

# 142 Wheeler Avenue

*Appeal of HPC Decision — Request to Remove from Historic Resources Inventory*

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**Applicants:** Rodd and Wendy Rowalt

**Property:** 142 Wheeler Avenue, Los Gatos, CA 95030

**APN:** 532-37-034 · Zoning: R-1:10

**Representative:** Bess Wiersema, Studio Three Design, Inc.

**Historic Preservation Expert:** Bonnie Bamburg, Urban Programmers

**File No.:** PHST-26-011

June 24, 2026 at 4:00 PM · Town Code §§ 29.20.255 and 29.20.260

HPC Vote: 2–2 Tie (May 27, 2026)

# GROUNDS FOR REMOVAL — THE DOCUMENTED RECORD

**HPC Vote: 2–2 Tie → Denied. The evidence was overwhelming and uncontested.**

*A tie is not a finding of historic merit. The Commission makes a de novo determination on the full evidence record.*

## 1 Listed by Age Alone

142 Wheeler was placed on the HRI solely because it predates 1941. No finding of architectural merit, historic significance, or integrity was ever made.

## 2 All 5 Town Findings Are Met

The Town's own criteria require all five findings for removal. The HPC presentation documented that 142 Wheeler satisfies every single one.

## 3 7 NPS Integrity Aspects — Fails 6

NPS Bulletin 15 requires a property to possess 'several, and usually most' of the 7 aspects of integrity. 142 Wheeler passes only Location — 1 of 7. One aspect is neither 'several' nor 'most.' The paramount aspects for architectural significance — Design, Materials, and Workmanship — all fail completely and are unrebutted."

## 4 Neighbor Precedent: Same Street

125 Wheeler Ave and 136 Wheeler Ave - direct neighbors - were both removed from the HRI using identical arguments. Consistency demands the same outcome.

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This appeal is not about whether 142 Wheeler Avenue is an older, charming home.

It is about whether the Town Code and NPS Bulletin 15 standards - applied to the documented physical record - ever supported this listing in the first place.

The evidence shows they do not.

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*The documented physical record - not visual impression - is the legal standard*

# ALL FIVE REQUIRED FINDINGS ARE SATISFIED

To remove a property from the HRI, the applicant must satisfy all five findings. 142 Wheeler Ave satisfies every one



**Finding 1:** Not associated with events that made a significant contribution to the Town.

Los Gatos Library research and the Anne Bloomfield Architectural/Cultural Survey found no documented connection to any significant town event or period of development.



**Finding 2:** No significant persons are associated with the site.

1941 Tax Assessment and Real Estate Appraisal records confirm no notable former residents. The property was a modest working-class residence with no occupant of historic significance.



**Finding 3:** No distinctive characteristics of type, period, or method of construction; not work of a master.

The 1941 Tax Assessment officially rated this structure's quality as 'Cheap' - the government's own contemporaneous record. The Anne Bloomfield Survey assigned no historic designation or recognition. Both the County and the Town's own surveyor confirmed this was not a structure of architectural distinction.



**Finding 4:** The structure does not yield information important to Town history.

Historical records (Library, Sanborn Maps, Tax Assessments) produced no evidence the structure provides unique insight into any aspect of Los Gatos history.



**Finding 5:** Integrity compromised - structure can no longer convey significance. (NPS Bulletin 15, 7 Aspects)

553 sq ft (1941) → 1,100+ sq ft today. Facade alterations: 50% front, 36% left, 56% right, 100% rear. Post-war materials and mixed foundation types throughout confirm extensive modification across multiple decades.

# DIRECT REBUTTAL: HPC FINDINGS #3 AND #5

The HPC was unable to make Findings #3 and #5. *The documented record and Town precedent directly rebut both.*

## Finding #3 — Distinctive Characteristics

### HPC: House HAS characteristics

- ▶ **1941 Tax Assessment:** Officially rated construction quality as 'Cheap' — the government's own record confirms no distinctive construction existed at time of building.
- ▶ **Anne Bloomfield Survey:** The Town's own architectural surveyor assigned no historic designation or recognition — if distinctive characteristics existed, she would have noted them.
- ▶ **33 Walnut (Approved):** Planning Commission approved removal after finding: 'Being on the historic inventory means the house was built before 1941, nothing more. It does not reflect historic merits.'

**§ 29.80.215 — Purposes Not Met:** The Code protects structures that are 'reminders of past eras,' 'significant architectural examples,' or 'unique assets.' A structure rated Cheap with no designation, no historic persons, and 50-100% facade alteration meets none of these.

## Finding #5 — Integrity Compromised

### HPC: Integrity SURVIVES

- ▶ **Analysis:** 664 sq ft (1928) → 1,181 sq ft today. 50% front, 56% right, 100% rear facade affected. Mixed pre/post-war foundations throughout. Unrebutted physical evidence.
- ▶ **136 Wheeler (Same Street, Approved):** HPC approved removal based on 'alterations that have impacted the integrity.' 142 Wheeler's alterations are documented as far more extensive.
- ▶ **Town Litmus Test:** 'Would a person familiar with the property before modification recognize it today?' The answer — documented by physical record — is no.

**§ 29.80.230 — No Designating Ordinance:** Formal landmark designation requires a Council ordinance articulating the characteristics that justify protection. No such ordinance has ever been passed for 142 Wheeler. The HRI listing is administrative — based solely on age.

# NPS BULLETIN 15: 7 ASPECTS OF INTEGRITY — 142 WHEELER AVE

**NPS Bulletin 15 Definition:** "To retain historic integrity a property will *always possess several, and usually most*, of the aspects. Historic properties either retain integrity or they do not."

**6 FAILED · 1 PASSED — Paramount: Design, Materials & Workmanship are completely unrebuted. Property cannot convey its 1920 significance.**

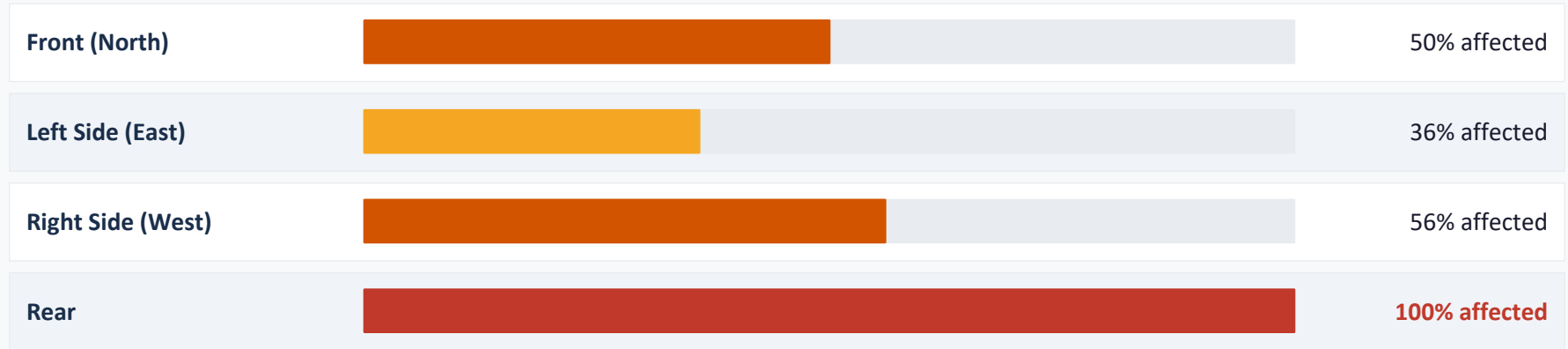
#	Aspect	Status	NPS Definition (Bulletin 15)	142 Wheeler — Finding
1	Design	FAILED	The combination of elements that create the form, plan, space, and style of a property.	★ PARAMOUNT. Original 1928 structure: simple rectangular plan. Current: 1,181 sq ft, irregular L-shaped footprint with additions on every elevation. <b>The original form, scale, and floor plan are fundamentally and irreversibly transformed</b>
2	Materials	FAILED	The physical elements that were combined or deposited during a particular period of time.	★ PARAMOUNT. Physical analysis documents a mix: original shingle siding (pre-war) survives on portions of the original structure, while <b>post-war Fortifiber 2-ply paper (1960s) and non-original wood siding dominate the additions that now comprise the majority of the 1,181 sq ft structure.</b>
3	Workmanship	FAILED	The physical evidence of the crafts of a particular culture or people during any given period.	★ PARAMOUNT. <b>The 1941 Tax Assessment rated construction quality as 'Cheap'</b> - confirming no distinctive artisan craftsmanship existed. Foundation analysis documents <b>significant alterations throughout</b> both building perimeter and interior, further obscuring any original construction methods.
4	Feeling	FAILED	A property's expression of the aesthetic or historic sense of a particular period of time.	Some original fabric survives on the front, but scale and mass are fundamentally transformed: 553 sq ft (1941 Tax Assessment), -> now 1,181 sq ft. Documented porch/stair addition and alterations on every elevation. <b>Applying the Town's own litmus test: would a person familiar with the property before modification recognize it today? The answer is no.</b>
5	Location	PASSED	The place where the historic property was constructed or the historic event occurred.	Passes. Property has not been relocated. One passing aspect out of seven does not meet Bulletin 15's 'several, and usually most' standard.
6	Setting	FAILED	The physical environment of a historic property — character of the place in which the property played its historical role.	<b>This is house is not in a historic district.</b> The Town's own <b>HRI removal approvals at 125 and 136 Wheeler</b> confirm those structures no longer contribute historic character to this street. A setting cannot be historically intact when the neighboring properties have been formally determined to lack historic significance.
7	Association	FAILED	The direct link between an important historic event or person and a historic property.	No documented link to any significant historic event or person. Age alone does not constitute association.

# PHYSICAL EVIDENCE OF LOST INTEGRITY — FINDING #5

Original 1928 Home → 553 sq ft (1941 Tax Assessment) → 1,100+ sq ft today (*structure doubled*)

*The structure has been permanently doubled through unpermitted additions across multiple decades, destroying its historic form.*

## Facade Impact Analysis (per survey prepared by Giuliani & Kull-San Jose, Inc. )



**Building Paper:** Post-war Fortifiber 2-ply (1960s) throughout — confirms construction well after the 1920 period.

**Foundation:** Mixed pre-war, CMU, and post-war poured types confirm extensive structural modification across multiple decades.

**Quality Rating:** 1941 Tax Assessment officially classified construction as 'Cheap' — the government's own record confirms no historic material significance.

# PRECEDENT: FOUR REMOVALS — SAME STREET AND NEARBY

Four properties on Wheeler Avenue and nearby streets were removed from the HRI under identical criteria. Consistency in Town policy requires the same result for 142 Wheeler Ave.

## 125 Wheeler Avenue

APPROVED (2016) — Removed from HRI

### Town's Basis:

Formal removal request approved. Determination: home lacked sufficient architectural merit and historic context.

### Why This Controls:

Same street. Same pre-1941 classification. No architectural merit. The outcome must be consistent with 142 Wheeler Ave.

## 122 Whitney Avenue

APPROVED (2017) — Removed from HRI

### Town's Basis:

Removal granted on the basis that the structure lacked sufficient historical context and did not meet the criteria for continued HRI listing.

### Why This Controls:

Nearby street. Same era, same classification. If Whitney Avenue qualified for removal, 142 Wheeler Ave meets the identical standard.

## 136 Wheeler Avenue

APPROVED (2020) — Removed from HRI

### Town's Basis:

Previous alterations had heavily impacted the integrity of the residence, making preservation enforcement illogical. Second-story addition (1971) cited as key integrity loss.

### Why This Controls:

This is precisely the argument for 142 Wheeler. If the Town accepted it at 136 Wheeler next door, it cannot logically reject it here.

## 16805 Loma Street

APPROVED (2025) — Overturned on Appeal

### Town's Basis:

HPC removal was overturned on appeal by the Planning Commission — confirming the appeal process works and that the Commission independently reviews HPC decisions.

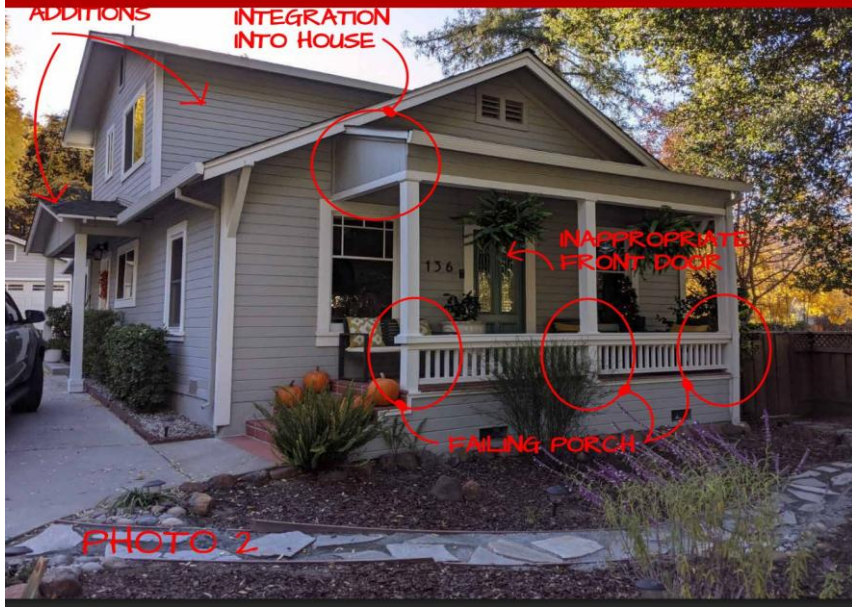
### Why This Controls:

Establishes that this Planning Commission has authority and precedent to overturn HPC. The same result is appropriate for 142 Wheeler Ave.

## SIDE-BY-SIDE COMPARISON: SAME STREET, SAME CRITERIA

136 WHEELER AVE (next door) — REMOVED 2020 (PRECEDENT)

136 WHEELER AVE ☒ REMOVED 2020 (PRECEDENT)



142 WHEELER AVE — TONIGHT'S CASE



**FINDING #5:** Both properties show tacked-on additions, altered porches, mismatched materials, vinyl windows — 136 Wheeler was removed. The same standard applies to 142 Wheeler.

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