



March 21, 2014

## BACKGROUND

This Compliance Report has been developed regarding the Downtown Morgan Hill Parking Structure with a minimum of 245-275 parking spaces. The project is within the City of Morgan Hill (City) Downtown Specific Plan Area therefore the proposed project is subject to review of criteria set forth by the Secretary of the Interior Standards (SIS) and California Environmental Quality Act (CEQA) compliance.<sup>1</sup> Per the Morgan Hill Planning and Zoning Code Chapter 18.75 *Historical Resources*, a development project and building permit application involving structures or buildings at least 45 years of age, or located on sites considered potentially significant...shall be subject to CEQA... This will require a determination for compliance with the Secretary of the Interior's Standards." The City proposes three different location options for construction of the proposed parking structure:

- Option A: City-Owned Depot Street Site (APNs 726-13-047 and 726-14-061),
- Option B: Site 3-Depot Street Site (APN 726-14-001), and
- Option C: Sunsweet Site (APN 726-13-033, -042, and -043).

The proposed parking structure project (the project) will maintain the existing Mixed Use General Plan land use designation. The project will also maintain the existing Central Business District zoning designation. Properties in the project area were previously evaluated in the City-Wide Historic Survey,<sup>2</sup> the Third Street Promenade Project<sup>3</sup> survey, and the Downtown Specific Plan Area<sup>4</sup> (select properties).

None of the properties in the project area were found to meet national or state significance, however, some properties in or adjacent to the project area do meet local (Morgan Hill) significance.

## RESOURCE SIGNIFICANCE

### Evaluation Criteria

The National Register of Historic Places (NRHP) is the official list of properties, structures, districts, and objects significant in American history, architecture, archeology, engineering, and culture. National Register properties have significance to the prehistory and history of their community, State, or Nation.

The National Register Criteria for Evaluation (National Register Bulletin 15) is...“the basis for judging a property's significance for their association with important events or persons, for their importance in design or construction, or for their information potential...” The National Register Criteria recognizes the following categories:

- Associative Value; Criterion A: properties significant for their association or linkages to events,
- Associative Value; Criterion B: properties significant for their association to persons important to the past,

<sup>1</sup> U.S. Department of Interior, National Park Service. *The Secretary of the Interior's Standards for the Treatment of Historic Properties*. Washington, D.C.: U.S Government Printing Office, 1995.

<sup>2</sup> Circa, *Historical Resources Survey & Inventory Report* (Final), August 2008.

<sup>3</sup> Circa, *Historic Resource Evaluation Report for the City of Morgan Hill Third Street Promenade Project* (Final), July 2008.

<sup>4</sup> Circa, *Historic Resource Evaluations: Downtown Specific Plan Area*, November 2008.



- Design or Construction Value; Criterion C: properties significant as representatives of the fabricated expression of culture or technology,
- Information Value; Criterion D: properties significant for their ability to yield important information about prehistory or history.

The California Register of Historic Resources (CRHR) is the official list of properties, structures, districts, and objects significant at the local, state or national level. California Register properties must have significance under one of the four following criteria. Properties that are eligible for the National Register are automatically eligible for the California Register. California Register Criteria are:

- Criterion 1: Associated with events that have made a significant contribution to broad patterns of local or regional history, or cultural heritage of California or the United States,
- Criterion 2: Associated with the lives of persons important to the local, California or national history,
- Criterion 3: Embodies the distinctive characteristics of a design-type, period, region, or method of construction, or represents the work of a master, or possesses high artistic value; or
- Criterion 4: Yields important information about prehistory or history of the local area, California, or the nation.

### Evaluation and Integrity

Integrity is the measure by which properties are evaluated. To retain integrity, a property must have most of the seven aspects of integrity as defined by the National Register Criteria for Evaluation. The seven aspects of integrity are quoted as follows:

- Location = Location is the place where the historic property was constructed or the place where the historic event occurred.
- Design = Design is the combination of elements that create the form, plan, space, structure, and style of a property.
- Setting = Setting is the physical environment of the historic property.
- Materials = Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration form a historic property.
- Workmanship = Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
- Feeling = Feeling is a property's expression of the aesthetic or historic sense of a particular period of time.
- Association = Association is the direct link between an important historic event or person and a historic property.<sup>5</sup>

### POTENTIAL HISTORIC RESOURCES (Within the Project Area)

The project area retains multiple buildings from Morgan Hill's historic period, these include: residential properties over fifty years of age that line the north side of East 3rd Street<sup>6</sup>. The properties at 35, 55, 57, 65, 75 3rd Street were found to retain a high degree of material integrity, however, this factor alone does not qualify any of them for listing as a historic resource on the National or California Registers. The City

<sup>5</sup> U.S. Department of Interior, National Park Service. "How to Apply National Register Criteria for Evaluation." *National Register Bulletin* 15. Washington, D.C.: U.S Government Printing Office, 1991.

<sup>6</sup> 30, 35, 45, 55, 57, 65, 75 E. 3rd Street.



may choose to include any of these properties on the local historic resource inventory because they do contribute to the general aesthetic/character of the downtown. Remnants of the former Farmer's Union/Dee-Hi plant at 95 East 3rd/northwest corner of East 3rd and Depot Streets has been altered, and lost its historic significance years ago due to the demolition of the plant buildings.

The 17500 Depot Street complex (granary buildings and silos) still maintains the original massing, silos and associated equipment that allow it to visibly communicate its historic character and agricultural function. However they do not demonstrate the level of architectural or associative significance necessary for listing on the National Register of Historic Places or the California Register of Historical Resources. As such, the complex appears to meet local criteria for listing (CR, local level only).

The property at 91 East 4th Street does not demonstrate a sufficient level of historical significance or integrity to qualify for listing on the National Register of Historic Places, the California Register of Historical Resources or for local listing. This collection of corrugated metal clad storage buildings<sup>7</sup> (remnants of the former Grower's Association plant) located at the corner of Depot and Second streets were built in the 1960s do not meet the threshold for properties attaining historic significance that are less-than fifty years of age, therefore are not considered potential historic resources for purposes of CEQA.

## PROJECT OPTIONS

### **Option A: City-Owned Depot Street Site (APNs 726-13-047 and 726-14-061)**

The parking structure would be constructed on the east side of Depot Street between East 2nd and East 5th Streets in the City of Morgan Hill. The site is approximately 1.5 acres and is bounded by Caltrain/Union Pacific Railroad (UPRR) tracks to the north, Depot Street to the south, commercial and office uses to the west and a vacant lot (under construction) to the east. The structure would occur on APNs 726-13-047 and 726-14-061. The structure would include a pedestrian walkway at the terminus of East 3rd Street, to provide connection to the existing railroad crossing and Caltrain station. The parking structure would be accessed from Depot Street. The project proposes to demolish an existing commercial building on 17300 Depot Street.

### **Option B: Site 3-Depot Street Site (APN 726-14-001)**

The parking structure would be constructed on the west side of Depot Street between East 2nd and East 3rd Streets. The site is approximately one-acre and is bounded by Depot Street to the north, East 2nd Street to the west, East 3rd Street to the east and single-family residences to the south. The project would demolish an existing commercial building. The proposed three story parking structure would also include basement level parking and an approximately 4,050 square foot ground level retail space along East 3rd Street.

### **Option C: Sunsweet Site (APN 726-13-033, -042, and -043)**

The site is approximately 2.5 acres and is bordered by Depot Street to the north, East 3rd Street to the west, East 4th Street to the east and commercial uses and Monterey Road to the south. The project would include the demolition of two warehouses and one weigh station, and older structure that was formerly used as an office. The project would include the construction of a three-story garage and a mixed-use development, and landscaping. The mixed-use development would consist of approximately 7,800 square

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<sup>7</sup> The remaining buildings are collectively addressed as 91 E. 4th Street however the California Prune and Apricot Growers Association Plant No. 2 (a.k.a Sunsweet) was addressed 90 E. 3rd Street.



feet of commercial and/or office space and up to 48 residential units. Vehicles would access the garage and the off-street residential parking via driveways on East 4th Street; no vehicle access would occur from East 3rd or Depot Streets. A total of approximately 9,700 square feet of one and/or two story commercial and office space would be constructed (at grade) on the site.

## COMPLIANCE REVIEW

### Review Criteria

As described in the background section of this report, for purposes of CEQA a project that is compliant with the Secretary of the Interior (SIS) will have a less-than-significant impact on a historic resource. The proposed project; therefore any proposed plans must comply with the Secretary of the Interior's Standards for Rehabilitation (SISR) as the standard most applicable to the proposed Master Plan.

"The Secretary of the Interior is responsible for establishing standards for all programs under Departmental authority and for advising Federal agencies on the preservation of historic properties listed or eligible for listing in the National Register of Historic Places. In partial fulfillment of this responsibility, the Secretary of the Interior's Standards for Historic Preservation Projects have been developed to guide work undertaken on historic buildings..."

The Standards for Rehabilitation (36 CFR 67) comprise that section of the overall historic preservation project standards and addresses the most prevalent treatment. 'Rehabilitation' is defined as 'the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.'

The intent of the Standards is to assist the long-term preservation of a property's significance through the preservation of historic materials and features. The Standards pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and interior of the buildings. They also encompass related landscape features and the building's site and environment, as well as attached, adjacent, or related new construction."

The "Rehabilitation" treatment assumes that at least some repair or alteration of the historic building will need to take place in order to provide for an efficient contemporary use; however these repairs and alterations must not damage or destroy the materials and features -- including their finishes -- that are important in defining the building's historic character.

The following section quotes the ten standards for Rehabilitation followed by a project compliance response for each.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; changes that have acquired historic significance in their own right shall be retained and preserved.



5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, and pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

### **Review of Potential Impacts**

#### Option A: City-Owned Depot Site

The parking structure would be constructed on the east side of Depot Street between East 1st and East 4th streets. The site is bounded by Caltrain/Union Pacific Railroad (UPRR) tracks to the north, Depot Street to the south, commercial and office uses to the west and a vacant lot (under construction) to the east. The structure would include a pedestrian walkway at the terminus of East 3rd Street, to provide connection to the existing railroad crossing and Caltrain station. The structure could border the eastern end of APN 726-14-061 or western end of APN 726-13-047. The parking structure would be accessed from Depot Street. The project proposes to demolish the existing commercial building.

- The existing City-Owned building is less than fifty years of age (1993-1998) and is not historic,
- The property at 17500 Depot (APN: 72614059; pre-1926) meets local criteria for listing. Protective measures must be taken to avoid indirect impacts.
- The properties at 35, 55, 57, 65, 75 3rd Street were found to retain a high degree of material integrity. Protective measures must be taken to avoid indirect impacts.
- The former Farmer's Union/Dee-Hi plant at 95 East 3rd has been altered and has lost its historic significance years ago due to the demolition of the plant buildings.

#### Option B: Site 3-Depot Site

The parking structure would be constructed on the west side of Depot Street between East 2nd and East 3rd Streets in the City of Morgan Hill. The site is bounded on the north by Depot Street, East 3rd Street to the west, East 4th Street to the east, and Monterey Road to the south. The project would demolish an existing commercial building and construct a three-story parking structure. It would include approximately 4,050 square foot ground level retail space along East 3rd Street.

- The property at 17500 Depot (APN: 72614059; pre-1926) meets local criteria for listing. Protective measures must be taken to avoid indirect impacts.



- The properties at 35, 55, 57, 65, 75 3rd Street were found to retain a high degree of material integrity. Protective measures must be taken to avoid indirect impacts.
- The former Farmer's Union/Dee-Hi plant at 95 East 3rd has been altered and has lost its historic significance years ago due to the demolition of the plant buildings.

#### Option C: Sunsweet Site

The project is proposed to demolish existing buildings and construct a three-story parking structure, condominiums and commercial/retail space. The parking structure would be at the westerly end of the Sunsweet site, extending from 3rd Street to 4th Street, with the vehicle entrance/exit onto 4th Street. The structure would consist of underground parking and three levels of parking above grade.

- The building at 91 East 4th Street (1960s) not eligible for the National Register of Historic Places, the California Register of Historical Resources or for local listing.
- The properties at 35, 55, 57, 65, 75 3rd Street were found to retain a high degree of material integrity. Protective measures must be taken to avoid indirect impacts.
- The property at 40 East 4th Street (1907) is the Grange Hall and is a historic resource, however, the property is located significantly away from the proposed project that no direct impact is anticipated. Protective measures must be taken to avoid indirect impacts.

#### **COMPLIANCE REVIEW FINDINGS -SECTION TO BE COMPLETED IN TASK 2-3**

This Preliminary Compliance Report has been developed regarding the Downtown Morgan Hill Parking Structure which is proposed within the City of Morgan Hill Downtown Specific Plan Area and therefore is subject to review of criteria set forth by the Secretary of Interior Standards. No historic resources are proposed for demolition, removal or alteration/change therefore there are no direct impacts to historic resources. All three proposed location options are located in close proximity to properties that have a potential for listing as a local historic resource.<sup>9</sup>

Properties that have been identified as meeting local criteria for listing as historic resources are:

- 17500 Depot
- 40 East 2nd Street
- Properties at 35, 55, 57, 65, 75 3rd Street

While none of these properties will have direct impacts there may be indirect impacts due to movement (traffic) of construction equipment, such as backing into a building or site feature, hauling of debris, felling of trees, on-site disposition of materials, and/or removal of trees off site.

"Cumulative impacts" refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. (a) The individual effects may be changes resulting from a single project or a number of separate projects. (b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the

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<sup>9</sup> Circa, *Historical Resources Survey & Inventory Report (Final)*, August 2008.



project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.<sup>10</sup>

Detailed recommendations and guidelines cannot be provided until an option has been selected. As stated above any proposed plans must comply with the Secretary of the Interior's Standards for Rehabilitation as the standard most applicable to the proposed Master Plan. All new design and construction must not destroy materials that characterize any historic property. The new design and construction must be differentiated from the old, and be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the properties and environment.

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<sup>10</sup> Title 14. California Code of Regulations Chapter 3. Guidelines for Implementation of the California Environmental Quality Act Article 20. Definitions: # 15355.