Santa Clara had resulted in an even greater building boom than before. Block 1 South, Range 5 West was further subdivided with new houses constructed and by the mid-1920s, the homes at 904 and 926 Madison Street were the oldest on the block.

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*Date 02/02/2020

☐ Continuation ☒ Update

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On May 12, 1924, Jane W. West, now 89, passed away and Josephine continued residing the subject property at 904 Madison Street for the following decade. In 1938, the home, now worth \$3,500, was purchased by a single woman, 74 year-old Isabel Kelley. She moved into it with her widowed sister, Rose Martha Fuller, also 74, and her 32 year-old niece, Rose Claire Fuller. By 1952, only Rose Martha Fuller occupied 904 Madison Street. Two years later the home was occupied by Roy Erickson. The owner of Erickson Wrecking & House Moving Company on Stockton Avenue, he lived here with his wife, Alma. Vacant in 1960, the home was rented for a year in 1961 and then purchased by Paul M. Roche, a warehousemen. He moved into 904 Madison with his wife, Ramona. Over a decade later, Paul and Ramona Roche still resided here.

In 1994 the subject property at 904 Madison Street was purchased by Rosemary Anders and in 2015, she sold it to the current owners, Marlene and Quinton Diduck.

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 1875, the subject residence at 904 Madison Street is over 50 years old and thus meets the age requirement.

Integrity Requirement.

Integrity refers to a property's ability to convey its significance. Significance is conveyed by the retention of a resource's visual and physical characteristics and its surroundings. The National Register of Historic Places criteria recognize seven aspects to integrity. These are location, design, setting, materials, workmanship, feeling and association. To retain historic integrity, a property will always possess several and usually most of these aspects. Both the California Register of Historic Resources and the City of Santa Clara Criteria for Local Significance follow the National Register integrity criteria.

The property at 904 Madison Street has been well maintained and the architectural integrity of the structure has not been diminished. There has been only minimal alteration to the home's exterior since it was constructed and all the visual and character defining features of the historic building have been preserved and retained. The residence retains its original configuration and 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 it was 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 904 Madison Street which have made a significant contribution to the broad patterns of history or cultural heritage. It would therefore appear that the building would not be eligible for the National Register of Historic Places based on Criterion A (associated with events that have made a significant contribution to the broad patterns of our

(Continued on page 8, Form 523L)

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DEPARTMENT OF PARKS AND RECREATION
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*Recorded by: Lorie Garcia

*Date 02/02/2020

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history). The building has had 6 sets of owners over the 140+ 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 904 Madison Street would not be eligible for the National Register based on Criterion B (associated with the lives of persons significant in our past).

However, as an example of a rare, circa 1875 West Coast Stick-style home, under National Register Criterion C the residence at 904 Madison Street does "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." Therefore, it does appear that the building may be eligible for the National Register of Historic Places under Criterion C.

California Register of Historic Resources Criteria

The Criteria for listing in the California Register of Historical Places are consistent with those for listing in the National Register. However, they have been modified to better reflect the history of California at both a local and State level. Criterion 1 is the California Register equivalent of the National Register Criterion A (events) and California Register Criterion 2, the equivalent of National Register Criterion B (persons). The property at 904 Madison Street does not appear to be eligible for the California Register based on Criterion 1, or Criterion 2. Criterion 3, the California Register equivalent of the National Register Criterion C, and addresses the distinctive characteristics of a type, period, region, or method of construction. Emphasizing straight lines and right angles and characterized by the use of wooden wall cladding interrupted by horizontal or vertical boards (stickwork) raised from the wall surface to emphasize the balloon-framing beneath and a gabled-roof with cross-gables, overhanging eaves and often a decorated frieze, the Stick style (1860-1890) was a transitional style which linked the preceding Gothic Revival with the subsequent Queen Anne. An uniquely American style for domestic building, it flourished in house pattern books of the 1860s and '70s. Constructed circa 1875, the subject building is a example of the Stick architectural style as constructed on the West Coast. The property remains as designed with only a minimal modification at the rear and the integrity of the residence is intact. Thus it appears to reach the level of significance necessary to be eligible individually for the California Register of Historic Resources 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 criterion:

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

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.

Prominently located on a corner lot, the building at 904 Madison Street and its almost identical neighbor (926 Madison Street) are the oldest extant homes constructed on the block's newly developed residential lots and among the oldest still existing in the city. While it is not associated with a historical event or important individual or group, it has interest, integrity and character does have a direct association with the broad patterns of Santa Clara history and development at the beginning of the last quarter of the 19th Century.

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

(Continued on page 9, Form 523L)

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Criteria for Architectural Significance:

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

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

The residence at 904 Madison Street was designed and constructed in the West Coast version of the Stick architectural style, a style associated with a particular era. An uniquely American style that occupied a period from around 1860 to 1880, Stick was a transitional style which linked the preceding Gothic Revival with the subsequent Queen Anne. Flourishing in the house pattern books of the 1860s and 70s, the style began in New England and then spread west, reaching the west coast in the 1870s. Unlike previous architectural styles such as Italianate, where wood was used as a medium to imitate stone, the Stick architectural style emphasized simple straight lines and right angles that "stressed the wall surface itself as a decorative element rather than merely as a plane," with flat narrow boards nailed to the outside of the building to repeat and underline the wooden, balloon frame, skeleton beneath. It has been described as the "first American house style where wood was treated as wood," Constructed circa 1875, this property characterizes that style,

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

The residence is identified with David J. West, Originally from New York, he was a carpenter, a profession of great importance at the time. During the 1860s, prior to his arrival in Santa Clara, he constructed residential structures in Benicia. After settling here in the mid-1870s, he not only became a landowner but is known to have constructed 3 of the town's early residences, all of which are listed on the City of Santa Clara's inventory of Architecturally or Historically Significant Properties.

3. The property is architecturally unique or innovative.

The Stick architectural style is sufficiently unusual that with only the almost identical Stick-style neighboring house at 926 Madison Street known to exist, it is a very rare style within the City of Santa Clara. Thus the residence at 904 Madison Street meets this criterion.

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

Prominently located on a corner lot, this simple, stately house provides a strong symbolic and visual appeal for Santa Clara as an rare example of a Stick style residence.

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

Except for the slight alteration to the rear, the exterior of the residence at 904 Madison Street has been unmodified since its construction circa 1875 and the building displays the simple lines, gabled roof, square bay and materials that characterize the Stick architectural style. In particular, character defining features displayed by the home include, but are not limited to, its wooden wall cladding of vertical, broad wooden boards with chamfered battens; its stickwork; its prominent cross-gabled roof with overhanging eaves; its use of a frieze board, decorated in the picket-fence pattern, that surrounds the house under the eaves; its box-bay window; its shed-roofed front porch; its wood framed, double-hung windows with their Stick-style trim.

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

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Criteria for Geographic Significance:

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

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 early development. The block of the "Old Quad" in which the David J. and Jane W. West residence is located was one of the few blocks which had been subdivided into several residential lots by the mid-1860s with early development of these lots continuing through the following decade. The homes constructed on these lots are directly associated with the town's earliest residential settlement and 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 eastern, southern and northern block faces of the block lying between Madison, Homestead, Jefferson, and Franklin Streets, identified as Block 1 South, Range 5 West, were constructed in the last quarter of the 19th and first quarter of the 20 Century and maintain their original configuration and integrity from the time of their construction. Currently seven 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 904 Madison Street. Due to the fact that no significant changes to either the residence or lot configuration have occurred since its construction circa 1875, 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 "Old Quad." The corner location of the historic residence at 904 Madison Street results in a highly visual contribution to the neighboring homes.

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

Conclusions and Recommendations

Currently, this property is on The City of Santa Clara Architecturally or Historically Significant Properties list. In this update of the February, 1981 Historic Resources Inventory for the City of Santa Clara, the evaluator finds 904 Madison Street to be a fine example of the rare Stick architectural style and, as it has undergone only minimal alteration since the time of its construction, 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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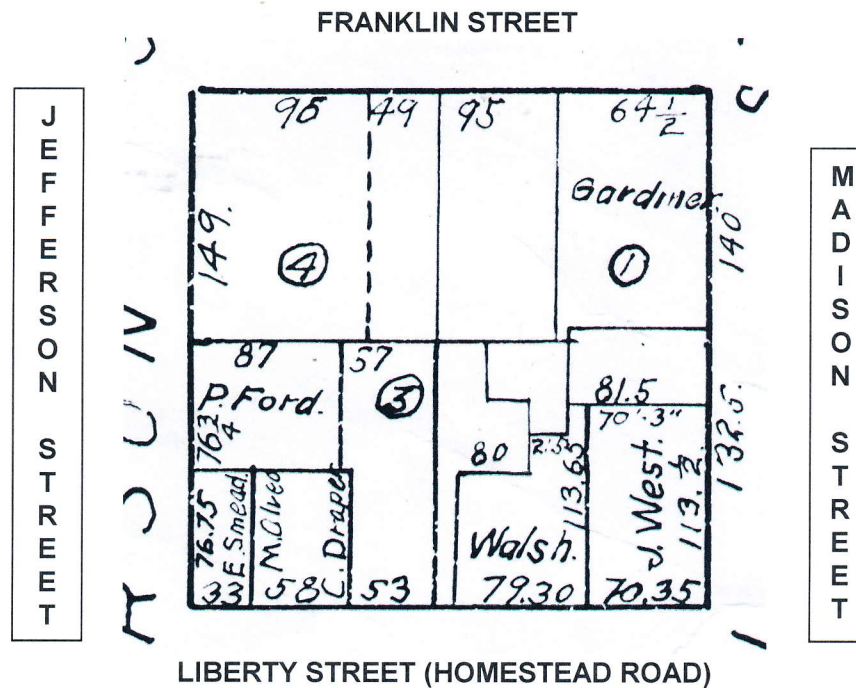
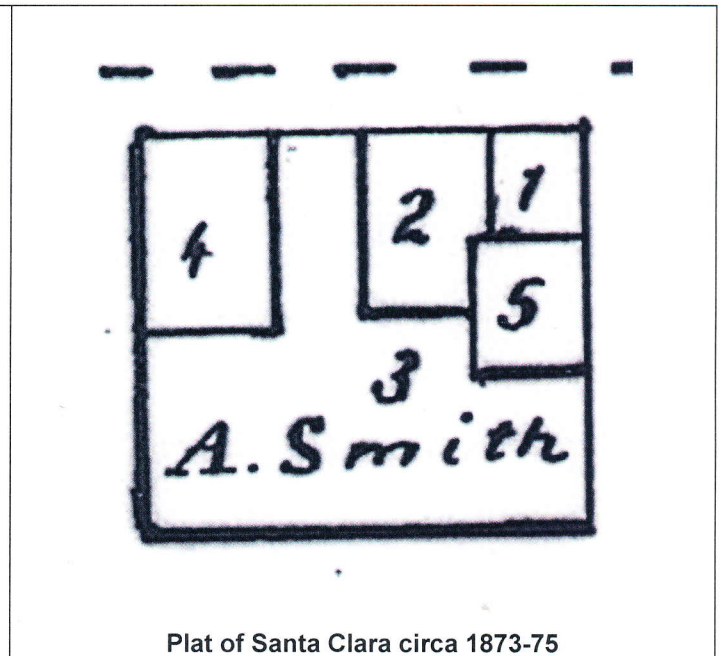
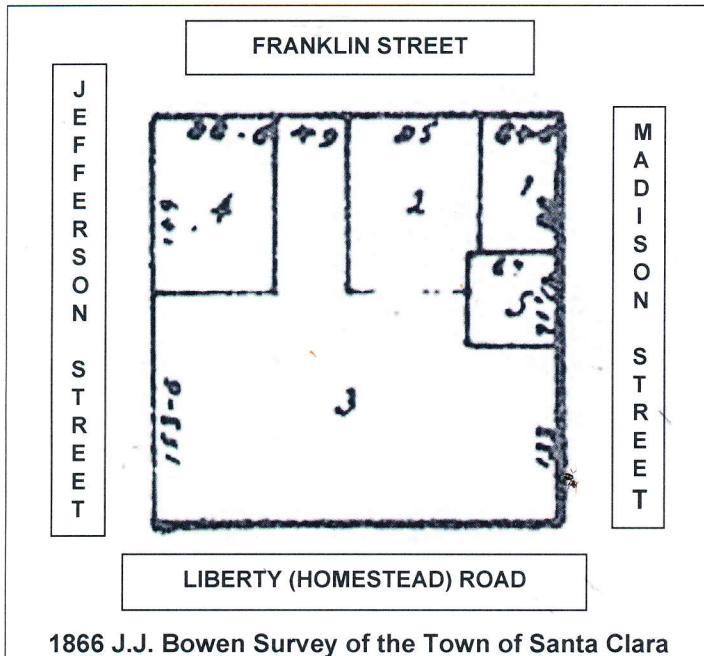
*Resource Name or # (Assigned by recorder) *David J. & Jane W. West House*

*Recorded by: Lorie Garcia

*Date 02/02/2020

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HISTORIC MAPS



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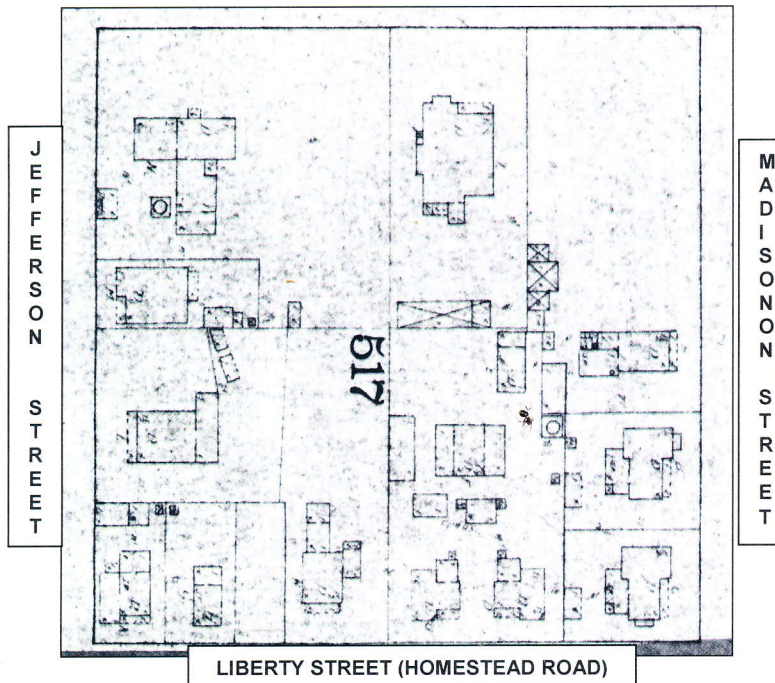
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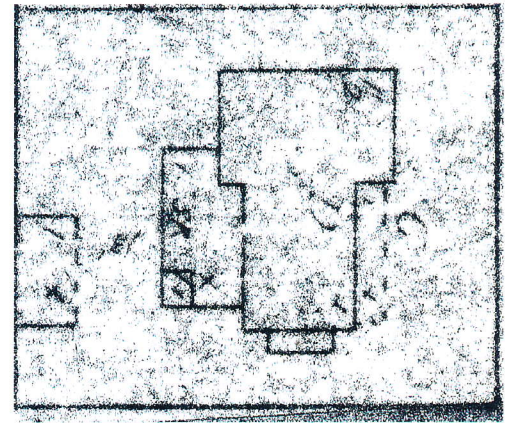
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SANBORN FIRE INSURANCE MAPS

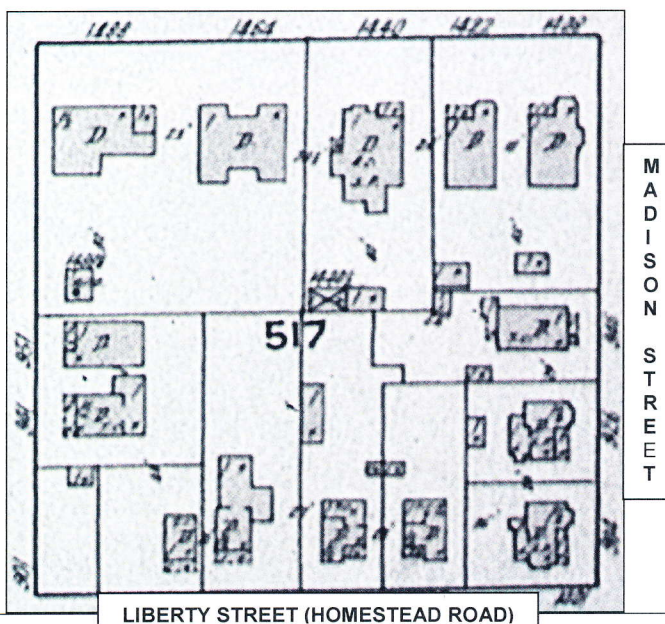
1891 SANBORN MAP



**904 Madison Street as shown on the
1891 SANBORN MAP**
(Notice small porch and entry at S corner of single-story wing)



1915 SANBORN MAP



**904 Madison Street as shown on the
1915 SANBORN MAP**
(Notice entry relocated to N end of single-story wing)



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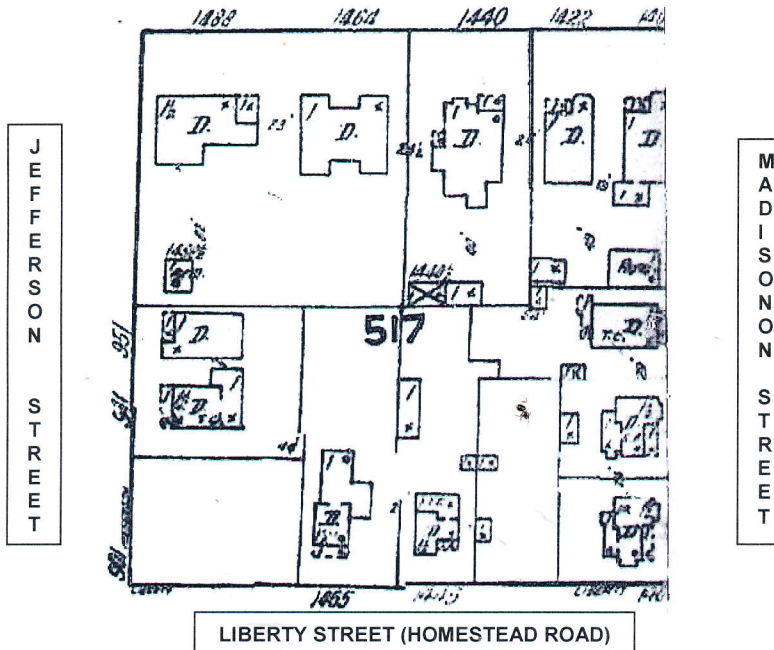
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*Date 02/02/2020

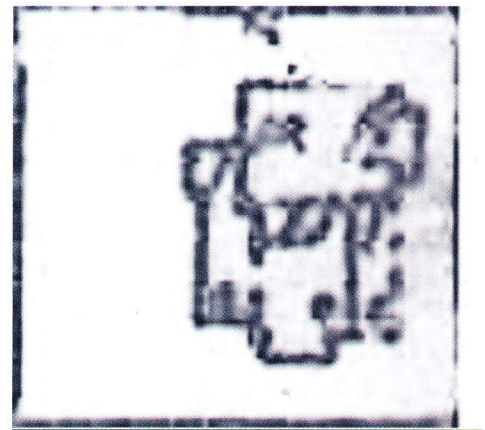
☐ Continuation ☒ Update

SANBORN FIRE INSURANCE MAPS

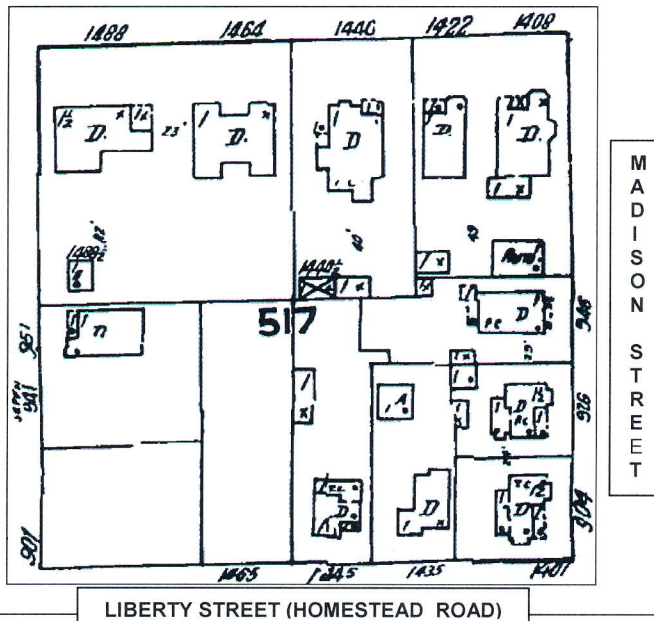
1930 SANBORN MAP



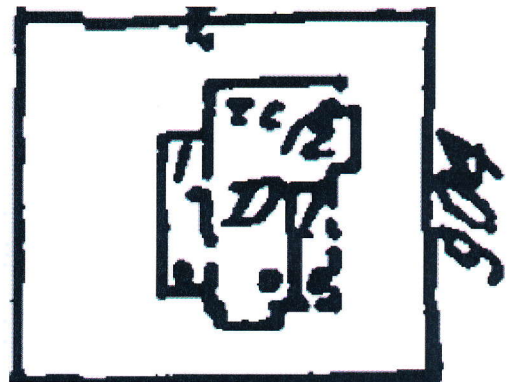
904 Madison Street as shown on the
1930 SANBORN MAP



1950 SANBORN MAP



904 Madison Street as shown on the
1950 SANBORN MAP



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Additional Photos



2019 Google aerial view of 904 Madison Street and the block on which it is located, showing the placement of the residence and detached garage on the property along with the large street trees.

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Additional Photos



Photo No: 100_2489

View: S side-elevation showing 1-story rear wing, 2-story body with box-bay and front porch.

Photo Date: January, 2020; Camera Facing: N.



Photo No: 100_2488; Photo Date: January, 2020; Camera Facing: N.

View: S side-elevation showing rear 1-story wing, 2-story body and rear gable.

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*Date 02/02/2020

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Additional Photos



Photo No: 100_2504; View: Partial N side-elevation, looking east.
Photo Date: January, 2020; Camera Facing: E.



Photo No: 100_2505; View: Partial N side-elevation, looking west.
Photo Date: January, 2020; Camera Facing: W.



Photo No: 100_2503
View: Partial N side-elevation, looking south.
Photo Date: January, 2020; Camera Facing: S.



Photo No: 100_2507; View: Rear entry, landing and deck.
Photo Date: January, 2020; Camera Facing: S.

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*Date 02/02/2020

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Additional Photos



Photo No: 100_2528

View: Partial Rear Facade showing rear face of the 2nd story gable and 1-story rear wing. The lower roof line on the single-story wing is the roof for the newest extension. The rear door with vents opens into the space where the hot water heater is placed. The projection on the N side-elevation provides ducting and exhaust pathways for the forced air furnace.

Photo Date: January, 2020; Camera Facing: E.

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*Date 02/02/2020

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Additional Photos - Box-bay Window Details



Photo No: 100_2523; Photo Date: January, 2020; Camera Facing: N
View: Box-bay front showing 2-over-2 windows, stick-style window trim including cornice line brackets, panels beneath windows & extension of side window trim.



Photo No: 100_2525; Photo Date: January, 2020; Camera Facing: NE
View: Box-bay's west side window showing cornice line brackets, shed roof and trim.



Photo No: 100_2521; Photo Date: January, 2020; Camera Facing: NW
View: Box-bay's east side window showing rectangular area beneath window filled with panels.

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*Date 02/02/2020

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Additional Photos



Photo No: 100_2486
View: Detached garage showing front facade and Ribbon driveway.
Photo Date: January, 2020; Camera Facing: N



Photo No: 100_2527
View: Detached garage showing rear facade.
Photo Date: January, 2020; Camera Facing: SE



Photo No: 100_2511
View: Detached garage showing E side-elevation & rear facade.
Photo Date: January, 2020; Camera Facing: SW



Photo No: 100_2509
View: Rear yard, view west property line from side deck, showing garage rear, open area, planting beds and wood perimeter fence.
Photo Date: January, 2020; Camera Facing: W

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*Date 02/02/2020

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Additional Photos - Front Porch, Porch and Frieze Details



Photo No: 100_2519

View: Front Porch

Photo Date: January, 2020; Camera Facing: NW



Photo No: 100_2517; Photo Date: January, 2020; Camera Facing: NW
View: Front Porch details; column capitals & brackets, cornice & trim



Photo No: 100_2495

View: Detail of picket-fence style frieze. The vertically placed boards alternate between squared and dog-eared ends, with chamfered bottom edges.

Photo Date: January, 2020; Camera Facing: West.

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☒ Update

Additional Photos - Window Trim Details



Photo No: 100_2500; Photo Date: January, 2020; Camera Facing: W
View: Window showing sill with decorative molding beneath and vertical extensions of the window trim.



Photo No: 100_2499; Photo Date: January, 2020; Camera Facing: SW
View: (Single Window) Window cap, molding and brackets. Note chamfered edges on window trim boards.

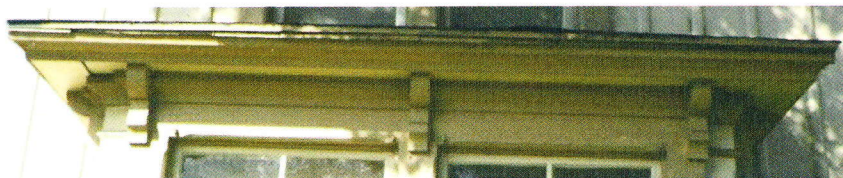


Photo No: 100_2524; Photo Date: January, 2020; Camera Facing: N
View: (Paired) Window with 3 brackets under the window cap. One at each edge and one centered.

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*Date 02/02/2020

☐ Continuation

☒ Update

Additional Photos - Main Entry Door



Photo No: 100_2526

View: Front (Main) Entry showing door, transom and trim.

Photo Date: January, 2020; Camera Facing: W



Photo No: 100_2532

View: Transom detail showing 2-light window, sill, brackets, cap and trim.

Photo Date: January, 2020

Camera Facing: W

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.

Quentin and Marlene Diduck
904 Madison St
Santa Clara, CA 95050

Mills Act Application – Statement of Justification

We, the owners of the house located at 904 Madison St, Santa Clara, respectfully request your consideration for our application for the Mills Act application. We purchased our home in 2015, after viewing many other properties in Santa Clara. This house was the only house we toured that was in its original condition with only minor updates. The original features include unique base and crown moldings, doorways and beautiful hardwood floors throughout that give the house its charm and warmth. We were also very impressed that, given the age of the house, how there was no visible damage from age, settling and the earthquakes that caused damage to the area in the past. Structure inspection of the house confirmed that there was no damage to the home. This convinced us that this was property we wanted to purchase.

We want to maintain the structure integrity and preserve the historic charm of the house. The house is built in a very unique Stick architectural style, with only one other house in Santa Clara built in this style. Distinctive features of this style include the narrow, flat boards nailed to the outside of the building and box-bay window. A full description of the unique architecture is included in DPR 523A. We want to maintain the house in this condition and further preserve it in the future to ensure that we can live in it and in this neighborhood for years to come as we love both. With the high cost of living in California, the Mills Act will facilitate the upkeep and preservation of the original features of the house.

Quentin & Marlene Diduck

Attachments: DPR 523A

10 Yr Preservation Plan

Exhibit A

10 Year Preservation Plan

904 Madison Street

Santa Clara, CA

Year 1

- Replace current asphalt shingles on roof with asphalt shingles to prevent leaks and water damage
- Replace sprinkler system to fix leaks and potential for rot in foundation
- Paint deck to prevent rot
- Perform general maintenance as needed

Year 2

- Prep and paint interior of the home and seal any holes created for facilities that are no longer used to prevent wood rot and damage
- Monitor windows for leaks or damage
- Conduct termite inspection and remediation as necessary

Year 3

- Repair and add rain gutters as needed to ensure water flows away from the foundation
- Monitor windows for rot leaks or damage
- Perform general maintenance on the home as needed

Years 4

- Paint the exterior of the home to preserve wood exterior. Repair any damages to the external structure as needed
- Monitor windows for leaks or damage
- Conduct termite inspection and remediation as necessary

Years 5- 6

- Replace front door to eliminate air and water leaks, repair any rot in the door jam
- Monitor windows for rot
- Perform termite inspection and remediation as necessary
- Perform general maintenance on the home as needed such as cleaning gutters and washing the outside of the home

Years 7 - 8

- Replace fencing to help restrict animal access to the house
- Monitor windows for rot, update weatherproofing as necessary
- Update wiring in upstairs, to be code compliant

- Perform general maintenance on the home as needed

Years 9 - 10

- Inspect foundation and adjust level of the house if necessary
- Monitor condition of roof, repair as necessary
- Inspect surrounding trees for rot, potential damage to home
- Monitor windows for rot, update weatherproofing as necessary
- Perform general maintenance on the home as needed
- Perform termite inspection and remediation as necessary

**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 , 2021, ("Effective Date"), by and between Quenton Diduck and Marlene Diduck, owners of certain real property located at 904 Madison 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 2020 Santa Clara County Property Tax Rolls as Assessors' Parcel Number 269-20-042, and generally located at the street address 904 Madison Street, in the City of Santa Clara ("Historic Property"). A legal description of the Historic Property is attached hereto as "Legal Description," marked as "Exhibit A," and incorporated herein by reference.

(3) The Historic Property is on the City of Santa Clara Architecturally or Historically Significant Properties list. OWNERS submitted a Mills Act Proposal to City on October 23, 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 904 Madison Street), and OWNERS.

(9) Notice.

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

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

OWNERS: Quenton Diduck
904 Madison Street
Santa Clara, CA 95050

Marlene Diduck
904 Madison Street
Santa Clara, CA 95050

(b) Prior to entering a contract for sale of the Historic Property, OWNERS shall give thirty (30) days notice to the CITY and it shall be provided at the address of the respective parties as specified above or at any other address as may be later specified by the parties hereto.

(10) No Partnership or Joint Enterprise Created. None of the terms, provisions, or conditions of this Agreement shall be deemed to create a partnership between the parties hereto and any of their heirs, successors, or assigns; nor shall such terms, provisions, or conditions cause them to be considered joint ventures or members of any joint enterprise.

(11) Hold Harmless and Indemnification. To the extent permitted by law, OWNERS agree to protect, defend, hold harmless and indemnify CITY, its City Council, commissions, officers, agents, and employees from and against any claim, injury, liability, loss, cost, and/or expense or damage, however same may be caused, including all costs and reasonable attorney's fees in providing a defense to any claim arising there from for which OWNERS shall become legally liable arising from OWNERS' acts, errors, or omissions with respect to or in any way connected with this Agreement.

(12) Attorneys' Fees. In the event legal proceedings are brought by any party or parties to enforce or restrain a violation of any of the covenants, reservations, or restrictions contained herein, or to determine the rights and duties of any party hereunder, the prevailing party in such proceeding

may recover all reasonable attorney's fees to be fixed by the court, in addition to costs and other relief ordered by the court.

(13) Restrictive Covenants Binding. All of the agreements, rights, covenants, reservations, and restrictions contained in this Agreement shall be binding upon and shall inure to the benefit of the parties herein, their heirs, successors, legal representatives, assigns and all persons acquiring any part or portion of the Historic Property, whether by operation of law or in any manner pursuant to this Agreement.

(14) Mills Act Historic Property Contract Application Requirements. An application for a Mills Act Historic Property Contract shall be made through the Planning Division and shall include the following:

- a. a Historic Resources Inventory form;
- b. the description of the preservation or restoration efforts to be undertaken as referenced in paragraph 3 (b) as Exhibit "D";
- c. a statement of justification for the Mills Act Historic Property designation and reassessment; and,
- d. the Mills Act Historic Property Contract filing fee pursuant to paragraph 17.

(15) Mills Act Historic Property Contract Approval. Based upon the Historical and Landmarks Commission's ("Commission") review of the Mills Act Historic Property Contract criteria and recommendation to Council, and based upon the recommendation and approval by Council, a Mills Act Historic Property Contract may be entered into with OWNERS. The decision of the City Council shall be final and conclusive in the matter.

(16) Recordation and Notice. No later than twenty (20) days after the parties execute and enter into this Agreement, the CITY shall cause this Agreement to be recorded in the office of the County Recorder of the County of Santa Clara.

(17) Fees. The Planning Department may collect such Mills Act Historic Property Contract application fee of \$7,564.00 (seven thousand, five hundred, and sixty-four dollars), or other fees for the administration of this contract as are authorized from time to time by the City Council. Such fees do not exceed the reasonable cost of providing the service for which these fees are charged. OWNERS shall pay the County Recorder's Office recordation fees for recordation of this Mills Act Historic Property Contract and the recordation of the OWNERS updated Historic Resources Inventory form.

(18) Ordinary Maintenance. Nothing in this contract shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in or on any Historic Property covered by this contract that does not involve a change in design, material, or external appearance thereof, nor does this contract prevent the construction, reconstruction, alteration, restoration, demolition, or removal of any such external architectural feature when the Director of Planning and Inspection determines that such action is required for the public safety due to an unsafe or dangerous

condition which cannot be rectified through the use of the California Historical Building Code and when such architectural feature can be replaced according to the Secretary of Interior's Standards.

(19) **California Historical Building Code.** The California Historical Building Code ("CHBC") provides alternative building regulations for the rehabilitation, preservation, restoration, or relocation of structures designated as Historic Properties. The CITY's building permit procedure shall be utilized for any Historic Property which is subject to the provisions of this Agreement, except as otherwise provided in this Agreement or the CHBC. Nothing in this Agreement shall be deemed to prevent any fire, building, health, or safety official from enforcing laws, ordinances, rules, regulations, and standards to protect the health, safety, welfare, and property of the OWNERS or occupants of the Historic Property or the public.

(20) **Conservation Easements.**

(a) Conservation easements on the facades of the Historical Property may be acquired by the CITY, or on the CITY's behalf, by a nonprofit group designated by the CITY through purchase, donation, or condemnation pursuant to California Civil Code Section 815.

(b) The OWNERS, occupant, or other person in actual charge of the Historical Property shall keep in good repair all of the exterior portions of the Historic Property, and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior architectural feature.

(c) It shall be the duty of the Director of Planning and Building Inspection to enforce this section.

(21) **Severability.** If any section, sentence, clause, or phrase of this Agreement is, for any reason, held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, or by subsequent preemptive legislation, such decision shall not affect the validity and enforceability of the remaining provisions or portions of this Agreement. CITY and OWNERS hereby declare that they would have adopted this Agreement, and each section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared invalid or unconstitutional.

(22) **Integrated Agreement - Totality of Agreement.** This Agreement embodies the agreement between CITY and OWNERS and its terms and conditions. No other understanding, agreements, or conversations, or otherwise, with any officer, agent, or employee of CITY prior to execution of this Agreement shall affect or modify any of the terms or obligations contained in any documents comprising this Agreement. Any such verbal agreement shall be considered as unofficial information and in no way binding upon CITY.

(23) **Captions.** The captions of the various sections, paragraphs and subparagraphs are for convenience only and shall not be considered or referred to in resolving questions of interpretation.

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

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

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

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

APPROVED AS TO FORM:

Brian Doyle
City Attorney

ATTEST:

Hosam Haggag
City Clerk

Deanna J. Santana
City Manager

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

“CITY”

**Quenton Diduck and Marlene Diduck,
Owners of 904 Madison Street**

By: _____
Quenton Diduck
904 Madison Street
Santa Clara, CA 95050

By: _____
Marlene Diduck
904 Madison Street
Santa Clara, CA 95050

“OWNERS”

Exhibits:

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

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City of Santa Clara

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

Agenda Report

21-1250

Agenda Date: 1/7/2021

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Action on Other Business

RECOMMENDATION

There is no staff recommendation.

Board and Committee Assignments

- Santa Clara Arts and Historic Consortium (Estes / Leung as 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)

Reviewed by: Rebecca Bustos, Senior Planner

Approved by: Gloria Sciara, Development Review Officer