

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING AN APPLICATION TO DESIGNATE THE WINSOR TANK HOUSE AS A CITY CULTURAL RESOURCE**

**WHEREAS**, the City of Milpitas is a place of rich historical and cultural heritage; and

**WHEREAS**, in order to safeguard important structures and sites for future generations of Milpitas residents, Title XI, Chapter 4 of the Milpitas Municipal Codes permits the City Council to designate certain improvements and buildings as “cultural resources” worthy of preservation and protection, after the receipt of certain findings and recommendations from the Milpitas Parks, Recreation and Cultural Resources Commission (PRCRC) and the Milpitas Planning Commission; and

**WHEREAS**, an application was submitted to the City to designate the Winsor Water Tank House (“Winsor Tank House”) as a cultural resource. The Winsor Tank House is located on City-owned property (APN: 28-24-044) on the east side of Winsor Avenue, just north of the Calaveras Boulevard/State Route 237 overpass in Milpitas, California. The structure lies within the Institutional District zone with a Site and Architectural Overlay and is on the same parcel as the Milpitas Library; and

**WHEREAS**, documentation and research submitted in support of the application indicate that the Winsor Tank House was originally built by Tom and George Winsor, descendants of pioneer Milpitas settlers John and Catherine Winsor, in the 1920s. The structure was part of a blacksmith shop that provided services for villagers and travelers on the historic Oakland Road. The Winsor Tank House is the sole surviving structure from the historic blacksmith shop complex; and

**WHEREAS**, after holding a duly noticed public hearing on April 5, 2010, the PRCRC recommended that the City Council officially designate the Winsor Tank House as a cultural resource and directed City staff to forward the application to the Milpitas Planning Commission for further action; and

**WHEREAS**, on May 12, 2010, the Milpitas Planning Commission reviewed the application and found the application to be in conformance with the Milpitas General Plan, the Midtown Specific Plan, and local zoning requirements, and recommended presentation of its findings along with the cultural resource application to the City Council.

**NOW, THEREFORE**, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The Winsor Tank House meets the criteria set forth in MMC XI-4-7.00 for designation as a cultural resource in that it: (A) exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, or architectural history; (B) is identified with persons or events significant in local, state, or national history; and/or (C) embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship.
3. The project is exempt from CEQA pursuant to Section 15061(b)(3) because the project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The designation of the structure as a cultural resource merely helps preserve and protect existing structures and conditions and will not have a significant impact on the environment.

4. The City Council hereby approves the application and designates the Winsor Tank House as a cultural resource under Chapter 4, Title XI of the Milpitas Municipal Code.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Robert Livengood, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J. Ogaz, City Attorney

**Milpitas Historic Site Survey Form**  
**State Office of Historic Preservation (Form DPR 523)**

**HISTORIC RESOURCES INVENTORY**

**IDENTIFICATION**

1. **Common Name:** Winsor Water Tank House
  
2. **Historic Name:** Winsor Blacksmith Shop
  
3. **Street or rural address:** East side of Winsor Avenue north of the  
Calaveras Boulevard/SR 237 Overpass  
County: Santa Clara
  
4. **Parcel Number:** 28-24-44
  
5. **Present Owner:** City of Milpitas  
455 E. Calaveras Blvd.  
Milpitas, CA 95035
  
6. **Present Use:** None  
**Original Use:** Blacksmith Shop Water Tank

**DESCRIPTION**

**7a. Architectural Style:** Water Tank House

**7b. Briefly describe the present PHYSICAL CONDITION of the site or structure and describe any major alterations from its original conditions:**

A one-and-one-half story water tank house constructed of redwood timbers with a flat-top tar and gravel roof. Water tank formally on top of structure is no longer present.

**8. Construction Date:** Estimated 1920

**9. Architect:** Unknown

**10. Builder:** Unknown

**11. Approximate Property Size:**

**Frontage:** 15 feet

**Depth:** 15 feet

**Approximate acreage:**

**12. Date of Enclosed Photograph(s):**

Attachments A, B, C - January 15, 2010

**13. Condition:**

**Excellent (X)      Good ( )      Fair ( )      Deteriorated ( )**

**14. Alterations:** None noted

**15. Surroundings: (Check more than one if necessary)**

**Open Land ( )**

**Scattered Buildings ( )**

**Densely Built Up ( )**

**Residential (X)**

**Industrial (X)**

**Commercial ( )**

**Other:**

**16. Threats to Site:**

**None known (X)**

**Private Development ( )**

**Zoning ( )**

**Vandalism ( )**

**Public Works Project ( )**

**Other:**

**17. Is the structure:**

**On its original site? ( )**

**Moved? (X)**

**Unknown? ( )**

**18. Related Features:**

## **SIGNIFICANCE**

### **19. Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site):**

The Winsor Blacksmith Shop Water Tank House was built by Tom and George Winsor, descendents of pioneer Milpitas settlers John and Catherine Winsor, in the 1920's. They provided blacksmithing services for the village and the travelers on the Oakland Road. The building was listed on the 1930 Sanborn map as "Blacksmith and Wood Works", so presumably they were also engaged in woodworking. The Water Tank House is the sole surviving structure from the blacksmith shop.

### **20. Main theme of the historic resource:**

Economic/Industrial (1) and Architecture (2)

### **21. Sources (List books, documents, surveys, personal interviews and their dates):**

Loomis 1986

Sanborn map 1930

### **22. Date form prepared:** April, 2010

**By:** Aaron Bueno, Parks and Recreation Services Supervisor  
Steve Munzel, Consultant, PRCRC Chairperson

**Organization:** City of Milpitas  
Parks, Recreation, and Cultural Resources Commission

**Address:** 455 E. Calaveras Blvd.  
Milpitas, CA 95035



## MILPITAS PLANNING COMMISSION AGENDA REPORT

### NEW BUSINESS

Meeting Date: May 12, 2010

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**APPLICATION: GENERAL PLAN CONFORMANCE**

**APPLICATION  
SUMMARY:**

Consideration of a request to designate the Winsor Tank House as a Cultural Resource and recommendation of a finding for conformance with the City's General Plan, Midtown Specific Plan and local zoning.

**LOCATION:**

Winsor Street North of Highway 237 (APN: 28-24-044)

**APPLICANT:**

City of Milpitas, 455 E. Calaveras Blvd., Milpitas, CA 95035

**OWNER:**

City of Milpitas, 455 E. Calaveras Blvd., Milpitas, CA 95035

**RECOMMENDATION:**

**Staff recommends that the Planning Commission:  
Adopt Resolution No. 10-023 recommending that the City Council find that designating the Winsor Tank House as a cultural resource is in conformance with the City's General Plan, the Midtown Specific Plan and local zoning.**

**PROJECT DATA:**

General Plan/

Zoning Designation: Public Facilities (PF)/Institutional (I)

Overlay District: Site and Architectural (-S)

Specific Plan: Midtown Specific Plan

CEQA Determination: Exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines

**PLANNER:**

Sheldon S. Ah Sing, Senior Planner

**ATTACHMENTS:**

- A. Resolution No. 10-023
- B. Historic Site Survey Form (DPR 523)
- C. PRCRC Meeting Minutes April 5, 2010
- D. Winsor Tank House photographs

# LOCATION MAP



No scale

**BACKGROUND**

At the January 4, 2010 Parks, Recreation and Cultural Resource Commission (PRCRC) Meeting, the Commission proposed and approved an effort to add the Winsor Tank House as an officially designated City of Milpitas Cultural Resource. The Commission has drafted a formal proposal for the addition of the Winsor Tank House as an officially designated Milpitas Cultural Resource. The designation of the Winsor Tank House follows the procedures set forth in Title XI, Chapter 4, Section 8 “Designation Procedures” of the Milpitas Municipal Code.

On April 5, 2010, the PRCRC held a public hearing and recommended that the City Council consider the designation of the project. In accordance with the Municipal Code, the purpose of this review is for the Planning Commission to provide a recommendation on the conformance of the project with the City’s General Plan, Midtown Specific Plan, and local zoning.

The City currently has 13 listed cultural resources, including structures and sites.

**PROJECT DESCRIPTION**

The project is located on the east side of Winsor Avenue north of the Calaveras Boulevard/SR 237 Overpass on the property owned by the City shared with the Santa Clara County Library. The property is zoned Institutional with Site and Architectural Overlay (I-S). Mixed Use (MXD) zoned properties lie to the north, west and south of the property, while Heavy Industrial (I) zoned property flanks the east. A vicinity map of the subject location is included on the previous page.

The Tank House was a part of the Blacksmith Shop Water Tank, which was removed to accommodate the new library parking structure. The Tank House was relocated to its present location adjacent to the Highway 237 overpass along Winsor Street (entrance to the library parking structure). The structure remaining was constructed around 1920 and is a one-and-one-half story water tank house constructed of redwood timbers with a flat-top tar and gravel roof. Water tank formally on top of structure is no longer present.



According to the Historic Site Survey Form, the Winsor Blacksmith Shop Water Tank House was built by Tom and George Winsor, descendants of pioneer Milpitas settlers John and Catherine

Winsor, in the 1920’s. They provided blacksmithing services for the village and the travelers on the Oakland Road. The building was listed on the 1930 Sanborn map as “Blacksmith and Wood Works”, so presumably they were also engaged in woodworking. The Water Tank House is the sole surviving structure from the blacksmith shop.

The structure is considered culturally significant because of its period of construction and architecture.

**ADOPTED PLANS AND ORDINANCES CONSISTENCY**

***General Plan***

The table below outlines the project’s consistency with applicable General Plan Guiding Principles and Implementing Policies:

**Table 1**  
**General Plan Consistency**

<b>Policy</b>	<b>Consistency Finding</b>
<i>4.f-I-1 Continue to maintain, rehabilitate, and restore City-owned historic buildings and sites.</i>	<b>Consistent.</b> The structure is located on City property. The designation of this structure further strengthens this policy.

***Midtown Specific Plan***

The structure is located within Midtown Specific Plan. The Specific Plan maintains the architectural and landscape elements that contribute to the identity and sense of history while requiring new developments to be harmonious with older structures.

***Zoning Ordinance***

The location of the structure is within the Institutional zoning district that encourages public and educational uses and ensures their presence as a vital part of neighborhood balance.

**ENVIRONMENTAL REVIEW**

The Planning Division conducted an initial environmental assessment of the project in accordance with the California Environmental Quality Act (CEQA). Staff determined that the project is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The designation of the structure as a cultural resource will not cause a significant impact to the environment.

**PUBLIC COMMENT/OUTREACH**

A public hearing was held on April 5, 2010 with the PRCRC. As of the time of writing this report, there have been no inquiries from the public.

**CONCLUSION**

The Winsor Tank House contributes to the significance as being a part of the blacksmith shop during a period of cultural significance. Designating the Winsor Tank House as a cultural resource is consistent with the General Plan and Midtown Specific Plan policies and goals of maintaining city-owned historically significant resources and is also consistent with local zoning requirements.

**RECOMMENDATION**

**STAFF RECOMMENDS THAT** the Planning Commission adopt Resolution No. 10-023 recommending that the City Council find that designating the Winsor Tank House as a cultural resource is in conformance with the City’s General Plan, Midtown Specific Plan and local zoning.

*Attachments:*

- A. Resolution No. 10-023
- B. Historic Site Survey Form (DPR 523)
- C. PRCRC Meeting Minutes April 5, 2010
- D. Winsor Tank House photographs

ATTACHMENT A

RESOLUTION NO. 10-023

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS, CALIFORNIA, FINDING THAT THE DESIGNATION OF THE WINSOR TANK HOUSE AS A CULTURAL RESOURCE IS IN CONFORMANCE WITH THE CITY'S GENERAL PLAN, THE MIDTOWN SPECIFIC PLAN, AND LOCAL ZONING REQUIREMENTS AND RECOMMENDING THAT THE CITY COUNCIL APPROVE THE CULTURAL RESOURCE DESIGNATION APPLICATION**

**WHEREAS**, on January 4, 2010, the Parks, Recreation and Cultural Resources Commission proposed and approved an effort to add the Winsor Tank House as an officially designated City cultural resource. This procedure follows the requirements of Title XI, Chapter 4, Section 8 "Designation Procedures" of the Milpitas Municipal Code. The property is located within the Institutional with Site and Architectural Overlay zoning district (I-S) (APN: 28-24-044); and

**WHEREAS**, on April 5, 2010, the Parks, Recreation and Cultural Resources Commission held a duly noticed public hearing on the subject matter, and considered evidence presented by City staff and other interested parties and recommended that the City Council consider designation of the structure as a cultural resource; and

**WHEREAS**, the Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and recommends that the Planning Commission determine this project is exempt from CEQA; and

**WHEREAS**, on May 12, 2010, the Planning Commission at a regularly scheduled meeting considered evidence presented by City staff, and other interested parties to assess the project's conformance with the City's General Plan and local zoning requirements.

**NOW THEREFORE**, the Planning Commission of the City of Milpitas hereby finds, determines and resolves as follows:

**Section 1:** The recitals set forth above are true and correct and incorporated herein by reference.

**Section 2:** The project is exempt from CEQA pursuant to Section 15061(b)(3) because the project is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The designation of the structure will not have a significant impact on the environment.

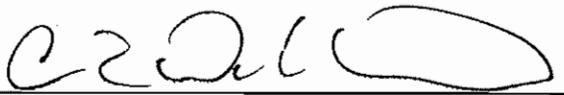
**Section 3:** The project is consistent with the City's General Plan Policy 4.f-I-1 (*Continue to maintain, rehabilitate, and restore City-owned historic buildings and sites*) in that the structure is located on City property. The designation of this structure would further strengthen this policy.

**Section 4:** The project is consistent with the Midtown Specific Plan Policy 5.7 (*Encourage the rehabilitation and adaptive re-use of designated buildings or features*) in that the tank house is part of a cultural resource that is specifically listed in the Midtown Specific Plan as an area for structural preservation and restoration. The designation also promotes Midtown Specific Plan Community Design Goal 1 (*Create an attractive district that is uniquely Milpitas*) by preserving a structure that underscores the area’s association as the historic heart and center of Milpitas.

**Section 5:** The project is consistent with local zoning requirements in that the tank house is located in an area zoned Institutional with Site and Architectural Overlay (I-S) and is associated with existing institutional library, public and educational institutions in the area. The project is also consistent with institutional zoning district and site and architectural overlay goals of promoting public and educational uses as a vital part of neighborhood balance.

**Section 6:** The Planning Commission of the City of Milpitas hereby finds that the designation of the Winsor Tank House as a cultural resource is in conformance with the City’s General Plan, the Midtown Specific Plan, and local zoning, and recommends that the City Council approve the cultural resource designation application, subject to the above Findings.

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the City of Milpitas on May 12, 2010.

  
Chair

**TO WIT:**

**I HEREBY CERTIFY** that the following resolution was duly adopted at a regular meeting of the Planning Commission of the City of Milpitas on May 12, 2010, and carried by the following roll call vote:

COMMISSIONER	AYES	NOES	ABSENT	ABSTAIN
Cliff Williams	X			
Lawrence Ciardella			X	
Sudhir Mandal	✓			
Gurdev Sandhu	✓			
Steve Tao	✓			
Noella Tabladillo	✓			

COMMISSIONER	AYES	NOES	ABSENT	ABSTAIN
Mark Tiernan	X			
Erik Larsen				