



HISTORIC RESOURCES BOARD MEETING

MINUTES: September 14, 2023

Council Chamber & Virtual Zoom
8:30 A.M.

Call to Order/Roll Call

Present: Chair Alisa Eagleston-Cieslewicz; Board Members Caroline Willis; Michael Makinen, and Margaret Wimmer

Absent: Vice Chair Christian Pease, and Board Members Gogo Heinrich and Samantha Rohman

Public Comment

Agenda Changes, Additions and Deletions

City Official Reports

1. Historic Resources Board Schedule of Meetings and Assignments

Action Item

2. PUBLIC HEARING/QUASI-JUDICIAL. 340 Portage [23PLN-00226]: Request for Historic Resources Board (HRB) Recommendation on Resident's Request for Historic Designation of the Cannery Building located at 200-404 Portage Avenue as a Category I or II Resource on the City's Local Historic Inventory. Environmental Assessment: Exempt from the Provisions of the California Environmental Quality Act (CEQA) In Accordance with CEQA Guidelines Section 15061(b)(3). Zoning District: RM-30 (Multi-family Residential). For More Information Contact the Project Planner, Claire Raybould at Claire.Raybould@cityofpaloalto.org.

Ms. Raybould gave a brief background on the request, including Page and Turnbull's evaluation as part of the North Ventura Coordinated Area Plan process, to determine eligibility for the California Register. In the spring of 2019 the Cannery Building at 200 – 380 Portage and the Ash Building at 3221 – 3225 Ash Street were designated as eligible for the California Register under Criterion I. The HRB held a study session in July of 2019 to receive information regarding eligibility of the site and provide feedback on the HRE. At that meeting the Board concurred with the findings of the HRE. Ms. Raybould gave a brief synopsis of actions related to the property since then. In November of 2020 Sobrato filed an SP 330 preapplication followed by a formal application for a 91-unit townhome development in 2021. Staff requested Council interpretation of the Code. Council stayed interpretation and formed an hoc committee which met from December 2021 through May 2022 to negotiate broad terms of the development agreement. In June 2020, Council held a closed session supporting the concept being presented at the time. In August 2022, Council held a study session to kick off the public review process for the proposed development agreement. On September 12, 2023, Council approved the development agreement, making overriding considerations for a significant impact to the Cannery Building – a historic resource eligible for the California Register.

Ms. Raybould explained that the project before the HRB was a request for designation as a Category I or Category II Historic Resource on the city's local Historic Inventory in accordance with Palo Alto Municipal Code Section 16494. She reiterated that the building is eligible for local designation under Criterion I – the structure or site is identified with lives of historic people or with important events in the city, state or nation, primarily the agricultural history of the Palo Alto region.

Ms. Raybould stated that the applicant has asked for the project to be designated as either Category I or Category II building. She shared language from the Code which spoke to the two categories. She said the HRE evaluated the project for the California Register, so it did not include a conclusion as to which category it may be eligible for in the Local Register, so she said there would need to be some discussion by either the HRB or a historic architect about what it would be eligible for, since there have been modifications to the building. Much of the original character is retained in the existing structure; however, there have been a number of modifications to the building over time making it unclear whether it would be eligible for a Category I or Category II. However, given the Council's action on September 12th, the City's recommendation is that the Council deny the request to designate the Cannery Building as a Category I or II resource on the City's Local Historic Inventory. The Council's decision to approve the development agreement allowing partial demolition of the historic resource was unanimous. Ms. Raybould said they would not, therefore, want to ask the Council to place it on the Local Register as it currently exists, given that they have already approved partial demolition of the structure. Ms. Raybould said, however, consistent with the HRBs recommendation to Council, and as was included in a Condition of Approval of the development agreement, staff was asking the HRB to reaffirm the recommendation to evaluate the remaining building for local designation following the completion of the approved modifications to the structure.

Terry Holzemer, applicant, addressed the Board and began by stating that his application has nothing to do with the development agreement. His request is that the HRB decide whether they believe that 340 Portage, otherwise known as the Bayside Cannery, deserves to be on the City's Historic Inventory. He stated that this should have been done four years ago when it was discovered that it was eligible for the California Historic Register. He stated that since no City staff or representative came forward at that time, he launched a campaign himself. Unfortunately, when the HRB reviewed the cannery on May 25th, 2023, they were not given the opportunity to make their viewpoints known regarding whether the cannery building is historically significant or worth preserving, as the Page and Turnbull report of April 2019 indicated. He said the HRB's mission at that time was to look at the development agreement and give a viewpoint on whether the site was historic or not. Mr. Holzemer wanted to make the case that the site is historically significant and worthy of preservation for not only what occurred there over 100 years ago, but also for the individual who built it, Thomas Foon Chew. Mr. Holzemer encouraged the Board to review a poster and information on Mr. Chew as well as the era in which he made his contributions. He shared a video featuring Dr. Amy Ellison of Los Altos Historical Museum, highlighting the history of innovation in the region. Mr. Holzemer shared further history and points about Mr. Foon Chew, who was a Chinese immigrant, his building of the Cannery and the growth of his business, as well as his compassion and caring for his workers and his contributions to overcoming racial and discrimination barriers.

Mr. Holzemer expressed that he wanted the Board members to understand why he filed the application under consideration. He said it was because he believes the Cannery to be an important historical site not only for the city, but also for the nation. He said the Chinese American communities experienced great discrimination and should be recognized for what they did, and the physical structures like the Cannery offer opportunities for future generations to see how early immigrants survived and flourished. He said Mr. Choo set an example, coming to America with nothing and accomplishing great things that helped others and made a difference in people's lives. He reiterated his desire for the HRB to give their viewpoint on whether the Cannery is a historically significant building. He said it was very important for them to acknowledge that, because of the evidence is in the Page and Turnbull report he had provided. He said what had occurred the past Tuesday was immaterial, and he urged the Board to set a precedent with their recommendation back to the Council that there is value in a building such as the Cannery because of the history and sense of place that it represents. Mr. Holzemer also asked Board to address in a future meeting the office building next to the Cannery that should be historically protected, and its modification should not go forward.

Chair Alisa Eagleston-Cieslewicz invited public comments.

Dennis Backlund, former Palo Alto HRB member and former Historic Preservation Planner, addressed the Board. He expressed that his experience in this area gives him a helpful perspective in reviewing this complex project. He said the Page and Turnbull report noted that the building was significant for events, but they concluded, not for persons. He said Page and Turnbull was technically correct in saying the building

was significant because of the canning and as far as persons, Thomas Foon Chew and the Chinese workers. Page and Turnbull was looking at the entire building, and other than the 1918 original structure, the reset of the building, put up in the 30s and 40s, occurred after Mr. Chew's death, so the building as a whole could not be considered significant for persons. He made reference to the response in the Council meetings from the Chinese community which he described as overwhelmingly powerful in recognizing the Chinese American heritage associated with the building. Mr. Backlund said he sees the 1918 section as more important than the rest of the building, and that he feels it is not diminished by the fact that 40 percent of the later additions would be demolished, as approved by the Council. He referenced the monitor roof sections and said he was happy to hear that the HRB had reviewed and approved the window patterns presented in the proposal.

Yugen Lockhart, resident of Olive Avenue, addressed the Board. He stated he had been attending many of the meetings and thought there were a lot of sentiment expressed over saving the building, whether in whole or in part. He personally felt that removing the later additions would be appropriate, and that saving and preserving the remaining older portion would be celebrating it more in actually being able to approach it instead of having to walk all the way to the end of the block and all the way back and seeing a portion of the building. He thought the renovations would be appropriate. He noted that the comments he has heard regarding public art mention having a mural which he thought was a little short term, or placing a boring plaque, which is also somewhat boring. He felt that having a series of images, archived into brass or bronze and placed outside of the building once it is remodeled would be quite nice.

Lotus Yee Fong commented to the Board that all of Chinese American history has been erased, and part of the history is how the immigrants from Ellis Island and Agnel Island were treated very differently. She referred to a **Lu Hing** [44:38], who would have known Thomas Foo Chew and Thomas' father, because his Pacific Coast Cannery was in Oakland and is where most of the Chinese from San Francisco Chinatown ended up after the earthquake. She said history occurs within a context, and one reason this Palo Alto structure exists compared to the Oakland one, which shuttered down much earlier, is Herbert Hoover. When the Chinese railroad workers accomplished the impossible, going through the Sierra Mountains to get away from working at Stanford – because that history is not told. The original gold spike is in the Nathan Lane Room, but the history is not only not told, it is incorrect. She said right now they are going through a period of labor activism. She said they are not learning history by putting a name on a street sign or a park. The Chinese have done much that is not recognized, and that is why the violence is recurring. She said for children to have a sense of what their history was and what they can become is perfect for a museum of Chinese heritage in California. She referred to a book by Malcolm Harris, *A History of California Capitalism in the World*, and said unless they deal with this and look at the school boards now that are having culture wars, they will not progress as a country. She said coming up to the election next year, they will continue with the polarization unless they start learning to talk and listen to each other, and learn the correct history, go to Berlin and see how Germany has dealt with their difficult history. Japan has not. China has. She concluded by saying Menlo Park history has the history of how the Chinese were mistreated in Menlo Park when they worked for the Stanfords.

Rebecca Sanders addressed the Board via Zoom. She said she knew that the Historic Resources Board did not want to be known for anything shocking or out of the ordinary, and the last thing historic preservationists want to do is to do anything shocking, because they are all about tradition. She said the fact that this meeting is occurring after the final meeting of the City Council is somewhat outrageous. She applauded all of her friends who are history buffs and care about preserving something more than a plaque, more than a token, but something to last for generations. She said the last thing the HRB wants to do is to do anything to step out of line, get in trouble, or have people yell at them about voting to advance the cause of this amazing structure. She suggested they could step well out of the box and just send a message. Though they don't have ultimate authority, they could say, "Hey, let's take a second look at this and not rush to demolish." She felt they have a moral obligation to slow the process down and take a good look at the best use of the Cannery. She questioned that the best use of it is to tear down 40 percent of it, making it ineligible for so many glorious and beautiful things that could be done. They could still have housing and office there. She felt the whole situation had been handled badly and was incomprehensible to her, starting with the NVCAP process, which she felt was window-dressing. She said the members worked hard to design a wonderful neighborhood, and then were given the shaft by the City, the City planners and were completely ignored, with their work swept away. She said she was angry and frustrated, and that the HRB

was their last resource. She felt the Board needed to say no to this, and slow this down. She wanted the Board to advocate giving the Cannery and the people a little more time.

Chair Alisa Eagleston-Cieslewicz invited questions from the Board.

Mayor Kou was in attendance, and addressed the Board. She appreciated the public comments and also the application to reconsider the historic factors at the building. She said there is absolute evidence that it is historic, but the unfortunate thing is that it is a private property, and it was never registered. She said it is a little bit late to do so. Based on the facts that the applicant and the development agreement has shown is that they will be preserving the monitor roofs and keeping the majority of the building. However, it is still a private building that will be rented out by the owners. The City was able to get 2,500 square feet for retail space, so that there is a way to look at the monitor roofs. She said the demolition will make the building ineligible for the National Register and the California Register, but maybe could be on the local register. She did not know if there will be any remnants but she hoped the HRB would continue to monitor to see that as much as possible is listed on the local registry. Mayor Kou stated that the applicant has asked to look just at the building. Given what the Council decided the prior Tuesday, she said there is a possibility of considering the person, in making the area a historical district. She wasn't sure how that would work, but referred to the comment about Oakland's historical areas, stating perhaps Palo Alto could have its historic district and this could be something for the Board to consider. The building across from the Cannery might be considered within that historic district.

Mayor Kou added that there is a large contiguous area for parkland that came along with the negotiations and also affordable housing. They do not know yet if the developer will build the 74 units of townhouses or not. However, they also want to take into consideration all of the other development being proposed, including at the Fish Market, a McDonalds site that is very high density. The former Mike's Bikes, 3001 El Camino, is also a low-income and very deep affordable housing that is also quite dense, not far from this site. Behind that will be another batch of townhouses at the back parking lot of the former Fry's site. There is the teacher housing, the academy, that was pre-screened at Council. She said potentially the parking lot at the former CPI site might also be dense housing. There is also housing proposed at the corner of El Camino and Page Mill, two tall buildings called Palo Alto Square. She concluded that there are quite a few high-density projects being proposed for the area along El Camino, and she advised the Board to take the whole perspective into account. She referenced the small amount of parkland they got – the two acres – and said they might be at a deficit again on parkland after all of the development. She said this is why they need to look at the situation as a whole and suggested that instead of addressing just the cannery, perhaps thinking about a district.

Chair Alisa Eagleston-Cieslewicz invited questions and discussion from the Board.

Board Member Willis asked what difference it would make if the building was designated as a Category II as opposed to simply identifying it as it is – California Register eligible.

Ms. Raybould replied that this is where staff would say that these considerations are not independent, and what's happening with the development agreement approval is important to the Board's discussion. The bottom line is that it would not make a difference. She said the HRB could make a recommendation to list the building on the local register, and Council could put it on the local register, but essentially it would create confusion, because the development agreement has already been approved. A portion of the building will be demolished, and it will lose its eligibility for the California Register in the process. This is what the Environmental Impact Report was prepared for and disclosed the impact. Council made overriding consideration, not lightly but with understanding what they were doing, including consideration of how to help convey the history of the site to the public even though the resource would be impacted to the point that it will no longer be a historic resource, but still preserving the important history for the public. She said if the issue had come forward in the past, well before starting the EIR process, then the evaluation for the EIR would have also noted that it was on the local register. The conclusion would have been the same, except that the findings of overriding consideration would have also noted that it was also on the local register. It would have the same protections under CEQA and would not have had further protections for the historic resource because it is outside the Downtown area and Chapter 16.49 would not protect it from demolition in any case.

Board Member Willis said when she hears that demolishing a section of the building will make it ineligible for the register, she understands that the entire building will no longer eligible. However, because the building was built in sections, she firmly believes that the monitor roof section would stand alone as a historic resource. She asked if there is documentation that says that is not true.

Ms. Raybould responded that the Historic Resource Evaluation does not support that conclusion. However, consistent with the HRB's recommendation, they have included a Condition of Approval to evaluate the structure for eligibility for the California Register, the National Register and the local register following completion of the work. If that evaluation concludes that it would still be eligible, the condition states that the developer would be asked to nominate it for that register.

Board Member Willis asked if, under the current circumstances, they nominated the central roof portion for the inventory as it stands connected to the other building, if there was evidence that it would not be a historic resource.

Ms. Raybould said their analysis concluded that it would not. It was treated as a whole structure.

Board Member Willis said she understood that it was analyzed as an entire structure but asked if it was ever looked at as pieces. She said it is a lot structures with a lot of additions in between that connect them. She said there are many ways of looking at the building. The fact that it is looked at an entire building she thought was amazing over the years. She didn't understand how, if it has never been analyzed as a stand-alone section, then there is no evidence one way or the other.

Ms. Raybould said the HRB had asked staff to go back and do an evaluation of especially the Ash building and whether it would be individually eligible for the California Register without the Cannery building. The conclusion of that analysis was that you can't evaluate the structure as it exists today. You can't look at something at how it might look in the future and then say they are evaluating it based on that, or nominate it based on that. It has to be evaluated in its current condition, which is currently the entirety of the structure. She added that they could come back following whatever work that has been approved for the site has been completed, and determine if it is eligible, and nominate it in that condition.

Chair Alisa Eagleston-Cieslewicz said what she hears is that changes to the structure are an inevitability at this point. So, listing it based on its current condition would lead to a listing that is not aligned with its future condition.

Ms. Raybould responded that this was correct.

Chair Alisa Eagleston-Cieslewicz said her understanding was that there would be an opportunity to re-evaluate the structure for listing it once the changes have taken place, and this opportunity was already built in.

Ms. Raybould responded that this was added as a condition of approval for the project that the Council approved.

Board Member Wimmer congratulated the applicant and said they need more of this spirit in the city of Palo Alto. She acknowledged and thanked Mr. Backlund for his contributions to the city. She noted that it is a struggle because of the circumstances in which they are discussing this at a point where the City Council has already taken action. She felt it was sad when such resources are loss and they always wonder why wasn't something done about it in time to save these things. She said this is the challenge of historic preservation and the challenge of the community. She felt that, because of where they were in the process and that they know the building will be severely altered and may lose its historic significance, there is still a significance of place and person. She believes that there is still opportunity, if not on the National Register, but to be on the local register as a historic place because of what occurred there. Also, she wondered if they could require Sobrato to do something like an art installation that honors Thomas Foon Chew, the cannery chapter in the city of Palo Alto. There could be information and plaques. There could be a Thomas Foo Chew Day. She asked, why not celebrate the history in ways that are not necessarily attached to a building that's been demolished and altered, but not losing the fact that the place still exists, so focusing on the place and what happened there. She thought it was also great that the design of the building, although not what it was originally, there is a at least a nod to what there originally. The monitor roof echo the building that was there. She felt this was a positive thing, because they weren't obligated and could

have wiped it out and placed a big square box there. She thought Sobrato was trying to be sensitive along with their other motivations. She said she would support the City making it simply a historic place, just within the City of Palo Alto's Historic Inventory. Since they have been discussing their categories, perhaps one of the categories could be simply a historic place where something historically significant has happened. And when people go to that place, they can learn about it through plaques, or a monument there to celebrate it. She felt this would be fair in honoring what was there, what happened there, and Mr. Chew's story. She felt Mr. Chew's story would even make a great movie. She hoped the City of Palo Alto would continue to tell his story.

Chair Alisa Eagleston-Cieslewicz added that in a previous HRB meeting they had discussed the potential for this site to be eligible for something like a Point of Historical Interest or California Landmark designation. She thought it sounded like it did retain eligibility for those, potentially.

Ms. Raybould responded that they don't know if they will, but part of the condition was that an evaluation for a broad range of things such as California Landmark, National Register, California Register, local register, would be done and then nomination for anything that it is eligible for.

Board Member Wimmer noted that packet says that because a development agreement has been approved by City Council, 340 Portage is already protected as an historic resource in accordance with CEQA. She asked how they could make that work for them and how they are protecting it.

Ms. Raybould explained that the Code section that is being used currently for local designation they essentially wrote in the allowance that to get something to the HRB quickly and to allow someone to designate something if there is an ongoing application that includes demolition of the historic resource, staff has a certain time period to get it to the HRB and then make a recommendation to Council. The point of including that is that there are structures in the city that may not be protected under CEQA or a demolition permit may only be needed for certain structures. There are some loopholes that have been utilized in the past, in the Code. She thought they cleaned up some of that in the past year, to help protect in other ways. She said in any case that provision in the Code was put there to help give Council discretion in those scenarios, bring it to their attention and allow for discretionary action which then require evaluation under CEQA for that discretionary action. For some single-family residences not on a register, it creates protection where an EIR process is required. If it is determined that it does have some historic character it creates an opportunity for the City to make a decision. In this case, it was already protected in the sense that it required public disclosure, a full EIR process and findings of overriding consideration. Council, in their deliberations did not make the decision to demo the resource or partially demolish the resource without that public disclosure and understanding. This being a unique situation in which putting it on the local register would suddenly require additional work on behalf of the City and for Council to be able to make their determination, the determination has already been made with full understanding. She said the word "protect" doesn't stop demolition of a resource, but it requires the full disclosure and public process, and to make overriding considerations, which the Council did.

Board Member Wimmer said, based on the discussion and the history of the project, she felt the solution was to make it a historic place, memorialized with some kind of monument or physical piece of information where people can go and learn about what happened there. She asked how to make that happen. She said the City has an Art Commission, so it could perhaps be an art installation. Her question was how to prevent the history of the place from being lost.

Chair Alisa Eagleston-Cieslewicz believed that there is an art plan for the site incorporating this.

Ms. Raybould spoke to the question of public art. There was discussion about this at Council, and there is about \$850,000 in public art for the project which will come from the art required for the Cannery restoration. This triggers the art in private development. Approximately half of it comes from the Cannery building and is being used on the site. She said their understanding is that they are expecting to install some form of mural. She thought it was scheduled to go to the Public Art Commission on September 21, but may have been pushed back due to some changes in their concept, which has not been released to staff as yet. It will be coming before the Public Art Commission soon. She said for the Cannery site there is also a mitigation measure included that requires an interpretive display. They specifically made this an interpretive display versus a plaque to give more flexibility, and it might include more than just wording, but might include pictures or something along those lines. She said the developer, Sobrato, is already

working with a historic group that specifically prepares such things, to come up with a concept. Her understanding is that they are using some of the public art funds to do something on the interior, as well, of the publicly accessible area. The remaining funds from the townhomes, is going to be paid in lieu, so it basically will go into a fund which is in the Public Art Commission's discretion to decide how those funds are used. The Council's motion asks for that to come before the Council. She thought, the way it is written, the Council does not have the discretion to say what the public art must entail, or even where it is located, but gives discretion of agendaizing it for Council's consideration and feedback. So that is what they would intend to do with the in-lieu art. She said anytime they do a public project it includes a public art component, so in re-designing a public park they would certainly be looking to place some public art on the site. She thought, while they can't specifically state what that must entail, there is certainly an understanding and the City has discretion in what that might entail, and she thought there was an expectation that it would convey the history of the site.

Board Member Willis thanked the public speakers and said it is nice to see community interest in preservation. She offered encouragement and said they have been remiss regarding buildings that are California Register-eligible and have not been placed on their inventory. There are around 160 of them out in the community, and she hoped they will soon be having public meetings and getting them on their inventory. She encouraged everyone to pick their favorites and lobby for them. She thought there was a need in Palo Alto to rejuvenate interest in its history, its public buildings and their preservation. She said she would like the Board to look at the monitor roof section as separate. Although they are all on one property with no property lines. However, the monitor roof section is identifiable in historic photos. It has been added onto and it is not a traditional interpretation of a building, but she would like to see the HRB make a statement that the monitor roof section of the building is eligible for the local inventory. She didn't think there was anything specifically in their inventory definition that says they cannot designate a portion of a building as historic. She encouraged the Board to nominate the monitor roof section for the local inventory. She commented generally that the townhouse housing is probably set, but in the future she would like to see a little more land planning in the region and also, when there is a project up against a historic resource, that it would be nice if there was some effort from the developer to respect that resource. She acknowledged that in some ways there is, but she personally felt like the townhouses look like they were cut out of some other environment and placed on a land plan. Hearing about all of the development that will be happening in the region, she felt they needed to make an effort in Palo Alto to do some better comprehensive land planning. She understood that they don't have the staff in Planning to do that, but said that they need to seriously focus on how to develop Palo Alto over the next ten years. She said it is upsetting that it is being done piecemeal. She reiterated her thanks to the public for showing up and hoped they will continue to have interest in preservation in Palo Alto. She begged the Board to step out of the box and designate the roof section to their inventory.

Chair Alisa Eagleston-Cieslewicz thanked everyone for their participation, for acknowledging and caring about historic preservation and said it is appreciated and wonderful to see in the community. Regarding the project under consideration, she said the situation is already what it is. Decisions have already been made, so she did not think they could designate based on a hypothetical look for the structure. If they were to designate anything in its current state, it would not indicate the final disposition, appearance, significance of the building. However, they have some provisions to look at how it could be eligible and how the resource could be acknowledged once the modifications have been made. There is an opportunity to look at the monitor roof section, when it becomes the monitor roof section in its totality in the future. It is written in the agreement that there is a time and a place to do that. She felt that, because the structure is going to change she would like to see it evaluated once it is in the form that it will remain in. Knowing that a change is going to occur, she did not think designating at this point would be accurate for how it will exist in the long term.

Board Member Wimmer said they have discussed many times what is original and historic and what mimics historic. She said one of their rules is that they don't want to confuse people, and she worried that if they designated the monitors as historic, people would think that it was the original structure, when in fact it is nowhere near the original structure. This is why she leans toward designating the site as a historic place. She said through the history they have retained some key photos that show what was historically there, and she felt that all of that information should come out in the art installation, in a presentation or monument type of depiction of the history. She felt they needed to wait until completion and have the

historic review done at that time. She thought she already knew what the historic report will say. She said they can't confuse people and need to make it clear that there were historically these roof monitors that are echoed in the current building as a nod to the history of the building and the site. She felt that makes the most sense. However to nominate them as historic could be confusing and misleading. She loved the idea and the effort, however, to push forward the history in that way.

Board Member Willis did not agree that it would be confusing even though the monitors will have been altered. She thought they have a lot of flexibility in what they put on their local inventory. She agreed with analyzing it as California Register and National Register eligible after the construction, but she felt putting on the local inventory now as a section of the building would make a statement to the current or future owners, the occupants, the people designing the park and the affordable housing. It would be a statement that says that they care about this particular symbol of this particular activity that happened at this point in their history. She was concerned about waiting, pointing out that the townhouses were designed before the Board had commented, and if they wait longer, the park will be designed before the Board makes a statement and the affordable housing will be as well. Building will occur before they are able to make a statement.

Board Member Wimmer asked if Board Member Willis was referring to nominating the structure in its existing condition, or nominating with acknowledgment that it is going to be different.

Chair Alisa Eagleston-Cieslewicz noted that nominating it after completion is the hope, and that evaluation could absolutely happen. Nominating now, she felt would create confusion and problems and concerns.

Board Member Willis wished she had brought the picture showing the monitor section as a prominent stand-alone section.

Board Member Wimmer said she was sure it could be nominated and start that procedure. It could go through the process.

Ms. Raybould said that the HRBs recommendation would go before the Council, recommending it, and then Council's decision would be final as to whether to designate it or not. She said, from the discussions related to the development agreement, the architect told them that they can't nominate and designate something in a condition that it doesn't exist in today. So it either needs to be designated based on its existing condition, which they have the evaluation for based on the Page and Turnbull report, or it needs to be nominated and evaluated based on its condition once work is completed on the project. So, nominating it based on piece of it that is in a condition that it doesn't currently exist in, they don't have an evaluation for that piece to support that nomination and designation.

Board Member Willis clarification that the historic architect's position is that without a property line there is no definition between the buildings. She said the monitor roof building was a building and it was added onto with other buildings the way things are in an urban environment such, such as University Avenue, a different property, different property line. She asked, since these buildings are on the same property, if therefore is no ability to separate them out.

Ms. Raybould responded that it is all part of the same building and all developed during the period of significance.

Mayor Kou asked whether, along the way when they are working on the monitor roof section, if it would come back to the HRB for oversight, to make sure that it keeps some of its integrity.

Ms. Raybould responded that it will not come back to the HRB during the process, but they are required to develop it consistent with what they have said they're going to do in their plans, which is keeping the structure. She said it would not be an easy process for them. They will have to have things on the interior to hold up the walls while they make modifications to the roof, but they are committed to doing that. One part of the plan includes restoration of the monitor roofs in which the windows are currently boarded up. They are restoring all of those windows to their original condition, so it will be quite a process, and it is the City's role to provide oversight. Part of that is in reviewing the building permits and making sure that what they are saying they will do is what they are proposing in their building permit, and then oversight during the construction process to oversee how they are doing this. There is a standard process in which building

inspectors going out at multiple points in the process, doing inspections of the work. It is a complete seismic retrofit of the building as part of the process.

Mayor Kou said she was just wondering if the HRB has any oversight through the process, through the replacement or repairs of the monitor roof, so that they can at least assure its integrity to some degree, and that it can be perhaps later registered as Board Member Willis said.

Ms. Raybould said there is no HRB oversight during the process. They hope that in plan set that they have prepared and that staff has approved, more detail of which would be provided as part of the building permit, that they are preserving enough to maintain its integrity. The full EIR concluded that they don't believe it will be eligible for the California afterward, but it will still be evaluated again to determine that. Regarding the local register, they have much more broad discretion in determining whether they want to put it on that register. It is more of an honorific component and doesn't do much in terms of preserving it any more than the Historic Maintenance Covenant which is required would preserve it. However, honorific status of the building would serve to identify its status within the community.

Mayor Kou questioned with regard to the materials to be used in replacing the windows on the monitor roof. She asked if they are in alignment with Secretary of the Interior standards, or at what point it is that they are no longer constructed with original materials.

Ms. Raybould said it will be in accordance with Secretary of the Interior standards and their plan is to evaluate what windows can be used, if any. If they can be used, it would involved repairing them. If not, it would be replacing in kind. Either way, the Secretary of the Interior standards requires repair where feasible, or replacement in kind where not feasible.

Chair Alisa Eagleston-Cieslewicz invited Board Member Makinen to comment since he was participating remotely.

Board Member Makinen offered the comment that the building should be recognized in its current state as a local resource. He said he disagreed with comments stating that they had their chance to speak up before. He said they really did not get the issue properly surfaced until today when it finally came to a head. Some of the decisions that were made should have been made after the HRB had a chance to weigh in with a more appropriate decision.

Chair Alisa Eagleston-Cieslewicz asked if they are required to make a motion.

Ms. Raybould stated that given the way the wording of the Code is stated, Planning would like to have a motion from the HRB to bring forward to the Council for a decision.

Board Member Willis asked if staff had a recommendation for what the Board should do at that point.

Ms. French responded that they were welcome to make a motion along the lines that Board Member Willis was thinking and see if it was seconded. Alternatively, they could choose to use staff's recommended motion.

Motion by Board Member Willis to recommend that the central portion of the Cannery building with the monitor roof be designated as a Local Landmark under Category II of the local Historic Inventory. The motion was seconded by Board Member Makinen

Board Member Willis added that the period of significance would need to be adjusted, but she could not remember the dates for that.

Ms. Raybould said the period of significance relates to its use as a cannery, which is why it has been determined to be historic. It is related to the events and the cannery's role in the agricultural industry in the region, which makes it historic. She was not clear on what the reassessment of the period of significance would be based on.

Board Member Willis referred to a photo in which the monitor portion of the building was very prominent. She was not sure of the date of the photo, but thought it was very clear that this was a major part of the cannery business and structure.

Board Member Wimmer suggested they make the wording broader to say that the HRB encourages the City Council to consider the monitor roof portion of the Cannery as a historic structure. She felt the Board

Member Willis's motion was too narrowly focused on the monitors, which was not the gist of the applicant's request.

Chair Alisa Eagleston-Cieslewicz was unsure whether the Board could designate a partial structure or that they could designate the building knowing that it is going to be modified. She said she was fully supportive of re-evaluating the site after the inevitable changes had occurred, and designating it to the greatest extent possible.

Ms. Raybould supported Board Member Wimmer's comment that the applicant's proposal is what the Board needed to respond to, and the question refers to designating the structure as it exists today.

Mr. Holzemer, applicant, commented that that is the element that is most significant to not only the Chinese community but to everyone, so that people can see how the cannery was actually built and how the manufacturing process went. He said preserving at least the monitor roof section is critical and an important part of the future of the city.

Chair Alisa Eagleston-Cieslewicz pointed out that the monitor roof section is the part of the portion of the building that would remain.

Board Member Willis asked what the projected timeline would be for the project to be finished.

Ms. Raybould said the development agreement is over a ten-year period. She thought it would be approximately two years before the demolition could occur on the Cannery portion.

Board Member Willis remarked that there would then be two years in a holding pattern, and in the meantime, there would be planning on the park or on the affordable housing. She said she thought these things would be happening concurrently. The total site would be looked at and re-evaluated and plans made for how the park is oriented, and the housing is oriented. She said she felt that regarding the central part that is very symbolic of the history of the way factories were constructed, with natural light, and the size and scale, she felt strongly about the opportunity to alert those planning the park and the affordable housing and other modifications that this is the part of the building that is considered symbolic of the whole history of the site. She remarked that at this point they do not have a chance at maintaining the whole building. She said she feels the monitor roof section of the building is the most legible part of the building that conveys the history they want to convey, even with the modifications to the windows. It would probably not be eligible for the National Register, but having it on the local register would preserve the story. She hoped that people would go to the local inventory and read the history of it. Even if some buildings are lost, they could stamp "demolished" across them, but without wiping out the history and leaving the stories. She did not see any downside to designating the site for the local inventory.

Chair Alisa Eagleston-Cieslewicz raised the issue that the Board is currently talking about nominating some other properties for the inventory, and she thought they should make sure that they have a consistent process. She wasn't sure they should be looking at this project in isolation of that process, but more holistically.

Ms. French pointed out that the Board had departed from the applicant's actual request with the motion made by Board Member Willis. She noted that the Board would need to address what has been requested and have a vote on it for Council. Someone would need to make a motion to designate the structure as it is currently as a Category I or II. She said they needed to take a vote on the motion that has been made and seconded or offer a substitute motion. The Board could vote on the motion on the table, but it was not what the applicant requested, so there should also be a motion on the applicant's request to designate the structure as a Category I or II.

A friendly amendment was made by Board Member Wimmer to nominate the structure as a Category II building, specifying the monitor section of the building as the character-defining feature.

Board Member Willis felt it would be difficult for the Council to approve this. She said she would have a hard time asking Council to nominate the whole structure as it currently stands. She said she was not looking at it as one building but as little historic parts.

Chair Alisa Eagleston-Cieslewicz suggested recommending evaluation of the property after it is developed. She wondered if it would be possible to include language that addresses the monitor roof specifically.

Board Member Willis thought the best they could do would be to designate the part that they think is the strongest historic building element and make it clear to the developers around it that this is what they care the most about. She felt if they waited until construction was completed that other planning would go on in the meantime. She felt that the Board's mission should be to make a point to those developing parcels and parkland and affordable housing that this portion is what the Board is going to take a stand on. She said she believes that is really the only thing they will get out of the process. She thought it might be effective, or might not, but said they needed to try.

Board Member Wimmer added that she thought, then, that they should also include the secondary building that the applicant is asking for.

Chair Alisa Eagleston-Cieslewicz thought that would speak to something like a historic district, but thought it was beyond their scope at that point, although it could be something potentially considered at the end of construction when the property could be evaluated for multiple things. A district designation or something like it could include a property like the Ash property.

Board Member Willis wasn't strongly in agreement with the idea of a historic district. She reiterated that the visual evidence, the monitor roofs, and the known history of the site supports designation of the what was the central portion of the building.

Chair Alisa Eagleston-Cieslewicz wondered if this fully responded to the question at hand.

Ms. Raybould noted that staff was looking for recommendation one way or another on the whole building, so she asked that the start of the motion include a recommendation to either approve or deny the whole building. However, she said they were not precluded from adding additional portions to the motion.

Board Member Willis remarked that she would like to make such a motion but would need to see a picture of the building with dates of the different modifications.

Chair Alisa Eagleston-Cieslewicz wondered about something suggesting that they would like to stand by their original recommendation to evaluate the structure following construction but also to consider as part of that the designation of the monitor roof structure.

Ms. Raybould reiterated that the first part of the motion should be approval or denial of the entire structure, but that they may add other portions to the motion.

Chair Alisa Eagleston-Cieslewicz thought it sounded like there was not currently support for designating the entire building.

Board Member Wimmer thought the motion could be worded to say, in response to the applicant they would like to designate the entire building but more specifically they would like to designate the character-defining feature of the building, which is the monitor roof.

Chair Alisa Eagleston-Cieslewicz did think they could designate a partial structure. The question was how to incorporate that component into the motion when it refers to a future state of the building.

Ms. French restated the friendly amendment under discussion – "We would like the remaining structure reevaluated after completion of construction, and in the interim, designate the monitor portion of the building as a..." she added that they have never designated a portion of a building's character-defining features as the structure itself.

Board Member Willis stressed that because the monitor portion was originally a separate structure, they should accept that it won't be on the National Register, but they can still identify the early portion of the building as a separate structure.

Chair Alisa Eagleston-Cieslewicz felt that it will actually be more in that form after the construction.

Board Member Willis responded that she would be fine with it if there was a promise that nobody will do any planning for the site in the meantime.

Ms. Raybould remarked that they would certainly be starting the planning process.

Chair Alisa Eagleston-Cieslewicz noted that for the developer to change the monitor roof section it would require a significant additional process, since that design has already been approved, and it has been decided that that portion would remain.

Board Member Willis remarked that the developer of the parcel was not designing the park.

Ms. Raybould responded that it is the City that is designing the park.

Board Member Willis questioned if the designer for the park and the affordable housing would be responsive to the Board's preferences.

Board Member Wimmer commented that they may not have all the information they need to craft the motion in a sensible way. She wondered about stating that the Board recommend that the whole site be a historic district.

Chair Alisa Eagleston-Cieslewicz thought they could stand by their original recommendation but emphasize that the recommendation involved a reevaluation of the structure post construction, for inclusion on the National Register, the State Register, Point of Interest, Local Register. She wondered about adding the historic district category in the future.

Board Member Willis suggested that Chair Alisa Eagleston-Cieslewicz call a vote on the motion because she did not have support.

Ms. French asked for clarification on which motion currently was on the floor.

Board Member Wimmer wondered if they could re-agendize the item at a time when more Board members were present.

Chair Alisa Eagleston-Cieslewicz said they were required to respond.

Board Member Willis acknowledged that they could reevaluate the subject later. She stated that they should vote on her original motion, seconded by Board Member Makinen, and go on from there.

Ms. French restated the original motion as, "...the central part of the building with the monitor roof, to be placed on the Local Inventory as a Category II structure." This was seconded by Board Member Makinen.

The vote was taken. The motion carried (3-1).

Ms. French said the next step was to address what the applicant proposed for a recommendation to Council.

Chair Alisa Eagleston-Cieslewicz moved to not advance the nomination of the either 340 Portage or 3225 Ash Street as Category I or II to the Local Historic Inventory. Seconded by Board Member Willis.

Board Member Wimmer asked for the reasoning behind the motion.

Chair Alisa Eagleston-Cieslewicz explained that designating the entire building under current circumstances will lead to confusion and problems down the road, and a it would be a designation that doesn't match the eventual disposition of the building, which cannot be changed at this point.

Ms. French clarified the motion to state: "not to advance the nomination of either 340 Portage, as an entire building, or 3225 Ash, as a Category I or Category II resource on the Local Historic Inventory."

Board Member Willis accepted the clarification, as the seconder.

The vote was taken. The motion carried, (3-1).

Approval of Minutes

Subcommittee Items

Board Member Questions, Comments, Announcements or Future Meetings and Agendas

Ms. French said the September 28th meeting has been cancelled. The next meeting will be October 12th. Vice Chair Rohman will be absent. They have planned an evening community meeting at 6 p.m. on October 24th, to take up again the Historic Reconnaissance Survey and next steps, which is to discuss the

nominations to the local inventory, and categories. The meeting scheduled for two days later, on the 26th, will be cancelled.

Board Member Willis asked if the Board members could get a summary of how the meeting will play out prior to the meeting.

Ms. French said there will be a staff report in the packet a week before the meeting. If they would like, they could agendaize discussion of it at the October 12th meeting.

Mayor Kou asked the Board to consider looking at some of the commercial properties that might have historic significance and identify them ahead of time so that this process doesn't happen again.

Adjournment

Motion by Board Member Wimmer to adjourn. Seconded by Chair Alisa Eagleston-Cieslewicz, the motion carried unanimously by voice vote.

The meeting was adjourned at 10:18 a.m.