



**TOWN OF LOS GATOS  
HISTORIC PRESERVATION  
COMMITTEE REPORT**

MEETING DATE: 03/25/2026

ITEM NO: 5

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DATE: March 20, 2026  
TO: Historic Preservation Committee  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Consider a Request for a Determination Regarding the Contributing Status and to Demolish an Existing Single-Family Residence Located in the University-Edelen Historic District on Property Zone C-2:LHP. **Located at 313 University Avenue.** APN 529-04-063. Request for Review Application PHST-26-006. Exempt Pursuant to CEQA Section 15269 (c): Emergency Projects. Property Owner/Applicant: Frank Delgado. Project Planner: Sean Mullin.

RECOMMENDATION:

Consider a request for a determination regarding the contributing status and to demolish an existing single-family residence located in the University-Edelen Historic District on property zoned C-2:LHP, located at 313 University Avenue.

PROPERTY DETAILS:

1. Date primary structure was built: 1900 per County Assessor's Database, effective year built 1920; 1920s per Bloomfield Study
2. Bloomfield Preliminary Rating: ✓, historic and some altered but still contributor to a district if there is one
3. Does property have an LHP Overlay? Yes
4. Is structure in a historic district? University-Edelen Historic District
5. If yes, is it a contributor? Yes
6. Findings required? Yes
7. Considerations required? No

BACKGROUND:

The subject property is located on the east side of University Avenue just north of Bachman Avenue. The property is developed with a two-story single-family residence located at the back of the property. The County Assessor indicates a construction date for the residence of 1900

PREPARED BY: Sean Mullin, AICP  
Planning Manager

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and an effective year built of 1920. The Anne Bloomfield survey notes the structure as “historic and some altered but still contributor to a district if there is one,” with an estimated construction date of the 1920s (Attachment 1).

The residence is first present on the 1928 Sanborn Fire Insurance Map (Attachment 2). The footprint of the residence remains consistent through 1956. The only permitted work in Town Records is for a plumbing permit for a gas line in 1964.

On February 23, 2011, the Committee provided feedback related to a potential demolition of the existing contributing residence (Attachment 3). Pictures of the residence from 2011 are included as Attachment 4.

On March 13, 2017, the Town issued a Stop Work Notice for unpermitted grading/excavation occurring underneath the existing residence (Attachment 5). A Code Violation (BV17-004) remains active, and the Town’s Code Enforcement Officer has been regularly communicating with the property owner to advise on the steps required to address the open code violation.

On December 17, 2025, the Committee conducted a preliminary review of a request to demolish the existing contributing residence and construct a new residence (Attachment 6). Current pictures of the residence are included as Attachment 7. The Committee provided the following feedback:

- Provide a historic report pursuant to Town Code Section 29.10.09030 (c)(2). The report shall be prepared by a qualified person knowledgeable in historic preservation under contract with the Town at the applicant’s expense. The report shall detail all aspects of the structure’s physical condition and historical and architectural characteristics.
- Consider restoration of the structure rather than demolition/reconstruction. If reconstruction is required, any new structure must reflect the architecture of the existing residence and support the University-Edelen Historic District.
- Consider a detached garage located toward the rear of the property.
- Reuse any viable existing building materials.
- Additional recommendations are likely once a more developed proposal is provided.

On February 17, 2026, the Town’s Chief Building Official visited the site to evaluate the safety of the existing residence. After visiting the site, considering the Structural Condition Report (Attachment 8), and discussing the condition of the residence with the Community Development Director, the Building Official determined that the residence is not safe and presents an imminent safety hazard. It was also determined that it would be unsafe to attempt to shore up the existing residence and that the appropriate remedy is full demolition of the residence. A red tag or condemnation notice was posted on the site on February 20, 2026 (Attachment 9).

A request for approval to demolish the existing contributing residence was agendaized for the February 25, 2026, meeting. Prior to the meeting, the applicant requested a continuance to allow time to prepare additional materials and better understand the procedural framework before moving forward (Attachment 10). The Committee continued the request to the March 25, 2026, meeting (Attachment 11).

To remedy the current situation, the property owner requests a determination of the contributing status of the residence as well as demolition of the residence (Attachment 12). No development is proposed at this time.

DISCUSSION:

**Determination of Contributing Status**

The property owner requests a determination of the contributing status of the existing residence (Attachment 12). Structures within historic districts are individually classified as to their relative contribution to the historic character and quality of the district. Contributing structures have been determined to be historically, architecturally, or culturally significant. Noncontributing structures are those which are not historical in terms of their design or have been so modified over time as to no longer meet the criteria for contributing status.

The existing residence is located in the University-Edelen Historic District and listed as a contributor in the designating ordinance for the District (Attachment 13). Additionally, the 1990 Bloomfield Survey provides a preliminary rating for the residence of historic and some altered but still contributor to a district if there is one (Attachment 1). The residence is first present on the 1928 Sanborn Fire Insurance Map (Attachment 2). The footprint of the residence remains consistent through 1956. The only permit on record with the Town is for a gas line in 1964.

The letter from Barton G. Hechtman dated March 18, 2026, requests a determination on the contributing status of the residence (Attachment 12). In the letter, Mr. Hechtman asserts that the residence should be classified as a noncontributor, based on the evidence provided in the report prepared by JRP Historical Consulting, LLC, dated March 17, 2026 (Attachment 14). This report details the site history, current state of the residence, and evidence of modifications to the residence. The report concludes that the residence is not eligible for listing with the National or State Registers. Additionally, the report provides an analysis of the criteria used by the Town for determinations of historic significance, which concludes that the residence meets none of the criteria and should not be classified as a contributor:

1. The structure is not associated with events that made a significant contribution to the Town;
2. No significant people are associated with the site;

3. There are no distinctive characteristics of type, period, or method of construction, or representation of the work of a master;
4. The structure does not yield information to the Town history; and
5. The integrity has been compromised such that the structure no longer has potential to convey significance.

Should the Committee find that the residence no longer meets the criteria for contributing status, it would be removed from the list of contributors to the University-Edelen Historic District. The property would continue to be located within the historic district, and any proposed work would return to the Committee for review under a formal Planning application.

### **Request for Demolition**

The subject property is currently under an active code enforcement action for unpermitted grading/excavation (BV17-004). The unpermitted work and the condition of the remaining structure have compromised the structural integrity of the residence, creating an unsafe condition. A structural integrity report prepared by a licensed structural engineer was provided by the applicant (Attachment 8). This report concluded that the structure in its current state, poses an immediate life safety risk should someone enter the interior or stand too close to the perimeter of the excavation. The report recommends that warning signs be posted immediately and that the structure be completely demolished as soon as is feasible. The remaining residence poses an imminent safety hazard as determined by the Town's Chief Building Official and a licensed structural engineer (Attachment 8). It was also determined that it would be unsafe to attempt to shore up the existing residence and that the appropriate remedy is full demolition of the residence. A red tag deeming the residence unsafe was posted on the site on February 20, 2026 (Attachment 9).

To remedy the current situation, the property owner requests approval to demolish the existing residence (Attachment 12).

The findings required for demolition of a historic residence differ slightly depending on the contributing status of the residence. A discussion of the findings applicable to contributing and noncontributing residences follows.

### **Demolition of a Contributing Residence**

Section 4.5 of the Residential Design Guidelines states:

Demolition of any contributing structure in historic districts is forbidden absent a cataclysmic event or upon determination by the Deciding Body that demolition is necessary for the proper restoration of the structure. In the event of demolition as a result of a cataclysmic event, the structure shall be reconstructed to match the structure

existing immediately prior to the cataclysmic event or a previous structure on that site. Additions, alterations, and removal of non historic additions may be approved as part of the reconstruction process, provided the contributing historic elements of the structure are maintained, and the changes and/or additions could have been approved if the structure had not been damaged.

If the Committee determines that the residence is a contributor to the district, staff recommends that any recommendation of approval for demolition be made using the findings for demolition of a contributing structure provided below.

Future development of the property would require Architecture and Site approval. The building and site design would be subject to the provisions of the Town Code and could be subject to the limitations provided in Residential Design Guidelines Section 4.5, including the provision that the residence be reconstructed to match the structure existing immediately prior to the cataclysmic event. An application for development of the property will require review by the Committee.

#### Demolition of a Noncontributing Residence

If the Committee determines that the residence is not a contributor to the district, staff recommends that any recommendation of approval for demolition be made using the findings for demolition of a noncontributing structure provided below.

Future development of the property would require Architecture and Site approval. The building and site design for development would be subject to the Town Code and the provisions of the Residential Design Guidelines. An application for development of the property will require review by the Committee.

#### Penalties and Fines

An approval of the request to demolish the existing residence does not absolve the property owner from any applicable penalties and/or fines under the Town Code. The active code enforcement case will be used to compel the demolition of the residence to remedy the hazard and the development of the property.

The unpermitted work and the condition of the remaining structure have compromised the structural integrity of the residence, creating an unsafe condition. On February 17, 2026, the Town's Chief Building Official visited the site to evaluate the safety of the existing residence. After visiting the site, considering the Structural Condition Report (Attachment 8), and discussing the condition of the residence with the Community Development Director, the Building Official determined that the residence is not safe and presents an imminent safety hazard. It was also determined that it would be unsafe to attempt to shore up the existing

residence and that the appropriate remedy is full demolition of the residence. A red tag or condemnation notice was posted on the site on February 20, 2026 (Attachment 9). Since the unpermitted work impacted the residence such that full demolition is required to remedy the unsafe condition, the property owner would be subject to the penalties for unlawful demolition included in Town Code Section 29.10.09030 (g) and the double application fees pursuant to the Town's comprehensive fee schedule. Any penalties or fines levied that were not adopted by resolution are subject to appeal pursuant to Town Code Section 29.20.265

The property owner submitted a letter dated March 18, 2026, detailing the deteriorated condition of the residence at the time it was purchased in 2013, prior to the unpermitted work (Attachment 15). The property owner asserts that the current condition of the residence is the result of long-standing structural deficiencies that were already existing at the time of purchase – including poor original construction, lack of a proper foundation, and decades of deterioration – and not the result of the unpermitted work. Staff does not agree with this position.

RECOMMENDATION:

Staff recommends that the Committee forward a recommendation to the Community Development Director on the contributing status of the existing residence. Staff then recommends that the Committee forward a recommendation of approval to the Community Development Director for demolition of the existing residence citing the appropriate findings as provided in this report.

All future development proposals would be brought to the Committee for consideration.

FINDINGS:

A. Findings for Demolition

- X As required by Town Code Section 29.10.09030 (a) *Scope*: Applications for demolition permits (Uniform Building Code, section 301(a), or any successor section) filed with the Building Department shall be submitted to the Planning Director for approval unless such permit is required as part of a code enforcement action by the Building Official, Council, or other authorized agency.

The subject property is currently under an active code enforcement action for unpermitted grading/excavation (BV17-004). The unpermitted work and the condition of the remaining structure have compromised the structural integrity of the residence, creating an unsafe condition. The remaining residence poses an imminent safety hazard as determined by the Town's Chief Building Official and a licensed structural engineer (Attachment 8). A red tag deeming the residence unsafe was posted on the site on February 20, 2026 (Attachment 9).

The finding included in Town Code Section 29.10.09030 (a) can be made and Architecture and Site approval is not required to demolish the residence.

X As required by Town Code Section 29.10.09030 (c) *Demolition of historic structures*, a demolition permit for a historic structure may only be approved if:

1. The structure poses an imminent safety hazard; or
2. The structure is determined not to have any special historical, architectural or aesthetic interest or value.

Contributing Structures: Any request to demolish an historic structure shall be reviewed by the Historic Preservation Committee. All applications to demolish an historic structure which has been identified as a contributor to an existing historic district, a potential historic district, or is eligible for local designation shall be accompanied by a detailed report describing all aspects of the structure's physical condition and shall incorporate pertinent information from the Town's Historic Resources Inventory describing the structure's historical and architectural characteristics. This report shall be prepared by a qualified person knowledgeable in historic preservation under contract with the Town at the applicant's expense.

Noncontributing Structures: Applications for all other historic structures proposed for demolition shall be accompanied by a detailed report describing all aspects of the structure's physical condition prepared by an architect, licensed design professional or registered civil engineer at the applicant's expense.

A structural integrity report prepared by a licensed structural engineer was provided by the applicant (Attachment 8). This report concluded that the structure in its current state, poses an immediate life safety risk should someone enter the interior or stand too close to the perimeter of the excavation. The report recommends that warning signs be posted immediately and that the structure be completely demolished as soon as is feasible.

Pertinent information from the Town's Historic Resources Inventory is provided in Attachments 1 and 2. The Historic Resource Report included as Attachment 14 concludes that the residence is not eligible for listing on the Nation or State Registers, does not meet the Town criteria used to determine significance, and should not be classified as a contributor to the district.

Contributing Structures: The unpermitted work and the condition of the remaining structure have compromised the structural integrity of the residence, creating an unsafe condition. The remaining residence poses an imminent safety hazard as determined by the Town's Chief Building Official and a licensed structural engineer (Attachment 8). A red tag deeming the residence unsafe was posted on the site on February 20, 2026 (Attachment 9). The finding in Town Code Section 29.10.09030 (c)(1) can be made.

Noncontributing Structures: Pertinent information from the Town's Historic Resources Inventory is provided in Attachments 1 and 2. The Historic Resource Report included as Attachment 14 concludes that the residence is not eligible for listing on the Nation or State Registers, does not meet the Town criteria used to determine significance, and should not be classified as a contributor to the district. The finding in Town Code Section 29.10.09030 (c)(2) can be made.

As required by Town Code Section 29.80.310 *Unsafe or Dangerous Conditions*:

X None of the provisions of this division shall prevent any measures of construction, alteration, or demolition necessary to correct the unsafe or dangerous condition of any structure, other feature, or part thereof, where such condition has been declared unsafe or dangerous by the Building Official or the Fire Marshal, and where the proposed measures have been declared necessary, by such official to correct the condition; provided, however, that only such work as is absolutely necessary to correct the unsafe or dangerous condition and as is done with due regard for preservation of the appearance of the structure involved may be performed pursuant to this section. If any structure or other feature is damaged by fire, or other calamity, or by act of God, to such an extent that in the opinion of the aforesaid officials it cannot be reasonably repaired and restored, it may be removed in conformity with normal permit procedures and applicable laws.

The unpermitted work and the condition of the remaining structure have compromised the structural integrity of the residence, creating an unsafe condition. The remaining residence poses an imminent safety hazard as determined by the Town's Chief Building Official and a licensed structural engineer (Attachment 8). A red tag deeming the residence unsafe was posted on the site on February 20, 2026 (Attachment 9). Demolition of the existing residence was determined to be the appropriate action to correct the unsafe condition. The provisions of Division 3 of Article VIII of Chapter 29 of the Town Code do not apply to the demolition of the residence. The finding in Town Code Section 29.80.310 can be made.

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SUBJECT: 313 University Avenue/PHST-26-006

DATE: March 20, 2026

ATTACHMENTS:

1. Anne Bloomfield Survey
2. Sanborn Fire Insurance Maps Exhibit
3. Minutes of the February 23, 2011, Historic Preservation Committee Meeting
4. 2011 Pictures of the Residence
5. Stop Work Notice, March 17, 2017
6. Minutes of the December 17, 2025, Historic Preservation Committee Meeting
7. Current Pictures of the Residence
8. Structural Integrity Report
9. Red Tag
10. Applicant's request for continuance, dated February 25, 2026
11. Historic Preservation Committee Action Letter, dated February 27, 2026
12. Letter from Barton G. Hechtman, dated March 18, 2026
13. Ordinance 1920
14. Historic Resource Report by JRP Historical Consulting, dated March 17, 2026
15. Letter from Frank Delgado, dated March 18, 2026

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