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**Title:** Public Hearing: Listing on the City’s Historic Resources Inventory, Mills Act Contract, and Design Review and SPA Permit for 820 Civic Center Drive

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Project Data Sheet.pdf, 2. Draft Mills Act Contract.pdf, 3. Legal Description.pdf, 4. Historic Survey (DPR Form).pdf, 5. Secretary of Interior Standards for Rehabilitation.pdf, 6. 10 Year Rehabilitation and Preservation Plan.pdf, 7. Applicant Project Statement.pdf, 8. Background - 10.26.16 Letter from Michael Fisher.pdf, 9. Background - 10.06.16 Remodel Evaluation.pdf, 10. Background - 10.21.14 Historical And Architectural Evaluation Report.pdf, 11. Review of Alteration plans 08.04.18.pdf, 12. Addendum to Review and Preservation Treatment Plan 9.17.18.pdf, 13. Development Plans.pdf

Date	Ver.	Action By	Action	Result
11/1/2018	1	Historical & Landmarks Commission	Approved Staff Recommendation	Pass

**REPORT TO HISTORIC LANDMARKS COMMISSION**

**SUBJECT**

Public Hearing: Listing on the City’s Historic Resources Inventory, Mills Act Contract, and Design Review and SPA Permit for 820 Civic Center Drive

**BACKGROUND**

The applicant has filed applications for Listing on the City’s Historic Resources Inventory (HRI), a Mills Act Preservation Agreement, Design Review and a Significant Property Alteration (SPA) Permit application as required under the Historic Preservation Ordinance (HPO), Chapter 18.106 of the Zoning Code. The SPA permit is for a 100 square foot bathroom and closet addition to the front east side of the existing house, and to permit the attachment and minor change to the location of the previously approved garage and carport structure three feet forward to the front north on the lot.

**Prior Actions**

On June 23, 2015, the City Council approved the PD rezone and subdivision of the property that included the preservation of an existing historic house, the construction of a new detached garage and residential apartment unit to the rear on one parcel, along with the construction of two new single family homes on two new parcels to the west.

On August 23, 2016, the PD zoning for the property was amended to replace the approval of a four-unit project on three parcels with a revised four-unit development on four parcels. The rezoning amendment also included a new detached, two-car covered parking structure along Alviso Street to serve the existing house. As a condition of the current PD zoning approval (Condition P14), the existing historic house is to be rehabilitated in accordance with the Secretary of the Interior’s

Standards for the Treatment of Historic Properties and prepared for sale or occupancy at the same time as the proposed new units are made available for sale or occupancy.

On November 3, 2016, the owner submitted plans for interior and exterior changes to the historic house that were reviewed and recommended for approval by the Historical and Landmarks Commission (HLC), and were subsequently approved by the City's Architectural Committee on December 21, 2016. These changes included the installation of two French doors on the rear south side living room wall, the elimination of an exterior door to the bathroom on the rear west wall of the house, and the removal of two windows for the installation of French doors on east Alviso Street side of the house to provide for easier access to the approved garage structure to be built. The approved changes also included the replacement of exterior storm doors and stair access to basement with a new interior stairwell. The scope of the proposed interior remodel work that was approved included the reduction of a laundry room area to increase an adjacent dining room space, and modification of a hallway bathroom for a new shower and vanity.

Work to construct the above-referenced approved development is currently underway with City building permits.

## **DISCUSSION**

The subject property contains a two-story Spanish Colonial Revival style residence built in 1935. Property owners Michael and Cheryl Fisher are requesting Historic listing on the City's HRI, and approval of a Mills Act Contract for the property including the adoption of a 10-Year Rehabilitation and Maintenance Plan associated with this historical preservation agreement. 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 existing house is not currently listed on the City's HRI, though it was found eligible for both Local and State listing in the attached Historical and Architectural Evaluation and completed State Department of Parks and Recreation Form (DPR), which was prepared for the City's consideration as part of the PD rezoning of the property in 2014. The property is not located within 200 feet of other listed resources.

The property owners also propose a 100 square foot bathroom and closet addition to the front east side of the house, and repositioning of an approved carport and garage structure three feet toward the front (north) of the lot to be attached to the proposed bathroom/closet addition. The owner also proposes to remove the adobe/sandstone brick pillars in the front right-of-way along Civic Center Drive (which exist as a remainder of continuous border and gate that extended along Alviso Street to the east but were not found to be significant in the October 21, 2014 Historical and Architectural Evaluation Report and have since been removed). For the proposed new work, the applicant has commissioned additional historic evaluations, prepared by Bonnie Bamburg of Urban Programmers, dated August 4, 2018 and September 17, 2018.

The property owner's statement of justification for the addition, dated August 30, 2018, is attached to this report, as are a previous letter from the owner dated October 26, 2016 on the owner's already-approved modifications to the home and property, and the Historical and Architectural Evaluation that was prepared for the PD rezoning application, dated October 21, 2014 provided for background information. The owner's proposed 10-Year Rehabilitation and Maintenance Plan is also attached, as well as a prior evaluation of the already-approved remodel work to the home, dated October 6, 2016 provided for additional background.

Some of the notable work to be done per the applicant's proposed 10 Year Rehabilitation and Maintenance Plan under the Mills Act Contract and prior approvals include restoration and maintenance of the original windows on the home, and upgrading the house electrical wiring and plumbing.

The proposed 100 square foot bathroom and closet addition would be located on east side wall of the house, and would be stepped back 4-feet, 5-inches behind the front-most wall facing Civic Center Drive. The addition would be clad in stucco exterior siding and a terracotta red concrete s-tile roofing to be compatible with, but differentiated, from the historic clay tile roof that exists on the house. The proposed garage/carport structure would be attached to the east side wall of the addition, and would be stepped back 12 feet behind the front-most wall of the house on Civic Center Drive.

In the August 4, 2018 letter of historic evaluation, prepared by Bonnie Bamburg of Urban Programmers, pertaining to the proposed addition and repositioning of the garage/carport, the Ms. Bamburg finds that the proposed addition on the east façade of the house would not remove the primary historic character defining features of the house found along the primary façade facing Civic Center Drive, would not adversely impact the historic integrity of the building, and are designed to be compatible with the existing structure. With incorporation of the preservation treatment procedures outlined in the September 17, 2018 preservation plan prepared by Ms. Bamburg as an addendum to the August 4, 2018 evaluation of the proposed project, Ms. Bamburg further concludes that the historic character and integrity of the house would be preserved.

The owner proposes to update the Historic Survey (DPR) for the property following completion of the above-referenced addition and remodel improvements to house if a Mills Act Contract is approved.

### **Conclusions**

Based on the historic resource survey (DPR) and the evaluator's conclusions contained therein, and Section 18.106.040 of the City's Historic Preservation Ordinance pertaining to designation, the property appears to meet all of the specified eligibility criteria for inclusion on the City's Historic Resource Inventory, in that:

- 1) The existing house constructed in 1935, at 83 years of age, exceeds the established 50-year age threshold;
- 2) The existing house retains a very high degree of historic integrity; and,
- 3) The property proposed for inclusion on the City's Historic Resources Inventory, is eligible for listing based upon its architectural significance as one of a few two story Spanish Colonial Revival style homes in the City of Santa Clara.

Staff finds that the work proposed under the 10-Year Rehabilitation and Maintenance Plan adheres to the Secretary of the Interior's Standards for Rehabilitation, and will need to be submitted for Secretary of the Interior's Standards review and incorporated into the Preservation Treatment plan as necessary. Given the age, historic integrity, and the proposed 10-Rehabilitation and Maintenance Plan, staff supports a Mills Act Preservation Agreement for the property. A copy of the draft contract is also attached to this report.

Based further on the historic evaluations of the proposed addition and proposed repositioning of the new garage/carport structure three feet forward to the north on the lot, and Section 18.106.050(d) of the City's Historic Preservation Ordinance pertaining to the required findings for approval of a SPA

Permit, staff supports the approval of a SPA Permit for the proposed project, in that:

- (1) The proposed addition and alterations to the existing east side wall of the house will retain the existing essential character, features, and defining elements found primarily on the front Civic Center Drive elevation of the house;
- (2) The project proposals shall not have a significant adverse effect on the integrity of the proposed Historic Resource Inventory property in that the project would remove a portion of stucco wall and one smaller window on the secondary east side elevation of the house in accordance with a Preservation Plan prepared by Bonnie Bamburg of Urban Planners, dated September 17, 2018, attached to this report;
- (3) The alterations will be compatible with the existing structure, in that the proposed walls of the addition and garage would be clad in stucco siding to match the historic stucco siding on the house, and the proposed roof over the addition and garage would consist of terracotta red concrete s-tile roofing similar to the historic clay s-tile roofing over the house; and,
- (4) The alterations are designed to be consistent with the Secretary of the Interior's Standards for Rehabilitation, as detailed for each of the 10 standards in the August 4, 2018 evaluation letter prepared by Urban Programmers.

### **ENVIRONMENTAL REVIEW**

The scope of the proposed addition and relocation of the proposed covered parking structure is exempt from CEQA environmental review requirements per CEQA Section 15331, Historical Resource Restoration/Rehabilitation as the project was found to be consistent with the Secretary of the Interior Standards for New Exterior Additions to Historic Buildings.

### **PUBLIC CONTACT**

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

### **RECOMMENDATION**

Staff recommends the Historical and Landmarks Commission find that the house will retain sufficient integrity as a significant example of Spanish Colonial Revival architecture through the construction of the proposed addition, subject to the procedures outlined in the September 17, 2018 Preservation Plan prepared by Bonnie Bamburg of Urban Programmers, and recommend approval of the following:

- 1) That, based upon the historic survey (DPR) and the evaluations of the proposed remodel and additions to the property, the Commission forward a recommendation to the City Council for approval of the designation and addition of this property to the City's Historic Resource Inventory;
- 2) That, based upon the analysis and findings of the historical evaluation, the Commission forward a recommendation to the City Council for approval of the Mills Act Contract application, including the adoption of a 10-Year Rehabilitation and Maintenance Plan associated with this historical preservation agreement; and,
- 3) That, based upon the analysis and findings of the historical evaluation, the Commission forward a recommendation of approval for issuance of a Significant Property Alteration (SPA) Permit to the Director of Community Development for the proposed addition, subject to the procedures outlined in the September 17, 2018 Preservation Plan prepared by Bonnie Bamburg of Urban Programmers,

and subject to the additional condition that an updated Historic Survey (DPR) be prepared by the property owner and submitted to the City for the property following completion of the above-referenced addition and remodel improvements to house.

Prepared by: Jeff Schwilk, Associate Planner

Reviewed by: Yen Chen, Associate Planner

Approved by: Gloria Sciara, Development Review Officer

### **ATTACHMENTS**

1. Project Data Sheet
2. Draft Mills Act Contract
3. Legal Description
4. Historic Survey(DPR Form)
5. Secretary of the Interior Standards for Rehabilitation
6. 10-Year Rehabilitation and Preservation Plan
7. Applicant Project Statement
8. Background - 10.26.16 Letter from Michael Fisher
9. Background - 10.06.16 Remodel Evaluation
10. Background - 10.21.14 Historical and Architectural Evaluation Report
11. Review of Alteration Plans 08.04.18
12. Addendum to Review and Preservation Treatment Plan 09.17.18
13. Development Plans