



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** See Below

**DATE:** September 19, 2024

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**COUNCIL DISTRICT: 6**

**SUBJECT: HLD24-001 - Designation of Schiele Subdivision and Alameda Park as a City Landmark Historic District Nominated by the San José City Council on April 30, 2024**

## **RECOMMENDATION**

- (a) Receive report and recommendation from the Planning Commission, together with the report and recommendation from the Historic Landmarks Commission.
- (b) Adopt a resolution designating the Schiele Subdivision and Alameda Park as a City Landmark Historic District that is a geographically definable area of urban or rural character, possessing a significant concentration or continuity of site, buildings, structures, or objects unified by past events or aesthetically by plan or physical development pursuant to Chapter 13.48 of the San José Municipal Code.

## **SUMMARY AND OUTCOME**

If the City Council accepts the recommendation of the Planning Commission, the Schiele Subdivision and Alameda Park neighborhoods will be designed as a City Landmark Historic District.

## **BACKGROUND**

The Planning Commission held a public hearing to consider the nomination of Schiele Subdivision and Alameda Park neighborhood as a City Landmark District. Commissioner Oliverio made a motion to accept the recommendation. Commissioner Young seconded the motion. The motion passed 5-4 (Tordillos, Bickford, Lardinois and Rosario opposed).

HONORABLE MAYOR AND CITY COUNCIL

September 19, 2024

**Subject: HLD24-001 - Designation of Schiele Subdivision and Alameda Park as a City Landmark Historic District Nominated by the San José City Council on April 30, 2024**

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## **ANALYSIS**

A complete background and summary of the Schiele Subdivision and Alameda Park neighborhood for designation as a City Landmark Historic is contained in the Planning Commission staff report dated August 28, 2024.

## **EVALUATION AND FOLLOW-UP**

Should the City Council accept the recommendation, the Schiele Subdivision and Alameda Park neighborhoods will be designed as a City Landmark Historic District.

## **COORDINATION**

This memorandum has been coordinated with the City Attorney's Office.

## **PUBLIC OUTREACH**

This memorandum will be posted on the City's Council Agenda website for the September 24, 2024 City Council meeting.

Following the San José City Council adoption on April 30, 2024, of the resolution nominating the Schiele Subdivision and Alameda Park neighborhood for designation as a City Landmark Historic District and direction to Planning, Building, and Code Enforcement staff to initiate the community outreach process, Planning, Building, and Code Enforcement staff established a website for the project including the historic resource documentation prepared by Archives & Architecture LLC, information about the process with dates for community meetings and public hearings, and written responses to questions received from the public during the community meetings.

<https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/historic-resources/historic-areas-districts/schiele-subdivision-and-alameda-park-historic-district-designation-process>

Two separately noticed community meetings (one in-person and one hybrid) on the nomination to designate the Schiele Subdivision and Alameda Park neighborhood as a City Landmark Historic District were held on May 30 and June 13, 2024. The meetings outlined the procedure and timeline for the designation process and included presentations by San José Planning staff and Archives & Architecture LLC, which also received and responded to questions from the public.

Public hearings before the Historic Landmarks Commission and the Planning Commission were held on August 7, 2024 and August 28, 2024, and noticed in

accordance with San José Municipal Code Section 13.48.120(E). A notice of these hearings appeared in a newspaper of general record at least 10 days prior to the hearings and written notice was mailed to the property owners and occupants on July 17, 2024. The staff reports for the Historic Landmarks Commission and Planning Commission public hearings were posted on the City's website.

## **COMMISSION RECOMMENDATION AND INPUT**

In accordance with San José Municipal Code Section 13.48.120(H), the project was heard at a regular Planning Commission meeting on August 28, 2024 (Attachment A), on the Public Hearing portion of the agenda, as follows:

### **Staff Presentation**

Ms. Peak Edwards provided an oral presentation on the nomination of the Schiele Subdivision and Alameda Park neighborhood as a City Landmark Historic District by the City Council on April 30, 2024. The presentation included an overview of the boundaries, significance of the area, designation process, CEQA exemption and conformance with the General Plan and Title 13 of the San José Municipal Code.

### **Public Hearing**

Chair Tordillos opened the public comment portion of the agenda. Twelve members of the public spoke on the proposed designation. The comments of the speakers are summarized below:

- Ben Leech, Executive Director of Preservation Action Council San Jose (PAC\*SJ), a member-based preservation organization with a mission that advocates older places have relevance and a place in contemporary society and life. He stated that PAC\*SJ is strongly in support of the historic district designation and the historic preservation tool of historic districts. Mr. Leech commented that San José is at a disadvantage because it has relatively few historic districts compared to peer cities, and the last historic district was designated in 2007. He commented that as a result there is a learning curve for people encountering historic districts for the first time, and rightly so, as it is an important decision that impacts places people live and that is a conversation worth having. Mr. Leech commented that this conversation has been happening and there is misinformation about what the district would and wouldn't do and the intent of designation. He hoped the designation could be discussed with a clear understanding of the Historic Preservation Ordinance, noting that designation does not freeze buildings in time and existing historic districts in the city are dynamic, growing and changing neighborhoods with a variety of homeowners, renters and uses. Mr. Leech commented that designation will add a layer that regulates change but that is by design to manage change, not stop change. He

commented that it would work better if we could implement more districts, learn from it and adjust regulations and procedures as needed.

- Kay Gutknecht, Schiele Avenue resident, commented that she supports the historic district designation and is one of four people that started the process twenty years ago and the proposal is not one that has been made lightly or without a lot of effort. She commented on the proposal in relation to SB9. Ms. Gutknecht noted that the proposed district contains 132 parcels and the neighborhood is a few blocks from the Diridon Station Plan Area which has an unrealized opportunity to build thousands of housing units. She noted there are high density residential opportunities there and considering the small number of SB9 applications the City has received the impact for use in the neighborhood would be negligible.
- Edward Saum, former Chair of the Historic Landmarks Commission (2015-2021) when the listing in the Historic Resources Inventory of Schiele Subdivision and Alameda Park occurred, noted the length of the efforts made to designate the historic district. He also commented as the President and Director for Planning and Land Use for the Shasta Hanchett Park Neighborhood Association, which includes Schiele Subdivision and Alameda Park, on the importance of pride in neighborhood and the diversity of building stock which includes 900 square foot houses, three story Victorians with multiple units and older homes that are now commercial properties. Mr. Saum commented that the cheapest, most affordable and environmentally friendly housing is the housing that already exists and noted that the Your Old House guidelines provide direction on how to effectively add on to historic homes. He commented that the City is working on developing voluntary SB9 style guidelines that would apply to historic properties. Mr. Saum commented that there are estimated to be 122,000 lots in San Jose that are eligible for SB9 and only 35 applications have been received in 3 years, noting that the 132 properties in the neighborhood would not have a significant impact on that number.
- Megan Halligan, 900 Pershing Avenue resident, commented that she does not live in a historic house but it would be included in the historic district. She commented that resilient neighborhoods should have the ability to change with the people living in them. Ms. Halligan commented that families trying to buy into San Jose would be intending to add on to a 900 square foot bungalow. She commented that the historic designation would freeze the neighborhood in amber and did not believe that the types of additions desired would be allowed. Ms. Halligan commented that history is for museums and not neighborhoods.
- Kelly Snider, 882 Pershing Avenue resident, commented that the neighborhood is virtually, practically part of Downtown San José where the border runs along Stockton Avenue. She commented that the neighborhood should be upzoned, redeveloped and densified as soon as possible and designation would restrict densification and prohibit demolition and ground up rebuilds. Ms. Snider commented that designation would be a slap in the face to the urban future of the city and contrary to downtown policies. She commented that the homeowners do

not know how expensive this is going to make things. Ms. Snider commented that when she bought her house she was able to replace a window within three days and that would be impossible with the district.

- A representative for Fafa residing on Harding Avenue commented that a century ago homes were not designed to address the challenges of global warming and many contain hazardous materials like lead paint and asbestos. She commented that most of the houses are in poor condition and in need of significant repairs, and imposing too many restrictions could increase the difficulty and cost to address these issues. She commented that the tax incentives available are unlikely to cover the cost of repair which is already a lengthy and costly process. She commented that designation would make the process even more challenging and lengthy. She commented that designating the whole district dilutes the value of the few historical houses in the neighborhood. She inquired can we make our homes environmentally friendly, can we expand the house on the rear, can we add a second floor, who is going to pay for custom window replacement, can we modernize the interior of the house.
- John Wolfram, neighborhood resident, commented that the proposal as presented should be rejected. He commented that City enforced design restrictions are unadvisable in this neighborhood and because its retroactive could be considered unconstitutional. Mr. Wolfram commented that the homes are inconsistent with each other and the only consistency is the sycamore trees lining the street. He commented that some homes are architecturally unattractive and rundown and that the history is nice to know but he is focusing on his current life, capacity to improve and resell at market value. Mr. Wolfram commented that his home would require interior demolition and rearrangement of windows to sell anywhere near the price of homes with more practical floorplans. He commented that the cost of that work could make buyers vastly reduce the bidding price to that of a new house. Mr. Wolfram commented that municipal code changes are rarely applied retroactively and the historic district provisions should not apply to current owners.
- Meredith Muller, 839 Schiele Avenue resident, commented that she is strongly in favor of the historic district designation and noted that her family has owned their home since 1980 when the house was 90 years old. She acknowledged that some of her neighbors do not agree with the proposed designation; however, she is not swayed by their arguments. Ms. Muller commented that her home is a duplex which she recently renovated and rented, and she is currently applying to build an Accessory Dwelling Unit (ADU). She commented that she met with the ADU Ally and was told the historic district would have minimal to no impact on her plans which would increase the occupancy on her property. Ms. Muller commented that she has restored many aspects of the property herself she has not found the process burdensome. She commented that she hired someone to restore her windows and it was cheaper than installing new windows. Ms. Muller commented that the cost to maintain and comfortably dwell in an older home is not so different from newer homes, and PG&E tells her that her bill is lower than

many of her neighbors. She commented that historic homes tend to be well built and well designed and she is grateful to be surrounded with craftsmanship and durable materials. Ms. Muller commented she is proud to live in a neighborhood that values community which has shared resources like the old street trees, and she considers the beauty of the neighborhood to add to her quality of life. She commented that because the houses were built before car dependency the neighborhood is walkable, livable and socially inviting environment which many cities are desperate to replicate. Ms. Muller commented that some people have deeply felt concerns about the racial and classist implications of historic district designation and that is misleading because the neighborhood has a rich LGBT+ history.

- Mike Sodergren, PAC\*SJ, commented that a public commented stated that there is an overlap with the DSAP and he noted that the most recent version of the DSAP has no overlap with the neighborhood. He commented that we don't want to lose existing affordable housing and it should not be difficult to add onto a house or build an ADU if the neighborhood were designated. Mr. Sodergren commented that PAC\*SJ hears a lot of fear about the perceived negative impacts of historic district designation and noted the positive impacts, such as grant Mills Act opportunities and pride in a distinct neighborhood. He recommended the Planning Commission support the district designation.
- Susan Watanabe commented that she moved to Schiele Avenue in 1983 and wanted to be home with her kids so her family lived on a limited income for a long time. She commented that they have tried to be stewards of the house and respect its qualities as an old house and that did not cost a lot of money because there are ways to keep a house up that are not expensive. Ms. Watanabe expressed support for the district designation and wants to be a steward of the neighborhood as a whole. She commented that she understands that many people think that old houses should just be demolished but she feels that history is important and it's the reason she goes to visit other places and history cannot be built. Ms. Watanabe commented that designation will not stop people from adding on to their houses or gutting the interior and the intent is to preserve the character.
- Joanne Buckley, 858 Harding Avenue resident, commented that the neighborhood has been trying for twenty years to obtain historic district designation and it's been a hard fight. She commented that she purchased her house in 1972 because she fell in love with the neighborhood and she suggested that commissioners go to historic neighborhoods to see how they are. Ms. Buckley commented that the neighborhood has improved 200% since she moved there in the 1970s and that people respect what they see and there is a feeling of community. She hoped the commission would consider the designation seriously and recommend approval.
- Fengqi, Pershing Avenue resident, commented that he purchased his house two years ago. He commented that he likes the neighborhood being maintained but he feels the restrictions make it hard to maintain the house. Fengqi commented

that the previous owner did not maintain the house and his windows were broken. He commented that he tried to apply for a permit and he has still not been able to replace his windows because the requirement is to be exactly the same and those windows are \$15,000-\$20,000 each and there is no way he can afford that. Fengqi commented that the rainy season is coming and he is concerned about water damage. He inquired who would be responsible for the maintenance cost and he did not know the property was listed in the Historic Resources Inventory when he purchased the house. Fengqi commented that the proposal needs to be more feasible.

Chair Tordillos closed the public comment portion of the agenda.

#### Commissioner Discussion

Vice Chair Cantrell thanked the speakers for attending the hearing. He commented that we should ask ourselves what is worth saving, protecting, at what cost and to whom, and understand who makes the decisions and what may be the unforeseen impacts. Vice Chair Cantrell noted the historic documentation for the district and that it pointed out the impact of redlining and why the community exists. He noted that the community has managed to sustain itself and become even more diverse. Vice Chair Cantrell commented that it had a significant concentration of African Americans which is not often seen in San José and inquired if the City evaluated the unforeseen potential impacts by looking at what it might cost for people to stay in their homes and how that might back the neighborhood's diversity.

Planning staff responded that was not evaluated in the historic documentation completed for the proposed designation. Staff noted that the character is maintained through a permitting process and the Planning Division is mandated operate on a cost-recovery basis; therefore, applicants are charged what it costs to process permits. Planning staff commented that City Council could consider reducing or eliminating permit application fees for Historic Preservation Permits as an incentive for historic preservation. Staff commented that design guidelines are in place to guide change to historic properties and areas. Planning staff commented that the associated costs would be dependent upon what work is proposed, which would be elective, noting that replacing all the windows in a house would be more expensive than repairing windows and the design guidelines address window maintenance and repair. Staff commented that no work would be required as a result of the designation.

Vice Chair Cantrell commented that he would like to send that message to City Council that the City's portion of the fees could be mitigated in some way. He commented that he lives in a working class, multi-generational community that is changing and is becoming more gentrified. Vice Chair Cantrell commented that this is happening everywhere and he does not know how to prevent that. He commented that the best way to preserve the beauty and diversity of the neighborhood is to protect it.

Commissioner Young thanked the speakers for attending the hearing and noted that he drove through the neighborhood on the way to the meeting and he had never been to that neighborhood which is very unique. He noted that he drove down Harding Avenue and saw a large, two-story rectangular house and understands the need for the design review process but he also understands the concerns of the residents. Commissioner Young inquired about the process to replace a window.

Planning staff responded that the neighborhood is currently listed on the Historic Resources Inventory and this requires a Single-Family House permit when alterations are proposed. Staff commented that designation would change the required type of permit to a Historic Preservation Permit and changes to windows are generally handled on the staff level with an administrative permit and if there were no changes to the openings would be a Historic Preservation Permit Adjustment and no building permit would be required. Commissioner Young inquired about the building permit for a plate glass window. Planning staff clarified that there is an additional permit layer where a Planning permit is required for historic properties. Commissioner Young inquired about the permit processing time for windows. Planning staff responded that it depends on the volume of applications at the time and the City's staffing resources and that applications are processed as they are received, and staff noted that complete information is not always received and responses to staff comments are not always addressed in a timely manner. Planning staff noted that since the neighborhood is currently listed in the Historic Resources Inventory and require a Single Family House Permit that process is likely longer than a Historic Preservation Permit Adjustment which would be the process following designation and should only take a couple of weeks for door or window changes.

Commissioner Young inquired about the Mills Act. Planning staff commented that it is state legislation implemented on the local level for designated City Landmarks that provides a property tax reduction (up to 50% depending on when the property was purchased) for contracted properties in exchange for preserving the property.

Commissioner Young inquired if the designation would help the property owners in this regard. Planning staff responded that it could because as part of the historic resources survey properties were documented and evaluated some properties have been identified as Candidate City Landmarks and those property owners could apply for individual City Landmark designation and a Mills Act contract. Commissioner Young inquired what size are the lots in the neighborhood and Planning staff responded that most are 6,000 square feet. Commissioner Young inquired whether the construction of an ADU would be affected by designation and Planning staff responded that ADUs are a ministerial process that do not require historic review. Commissioner Young commented that he is in favor of protecting the neighborhood which is unique, interesting and an important part of the city's history.

Commissioner Bhandal thanked staff for the presentation and the speakers for attending the hearing. He commented that we are often focused on the future of the city and it is a breath of fresh air to consider its history. Commissioner Bhandal inquired about the size of the proposed district and whether the including the whole 25 acres is



necessary. Planning staff responded that the boundaries of the district are based on its historic development and the history of the two subdivisions is intertwined. Staff noted that the Schiele Subdivision was developed first in the late 1880s and the Alameda Park subdivision was purposefully integrated with the design of the earlier subdivision, and that is the reason for the boundaries. Staff noted that if just the Schiele Subdivision were designated that it was not entirely built out before Schiele died and was completed by Maderis. Staff commented that there needs to be historical justification for the boundaries. Commissioner Bhandal inquired about the Mills Act and if future owners would benefit. Staff responded that the contracts run with the land.

Commissioner Lardinois did not believe the historic value of the neighborhood proposed to be protected was clearly articulated or convincing, referring to the documentation and website. He highlighted public concern and referred to a May 7 San José Spotlight article reading a quote from a resident that is opposed to designation due to required review of exterior changes and referred to comment letters from Lori Katcher and Kelly Snider noting that designation could make it more expensive to mitigate issues like lead and asbestos. Commissioner Lardinois commented that they should be hesitant to impose additional restrictions on property owners and that if application fees are a concern then the district should not be designated. He commented that age and aesthetics do no warrant historic preservation and talked about the housing crisis. Commissioner Lardinois referred to state housing legislation passed in recent years that often exempts historic districts and that can be used as a tool to undermine the production of new housing. He did not see that intent but thought the commission should be mindful of the impact that designation would have on the neighborhood in the future and the citywide precedent it would set. Commissioner Lardinois made a motion that the commission reject the recommendation to designate the historic district. The motion was seconded by Commissioner Rosario.

Commissioner Bickford observed that as stewards of San Jose, the city has a challenge because it wants affordable housing, density, access to public transit, beautiful neighborhoods and places where people can be at home and comfortable. She commented that the neighborhood is beautiful and the city has some responsibility to support San José's rich and diverse history. She commented that the new house on Harding Avenue looks out of place and is aesthetically not in keeping with the neighborhood and questioned where the balance lies between maintaining the historic character and restricting property owners.

Chair Tordillos commented that it is a challenging item, that there are real reasons for historic preservation and yet designation would create a new burden on homeowners. He noted there is not 100% alignment of views amongst residents. Chair Tordillos commented that the neighborhood is in close proximity to downtown and is a 5-minute bike ride and 15-minute walk to Diridon Station. He commented that it would be safe to assume that designation would limit and slow development and remove the eligibility of the neighborhood for SB9. Chair Tordillos noted that he lives in a historic house in a City Landmark District and is grateful that the home was not demolished but also realizes that the historic preservation permitting process can be complicated. He noted

conflicting General Plan goals, which include historic preservation, and designation might work against other goals like sustainability and infill growth. Chair Tordillos commented on the district documentation noting that there was a larger home on the land prior to subdivision that the moved to make way for the development of new housing. He commented that cities grow and change and the district is a heavy handed approach to preservation. He commented that preservation of small bungalows with a future of connected public transit does not feel like responsible stewardship and land use planning. Chair Tordillos commented that he would prefer an approach geared toward individual properties with independent historic merit and expressed support of the motion against designation.

Commissioner Rosario inquired if Planning staff had analyzed the jobs to employment ratio and staff responded that the findings in the Historic Preservation Ordinance for the creation of a district do not consider that information. He inquired whether the Google development is still planned and staff responded affirmatively and there is an active permit for the site. Commissioner Rosario commented that he wants to make a city that 50-75 years from now would allow more people to live here and noted the neighborhood is on the border of the downtown and is a ten-minute walk to Diridon Station. He commented that he is not happy with the single family houses being constructed at Berryessa and that this is a similar situation. Commissioner Rosario commented that the area should be upzoned and there should be freedom to build high-density housing new transportation and the proposed designation would not contribute to achieving those goals.

Vice Chair Cantrell asked for consideration about what happens when the oppressed survive and thrive, what happens when the marginalized maintain a way of life an area they helped to build and create, where else can we go to walk through the history of the city in one location, what if places like Stonewall can be a supermarket instead of a landmark – what is worth protecting? He commented that San José is very large and 25 acres is not a lot of real estate within the city. Vice Chair Cantrell commented that he lives in a community that will be significantly impacted, detrimentally, by high-speed rail and if it were a historic district that would not be a question. He commented that progress has impacts that can be borne in other areas. Vice Chair Cantrell commented that there are survivors in the neighborhood that are entitled to the beauty of their community as it stands. He asked the commission to consider the humanity of that and asked if we have to pave over everything.

Commissioner Oliverio commented that the proposal is nothing new and the city has had conservation areas and historic districts for a long time and there are a variety of processes to get there which the community has worked long and hard to achieve. He commented that we all know historic districts but maybe do not know them in San José but through travel. Commissioner Oliverio commented that the preservation of structures of a certain era provides high value, and one tenth of one percent of the city's housing stock is being considered. He commented that if other neighborhoods across the city are going to organize for 20 years to avoid state housing laws that would be a big process to get there and should not be a concern that historic district designation

would set a precedent. Commissioner Oliverio commented that people will still be able to make changes to their houses with an additional step. He commented that people choose these neighborhoods in higher proportion than other neighborhoods because they are highly sought after being unique in character. Commissioner Oliverio commented that future homeowners are going to value neighborhood and other historic neighborhoods because of their character. He commented that the General Plan 2024 as it exists today preserves single family neighborhoods because the city was going to build in a thoughtful manner in downtown and along transportation corridors to gain resident support even though state law has changed that. Commissioner Oliverio commented that he could not support the motion. He commented that the city has supported people coming forward to designate their neighborhoods. Commissioner Oliverio made a motion to support the staff recommendation and the motion was seconded by Commissioner Young.

Commissioner Young inquired if Commissioner Oliverio would be open to a friendly amendment to waive historic preservation permit fees. Commissioner Oliverio stated he would accept an amendment to recommendation that City Council lessen or eliminate the historic fees across the city. Commissioner Young commented that the proposal involved 132 lots in a city of a million people and that he is a housing advocate. He commented that the neighborhood is really special and there has been an effort for twenty years to designate it as a historic district. Commissioner Young commented that San José doesn't have as much history as Europe or the East Coast and is important to preserve this area. He commented that he understands there are competing interests and some homeowners may not want the restrictions, but the commission and the City Council are about trying to weigh competing interests and the interest in this case is to preserve some important history of the city. Commissioner Young commented that he is sensitive to the residents and cost of doing improvements which is why his recommendation is that the City Council help the residents by waiving the fees.

Commissioner Rosario clarified that he is not against historic districts and the preservation of historic things in the city should be encouraged, but he expressed concern about the location of the neighborhood and inquired how many people are projected to live in San José in 2040. Commissioner Oliverio stated it is 1.4 million. Commissioner Rosario commented where would people live in the city, commenting that the goal is to have them live near transit and downtown. He stated that is why he is not in support of the motion.

Vice Chair Cantrell agreed that the commission would like to see the population grow but unfortunately it's been on decline. He commented that the city plans for growth but it is not happening at the rate we would like as San José is experiencing contraction and is no longer the tenth largest city. Vice Chair Cantrell commented that the designation would not change that fact. He commented that he has lived in smaller cities with larger historic districts and it can be done and can be done well. Vice Chair Cantrell commented that we want people to live near transit and in affordable housing and commented that the housing in the housing stock in this neighborhood is more affordable than most housing in his own community. He commented you don't remove

affordable housing to replace it with stacks of people living differently and this is not the recipe anyone on the commission should want. Vice Chair Cantrell commented that we want a variety of housing and living experiences, and those who want a unique experience should have a unique experience that a historic district can provide. He commented that's what we're after here, a community of everyone. Vice Chair Cantrell commented that it is a very unique opportunity, we live in a community where the African American community has been on decline for the last thirty years. The community has a significant amount of African Americans who have survived being marginalized in a city that does not allow them to thrive and they are entitled to a historic designation that gives them credit for the community they built.

Chair Tordillos commented that he lives in a designated historic district and there is an apartment building adjacent to his house and he does not feel that the building detracts from the historic nature of his house or neighborhood. He commented that there are cities all over the country and the world where new development sits along aside historic buildings and the value of those historic buildings does not evaporate when the new development comes in. Chair Tordillos commented that part of the reason we have lost population is the cost of living and housing driven by a housing shortage, and part of the reason he joined the commission was the housing crisis so he looks skeptically at proposals that would limit new development especially since it is so close to transit and jobs.

Commissioner Lardinois reiterated that it has not been clearly articulated in the staff report or historic report what the value is that is proposed to be preserved. He commented this is important because there are benefits and drawbacks to the designation. Commissioner Lardinois commented that historic district designation does not do anything to keep current residents in their homes and it is unclear how the preservation of the neighborhood helps to document its history. He commented that just because some people want the historic district does not mean there is a history to preserve. Commissioner Lardinois commented that there are many similar neighborhoods in terms of their age, character or design that may not have a strong argument for historic preservation, but the designation of this district may set a precedent. He commented that San José's population is declining because of decades of public policy failures to build housing and the demand for housing. Commissioner Lardinois commented that the commission would be establishing policies that limit the ability to use land to provide new housing and is something that should be kept in mind.

Commissioner Young inquired if the neighborhood includes a multi-family area. Planning staff responded no, that there are multiple residential districts on the west side of the neighborhood. Staff added that the neighborhood currently has a single-family General Plan designation and zoning district and without change to the General Plan and zoning multi-family would not be allowed. Planning staff added that the Citywide team is developing objective design standards to allow SB9-type development in historic districts and R-2 zoning areas. Commissioner Young commented that he is not persuaded that designation would establish a precedent because the commission is setting a policy and it took twenty years to get to this point.

Daniel Zazueta, Senior Deputy City Attorney, clarified that part of the responsibility of the commission is to accept the Historic Landmarks Commission's report and consider their recommendation. He asked that this be incorporated into the motion. Commission Oliverio stated that is what is inferred and is part of his motion.

Chair Tordillos called for a vote on a prior motion made by Commissioner Oliverio and seconded by Commissioner Young to accept the staff recommendation to recommend to the City Council the designation of the Schiele Subdivision and Alameda Park as a City Landmark Historic District. Chair Tordillos noted the motion also included an amendment by Commissioner Young that the City Council consider eliminating or lessening Historic Preservation Permit fees citywide. The motion passed 5-4 (Commissioners Bickford, Lardinois, Rosario and Tordillos opposed).

### **CEQA**

The project has been determined to be exempt from the provisions of the California Environmental Quality Act per Section 15331 for the preservation of historical resources. The project is limited to preservation of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

### **PUBLIC SUBSIDY REPORTING**

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/  
Chris Burton,  
Secretary, Planning Commission

For questions, please contact Dana Peak Edwards, Principal Planner and Historic Preservation Officer, at [dana.peak@sanjoseca.gov](mailto:dana.peak@sanjoseca.gov) or (408) 534-2990.

**ATTACHMENT:** Planning Commission Staff Report and Attachments



# Memorandum

**TO:** PLANNING COMMISSION  
**SUBJECT:** File No. HLD24-001

**FROM:** Christopher Burton, Director  
**DATE:** August 28, 2024

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**COUNCIL DISTRICT: 6**

<b>File No.</b>	<b>HLD24-001</b>
<b>Application</b>	<b>Application for designation of Schiele Subdivision and Alameda Park as a City Landmark Historic District that is a geographically definable area of urban character, possessing a significant concentration and continuity of site, buildings and structures unified by past events and aesthetically by plan and physical development.</b>
<b>Applicant</b>	<b>City of San José</b>
<b>Historic Resource Inventory</b>	<b>Schiele Subdivision/Alameda Park Candidate Conservation Area</b>
<b>Project Planner</b>	<b>Dana Peak Edwards</b>
<b>CEQA Clearance</b>	<b>Exempt per CEQA Guidelines Section 15331 for Historical Resources and Rehabilitation</b>

## RECOMMENDATION

Staff recommends the Planning Commission recommend that the City Council take the following action:

1. Adopt a resolution designating the Schiele Subdivision and Alameda Park as a City Landmark Historic District that is a geographically definable area of urban character, possessing a significant concentration and continuity of site, buildings and structures unified by past events and aesthetically by plan and physical development.

## PROPERTY INFORMATION

<b>Location</b>	Schiele Subdivision and Alameda Park
<b>Assessor Parcel No. (APN)</b>	Refer to Assessor Parcel Maps in Draft Resolution
<b>Existing General Plan</b>	Residential Neighborhood
<b>Overlay</b>	N/A
<b>Growth Area</b>	N/A
<b>Zoning District</b>	R-1-8
<b>Historic Resource</b>	Schiele Subdivision and Alameda Park

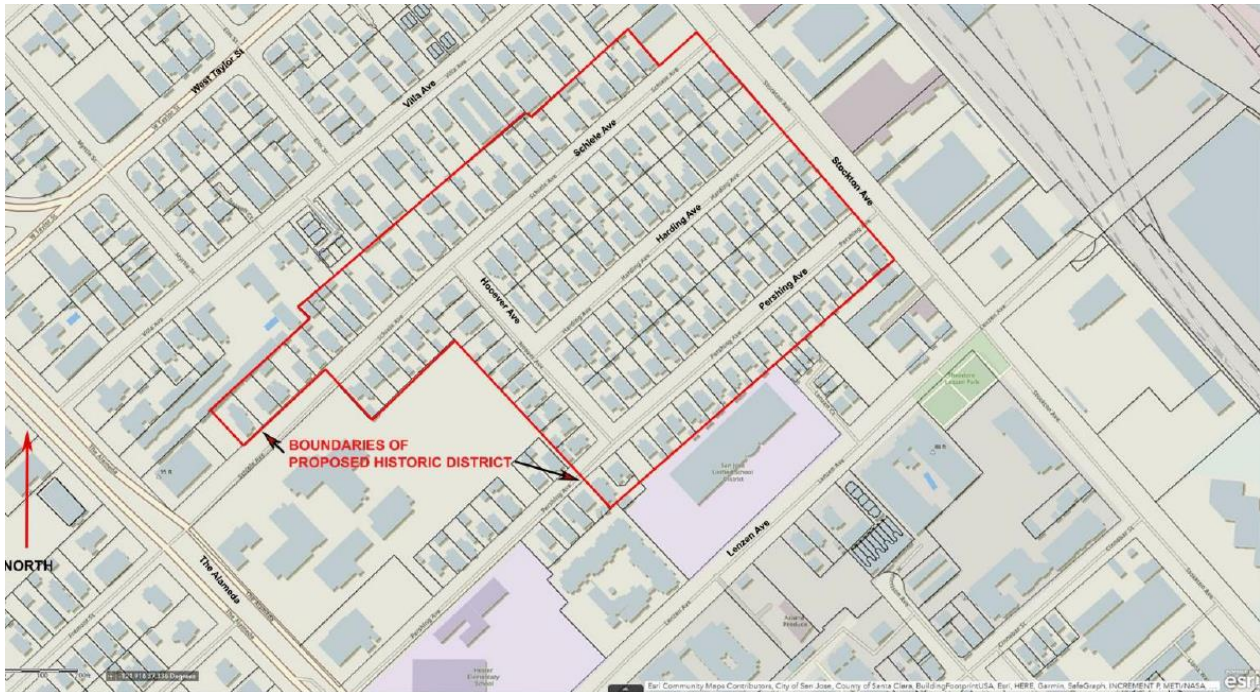
<b>Annexation Date</b>	December 8, 1925
<b>Council District</b>	6
<b>Acreage</b>	Approximately 25 acres

<b>SURROUNDING USES</b>			
	<b>General Plan Land Use</b>	<b>Zoning</b>	<b>Existing Uses</b>
<b>North</b>	Transit Employment Center and Light Industrial	CN (Commercial Neighborhood) and TEC (Transit Employment Center)	Commercial, light industrial including auto repair and auto body, data center, Caltrain
<b>South</b>	Neighborhood/Community Commercial	CN (Commercial Neighborhood) and R-2 (Two Family Residential)	Commercial and apartments
<b>East</b>	Combined Industrial/Commercial and Mixed Use Commercial	PD (Planned Development) and LI (Light Industrial)	Commercial, light industrial including auto repair and landscaping, school and school district offices
<b>West</b>	Residential Neighborhood, Neighborhood/Community Commercial and Public/Quasi Public	RM (Multiple Residence District) and R-2 (Two Family Residential)	Commercial and apartments

The Schiele Subdivision and Alameda Park neighborhood consists of predominantly moderate-sized one-story houses on lots typically about 6,000 square feet in size. The proposed historic district contains 132 properties, 129 of them residential and three converted to commercial use (see Figure 1). The neighborhood is accessed by three streets: Schiele, Harding, and Pershing Avenues. Schiele and Pershing Avenues transverse the area between The Alameda and Stockton Avenue. Harding Avenue is bound by Stockton Avenue and Hoover Avenue which bisects the neighborhood from Schiele to Pershing Avenues. The creation and formal map recordings with the County of Santa Clara of the Schiele Subdivision and Alameda Park tracts cover Lots 12, 13, and 14, a portion of Lot 6, and a small portion of Lot 15 of Alameda Gardens Block 2.



## PROJECT LOCATION AND DESCRIPTION



*Figure 1: Location and Boundary Map*

The Schiele Subdivision and Alameda Park neighborhood is in the Central Planning Area west of downtown San José. The planning area encompasses the Original City and the early twentieth expansion areas generally known as the Westside, Rose Garden, Burbank, Cottage Grove, and the area north of Hedding Street bounded by Highways 880 and 101. The neighborhoods within the Central Planning Area, along with similar suburban expansions into the Willows and East San José, evolved mostly during the interwar years. With the planning and construction of Interstates 280 and 880 after World War II, the western limits of the Central Planning Area were established within the City's planning program.

The Schiele Subdivision and Alameda Park neighborhood developed as two adjacent but related residential tracts with portions of the Schiele Subdivision underway in the late 1880s, and the final build-out of Alameda Park occurring by the start of World War II. Both tracts were established within the much larger unincorporated lands known as Alameda Gardens that had been established by 1850, located between the new city of San José and the then unincorporated town of Santa Clara. The Schiele Subdivision and Alameda Park neighborhood was annexed into the City of San José on December 8, 1925, under the large College Park, Burbank, and Sunol Annexation. The period of significance for the Schiele Subdivision and Alameda Park neighborhood is 1888, following the establishment of title to much of the area by Charles Schiele and the recording of the Schiele Subdivision, to 1941, the beginning of World War II when Anthony Maderis completed the second phase of neighborhood development build.

Charles Schiele, Schiele Subdivision's developer, acquired the Matilda Hill estate to create a residential subdivision that would open a new avenue between The Alameda and Stockton Avenue. In 1888, he made improvements valued at \$25,000, including streets, curbs, sidewalks, gas and water, and planted trees. Once the Schiele Subdivision began to be improved the location provided easy access to public interurban streetcars on The Alameda into downtown San José and neighboring Santa Clara until 1938 when



automobiles and buses finally eclipsed the system. Schiele began development of the subdivision with six speculative houses built on the north side of Schiele Avenue. The houses were of a modest size compared to the mansions on The Alameda and were designed by master architect Theodore Lenzen. The original houses in the Schiele Subdivision that still remain are 767, 781, 795, 837, 899, 931, 971, and 1009 Schiele Avenue. The houses at 871, 909, 943, 965, and 1025 Schiele Avenue were built by 1894. Building stopped in 1894 as the Panic of 1893 precipitated a significant recession. Out of the 25 available lots, only thirteen had been developed with houses. Charles Schiele found himself in serious financial trouble and he died bankrupt in 1896. Building in the Schiele Subdivision did not begin again until 1905. By 1912, six new houses were added, giving the subdivision a total of 19 houses on 25 lots.

In 1922, Anthony Maderis, Alameda Park's developer, purchased the northeastern 16.5 acres of land, a portion of the original recorded Schiele Subdivision. Maderis announced plans to create a 99-lot residence park and took specific steps to unify it with the existing Schiele Subdivision when he incorporated the southeast segment of what was originally the Schiele subdivision into Alameda Park. He mirrored the Schiele Avenue model when laying out the three new streets in his development and provided infrastructure by building an extension of Pershing Avenue through the tract to Stockton Avenue, new streets including Hoover Avenue and Harding Avenue and installing sidewalks, gutters, curbstones, and electroliers. Maderis also planted sycamores along the streets. Lot line adjustments were recorded to create additional lots on Schiele Avenue. These newly configured lots overlaid the undeveloped Schiele Subdivision lots, and were developed in the Revival architectural styles. Many of San José's best contractors purchased lots and constructed speculative houses that were relatively inexpensive and not difficult to build, while attractive and stylish enough to appeal to buyers. This development pattern helped to coherently stitch the two subdivisions together.

The Schiele Subdivision and Alameda Park neighborhood retains an intact visual unity of similarly massed small houses with period detailing and continues to represent an earlier sense of time and place, reflective of residential development in the outer reaches of San José between 1888 to 1941.

On June 3, 2020, the Schiele Subdivision and Alameda Park neighborhood was listed on the San José

## BACKGROUND

Historic Resources Inventory (HRI) as an eligible Conservation Area or Candidate City Landmark District by the Historic Landmarks Commission (HLC). The area was recommended for listing based on extensive research and documentation submitted by representatives of the neighborhood. Planning staff conducted a field survey and an independent review of the documentation and determined the area met the required eligibility findings based on the high concentration of historic properties, cohesive pattern of development and high architectural integrity. Postcard notices were mailed on May 22, 2020 to all property owners on record providing notification of the HLC public meeting to consider the HRI listing. The HRI serves as a foundation for the future designation of historic landmarks and/or districts and as a resource document to identify properties requiring Planning review of proposed building alterations and land use development on listed properties.

Following the listing of the Schiele Subdivision and Alameda Park neighborhood on the HRI, the area was formally documented and evaluated by qualified historic resources consultant, Archives & Architecture LLC, on State of California Department of Parks and Recreation (DPR) Primary Record and District Record forms.

Based upon the HRI listing and Archives & Architecture LLC documentation the Rules and Open Government Committee (Committee) considered a memorandum on March 24, 2021, submitted by Councilmember Dev Davis, recommending that the Committee forward a resolution to the City Council to nominate the Schiele Subdivision and Alameda Park neighborhood as a City Landmark Historic District and initiate the process for designation. Then Councilmember Sylvia Arenas requested that the City be mindful of redlining practices which kept people of color out of predominantly white neighborhoods. Upon motion by Councilmember Dev Davis, seconded by then Councilmember Raul Peralez, the Committee voted to forward the nomination of the Schiele Subdivision and Alameda Park neighborhood as a City Landmark Historic District to City Council for consideration on March 30, 2021, with a recommendation to approve a resolution to initiate the designation. (4-1 with Arenas casting the dissenting vote). City Council action was deferred to April 20, 2021, when the item was dropped from consideration.

In December 2023, the City of San José retained Archives & Architecture LLC to prepare the final documentation to initiate the designation of Schiele Subdivision and Alameda Park neighborhood as a City Landmark Historic District and to support the community engagement meetings and public hearings before the HLC, Planning Commission and the City Council. The consultant prepared a focused historic context statement- Suburban Residential Expansion Before World War II - that discusses issues of equity in San José housing development during the first part of the twentieth century and its state and federal context, the use of restrictive covenants, and the extent and impact of redlining in some downtown neighborhoods. Archives & Architecture LLC also addressed the more recent changes in the Schiele Subdivision and Alameda Park neighborhood makeup and its diversity, including an influx of persons associated with the local LGBTQ+ communities. In addition, Archives & Architecture LLC revised the Schiele Subdivision and Alameda Park neighborhood District Record (DPR 523D) to focus on the technical aspects of the district including an updated list of contributing buildings, definitions, references, assessors' parcel numbers, and boundary definition. Finally, Archives & Architecture LLC provided a detailed description of how the proposed historic district meets the criteria set forth in San José's Historic Preservation Ordinance and updated the justification findings for designation. All documents prepared by Archives & Architecture LLC are available on the Schiele Subdivision and Alameda Park [website](#).

On April 30, 2024, the San José City Council adopted a resolution nominating the Schiele Subdivision and Alameda Park neighborhood for designation as a City Landmark Historic District; and directed Department of Planning, Building and Code Enforcement (PBCE) staff to initiate the required process and proceedings to designate the historic district, including the necessary outreach to community members and property owners.

Should the City Council adopt a resolution designating the Schiele Subdivision and Alameda Park neighborhood as a City Landmark Historic District there would be a change to the type of permit required when exterior alterations to any property in the historic district are proposed. Because the Schiele Subdivision and Alameda Park neighborhood has already been listed on the HRI (as an eligible Conservation Area or Candidate City Landmark District) exterior changes to listed properties currently require the issuance of a Single Family House Permit and conformance with the Your Old House: A Guide for Preserving San José Homes (Your Old House) design guidelines. Designation of the neighborhood as a City Landmark Historic District would change the required permit type to a Historic Preservation (HP) Permit for any change in design, material, color, or external appearance to properties in the historic district. The HLC would review proposed changes to ensure that exterior work is in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and the Your Old House guidelines and would make a recommendation on the HP Permit to the Planning Director or City Council. The Director's decision

on an HP Permit is appealable to the City Council. For minor modifications a HP Adjustment processed by Planning staff may be all that is required with no referral to the HLC and no public hearing.

The nomination of the Schiele Subdivision and Alameda neighborhood for designation as a City Landmark Historic District was analyzed with respect to conformance with: 1) the Envision San José 2040 General Plan; and 2) the Historic Preservation Ordinance.

## ANALYSIS

### Envision San José 2040 General Plan Conformance

The proposed designation of the Schiele Subdivision and Alameda neighborhood as a City Landmark District would promote the following General Plan policies with respect to historic preservation:

Historic Preservation Policy LU-13.1 Preserve the integrity and fabric of candidate or designated Historic Districts.

*Analysis: Designation of the Schiele Subdivision and Alameda Park neighborhood as a City Landmark Historic District would require a Historic Preservation (HP) Permit for any future exterior alterations to properties within the boundaries of the historic district and evaluation for conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and "Your Old House Guide for Preserving San José Homes." HP Permit analysis involves design review of exterior modifications which would guide change in the neighborhood and ensure that future proposed alterations, additions or demolition are in keeping with its historic character, preserving the integrity and fabric of the district.*

Historic Preservation Policy LU-13.5 Evaluate areas with a concentration of historically and/or architecturally significant buildings, structures, or sites and, if qualified, preserve them through the creation of Historic Districts.

*Analysis: The Schiele Subdivision and Alameda Park neighborhood was formally documented and evaluated by qualified historic resources consultant, Archives & Architecture LLC on State of California Department of Parks and Recreation (DPR) Primary Record and District Record forms in 2021 and the documentation was refined and augmented in 2023. The Schiele Subdivision and Alameda Park neighborhood was determined to be eligible for designation because it represents a comprehensive pattern of historic development within a historically discrete area west of San José's Original City; its singularity within its historical development that distinguishes it within the associated historic period 1888-1941; and its embodiment of distinctive architectural styles that represent the breadth of design of the associated historic periods. The designation of the Schiele Subdivision and Alameda neighborhood qualifies for designation and approving the designation would assist in its future preservation.*

Historic Preservation Policy LU -13.15: Implement City, State, and Federal historic preservation laws, regulations, and codes to ensure the adequate protection of historic resources.

*Analysis: Designation of the Schiele Subdivision and Alameda Park neighborhood as a City Landmark Historic District would implement the City of San José's Envision San José 2040 General Plan and support the City of San José's obligations under its Certified Local Government Agreement to execute and administer a program for the identification and protection of historic and architectural resources and to enforce its Historic Preservation Ordinance.*

## **Historic Preservation Ordinance Conformance**

In accordance with San José Municipal Code Section 13.48.120(H), the Planning Commission must find that the Schiele Subdivision and Alameda Park neighborhood is a geographically definable area of urban or rural character, possessing a significant concentration or continuity of site, buildings, structures or objects unified by past events or aesthetically by plan or physical development.

As documented by Archives & Architecture LLC in the Schiele Subdivision and Alameda Park Historic District Record (see Exhibit A), DPR 523 forms for each property in the proposed boundaries and focused historic context statement Suburban Residential Expansion Before World War II, the neighborhood is a geographically definable area embedded within two subdivisions - the Schiele Subdivision and Alameda Park - of urban character that were intentionally and cohesively unified in physical development by street layout, sidewalks, gutters, curbstones, electroliers and trees. The neighborhood consists of residential buildings initially constructed within an unincorporated area of Santa Clara County between the cities of San José and Santa Clara. Much of the development occurred prior to 1925, and most of the properties were developed for residential use between 1888-1941. It is a rare representation of residential development in San José during this period that sought to meet an anticipated strong demand for housing and to provide amenities like street trees, quality architectural design, and other infrastructure improvements to a middle-class market. As a result the Schiele Subdivision and Alameda Park neighborhood contributes to an understanding of the context of San José's early suburban expansion beyond the city limits that had been established as the 1850 Original City. The significant concentration of houses has form and detailing reflective of the period of significance that range from the Victorian-era styles of the late nineteenth century to early twentieth century Arts and Crafts-influenced construction and the Revival styles between the two world wars. The neighborhood character is visually distinct with house designs representing a breadth of architctual styles including Queen Anne, Stick, Neoclassical, Craftsman, Tudor Revival, Spanish Revival, and Minimal Traditional style cottages with similar scale and setbacks.

## **Historic Landmarks Commission**

In accordance with San José Municipal Code Section 13.48.120(F), the Historic Landmarks Commission (HLC) held a public hearing on the proposed designation of the Schiele Subdivision and Alameda Park as a City Landmark Historic District on August 7, 2024. The HLC received public comment and approved a motion (5-0-1 Janke absent) to recommend that the City Council adopt a resolution designating the Schiele Subdivision and Alameda Park as a City Landmark Historic District that is a geographically definable area of urban character, possessing a significant concentration and continuity of site, buildings and structures unified by past events and aesthetically by plan and physical development.

Based on the above outlined findings and the affirmative recommendation from the HLC, staff recommends the Planning Commission recommend to the City Council the adoption of a resolution (see Exhibit B) designating the Schiele Subdivision and Alameda Park neighborhood as a City Landmark Historic District.

## CALIFORNIA ENVIRONMENTAL QUALITY ACT

The project has been determined to be exempt from the provisions of the California Environmental Quality Act per Section 15331 for the preservation of historical resources. The project is limited to preservation of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

## PUBLIC HEARING NOTIFICATION

Following the San José City Council adoption of the resolution nominating the Schiele Subdivision and Alameda Park neighborhood for designation as a City Landmark Historic District and direction to PBCE staff to initiate the community outreach process, staff established a [website](#) for the project including the historic resource documentation prepared by Archives & Architecture LLC, information about the process with dates for community meetings and public hearings, and written responses to questions received from the public during the community meetings.

One in-person and one hybrid community meeting on the nomination to designate the Schiele Subdivision and Alameda Park neighborhood as a City Landmark Historic District was held on May 30 and June 13, 2024. The meetings outlined the procedure and timeline for the designation process and included presentations by San José Planning staff and Archives & Architecture LLC, which also received and responded to questions from the public.

Staff carried out the public notification requirements of Section 13.48.120(E) of the Historic Preservation Ordinance. A notice of this hearing appeared in a newspaper of general record at least 10 days prior to the hearing and written notice was mailed to the property owners and occupants on July 17, 2024. The staff report is also posted on the City's website. Staff has been available to respond to questions from the public. None have been received to date.

**Project Manager:** Dana Peak Edwards, Principal Planner and Historic Preservation Officer

**Approved by:** /s/ John Tu, Division Manager, for Christopher Burton, Director of Planning, Building and Code Enforcement

Attachment:	
Exhibit A:	(State Department of Parks and Recreation forms (DPR 523D & L), prepared by Archives & Architecture, LLC May 17, 2024
Exhibit B:	HLD24-001 Draft Resolution

# HLD24-001

## Links to Exhibit A - B

Click on the title to view document.

<a href="#">Exhibit A: (State Department of Parks and Recreation forms (DPR 523D &amp; L), prepared by Archives &amp; Architecture, LLC May 17, 2024</a>
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<a href="#">Exhibit B: HLD24-001 Draft Resolution</a>
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[Correspondence received after 8/21/24](#)