



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Chris Burton

SUBJECT: SEE BELOW

DATE: August 2, 2021

TRANSMITTAL

**SUBJECT: HL21-001 & MA21-001 - APPLICATION FOR CITY LANDMARK
DESIGNATION AND HISTORICAL PROPERTY (MILLS ACT)
CONTRACT FOR THE PROPERTY LOCATED AT 285 SOUTH 12TH
STREET (DOOBIE BROTHERS HOUSE)**

REASON FOR TRANSMITTAL

The Historic Landmarks Commission is scheduled to hear this item on August 4, 2021. The City Council hearing is scheduled for August 24, 2021. The memorandum with the Commissions' recommendations will be submitted under a different cover.

/s/

CHRIS BURTON, Director
Planning, Building, and Code Enforcement

For questions, please contact Robert Manford, Deputy Director, at 408-535-7900.

Attachment: Historic Landmarks Commission Staff Report



HISTORIC LANDMARKS COMMISSION STAFF REPORT

File Nos.	HL21-001 and MA21-001
Application Type	City Landmark Designation and Historical Property (Mills Act) Contract
Applicants	John and Lauren White
Location	285 South 12th Street
APN	467-41-054
Zoning District	R-1-8 Single Family Residence
Council District	3
Historic Area	Naglee Park Conservation Area
Historic Resource Inventory	Identified Structure
Annexation Date	Original City
CEQA	Exempt per CEQA Guidelines Section 15331

APPLICATION SUMMARY:

File No. HL21-001: Application for designation of 285 South 12th Street (Doobie Brothers House) as a City Landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of an historic nature; and

File No. MA21-001: Application for Historical Property (Mills Act) Contract for 285 South 12th Street between the City of San José and the property owner.

RECOMMENDATION:

Staff recommends the Historic Landmarks Commission recommend to the City Council approval of the following actions:

- a. Adopt a resolution designating 285 South 12th Street (Doobie Brothers House) as a City Landmark of special historical, architectural, cultural, aesthetic or engineering interest or value of an historic nature; and
- b. Approve the proposed Historical Property Contract for 285 South 12th Street and adopt the draft Resolution.

PROJECT DATA

GENERAL PLAN CONSISTENCY			
General Plan Designation		Residential Neighborhood <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent	
Consistent Policies		LU-13, LU-13.6, LU-13.13	
Inconsistent Policies		None	
SURROUNDING USES			
	General Plan Land Use	Zoning	Existing Use
North	Residential Neighborhood	R-1-8 Single Family Residence	Single-family residence
South	Residential Neighborhood	R-1-8 Single Family Residence	Single-family residence
East	Residential Neighborhood	R-1-8 Single Family Residence	Single-family residence
West	Neighborhood/Community Commercial	CN Commercial Neighborhood	Restaurant, 7-Eleven

RELATED APPROVALS	
3/27/1850	Original City
8/30/1955	Building Permit No. 1955-022519 for addition of a sleeping porch
7/10/1967	Building Permit No. 1999-069931 for additions/alterations
5/11/1981	Building Permit No. 1981-027978 for kitchen remodel
7/7/1999	Building Permit No. 1999-062608 for a new accessory building
12/10/2009	Building Permit No. 2009-042017 for re-roofing
7/14/2020	Building Permit No. 2020-124887 for a new detached 336-square foot accessory dwelling unit (ADU)

PROJECT LOCATION AND DESCRIPTION

The subject property is located at 285 South 12th Street on the west side of South 12th Street, approximately 71 feet north of East San Carlos Street in the Naglee Park Conservation Area (see Figure 1). The property is surrounded by single-family houses to the north, east and south and a parking lot and related commercial uses to the west.

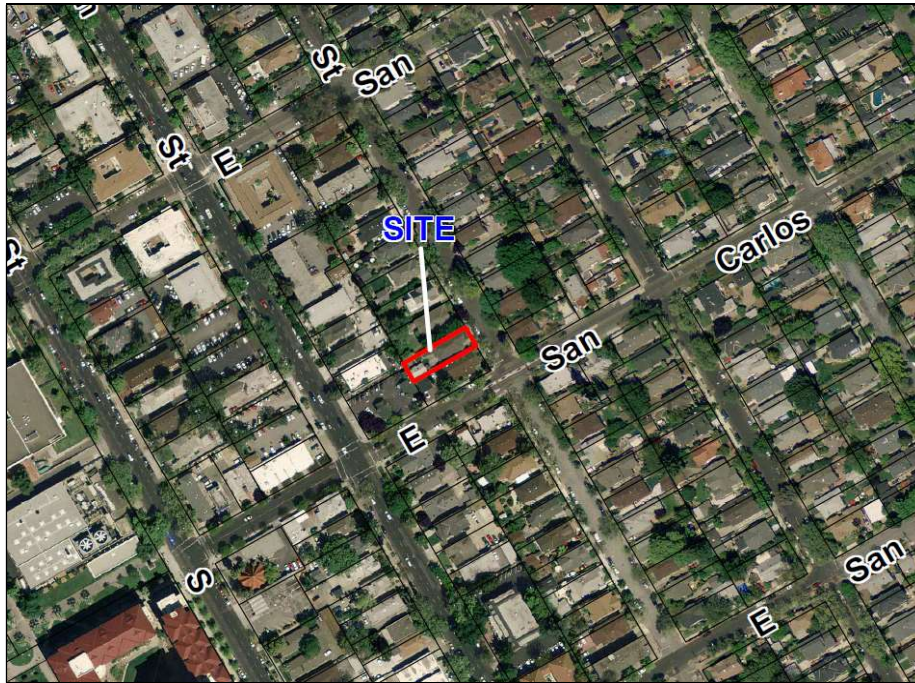


Figure 1: Location Map

On May 6, 2021, the property owners, John and Lauren White, submitted applications to designate the house at 285 South 12th Street as a City Landmark (Doobie Brothers House) and to enter into a Historical Property (Mills Act) Contract to restore, rehabilitate and maintain the property over a 10-year period.

The building proposed for City Landmark designation is a Craftsman-style house constructed in 1907 (see Figure 2, Figure 3 and Figure 4).



Figure 2: Front Façade of 285 South 12th Street



Figure 3: Front and South Façade



Figure 4: North Façade

The house is a one-story, hip and gable roof wood frame structure sheathed with composite shingle. The exterior is clad with tri-bevel wood drop siding (a single siding board seven inches wide milled to look like three beveled boards of 2 1/3 inches each). The house maintains its original wood-frame windows, trimmed with square wood casings. Most of the windows are one-over-one sash windows. In the center window of each bay are cottage windows with divided lights in the upper pane. There are two fixed pane windows with grilles of ten divided lights.

The house maintains the following character-defining features:

- Deep overhanging eaves with exposed rafter tails
- Knee braces below the front bargeboard
- Overhanging front gable supported by knee braces
- Bay windows on three sides of the house
- Side porch with battered columns and two recessed entrances

The immediate setting for the house consists of a modestly sized front yard, with shrubbery in a garden bed at the front of the house. Three large oak trees edge the northern property line. The rear yard is landscaped with paved and grassy areas, flower beds, and low fencing. The garage that was part of the original 1907 property was demolished and replaced by an accessory dwelling unit in 2020.

The house was designed by locally prominent architect Wesley Warren Hastings who designed more than 120 buildings in San Jose from 1904 to 1910, many of them located in the Naglee Park neighborhood. The house was built in 1907 by Wesley Hastings father, Alfred Hastings. The Hastings went into business together as A. W. Hastings & Son in 1904 and constructed thirty-six buildings, nearly all of them designed by Wesley Hastings.

The house was constructed for Louis Normandin, a local automobile dealer and a business man, who lived there with his wife Estelle Pinard. Normandin and his partners Peter Maloney and Fritz Campen founded automobile sales company Normandin and Campen. They obtained their first company franchise in 1915, which was Franklin Automobile. The Normandins sold the house in 1920 to Thomas Rees, a widowed gardner, who lived there with his adult daughter Adaline and her son Russell until 1934. The property was primarily used as a boarding house and a rental property until 1964, when it was sold to J.M. Haney, a painter. Haney rented the house from 1969 to 1973 to Tom Johnston, a musician and a song writer, who along with John Hartman, Dave Shogren and Pat Simmons founded the legendary rock-and-roll band, the Doobie Brothers. The residence remained unaltered throughout its various occupants. John and Lauren Simonson-White are current owners of the property.

The house is often referred to as the Doobie Brothers house where the world-renowned rock-and-roll band got its start. Doobie Brothers founder, Tom Johnston, lived in the house from 1969 to 1973 and wrote some of the band's best-known songs. The band practiced in the house and developed its signature sound at this location. During this period three Doobie Brothers record albums were released.

The identified period of significance for the property is 1907-1973, which begins with the construction of the house and its association with Louis and Estelle Normandin during the years Normandin began selling automobiles in San José and ends in 1973 when Tom Johnston, founder of the Doobie Brothers, moved out of the house.

ANALYSIS

The applications for City Landmark designation and a Mills Act contract were analyzed with respect to conformance with: 1) the Envision San José 2040 General Plan; and 2) the Historic Preservation Ordinance.

Envision San José 2040 General Plan Conformance

The proposed City Landmark designation and Mills Act contract promotes the following goal and policies of the General Plan with respect to historic preservation:

Historic Preservation Goal LU-13 – Landmarks and Districts: Preserve and enhance historic landmarks and districts in order to promote a greater sense of historic awareness and community identity and contribute toward a sense of place.

Analysis: City Landmark designation and a Mills Act contract for 285 South 12th Street would preserve the sense of place and historic integrity of the Craftman style house, and promote awareness of its historic architecture and associations with San Jose residents from different waks of life who lived in and maintained the house for over 100 years, and created businesses, and music that is part of San Jose’s community identity.

Historic Preservation Policy LU-13.6: Ensure modifications to candidate or designated landmark buildings or structures conform to the Secretary of the Interior’s Sandards for the Treatment of Historic Properties and/or appropriate State of California Requirements regarding historic buildings and/or structures, including the California Historical Building Code.

Analysis: City Landmark designation would require a Historic Preservation (HP) Permit for for exterior changes to the house and ancillary construction on the lot. The work would need to conform with the requirements of the Historic Preservation Ordinance, the Secretary of the Interior’s Standards for the Treatment of Historic Properties, and “Your Old House Guide for Preserving San José Homes.” The Mills Act contract would require the property owner to commit to a ten-year work plan to invest in the maintenance and rehabilitation the house. These requirements would address Historic Preservation Policy LU-13.6.

Historic Preservation Policy LU -13.13: Foster the rehabilitation of buildings, structures, areas, places, and districts of historic significance. Utilize incentives permitting flexibility as to their uses; transfer of development rights; tax relief for designated landmarks and districts; easements; alternative building code provisions for the reuse of historic structures; and financial incentives.

Analysis: A Mills Act contract for 285 South 12th Street would implement Historic Preservation Policy LU -13.13 by utilizing a property tax incentive to foster the preservation and rehabilitation of the house which has historic significance in its architecture and associations with San Jose residents from different waks of life who created local businesses and music.

Historic Preservation Ordinance Conformance for City Landmark Designation

In accordance with the Historic Preservation Ordinance (Municipal Code Chapter 13.48), the Historic Landmarks Commission should consider, among other relevant factors, the following eight criteria in making the findings that a proposed Landmark has special historical, architectural, cultural, aesthetic, or engineering interest or value of an historical nature:

1. Its character, interest or value as part of the local, regional, state or national history, heritage or culture;
2. Its location as a site of a significant historic event;
3. Its identification with a person or persons who significantly contributed to the local, regional, state or national culture and history;
4. Its exemplification of the cultural, economic, social or historic heritage of the city of San José;
5. Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style;
6. Its embodiment of distinguishing characteristics of an architectural type or specimen;
7. Its identification as the work of an architect or master builder whose individual work has influenced the development of the city of San José; and
8. Its embodiment of elements of architectural or engineering design, detail, materials or craftsmanship which represents a significant architectural innovation or which is unique.

Based on the documentation and evaluation of the property prepared by a qualified historic resources consultant, Krista Van Laan of Archives and Architecture, dated revised July 12, 2021, (see Attachment 1), the house at 285 South 12th Street is eligible for City Landmark designation under the following four of the eight designation criteria:

Criterion 1: Its character, interest or value as part of the local, regional, state or national history, heritage or culture.

***Analysis:** The house built in 1907 was designed by Wesley Warren Hastings and reflects the Early Arts and Crafts Movement. The house was built for Louis Normandin who was an automobile dealer and a successful businessman. His father, Amos Normandin, originally a blacksmith from Montreal, had established the Pacific Carriage Factory in 1875 in San José. Louis Normandin and his friends bought the company in 1903 and expanded it to sell automobiles, thereby contributing to the local automobile industry in San José. Louis Normandin was an early graduate of Santa Clara University and moved into the house in 1908 where he lived with his wife Estelle and their two children until 1920. His established automobile dealership business, renamed to Normandin in 1931, is associated with the Chrysler Corporation, which has been in business for 146 years. The automobile dealership is located today at 900 Capitol Expressway Auto Mall.*

The house has been occupied by various groups of people, but is often referred to as the house in which the world-renowned rock-and-roll band, the Doobie Brothers, got its start. The house was the residence of Doobie Brothers founder Tom Johnston from 1969 to 1973. Johnson wrote some of the band's best-known songs at this location.

Criterion 3: Its identification with a person or persons who significantly contributed to the local, regional, state or national culture and history.

Analysis: The property is closely identified with Louis Normandin, who lived in the house with his wife and children from 1908 to 1920, and contributed to the development of San José as one of the oldest automobile dealers in the United States. Normandin promoted car travel and aviation in San José.

The property is also closely identified with Tom Johnston, drummer John Hartman, bass player Dave Shogren, and guitarist Pat Simmons of the legendary rock-and-roll band the Doobie Brothers., who lived in the house from 1969 to 1973 and this period has been recognized in magazines, radio programs, and interviews as being critical to the early development of the rock-n-roll band and its success, thereby contributing to the cultural history of San Jose.

Criterion 6: Its embodiment of distinguishing characteristics of an architectural type or specimen.

Analysis: The house embodies distinguishing characteristics of the Craftsman-style California bungalow popular in the early twentieth-century era of residential architectural design. While not the biggest nor grandest house designed by architect Wesley Warren Hastings, the house is an early representation of the Craftsman style that dominated the small house market in the early 1900s, with architectural features such as the large side porch, with battered columns and recessed double entrances, deep overhanging eaves with exposed rafter tails, knee braces below a decorative front bargeboard and under the overhanging front gable, and bay windows on three sides of the house reflecting an early Arts and Crafts Movement design.

Criterion 7: Its identification as the work of an architect or master builder whose individual work has influenced the development of the City of San José.

Analysis: The subject property contributes to the uniqueness of the Naglee Park area as the work of a twentieth-century San José architect, Wesley Warren Hastings, who is locally recognized as a master architect whose work influenced the physical development of San José. The house was built by Alfred Hastings, who is responsible for building many significant homes in San José. Under the business name of A. W. Hastings & Son, the father-son pair designed and built a number of distinctive residences between 1904 and 1910 in the Reed City Landmark District, Naglee Park, and other neighborhoods in San José, and were responsible for designing and building the City Landmark house at 198 South 13th Street and Clarence Letcher house at 101 South Sixteenth Street.

Historic Preservation Ordinance Conformance for Mills Act Contract

The Mills Act is state legislation that grants cities and counties the authority to enter into contracts with the owners of qualified historic properties who actively participate in the restoration and maintenance of their historic properties while receiving property tax relief. In the City of San Jose, qualified historic properties are those that have been designated as a City Landmark. Property taxes are recalculated using a formula in the Mills Act and Revenue and Taxation Code.

The minimum duration for a Mills Act Contract is ten years. Mills Act contracts renew automatically every year after the initial ten-year period, unless the property owner or City opts to end the contract. Mills Act contracts include a schedule of proposed maintenance and improvements that the owner agrees to complete. Such proposed maintenance and improvements are typically spread over a ten-year period. All work is required to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties and "*Your Old House Guide for Preserving San José Homes*." The purpose of the Mills Act is to provide a long-term incentive for the restoration, rehabilitation and preservation of historic buildings that obligates current and future owners to the maintenance and care of the property.

Required Findings of Mills Act Contract (Historical Property Contract)

Part 4 of the Historic Preservation Ordinance establishes a procedure for the administration of Mills Act (Historical Property) contracts pursuant to Section 50280 et seq. of the California Government Code, as amended, known as the California Mills Act of 1972.

Section 13.48.540 sets forth the findings the City Council may, but under no circumstances shall be required to, approve an historical property contract. the City Council may approve a Mills Act contract pursuant to making certain findings. Outlined below are the findings followed by staff analysis:

1. The proposed contract is consistent with the General Plan.

Analysis: Preservation and rehabilitation of City Landmarks advances the goals of the Envision San José 2040 General Plan, specifically Historic Preservation Goal 13 and Policies LU-13.6 and LU-13.13. The Mills Act contract, in conjunction with the City Landmark designation, would advance Historic Preservation Goal 13 by preserving the sense of place and historic integrity of the Craftman style house, and promoting awareness of its historic architecture and associations with San Jose residents from different walks of life who lived in and maintained the house for over 100 years, and created businesses, art and music that is part of San Jose's community identity. The Mills Act contract would require the property owner to commit to a ten-year work plan to invest in the maintenance and rehabilitation the house. In conjunction with the City Landmark designation, the work would conform with the requirements of the Historic Preservation Ordinance, the Secretary of the Interior's Standards for the Treatment of Historic Properties, and "Your Old House Guide for Preserving San José Homes." These requirements would address Historic Preservation Policy LU-13.6. The Mills Act contract would implement Historic Preservation Policy LU - 13.13 by utilizing a property tax incentive to foster the preservation and rehabilitation of the house which has historic significance in its architecture and associations with San Jose residents from different walks of life who created local businesses, art and music.

2. The proposed contract would provide greater protection for the landmark property than is otherwise provided by the provisions of Municipal Code Chapter 13.48.

Analysis: The Mills Act contract would provide greater protection for the City Landmark because the Historical Property Contract includes a schedule of maintenance and improvements the owner would agree to complete over a ten-year period. The Mills Act contract would require:

Year 1: Repair and repaint exterior wood siding on the exterior and interior wall surfaces. Install historic bronze plaque to display in front of house.

Year 2: Foundation repairs, restore fireplace and regrade the yard for soil to slope away from the house.

Year 3: Waterproof basement to prevent leaks.

Year 4: Strip paint from windows, door frames and trim to restore natural wood, varnish as necessary.

Year 5: Strip paint from windows, door frames and trim to restore natural wood, varnish as necessary.

Year 6: Replace bargeboards and front beams on house with original notched and protruding decorative ends.

Year 7: Replace and repair drainage/downspouts.

Year 8: Upgrade plumbing and electric wiring as necessary.

Year 9: Repaint exterior of the house and repair siding as necessary.

Year 10: Replace composition shingle roofing.

3. The proposed contract complies with the required provisions of Historical Property Contracts listed above.

Analysis: The proposed Historical Property Contract includes a description of the landmark property; a minimum contract period of ten years; specific conditions requiring preservation of the landmark property including the required 10-year work plan as outlined above and conformance with the Secretary of the Interior Standards for Rehabilitation, the California State Historical Building Code, and the requirements of the City; provision for the periodic examination of the interior and exterior of the landmark property for least five years by the City of San José and the County of Santa Clara to determine the owner's compliance with the contract; a requirement that the property owner(s) annually expend an amount equal to a minimum of ten percent of the tax savings attributed to the contract to the preservation and maintenance of the landmark property, and make this documentation available to the City of San José at the time of the periodic examination; a provision that the contract is binding and applies to all successors in interest to the owner(s) who entered into the contract; and a provision requiring recordation of the contract with the Santa Clara County recorder's office within six months of the effective date of the contract.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

PUBLIC HEARING NOTIFICATION

Staff followed the public notification requirements of Section 13.48.110 of the San José Municipal Code. A notice of this hearing appeared in a newspaper of general record at least 10 days prior to the hearing, a mailing of the notice to the property owner and occupants and posting the notification of the hearing along the frontage of the site. The staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

Project Manager: Rina Shah, Planner

Approved by: /s/ Christopher Burton, Planning Director

Date: 7/26/2021

Attachments:

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| 1. State Department of Parks and Recreation forms (DPR 523A & B), revised July 12, 2021, prepared by Krista Van Laan of Archives and Architecture |
| 2. Draft Resolution for HL21-001 |
| 3. Draft Resolution for MA21-001 |
| 4. 10-Year Preservation Plan for MA21-001 |

Owner/Applicant Address:

John and Lauren White 285 South 12th Street San Jose, CA 95112
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HL21-001 & MA21-001

Links to the Attachments

Click on the title to view document

1.	<u>State Department of Parks and Recreation forms (DPR 523A & B), revised July 12, 2021, prepared by Krista Van Laan of Archives and Architecture</u>
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3.	<u>Draft Resolution for MA21-001</u>
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