



**MINUTES
HISTORICAL ARCHITECTURAL REVIEW BOARD
REGULAR MEETING OF SEPTEMBER 1, 2022**

This meeting was conducted utilizing the teleconferencing software Zoom, consistent with Government Code Section 54953(e) (Assembly Bill 361).

CALL TO ORDER: **Chairperson Jacobs** called the meeting to order at 6:30 p.m.

PRESENT: Chairperson Jacobs, Vice Chairperson Adamson,
Board Members Cain, Kanady and McLauchlan

ABSENT: None

STAFF PRESENT: Wayland Li, Principal Planner
Bronwen Lacey, Senior Deputy City Attorney
James Willis, Associate Planner
Trish Cordova, Recording Clerk
Maria Salinas, Recording Clerk

APPROVAL OF MINUTES: **Board Member McLauchlan** requested that two additional comments* he made regarding the Mission Paradise project (PLN2019-00085) be added to the meeting minutes for May 5, 2022. **Board Member McLauchlan** then moved to approve minutes, as amended, for the aforementioned meeting and **Vice Chairperson Adamson** seconded.

Chairperson Jacobs then requested a friendly amendment to include an additional comment[†] that he made regarding the Mission Paradise project (PLN2019-00085), also at the May 5, 2022 meeting.

As the maker of the motion, **Board Member McLauchlan** accepted the friendly amendment. The motion then carried with four ayes and one abstention (Board Member Kanady).

* **Board Member McLauchlan** questioned how the public plaza terrace would be considered “inviting” to members of the public walking on Ellsworth Street, when the staircase to the plaza (with private businesses and residences adjacent to it) is not accessible to the public. **Mr. McLauchlan** also commented on the proposed vacation of the public right-of-way which allows placement of the buildings closer to Washington Boulevard. **Mr. McLauchlan** expressed concern that this would become a precedent for future developments to do the same and that this decision

may not be welcomed by residents and/or business owners of the Historic Mission San Jose District.

† **Chairperson Jacobs** commented on the flat portion of the proposed roof line, stating that it did not reflect what is indicated in the Mission San Jose Design Guidelines for the historic district.

DISCLOSURES:

Board Member McLauchlan drove around the proposed project site for Item 2 (Ellsworth Mixed-Use Project, PLN2021-00292) and walked the property.

Vice Chairperson Adamson visited the proposed project site for Item 2 (Ellsworth Mixed-Use Project, PLN2021-00292).

Board Member Cain drove to the proposed project site for Item 2 (Ellsworth Mixed-Use Project, PLN2021-00292) and walked around the property.

Chairperson Jacobs drove to the proposed project site for Item 2 (Ellsworth Mixed-Use Project, PLN2021-00292) and walked the property.

**PUBLIC/ORAL
COMMUNICATIONS**

Kelly Abreu commented on the lack of commercial and residential development in the Mission San Jose district and correlated it to the closing of several businesses in that area (i.e. Bank of America, Starbucks, Subway, Mission Burger, 7-Eleven, McIvors Hardware).

PUBLIC HEARING ITEMS

- Item 1. **1357 MOWRY AVENUE SUBDIVISION – 1357 Mowry Avenue – (PLN2019-00263)** – To consider Historical Architectural Review in conjunction with proposed first- and second-floor additions and alterations to the Champion House, a Fremont Register-listed historic resource, and the addition of four townhouse units and a detached garage at 1357 Mowry Avenue in the Central Community Plan Area, and to consider a finding that no further environmental review is required pursuant to the California Environmental Quality Act (CEQA) per, without limitation, CEQA Guidelines Section 15332, Infill Development Projects Exemption, and CEQA Guidelines Section 15183, as the project is consistent with the density established by the General Plan, for which an Environmental Impact Report (EIR) (SCH#2010082060) was previously prepared and certified. Each of the foregoing provides a separate and independent basis for CEQA compliance.

Principal Planner Wayland Li introduced the item and stated staff recommendation was to continue the item to a date uncertain.

Vice Chairperson Adamson moved to approve staff recommendation and **Board Member Cain** seconded.

IT WAS MOVED (ADAMSON/CAIN) AND CARRIED BY THE FOLLOWING VOTE (5-0-0-0) THAT THE HISTORICAL ARCHITECTURAL REVIEW BOARD:

CONTINUE THE PUBLIC HEARING FOR 1357 MOWRY AVENUE SUBDIVISION (PLN2019-00263) TO A DATE UNCERTAIN.

The motion carried by the following vote:

AYES: 5 – Adamson, Cain, Jacobs, Kanady, McLauchlan
NOES: 0
ABSTAIN: 0
ABSENT: 0
RECUSE: 0

- Item 2. **ELLSWORTH MIXED USE PROJECT – 43401 Ellsworth Street – (PLN2021-00292)** – To consider Historical Architectural Review for a mixed use development with approximately 4,557 square feet of commercial space and 12 residential units consisting of six duet units in three buildings and six detached townhomes at 43401 Ellsworth Street in the Mission San Jose Community Plan Area and the Mission San Jose Historical Overlay District, and to consider a finding that no further environmental review is required pursuant to the California Environmental Quality Act (CEQA) per, without limitation, CEQA Guidelines Section 15332, In-Fill Development, and CEQA Guidelines Section 15183, as the project is consistent with the density established by the General Plan, for which an Environmental Impact Report (EIR) (SCH#2010082060) was previously prepared and certified. Each of the foregoing provides a separate and independent basis for CEQA compliance.

Principal Planner Wayland Li introduced the item.

Associate Planner James Willis gave a thorough presentation and responded to questions from the Board regarding landscaping, the street vacation on Grove Avenue, the commercial component, and building height and setbacks relating to privacy.

Chairperson Jacobs opened the public hearing and invited the applicant to speak.

Terry Wang, Project Manager at Robson Homes, gave a comprehensive presentation and responded to questions from the Board.

Board Member McLauchlan asked clarifying questions regarding the proposed material for doors and windows, citing wood as the preferred material, as stated in the Mission San Jose Design Guidelines. He also asked if the walls separating the duplexes were insulated, and commented on the roof line. Mr. McLauchlan then offered some recommendations regarding landscape architecture, specifically in relationship to the

species of trees proposed for the project (i.e. Columbia Sycamore, Chinese Pistache, Acer Negundo/ boxelder).

Vice Chairperson Adamson expressed her appreciation for the selection of trees proposed for the project, citing the Chinese Pistache and Japanese Maple for their vibrant colors.

Chairperson Jacobs inquired about building heights for the proposed townhomes at the rear of the project site and commented that they were too tall in relationship to adjacent existing homes and exceeded height limitations stated in the Bryant Street Design Guidelines. Chairperson Jacobs also asked about the number of windows on upper levels of the proposed townhomes, with concerns to privacy.

Associate Planner Willis clarified that the Bryant Street Design Guidelines were not applicable to the proposed project and explained that the project met height requirements.

Chairperson Jacobs invited public comments.

Geoff Svendsgaard, Fremont resident on Ellsworth Street, commented on the lack of parking garages for existing homes in the area and the residents' reliance on street parking. He then asked how the proposed project would accommodate parking for the commercial component, and expressed his dismay at allowing for more development in the Mission San Jose area.

Kelly Abreu commented on the design style for the area and remarked on the density for the proposed project, stating that 11 townhomes were too few units. He also commented on the historical and cultural legacy of the Society of the Irmandade do Divino Espírito Santo de Mission San José (I.D.E.S., a Portuguese fraternal organization), which was mentioned by both staff and the applicant during their respective reports.

Chairperson Jacobs invited the applicant back for rebuttal.

Terry Wang responded to the issues concerning parking. **Salvatore Caruso**, project designer, then responded to issues concerning building heights, parking, and gradation of the of the parcel.

Chairperson Jacobs closed the public hearing.

Chairperson Jacobs expressed concern that the proposed project would overshadow adjacent properties and said his main concern was with the three buildings near the rear of the proposed project site, as it relates to privacy. He proposed reducing the building height, or reducing the number of windows on the upper levels of the townhomes. Chairperson Jacobs then stated his interest in speaking with City staff to get clarification on the applicability of design guidelines when zoning changes for an area.

Vice Chairperson Adamson moved to approve staff recommendation and **Board Member Cain** seconded.

Board Member McLauchlan requested a friendly amendment that would condition the developer to use wood as the building material for windows and doors throughout the development, as specified in the Mission San Jose Design Guidelines.

Vice Chairperson Adamson accepted the friendly amendment.

IT WAS MOVED (ADAMSON/CAIN) AND CARRIED BY THE FOLLOWING VOTE (4-1-0-0-0) THAT THE HISTORICAL ARCHITECTURAL REVIEW BOARD:

FIND THAT THE PROJECT IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER, WITHOUT LIMITATION, CEQA GUIDELINES SECTION 15332, INFILL DEVELOPMENT PROJECTS, AND FIND THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED PURSUANT TO CEQA GUIDELINES SECTION 15183, AS THE PROJECT IS CONSISTENT WITH THE DENSITY ESTABLISHED BY THE GENERAL PLAN, FOR WHICH AN ENVIRONMENTAL IMPACT REPORT (EIR) (SCH#2010082060) WAS PREVIOUSLY PREPARED AND CERTIFIED;

AND

FIND THAT THE PROJECT AS PROPOSED WOULD BE COMPATIBLE IN TERMS OF SITING, MASSING, SCALE, SIZE, MATERIALS, TEXTURES, AND COLORS WITH EXISTING DEVELOPMENT IN THE MISSION SAN JOSE HISTORICAL OVERLY DISTRICT;

AND

RECOMMEND THAT THE PLANNING COMMISSION:

APPROVE THE PROJECT, AS SHOWN ON EXHIBIT “A,” BASED ON THE FINDINGS AND SUBJECT TO THE CONDITIONS CONTAINED IN EXHIBIT “B.”

The motion carried by the following vote:

AYES: 4 – Adamson, Cain, Kanady, McLauchlan
NOES: 1 – Jacobs
ABSTAIN: 0
ABSENT: 0
RECUSE: 0

MISCELLANEOUS ITEMS

Information from Commission and Staff:

- Information from staff, as reported by **Principal Planner Wayland Li**:

- The next scheduled meeting date is October 6, 2022.
- Staff is preparing for a training session for the Board, in which an historical consultant will assist in facilitating the meeting. Prior to establishing a date, staff will provide Board Members with a tentative agenda, indicating topics to be covered, and solicit feedback.
- Another future agenda item will be the General Plan Housing Element Update effort. The meeting date for this agenda item is still to be determined.

- Information from Commission: None

ADJOURNMENT

Meeting adjourned at 8:29 p.m.

APPROVED BY:



Wayland Li, Secretary
Historical Architectural Review Board