

# Outreach Summary and Comments Received

## Historic Preservation Ordinance and Register Update

### **Farmer's Market Pop-up event – October 16, 2022**

City staff attended one Sunday Farmer's Market to pass out fliers, spoke with residents who had questions about the Historic Preservation Ordinance and Register and collected input on current Ordinance and Register. Approximately 20 people approached staff at the event.

### **Virtual Community Workshop – September 6, 2022**

Staff held a virtual community workshop on September 6, 2022. There were 25 participants at the meeting. The meeting introduced the project's major tasks and seek input on history, most significant places, and any topics or themes that community members think are important and unique to the history of Mountain View.

### **Hybrid Community Workshop – October 30, 2023**

Staff held a hybrid community workshop on October 30, 2023. There were 11 participants in-person at the Library, and approximately 30 participants were attending the meeting online via Zoom. The meeting summarized the project's major tasks and seek input on the current ordinance, process, and any topics important and unique to the history of Mountain View.

The key questions were asked of the public:

1. What are your thoughts on the project goals?
2. What are your thoughts about the strategy for Downtown "Area H"?
3. What are your thoughts about including properties on the Register that would otherwise require City review?
4. What are your thoughts about surveying and including properties on the Register that would not otherwise require City review?
5. What are the benefits as a property owner if your property is designated historic?
6. What are the challenges of owning historic property? What could the city do to address those concerns?

Community members had many questions about the process and requirements. Some property owners raised concerns about excessive obligations and requested more transparency about who is affected and what they are allowed to do. More detail about the public input from the community meeting is provided below within each topic area.

Community members expressed the following concerns when presented with the various scope options:

- Property values could be affected by being designated as a historic resource
- single-family owners' rights to make additions and modifications to their houses would be affected.

**Detailed Received comments:**

- Give the historic property owners some benefits
- Financial effect on these property owners, a grant to help the owner
- Create a clear and transparent process
- The city could prepare a PEIR for routine, desirable modifications like solar panels and ADU's. This document would identify mitigation measures to be followed, so that owners would have more certainty in the planning process.
- Educating people about the incentives
- Important that we are doing this project to give Historic Preservation consideration
- Concerns about what it means to R1 homeowners (e.g., being told that additions or rebuilds aren't possible would be unfair) +1
- Would want to know the threshold for preservation
- Want regulations to be clear about what would need to be preserved (façade vs the entire shell, etc.); there should be flexibility in regulations
- Unsettled that the discussion focused on only DT (100-300 blocks) rather than citywide neighborhoods; concerns about State regulations impacting Eichler neighborhoods
- More protection on Eichler/Mid-century neighborhoods (e.g., neighborhood sought single-story Overlay Protection to ensure neighborhood's single-story character would be maintained)
- Good to focus on DT Historic Preservation, but also good to think about distinct neighborhood preservation
- In favor of restoring and preserving the character of downtown
- The Castro Ped Mall is a great idea; enjoy sitting under the trees and seeing the buildings
- Like historic nature but also a balance with property owner rights (allow for restoration, expansion in the back, modernization while preserving the historic nature)
- MV should be surveyed citywide to determine which properties are historic
- R1 property owners should be able to opt-in (so they can reap benefits but not be put on the register and then restricted to what they can do with their property)
- Eichler: preservation should be there to preserve the historic nature of neighborhoods, and should have regulations to protect a unique neighborhood
- HP is not necessary for neighborhoods that have a mix of architectural styles ~ mainly concerns about property owners being limited to expanding because someone else determined their house is historic
- These incentives are nice (but no amount of incentive would be adequate if it limits how much one can build, e.g., if you cannot do additions)
- Regulations should allow for modernization (specify what are minor vs. major modifications, such as increasing amperage and installing panels, etc.)
- Not going through additional review (e.g., minor mods won't require review) is not an additional benefit – benefit should be above and beyond regular homes

- Two sides to the issue; doing what we can to protect and preserve the historic character of our downtown
- Chase building: care about the mural and art inside, would not want it to “fall through the cracks” in terms of preservation
- National register eligible structures should be “high on the list”
- Have City support owners in preserving historic properties
- Maintain ground floor public interactive uses, downtown as an interactive community space
- Have a viable downtown
- Disappointment in owners of vacant downtown buildings; how can the City address vacancies
- More community spirit
- Would like to explore a downtown preservation district; unsure what that exactly means
- Less rigid definition of historic preservation; quantify definition
- City staff helping to promote vacant commercial spaces on the real estate market to elevate their visibility
- Impressed by past efforts by Economic Development to elevate visibility of opportunities to move into downtown vacant retail spaces; practical service by city staff
- Basically, on the right track; happy about the qualification of individual buildings
- Help set expectations in terms of study results being available to Council; saves time
- Important to look at both the individual buildings and the district as a whole
- Maintaining the ground floor public vibrancy
- Mountain View is not listed as a Mills Act city
- On main webpage, have information about Mills Act (incentives & procedures)
- Would be nice to exactly know what the effect would be, specifics
- Adding some flexibility and/or encouraging homeowners to include properties
- Some people want to preserve historic properties, while others feel limited in development if their property is considered historic
- Owners are concerned about when they sell
- Survey owners to determine their concerns

### Hybrid community Workshop – August 13, 2024

On August 13, 2024, staff held a hybrid community meeting to introduce and focus on the Historic Context Statement. Three participants attended the meeting in person at City Hall, while seventeen joined via Zoom. P&T and staff gave a presentation, mostly focusing on the Draft Historic Context Statement document. The Draft HCS is available on the City’s website, and comments will be accepted on the draft document until Monday, September 9, 2024.

Here is the summary of the comments and questions raised at the meeting:

- Why did City only identify three buildings in Castro to be eligible for National/State nominations? Please review the other five buildings again.

- How can I remove my house from the Mountain View Historic Register on its listing anniversary?
- Opted-off properties from the Register are still on a separate list, which creates confusion regarding the process. Providing clarity is important.

Some community members offered the following suggestions:

- Educate property owners about the advantages of being included on the Register.
- Provide flexibility to encourage property owners by providing more incentives and benefits for historic properties.
- Create a grant program to help the historic resources owners with the costs of maintaining their property.
- Would like a voluntary approach for property owners to nominate their properties or create a district.

In general, community members were supportive of the proposed Downtown approach. It was suggested to balance preservation with property owner rights (allow for restoration, expansion in the back, and modernization while preserving the historic nature).

Some concerns were received regarding the higher costs of maintenance of these historic buildings that might create hardship for businesses.

### Virtual Q&A, August 25, 2025

On August 25, 2025, the project team held a virtual presentation and question-and-answer session. Seventy-seven community members attended the meeting.

Questions included the following:

- Whether ADUs can be built
- Follow-up questions about various incentives
- Property owners' responsibility for CEQA
- How to provide comments/edits to draft DPR forms
- Effect of AB 130 on CEQA review of historic properties
- Various questions about the eligibility list
- If previously opted off, can they opt back on?
- Will the project designate districts or neighborhoods?
- How will the Sept 3 workshop be different?

### Community Workshop – September 3, 2025

On September 3, 2025, the City held an in-person workshop to discuss the potential next steps for the Ordinance, which was attended by approximately 20 community members.

### **Question 1: Property Expectations**

- Commercial properties become underutilized when registered on the list.
- Interested in seeing the disqualification analysis for properties that were eligible but not designated.
- History is not necessarily individual structures, but a collection.
- Interested in the Historic or Heritage District designation process.
  - Concerns about contributing vs. non-contributing historic buildings. What is the threshold of owner support for district designation? What is the impact on non-contributing buildings?
- Fear of designation has grown from the current process and barriers to construction that current historic owners have faced.
- Interested in a process for the community to send in suggestions and nominations for designation.
- Impact of SB 79 – The bill currently only protects the Local Register. How can the city protect historic resources in areas around transit, like Downtown?
- Districts may have different eligibility requirements. Height and massing may be more impactful than materials on the district scale.
- Glad to see that 492 Castro St is among the properties listed on the handout.
- It is important to apply criteria for eligibility uniformly, regardless of how one might feel about the subjective aesthetic quality of a building.
- It is important to capture the context of an area and not just the building itself. Important to capture the setting as well, importance of resource should be captured by the context.
- “You should want to visit a historic resource – looking at the list, there are some I wouldn’t say are desirable to visit.”
- Of the list of buildings shown, how many are related to an important historical figure? “How can we capture the importance of historical people vs the design of the building?”
- The city should work with Mountainview Historical Society to promote and educate the public on historic resources through plaques, digital resources, or an app that links historic resources together.

### **Question 2: Nomination and Listing Processes**

- Historic Register can stunt the development and trading of properties.
- Constricts the value of properties as they are further in options for development and ultimately uses.
- Would like further clarification on points of evaluation for what considerations are taken for determining registered properties.
- Interested in a heritage zoning overlay for Downtown.
- Interested in heritage sign or marker program. Pacific Grove is an example program.
- Properties listed on the national register should automatically be added to the local register.
- Clarification of CEQA connection: Those who opted off may not know they are still subject to CEQA.

- Supportive of Mountainview establishing a Historic District.
- “A challenge for property owner is assessing financial impact of this process, so create more resources for property owners to understand impacts in a tangible way.”
- Provide clarity around the Mills Act processes
- “The city should concern itself with educating the population about non-physical historical resources too.”

### **Question 3: Development Review Processes**

- Further clarification is needed on what triggers CEQA and how the historical register may affect the CEQA analysis.
  - General clarification on CEQA triggers from the Planning Division is needed.
- Like the tiered permit structure (minor, major, etc.) if it can help identify the need for an Environmental Report.
- The process incentivizes honoring the city’s history.
- Request that hard copies of the Historic Context Statement be made available at the Planning Counter and library. This document is useful for the City and the community.
- More transparency around designation. Interested in a “How-to” document for the historic permitting process, designation process, and details about how owners will be impacted by designation/eligibility.
  - Timelines, checklists, expectations for owners
- Should we have a historic resources committee?
  - This would be a body in power to promote education of history/allocation of resources, would have a budget, and some discretion over staff
  - Would have qualified people serve on this body.
- The new ordinance update should include a process for creating plaques or markers for historic resources.
- “The new review process to determine level of authority by scope of work seems logical as well as it is well-defined. “
- Financial clarity for property owners, commercial, and residential taxes.

### **Question 4: Incentives and Concerns**

- Interested in learning options for opting out of the register.
  - Some frustrations with the disconnect between the City’s and State’s registers.
- At the same time, enjoyed the idea of the Mill’s Act benefits.
  - Mostly had questions on this point. The table mostly discussed non-renewal on anniversaries.
  - Did not discuss rescission. May need to make it clearer to the public the consequences of early cancellation.
  - May have gotten lost in whether we were discussing opting out of the Mill’s Act or the register itself.
- Tension between the priorities of individual buildings and district preservation.

- Homeowners are interested in preserving neighborhood character but still would like to make minor changes that don't impact the look and feel of the building, such as rear additions.
- Looking for more transparency around tax rebates for those on the list. Many opted off the list, not knowing there is no incentive to opt off.
- Interest in design guidelines for historic districts.
- Interest in historic resources training for City staff and/or Council to ensure informed decisions.
- Create Markers to encourage pride/ownership of historic resources.
- Provide property owner assistance in finding consultation for maintenance resources. "Structural engineer" expert, or "Certified Handyman".
- The Mills Act is helpful for maintenance but does not cover the full cost for major renovations.
- A few individuals wanted assistance in interpreting the Mills Act.

**From:** [REDACTED]  
**To:** [Kerachian, Elaheh](#)  
**Subject:** Identification of 696 California Street as historic resource  
**Date:** Monday, August 25, 2025 1:57:21 PM

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Hello Elaheh,

I was surprised to receive the August 11, 2025 letter from the City of Mountain View identifying my property at 696 California Street again as a potential historic resource.

I reviewed the information from the 2024 "windshield" Page & Turnbull survey available on the city website and found some of the information incorrect or outdated. The property was originally listed on the Mountain View Register but was removed later at my request after a catastrophic house fire in April of 2011. After a two year almost complete rebuild it was determined that the house no longer had sufficient historic integrity. (Please see a few attached photos)

Who would I contact with additional photos and information to help make a determination that 696 does not retain enough its original features and materials for listing? I realize that sufficient integrity is subjective but a very small percentage of 696 California Street in design or materials is older than 2012.

Thank you for your help with this matter.

Suzette Spencer  
[REDACTED]



**From:** [Hala Alshahwany](#)  
**To:** [Kerachian, Elaheh](#)  
**Subject:** Input for Downtown Historic Designation  
**Date:** Wednesday, September 3, 2025 6:42:52 PM

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Hello Elaheh,

I was hoping to make it to the Historic Ordinance meeting tonight at the community center but unfortunately I'm not feeling well, so I'll give my input in this message.

I got a chance to review the city's list of potential residential and commercial buildings that may qualify for historic designation (locally or nationally). In particular my interest is on the following buildings which I extracted from the mentioned list.

- \*124 Castro, Weilheimer Store (Oren restaurant) built 1874
- \*134 Castro, (Chinese restaurant) built 1967
- \*169-175 Castro, Ames building, built 1904
- \*191 Castro, Mock Bee building (Eureka restaurant) built 1906
- \*198 Castro, Jurian building (Agave restaurant) built 1913-1921
- \*201 Castro, Farmers and Merchants building (Red Rock cafe) built 1905
- \*228 Castro, Mountain View Theater, built 1926
- \*292 Castro, Knight's Pharmacy (Icicles restaurant), built 1932
- \*655 Castro, Spanish style retail plaza, built 1930
- \*799 Castro, Spangler Mortuary, built 1931

I urge the city to include all the above buildings and designate them historic at least in the local ordinance, as soon as possible, because the housing state laws are ignoring the protection of these iconic structures when it comes to developments near the transit center (train) or public transportation corridor (El Camino). Clearly these buildings contain very unique Mountain View history and architectural beauty, adding great characteristics and uniqueness to our downtown. The sooner they are protected and designated historic, the more likely they will survive and continue to add richness and reasons for the public to continue coming to downtown.

I also appreciate all the residential buildings that were identified in the consultant report as potentially having historic significance. I urge the city to also protect these structures with historic designation, as they definitely enhance MV neighborhoods aesthetics and beauty. Let's keep MV unique and cherished.

Sincerely,  
Hala Alshahwany  
Old MV Neighborhood Resident

**From:** [Jonathan Davis](#)  
**To:** [Kerachian, Elaheh](#); [Anderson, Eric B.](#)  
**Cc:** [Lubab Sheet-Davis](#)  
**Subject:** Meeting Request - Historic Preservation  
**Date:** Tuesday, August 26, 2025 5:07:00 PM

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Hello Elaheh and Eric,

Thank you for the informative Zoom meeting last night on the Historic Preservation and Register Update.

We wish to request an in-person follow up meeting with both of you to:

- Share and discuss additional information about our property at 496 Mariposa Avenue that we believe may be relevant to the Draft Resource Evaluation Forms
- Clarify certain matters pertaining to the Mills Act
  - confirm info that was obscured by our spotty internet connection during the Zoom : (
- Seek guidance on issues pertaining to maintenance (structural integrity) of our property.
- Provide feedback on potential incentives.

You may know, our property (that was featured on one of your presentation slides) is currently on the Mountain View Historic Register and currently under Mills Act contract.

We'd be happy to have a representative(s) from Page & Turnbull participate - but that's your call.

Best days for us are Tuesday afternoons, Wednesdays or Thursdays,

We can come to your office or would be pleased to host the meeting here at the property, which is 7-block, 13 minute walk (or 3 min drive) from City Hall.

Thanks very much and kind regards,

Jonathan Davis  
Lubab Sheet-Davis



**From:** [Mark Lentczner](#)  
**To:** [Kerachian, Elaheh](#)  
**Subject:** our house on the historic survey  
**Date:** Monday, August 25, 2025 7:51:37 PM

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Elaheh —

Minor problem in the write up of our house, 1209 Villa St:

On page 3 of the draft "Primary Record" for the house the section "Continuation of B10" incorrectly has the address 1665 Villa. I'm assuming this is a cut-n-paste error, since the rest of that paragraph seems fine.

— Mark Lentczner,  
owner 1209 Villa St.

**From:** [Yulin Ye](#)  
**To:** [cityofmountainviewca\\_25-2193-requester-notes@inbound.nextrequest.com](mailto:cityofmountainviewca_25-2193-requester-notes@inbound.nextrequest.com); [Kerachian, Elaheh](#)  
**Subject:** Re: [External Message Added] City of Mountain View public records request #25-2193  
**Date:** Friday, September 5, 2025 7:52:24 PM

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Hi Elaheh,

Can we schedule an appointment with you on next Monday afternoon or Friday afternoon(preferably)

we want to know if we can do a remodel on the building (reduce the size of the building, build a garage next to it ect)

And we are planning to build 4 single family houses on the back of the parcel behind the house, any specific guidance we need to follow?

Thank you  
Yulin

[REDACTED]  
wrote:

-- Attach a non-image file and/or reply ABOVE THIS LINE with a message, and it will be sent to staff on this request. --

## City of Mountain View Public Records

A message was sent to you regarding  
record request #25-2193:

Thank you very much for your inquiry. In 2004, the City adopted the Historic Preservation Ordinance and initial Register of Historic Resources, which included 300 Chiquita Avenue. The ordinance included an option for property owners to remove their properties from the Register, and in 2005, the owner of 300 Chiquita Avenue did so. At this time, the property is on a list of known historic resources that are "off register". This means that

property owners are not eligible for benefits and incentives that would be available if they were on the Register, but may still be required to comply with State laws that are intended to protect known historic resources.

In 2022, the City Council directed staff to start working on updates to the Ordinance and Register. These updates are intended, in part, to address the inconsistencies between the local Register and State law as described above. The City Council directed us to reanalyze a broad range of properties Citywide (including multifamily properties like 300 Chiquita Avenue), and 300 Chiquita Avenue has been deemed eligible for the Register in this updated draft analysis. In the coming months, the City Council will provide additional direction about whether these sites should be officially added to the Register.

It would probably be best for us to meet with the property owner to clearly explain this process and answer any questions you/they may have. Please reach out to me to set up a time to meet.

Thanks again for reaching out. I look forward to speaking more with you on this issue.

**Elaheh Kerachian**  
**Senior Planner**

Community Development Department | Planning Division  
650-903-6526 | [MountainView.gov](https://mountainview.gov)

[View Request 25-2193](#)

<https://cityofmountainviewca.nextrequest.com/requests/25-2193>

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**From:** Carol Holsinger <[mvcc-carol@holsingerharps.com](mailto:mvcc-carol@holsingerharps.com)>  
**Sent:** Monday, August 25, 2025 8:07 PM  
**To:** Kerachian, Elaheh <[Elaheh.Kerachian@mountainview.gov](mailto:Elaheh.Kerachian@mountainview.gov)>  
**Subject:** 445 Calderon

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Hi Elaheh,

I attended the webinar regarding the Historic Preservation Ordinance and Historic Register. I write because I find the information on the Draft Intensive Survey Resource rather confusing.

445 Calderon, the Abbott/Bakotich House, is already on the Mountain View Register of Historic Resources. On the Draft Intensive Survey Resource Evaluation Form page, 445 Calderon is listed as being on the Register, but it uses 3 different addresses, which was quite confusing for the members of the Mountain View Cohousing Community (MVCC) which developed the property in 2014. Each owner received a letter about 449 Calderon which is a nonexistent address. Again, this was very confusing. I would suggest that the address used in the Register be the address in current use, which is #445.

If I didn't explain this well, please be in touch.

Thank you,

Carol Holsinger  


**From:** [Leslie Friedman](#)  
**To:** [Kerachian, Elaheh](#)  
**Subject:** Re: Historic homes  
**Date:** Thursday, September 11, 2025 11:51:32 AM

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Hi, Ela,

Thank you for your message and for forwarding the information to P&T.

I wonder if you might be able to tell me what steps a person should follow. At the meetings I have attended, I confess I find the various situations for buildings or homes confusing. How does one start the process?

Is there something somewhere I should be looking at? Or would you have time to tell me in person or over email how to begin and maybe how to proceed? What ever works for you. I am recovering from a back injury, but hope to be more mobile soon.

Thank you so much,  
Leslie

Leslie Friedman, Ph.D., History, Stanford University

**Dancer:** "with her strong technique and capacity for expression she was simply a joy to watch!"—*The Times*, London

**Author:** *The Dancer's Garden*, "I love it. It is a perfect book, in conception and execution....a marvelous writer..." Diana Ketcham, *House & Garden*, Editor; Books Editor, *The Oakland Tribune* (ret)

"There is so much delight and poetry and wisdom to be found in the garden and in this book!" Sharon Abe, CA Academy of Sciences (ret)

*The Story of Our Butterflies: Mourning Cloaks in Mountain View*, "This is a wonderful book. I look forward to sharing it with the rest of our staff here." Joe Melisi, Center for Biological Diversity, (national conservation organization)

"Leslie Friedman is an historian, a dancer and choreographer, and now a perceptive writer about nature...in a second splendid work she takes wing into the world of butterflies...One is grateful for this delightful book, so well written and illustrated." Peter Stansky, Author, Historian, Prof. Stanford

On Thursday, September 11, 2025 at 11:29:44 AM PDT, Kerachian, Elaheh <elaheh.kerachian@mountainview.gov> wrote:

Hi Leslie,

Thanks for providing the information. I forwarded the information to P&T. I will update you as they provide feedback and updates to me. Feel free to contact me anytime.

Thanks,

Ela

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**From:** Leslie Friedman [REDACTED]  
**Sent:** Thursday, August 28, 2025 12:40 PM  
**To:** Kerachian, Elaheh <elaheh.kerachian@mountainview.gov>  
**Subject:** Historic homes

**CAUTION: EXTERNAL EMAIL** - Ensure you trust this email before clicking on any links or attachments.

Hello, Ms Kerachian,

Thank you for the good meeting we had on the 25th.

I would greatly appreciate some of your time to learn what I could do to get attention to this very old house.

You may or may not remember the other part of the importance of the house. An artist has lived in this house since 1974. His work is in important museums around the US and other countries. The work has been done in his studios behind the house in Mountain View.

Please let me know if I could meet you before the next meeting on Sept. 3.



Thank you for your kind attention to this request.

Yours truly,

Leslie Friedman

Leslie Friedman, Ph.D., History, Stanford University

**Dancer:** "with her strong technique and capacity for expression she was simply a joy to watch!"—*The Times*,  
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**Author:** *The Dancer's Garden*, "I love it. It is a perfect book, in conception and execution....a marvelous writer..."  
Diana Ketcham, *House & Garden*, Editor; Books Editor, *The Oakland Tribune* (ret)

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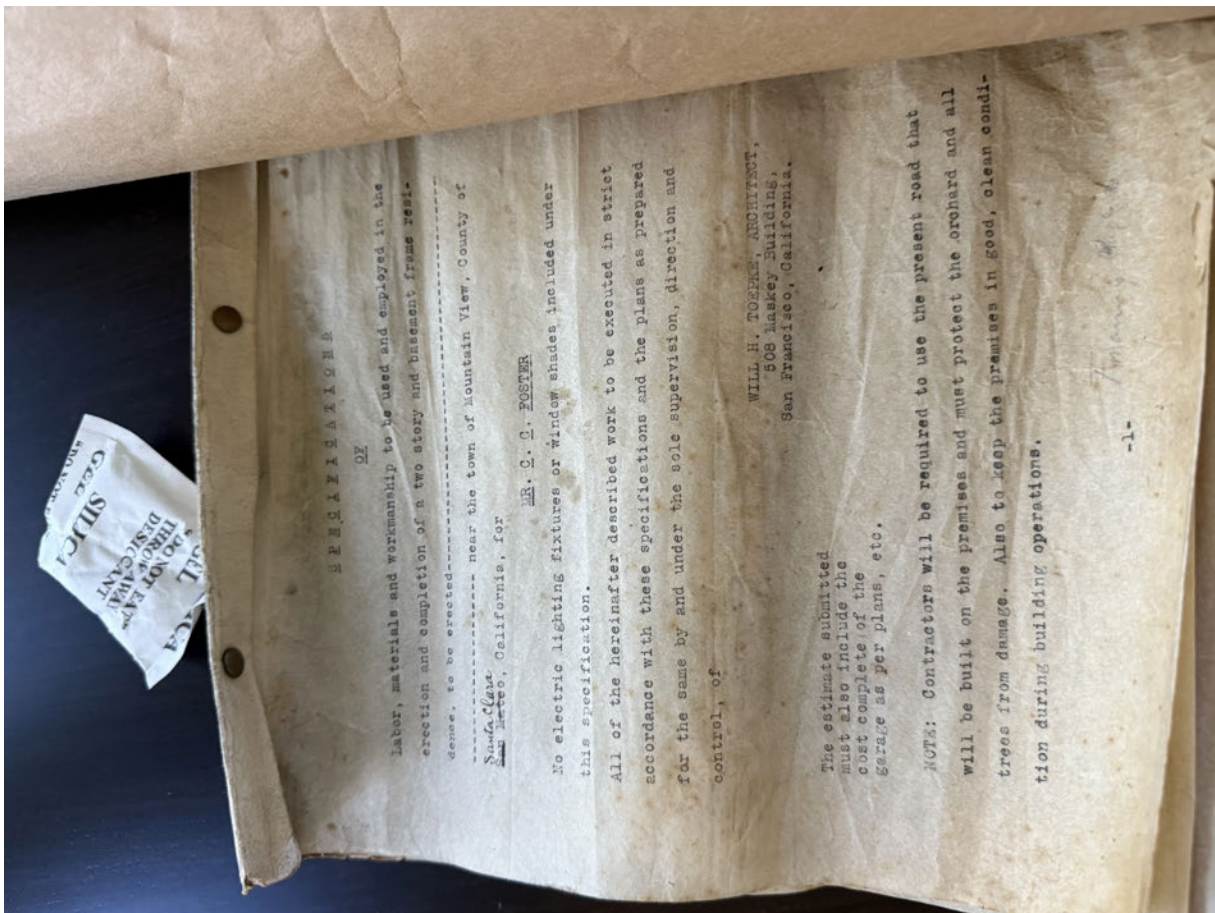
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**From:** [Laura DeBacker](#)  
**To:** [Kerachian, Elaheh](#)  
**Subject:** Re: Historic Property on Lloyd Way  
**Date:** Wednesday, August 20, 2025 3:35:24 PM

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Hey Ela,

Here is a screen shot of the architect spec for the house. :) We also have the blue prints. So cool



[Sent from Yahoo Mail for iPhone](#)

On Wednesday, August 20, 2025, 1:35 PM, Laura DeBacker <laura.debacker@yahoo.com> wrote:



[Sent from Yahoo Mail for iPhone](#)

On Wednesday, August 20, 2025, 1:21 PM, Kerachian, Elaheh  
<elaheh.kerachian@mountainview.gov> wrote:

Hi Laura,

Thanks for contacting me. Please feel free to share your information with me. I am managing this project.

Thanks,  
Ela

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**From:** Laura DeBacker [REDACTED]  
**Sent:** Tuesday, August 19, 2025 4:29 PM  
**To:** Kerachian, Elaheh <elaheh.kerachian@mountainview.gov>  
**Subject:** Re: Historic Property on Lloyd Way

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Hi again - just thought I'd check in. I've looked through some of the documentation and can't see who else to contact to give more details on our house. Please let me know at your earliest convenience and thank you. Unfortunately I am unable to attend the upcoming meeting.

Thanks again,

Laura

[Sent from Yahoo Mail for iPhone](#)

On Friday, August 15, 2025, 2:29 PM, Laura DeBacker  
[REDACTED] wrote:

Hi Elaheh,

My husband and I are the owners of 1655 Lloyd Way and have gotten information on the Preservation and Ordinance update. In looking at the draft evaluation of our

house, I'm excited to say that I have more information on the origin and owners! Is there someone you could put me in touch with to give more details? I have the original blue prints as well as the complete design spec from the architect which is pretty fascinating. The architect actually designed the Flat Iron Building in San Francisco (William H. [Topeka](#))

I'd love to see this house get more recognition as it is so cool. Not sure the process to add it to a California registry as well?

Anyway, let me know thoughts and THANK YOU!

Laura

9/20/2025

To Whom It May Concern:

We were very saddened to hear that our home at 336 Mariposa Avenue was found to no longer qualify for historic designation following the City of Mountain View's recent historical assessment.

We have been residents of Mountain View for 13 years. We built our lives and careers here, and have started raising our three children here. When Covid hit in the spring of 2020, we decided to explore what it would take to purchase a house with space and a yard for the kids. During our house hunt we were surprised and delighted to discover the house at 336 Mariposa. Not only did it have the space we were looking for, but it also had a charm and history that captured us.

We put a great deal of thought into the decision to purchase a historical property, researching the Mills Act and the house. We understood the responsibility we were taking on to keep the home well maintained and true to its Craftsman style. We heavily deliberated on whether we could afford it, but ultimately found the property tax benefits enabled us to make the numbers work.

Losing our Mills Act contract will increase the cost of home ownership for us by 35%-40%<sup>1</sup>, a very large and unexpected change to our family expenses. Interest rates have also increased significantly since we got our mortgage in 2020, making moving to a new home within Mountain View, especially within the kids' school zone, a difficult financial proposition.

Given these factors, we appreciate that the City is considering a grace period. We ask that a 10-year grace period for our home be considered. That period would allow our 3 kids (currently in 2nd and 3rd grade at Landels Elementary) to continue with their peer group, while giving us time to see if our careers can grow to support the continued ownership of our home.

In addition, we understand the City is clarifying the rules regarding which exterior modifications are exempt from detailed review. As a party who has been in active discussions with the city for 5 years regarding the relocation some non-historic exterior windows and doors on the rear (non-public-facing) side of the house, we believe it would be helpful to distinguish non-public facing elements with low historical value from those that are essential to the public, historic character of the house.

Thank you for your time and consideration,



Alyssa and David Garver

336 Mariposa Avenue, Mountain View CA

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<sup>1</sup> In 2024, we paid \$129,408 in mortgage and \$5,513 in property tax. If we estimate a 1.25% effective property tax at the 2020 purchase price, that would be \$52,750.  $(129408+52750)/(129408+5513) - 1 = 35\%$  increase. If the assessed value includes a retroactive compounded 2% yearly appreciation since the purchase date, this number will be ~39.1% increase.

**From:** [REDACTED]  
**To:** [Kerachian, Elaheh](#)  
**Subject:** 134 Castro St. Historic Status Comments  
**Date:** Friday, September 26, 2025 12:46:54 AM

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**CAUTION:** EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Dear Planning Division Members,

We are writing in regard to the proposed designation of 134 Castro Street as a historic resource. We received the City's notification only 10 days ago and missed the community meetings that were held.

Since, its construction 58 years ago, the property, as described in the consultant's report, has never experienced any historical event. It has no association with notable figures, nor does it hold significant ties to Mountain View's Chinese-owned business community. The building's material is standard and overall craftsmanship is basic. Interior and exterior design do not reflect any historic style or unique features. In fact, a few years ago, renowned Chinese designer Liang Zhiming reviewed the property on-site and gave it a negative design assessment.

Historic designation would place unnecessary restrictions on the property. It would reduce the property's value, limit opportunities for future tenants and obstruct future renovations while providing no significant public benefit. If the building stays with the current appearance, that would be only fit for a Chinese restaurant and not appealing to other types of tenants. In addition, the building owners would like to reserve the right to do renovations in the near future to use the property for other types of businesses aside from Chinese restaurants.

With great respect for Mountain View's history and its preservation, we request the city to decline the designation of 134 Castro Street as a historic resource. Please let us know of any update. Thank you for your time.

Best regards,

Donna Ha, Audrey Ha, Elaine Yu, Kevin Ha, Sylvia Ha

**From:** [REDACTED]  
**To:** [Kerachian, Elaheh](#)  
**Subject:** Update for HP 696 California Street Object Record  
**Date:** Monday, September 29, 2025 4:15:58 PM

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**CAUTION: EXTERNAL EMAIL** - Ensure you trust this email before clicking on any links or attachments.

Hi Ela,

Per your request I am submitting some photos and information on the nomination of 696 California Street for eligibility on the MV Historic Register in advance of the October 1<sup>st</sup> EPC meeting..

Please see attached before fire, during remodel and after completion photos of property.

Please note that the current object record states 696 "is an exceptionally intact example that, while modest in scale, has several unique features that are characteristic of the style, including flared eaves, decorative shingling at the cornice and gable ends, tripartite arched wood vents in gable ends...". While remodeled to reflect that Queen Anne 1906 style most of the building has been rebuilt (except for the parts of the façade) during the remodel by a 2012 designer with current materials.

Complete replacement of roof, gutters, gables, windows, doors, foundation, skirt, electrical, front and back stairs, fireplace, plumbing and interior which all had to be upgraded to current building codes. The fireplace and brick stairs were not part of the original design.

The current object record states "The property retains all aspects of historic integrity and overall retains integrity for listing in the National Register and California Register." All aspects of integrity are defined as:

"Historical preservation integrity is the authenticity of a historic building's physical characteristics that convey its past importance, evaluated across seven aspects: location, setting, design, workmanship, materials, association, and feeling. The weight given to each aspect depends on why the property is significant, with, for example, location being crucial for a site significant for its association."

While 696 is in the same location its design and materials have been dramatically changed after the 2011 fire. After consulting with the MV Council members years ago, it was removed from the register. I still maintain it does not have sufficient integrity and age to be a MV historic resource.

Please let me know what the updated object record will say after Page & Turbull have evaluated my input and if they have any further questions.

Thank you,

Suzette Spencer

Owner 696 California Street

[REDACTED]

[REDACTED]



**From:** [Planning Division](#)  
**To:** [Kerachian, Elaheh](#); [Anderson, Eric B.](#)  
**Cc:** [Pancholi, Diana](#)  
**Subject:** FW: Additional comment on Item 5.1: Historic Preservation Ordinance and Historic Register Update: Ineligible properties  
**Date:** Tuesday, September 30, 2025 4:19:27 PM

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**From:** [REDACTED]  
**Sent:** Tuesday, September 30, 2025 4:15 PM  
**To:** [epc@mountainview.gov](mailto:epc@mountainview.gov)  
**Cc:** [REDACTED]  
**Subject:** Additional comment on Item 5.1: Historic Preservation Ordinance and Historic Register Update: Ineligible properties

**CAUTION:** EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

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Chair Gutierrez, Vice Chair Nunez, and Members of the EPC,

In addition to the letter written by Livable Mountain View, which we sent earlier today, we would like to add some comments about the five properties described as “ineligible properties” on pages 13-15 of the staff report. The staff report states: “Staff recommends developing a process whereby these properties have an opportunity to improve their integrity within five years before being removed from the MV Register. The property owners of these five properties would need to submit an application with an analysis showing that the improvements would return sufficient integrity to be eligible for continued listing in the MV Register. “

The architectural integrity of the building is not the sole criterion by which the historical status of the building should be judged. For example, the Rogers building at 142-156 Castro Street is historically significant because it was the site of Mountain View’s first post office. Furthermore, the building, which was constructed in 1894 and rebuilt after the 1906 earthquake, is an integral part of Mountain View’s historic retail district H. Allowing it to be demolished would destroy the look and feel of the core of that district. Furthermore, this property has already been granted Mills Act status. Removing that status without the consent of the owner could be viewed as a taking, subjecting the city to lawsuits. For these reasons,

we oppose revoking the building's Mills Act status.

As for the four other buildings, the staff report does not include enough information to determine whether their historic merits rise above the narrow characterization of historic status based on architectural integrity alone. More detailed analysis of these buildings, Mills Act implications, and related issues should be done by staff and the consultants before the EPC and council deems these buildings to be "ineligible properties".

Robert Cox and Louise Katz

**From:** [REDACTED]  
**To:** [Kerachian, Elaheh](#)  
**Subject:** 1051 W. El Camin  
**Date:** Friday, October 31, 2025 10:37:16 AM  
**Attachments:** [1065 ECR TWO LOTS.pdf](#)

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**CAUTION:** EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

**Subject:** Inquiry Regarding Historic Building at 1051 W. El Camino Real, Mountain View, CA 94040

Dear Ms. Kerachian,

I hope you are doing well. My name is [Hassan Zeraati](#), and I am the owner of the property located at **1051 W. El Camino Real, Mountain View, CA 94040**. I understand that this building has been identified as a historic structure.

I am currently in the early stages of planning a new development on this site and would like to confirm which portions of the existing building, if any, may be altered or demolished, and which portions must be preserved under the City's historic preservation requirements.

I have attached a copy of my preliminary building plans for your review. Could you please let me know:

1. Which parts of the existing structure are protected or must remain intact?
2. Whether there are any specific procedures or applications required before beginning demolition or renovation work?
3. If you are aware of any organizations or individuals who may be interested in relocating or taking ownership of the historic building (at no cost), as I would prefer to see it preserved if possible.

Thank you very much for your time and guidance. I look forward to your response and any next steps you recommend.

Warm regards,

[REDACTED]

Mountain View, CA 94040



**GROOM & CAVE, LLP**

Attorneys At Law  
A Limited Liability Partnership Comprised Of Law Corporations

THOMAS R. CAVE, ESQ.  
tcave@groomandcave.com

1570 The Alameda, #100  
San Jose, CA 95126

Tel: (408) 286-3300  
Fax: (408) 286-3423

November 21, 2025

Via email ([city.clerk@mountainview.gov](mailto:city.clerk@mountainview.gov)) and Certified Mail

City Council, City of Mountain View  
c/o City Clerk, City of Mountain View  
500 Castro Street  
Mountain View, CA 94039-7540

Re: December 9, 2025 Historic Ordinance Update Meeting

Dear Councilmembers:

This office represents The 799 Castro Limited Partnership and the Spangler family with respect to the property located at 799 Castro Street, Mountain View, California.

On November 19, 2025 our client received the attached letter dated November 17, 2025 notifying our client for the first time that a hearing is taking place on December 9, 2025 to consider a “draft list of historic resources and ordinance update strategies”. Upon reviewing the City’s website information relating to the matter, it became evident that our client’s property located at 799 Castro Street, Mountain View, California has been identified as a property to be considered to be placed on the Historic Register list.

I note that the City’s webpage entitled Historic Preservation and Register Update states: “*A Draft Survey Methodology Report and Draft Intensive Survey Resource Evaluation Forms (Eligible Private Properties Only) are available for public review. We will accept comments on these documents until December 1, 2025.*” Please also note that the City’s letter to property owners was delivered just one week before Thanksgiving and sets a hearing for the period between Thanksgiving and Christmas making it extraordinarily difficult for any property owner to intelligently gather appropriate information and respond accordingly.

Needless to say, whether our client’s property is placed on the Historic Register list has a significant impact upon our client and it is only reasonable and appropriate that our client has a reasonable opportunity to review the facts and recommendations of the City in this regard and that our client be provided a reasonable opportunity to comment on this matter. Certainly, a period of a mere 12 calendar days to review, digest and comment on this significant matter cannot be reasonable. At this time, without having the time to appropriately investigate the matter, we must object to our client’s property be under consideration for the Historic Register list.

It is respectfully requested that the City postpone the December 9, 2025 hearing and

November 21, 2025  
City Council, City of Mountain View  
c/o City Clerk, City of Mountain View

allow my client a reasonable time to obtain the appropriate recommendation of experts in this field and comment on this matter.

Sincerely,

GROOM & CAVE, LLP

*Thomas R. Cave*

Thomas R. Cave, Esq.

cc: Mtn. View Community Development Dept  
via email ([community.development@mountainview.gov](mailto:community.development@mountainview.gov))

Mtn. View City Attorney via email ([cityattorney@mountainview.gov](mailto:cityattorney@mountainview.gov))

Mr. Martin James Spangler



Outlook

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**our downtown, please vote to save it**

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**From** Ann Kapoun <[REDACTED]>  
**Date** Mon 12/1/2025 8:08 AM  
**To** City Council <City.Council@mountainview.gov>

**CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.**

Hello City Council,

Protecting Mountain View's downtown commercial district by placing it on the local historic register is how we honor the places that have shaped us—and ensure future generations can feel the same sense of belonging we do today.

Thank you

Ann

Ann Kapoun  
[REDACTED]

December 1, 2025

**VIA E-MAIL -- [city.council@mountainview.gov](mailto:city.council@mountainview.gov)**

Honorable Ellen Kamei, Mayor and  
Members of the City Council  
CITY OF MOUNTAIN VIEW  
500 Castro Street, 3rd Floor  
Mountain View, CA 94041

**Re: Historic Preservation Ordinance and Register Update: Mountain View  
Buddhist Temple's Objection to Inclusion in City's Register of Historic  
Resources**

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Dear Mayor Kamei and Members of the City Council:

We serve as co-counsel with our colleague Mindie Romanowsky of Jorgenson, Siegel, McClure and Flegel, LLP, on behalf of our client, the Mountain View Buddhist Temple ("MVBT") to object to the inclusion of MVBT's property located at [REDACTED] (the "Property") in Mountain View's Register of Historic Resources (the "Register"). As you know, the City of Mountain View ("City") is proposing to update the Register in connection with its update to the City's Historic Preservation Ordinance ("HPO"). Inclusion of the Property in the City's Register will cause MVBT to suffer substantial hardship, which is likely to deprive MVBT of an economic return on the Property, the reasonable use of the Property, and/or the appropriate use of its Property in the furtherance of its religious mission. As a result, the City is prohibited by California Government Code Section 37361 from including the Property in the Register. Additionally, inclusion of the Property in the Register would impose a substantial burden on MVBT's religious exercise in contravention of the Religious Land Use & Institutionalized Persons Act ("RLUIPA") and violate a myriad of other statutory and constitutional rights, as detailed below.<sup>1</sup> On behalf of MVBT, we respectfully ask that you direct City Staff to remove the Property from the Register and to no longer consider the Property in any further updates to the HPO.

**I. Background: The Property has Long Been Used for Religious Purposes.**

MVBT owns an approximate 5-acre parcel located at [REDACTED] i.e., the Property. Since the mid-1950s, the Property has served as the MVBT campus, and is home to a vibrant Buddhist community offering a wide range of religious and spiritual programs. Over the

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<sup>1</sup> We reserve the right to submit additional factual and legal objections to the City's actions on the HPO if the City continues to consider including MVBT's Property in the Register.

Members of the City Council  
December 1, 2025  
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decades, the congregation has invested significantly in maintaining and improving the campus to meet the evolving community and religious needs of its members. Attached hereto as Exhibit A is a summary of the campus buildings, their construction dates, primary functions, and any changes or remodels over time.

As illustrated by Exhibit A, MVBT has consistently invested in its campus as the congregation grew and facilities required maintenance, update and renovation. In recent years, MVBT initiated a master planning process to address future religious and community needs and intends to move forward with such plans in the next few years. Those plans are also summarized in Exhibit A.

On or about August 15, 2025, MVBT received its first notice from the City that the Property was identified as an eligible historic resource based on age, architectural features, and/or its relationship to important events. The notice explained that in 2024, the City's consultant, Page & Turnbull (retained by the City for the project in 2022), had conducted a citywide reconnaissance survey, followed by an intensive-level survey, which led to the Property being deemed eligible for historic designation. MVBT was concerned to learn their Property would be eligible as historic and even more surprised that the process had been initiated by the City in 2022, with no formal notice (as will be further discussed herein).

After receipt of the notice, MVBT representatives attended workshops on August 25 and September 30 and the Environmental Planning Commission's ("EPC") meeting on October 1 to express concerns about the proposed designation and the removal of the "opt-out" provision in the current HPO. (Mountain View Municipal Code ["MVMC"] § 36.54.70 [Council-initiated inclusion of property on Register "will be processed only if the property owner agrees in writing to such designation."]; MVMC § 36.54.75(a) [allowing owner to request that its property be removed from Initial Register, which shall be granted if it meets specified procedural requirements].)<sup>2</sup> Despite raising questions about the impact of this designation and concerns about the inability to opt-out of the Register, MVBT received no detailed response from the City. Instead, MVBT received a certified letter from the City dated November 17, 2025 indicating that the Property was proposed to be included on the Register along with a list of Frequently Asked Questions ("FAQ").

The potential historic designation of the Property poses substantial hardship to MVBT and its religious use of the Property, as well as the future use and development of the Property, including their campus master plan goals (i.e., it could increase costs, cause delays, or even hinder or result in denial of permits necessary for campus improvements). It may also reduce the Property's valuation due to added restrictions and permitting requirements.

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<sup>2</sup> (See also MVMC § 36.54.50 [describing the purpose of the HPO as "providing a system of voluntary compliance and available incentives" to increase the likelihood that historical resources are maintained, restored, enhanced, and protected].)



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This letter will provide the legal and factual information about the Property to inform the final determination of its eligibility for the Register. As will be detailed herein, the Property is ineligible for Register and should be removed from the draft list immediately. Failure to do so could result in legal liability for the City.

## **II. The City Lacks Substantial Evidence to Demonstrate that the Property is Historically Significant.**

As a preliminary matter, MVBT first learned of the proposed historic designation of its Property after the City's consultant had prepared: (1) a Historic Context Statement ("HCS"), (2) a Citywide Historic Resources Survey Methodology Report ("Report"), and (3) a Citywide Historic Resources Survey ("Survey"), including one for the Property. The HCS is "intended to provide a framework for the citywide historic resources survey" and to help "in the identification, evaluation, and treatment of historic properties."<sup>3</sup> Neither the HCS nor the Report were subject to noticed public hearings or approved by the Council, but were nonetheless relied on by the consultant in preparing the Survey. The City's FAQ acknowledges that the HCS will only be taken to the City Council for adoption "at the end of the project" and that the consultant relied on the HCS in preparing the Survey. (FAQ, p. 4.) Procedurally, this is akin to putting the "cart before the horse." Instead, the framework and methodology should be approved by the City Council with ample and robust public input before, not after, the consultant prepared the Survey.

Turning now to the Survey itself, it appears to be based on a "windshield survey" and review of MVBT's website with no contact whatsoever with anyone affiliated with MVBT. In general to be identified as historic under the national and state criteria, resources must be over 50 years of age, meet one of four criteria of significance, and retain sufficient historic integrity. (Report, pp. 16-17.) Any such factual determinations regarding historic eligibility must be supported by substantial evidence in the record, e.g., facts, reasonable assumptions predicated on facts, or expert opinion supported by facts. (Pub. Res. Code § 21080(e)(1); *Protect Niles v. City of Fremont* (2018) 25 Cal.App.5th 1129, 1148 citing *Architectural Heritage Assn. v. County of Monterey* (2004) 122 Cal.App.4th 1095, 1115-1116.)

The historic resource criterion include: Event, Person, Design/Construction, and Information Potential. The Property contains a mixture of modern and mid-century modern religious buildings and facilities. While aesthetically pleasing, they were not designed by a famous architect nor do they represent a valuable example of a particular architectural style. The City's consultant thus only attempts to qualify the Property as historic based on Events. This criterion

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<sup>3</sup> (<https://www.mountainview.gov/our-city/departments/community-development/planning/development-projects/historic-preservation-and-register-update>; <https://www.mountainview.gov/home/showpublisheddocument/11964/638907857640530000>; see also HCS, p. 1 [noting the document "is intended to support the identification and evaluation of historic properties, as well inform future preservation efforts."].)

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includes properties that have made a significant contribution to the broad patterns of national, state, or local history. (Report, pp. 16-18.) Per the City’s Municipal Code, an event is described as “the site of a significant historic event in the City’s past.” (MVMC § 36.54.65; *see also* Report, p. 18.)

The Property is not associated with events that have made a significant contribution to the broad patterns of national, state, or local history. While the site may represent the first purpose-built facility constructed by and for the Japanese Buddhist community of Mountain View, the Property is actually the fourth site where Buddhist services were held in Mountain View.<sup>4</sup> Thus, the Property does not represent the establishment of a “new” religious organization in Mountain View as specified in the HCS’s description of the event criterion. (HCS, p. 172.) Moreover, there is no evidence, let alone substantial evidence, to suggest the Property is the site of a significant historic event in the City’s past.

Further, in addition to qualifying for listing under the above criteria, a property must be shown to have sufficient historic integrity. The State Office of Historic Preservation defines this as “the authenticity of an historic resource’s physical identity evidenced by the survival of characteristics that existed during the resources period of significance.” (Report, p. 19.) The national and state registers define historic integrity based on the following seven aspects: location, design, setting, materials, workmanship, feeling, and association. (Report, pp. 19-20.)

As to the Property, the City’s consultant relies on only three of the seven historic integrity criteria: location, feeling, and association. (Report, p. 21 [asserting without citation to any authority that for properties significant for their association with an ethnic or cultural group, “the aspects of integrity that are most important for these properties including location, feeling, and association, design to a lesser degree.”].) “Location” refers to the place where the historic property was constructed. (Report, p. 19.) “Feeling” means the property’s expression of the aesthetic or historic sense of a particular period of time. (Report, p. 20.) “Association” means the direct link between an important historic event or person and a historic property.

In terms of location, the Property was not the first site of Buddhist religious practice in Mountain View, but rather the fourth. Further, the MVBT site originally consisted only of 1.5 acres which was developed with the first temple and social hall (i.e., the YBA Building Hall). Only later did the Property grow its current 5.4 acres with the current temple completed in 1979. Thus, the Property lacks location integrity. For similar reasons, the Property lacks association integrity as there is no direct link between it and an important historic event.

The Report identifies various periods of historic development, including Postwar Suburbanization, City Building & Silicon Valley Innovation 1945-1979. (Report, p. 24.) This significance of this time period is described as associated with urban development and the advent

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<sup>4</sup> (<https://mvbuddhisttemple.org/about-mvbt/our-history/>; *see also* HCS, pp. 153-154.)

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of Silicon Valley. Nothing about this time period refers to religious or cultural movements. Thus, the Property lack feeling integrity.

Further, as noted by the City’s consultant, “[g]enerally, a property with exceptional integrity will have undergone few or no alterations since its original construction and will not have been moved from its original location.” (Report, p. 21.) Here, the Property has undergone major significant alterations since the initial temple building was constructed in 1957. Multiple buildings were added to the site from 1957-1979 and it grew from 1.5 acres to 5.4 acres. The original temple building was substantially altered in 2011-2013. The new temple building was added in 1979. That building too was significantly renovated in 2011-2013.

Should the City fail to remove the Property from the Register and no longer consider the Property in further updates to the HPO, MVBT intends to bear the expense of retaining a historic resource consultant to perform a critical peer review analysis of the City’s historic evaluation of MVBT’s Property. Importantly, the consultant’s initial observations were that properties are specifically excluded from being listed on the National Register of Historic Places for their religious history. The consultant also correctly noted that much of the Property is not age eligible.

### **III. California Government Code Section 37361 Limits Local Government’s Power Over Noncommercial Properties Owned by Religiously Affiliated Associations.**

Under state law, cities lack jurisdiction to designate a religious property as historic over the objection of a religious entity claiming that it will suffer substantial hardship as a result of the designation. MVBT objects to the designation of its Property as historic and will suffer substantial hardship as the result of such designation.

Cities have the power to “provide for places, buildings, structures . . . having a special character or special historical or aesthetic interest or value, special conditions or regulations for their protection, enhancement, perpetuation or use . . .” (Gov. Code § 37361(b).) However, the Legislature created an exception for “noncommercial property owned by any association or corporation that is religiously affiliated and not organized for private profit” provided:

- (1) The association or corporation objects to the application of the subdivision to its property.
- (2) The association or corporation determines in a public forum that it will suffer substantial hardship, which is likely to deprive the association or corporation of economic return on its property, the reasonable use of its property, or the appropriate use of its property in the furtherance of its religious mission, if the application is approved.

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(Gov. Code § 37361(c).) This provision applies to all cities, including charter cities. (*Id.*) and explicitly precludes a local legislative body from overriding the “substantial hardship” determination made by the religiously-affiliated entity. (Gov. Code § 37361(d); *see also East Bay Asian Local Development Corp. v. State of California* (2000) 24 Cal.4th 693, 716 [California Supreme Court observes that “there is no requirement of governmental approval or review of a hardship determination.”].)

In rejecting a facial challenge to Government Code Section 37361 on establishment clause grounds, the California Supreme Court described the law as “granting religiously affiliated organizations the authority to declare themselves exempt from historic preservation laws . . .” (*East Bay Asian Local Development Corp., supra*, 24 Cal.4th at 698, 709 [further noting the law grants “an exemption from landmark preservation laws to noncommercial property owned by a religious organization that objects to landmark designation and determines in a public forum that the organization would suffer a substantial hardship if the property were designated a historic landmark,” thereby “restor[ing] their ability to use noncommercial property, unencumbered by the restrictions that accompany landmark designation.”]) It explained the purpose of the law as follows:

We are satisfied that the Legislature could reasonably believe that the restrictions accompanying designation as a historical landmark under local ordinances in California may burden the ability of a religious entity that owned the property to carry out its religious mission and that an accommodating exemption was appropriate. The Legislature was aware of the restrictions a historic preservation ordinance imposes on the landmark property and had before it anecdotal evidence . . . of actual burdens on religious entities whose noncommercial property had been designated a landmark.<sup>5</sup> [Citation.] ***Those restrictions, including limitation of the right to alter or demolish a designed landmark*** and responsibility to maintain the structure without access to governmental disaster or other assistance, ***may impose significant financial burdens on the owner of the property. Any significant financial burden, or simply the inability to demolish or alter a structure that is no longer suited to the needs of the owner, could affect the ability of many owners to carry out their religious missions.*** . . . The Legislature could reasonably conclude that the potential burden of landmark designation justified an accommodating exemption for noncommercial properties owned by religious entities. . . . In this instance, given uncertainty over whether local historic preservation laws adopted pursuant to sections 25373 and 37361<sup>6</sup> would impinge upon the free exercise rights of religious entities, the state could rationally conclude action was necessary to avert a free exercise claim.

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<sup>5</sup> The evidence consisted of churches not being able to expand their sites or demolish seismically unsafe buildings due to historic resource designations.

<sup>6</sup> Government Code Section 25373 is a parallel statute that applies to counties.

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(24 Cal.4th at 712-713 [emphasis added].) The Court upheld the law, concluding that “[a]n exemption from a landmark preservation law simply allows the property owner to use the property as it did before landmark status was imposed,” noting that by “permitting the religious organization that owns the property to exempt itself, Sections 25373 and 37361 avoid any governmental entanglement with religion.” (24 Cal.4th at 718.)

In *California-Nevada Annual Conference etc. v. City and County of San Francisco* (2009) 173 Cal.App.4th 1559, the First Appellate District ruled that a city lacked jurisdiction to designate church property as a historic landmark after the church objected to such designation. The church building was seismically unsafe and had remained vacant for a long period of time. The church had merged with another congregation and determined that the property had “no use within the church’s mission except as an important source of revenue to be generated by a sale,” and that the church intended to use the sale proceeds to further its ministry. (173 Cal.App.4th at 1562.) The church entered into a contract to sell the property to a residential developer, who intended to demolish the church building to facilitate construction of condominiums.

Over the church’s objections, the city commenced the process of designating the church property as a historic landmark, noting that the church was designed by a nationally renowned architect and a valuable example of early twentieth century church architecture, combining elements of the Mission Revival and English Gothic Tudor styles. The church sued seeking an order directing the city to refrain from designating the property as a landmark or taking any action to subject the property to the landmark designation process.

In its defense, the city argued that the church is not noncommercial property because it is no longer used for a religious purpose but rather for the profit-making purpose of selling and developing condominiums. Citing the Supreme Court decision in *East Bay*, the First Appellate District roundly rejected the city’s argument, reasoning that “the text of the statute and its legislative history, clearly refute this notion and support the trial court’s observation that the ‘whole point’ of the exemption ‘is to allow religious institutions to sell their dilapidated churches for a profit.’” (173 Cal.App.4th at 1565.) The court noted that the statute explicitly allows a church to exempt its property from a historic preservation law if the law is likely to deny the owner economic return on the property. (*Id.*) The court went on to state:

Thus, the city’s principal contention that the statutory exemption is inapplicable because the property is not currently being used as a church or for any other religious purpose quite clearly must be rejected. The trial court found and the record contains no basis to question that the church is a religiously affiliated entity that is not organized for private profit, that the church has objected to application of the city’s landmark ordinance to the property, which it owns, and that by its explicit objections at public meetings the church has determined in a public forum that it will suffer substantial hardship likely to deprive it of economic return on its property if the ordinance is applied to the property. Therefore, sections 25373,

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subdivision (d) and 37361, subdivision (c) remove from the city the authorization to apply its landmark ordinance to the church property. (173 Cal.App.4th at 1567.)

Here, the Property consists of noncommercial property owned by MVBT, a nonprofit corporation that is religiously affiliated. Inclusion of the Property on the Register would inhibit MVBT's ability to alter or demolish church buildings as needed to support and accommodate its religious mission. According to the State Supreme Court, simply being unable to "demolish or alter a structure that is no longer suited to the needs of the owner, could affect the ability of many owners to carry out their religious missions." (*East Bay, East Bay Asian Local Development Corp.*, *supra*, 24 Cal.4th at 713.)

The alterations of campus buildings is not abstract or theoretical. (See Exhibit A.) In the last 10-15 years, MVBT made substantial renovations to both YBA Hall and the Hondo. YBA Hall (originally built in 1957) is the oldest building on campus and was the site of the original temple. The Hondo (built in 1979), is the site of the current temple. MVBT obtained building permits from the City for this work and the City did not raise any issues or concerns with respect to the historic nature of them.<sup>7</sup> The fact that that two of the four major campus buildings have been recently altered in a substantial fashion further undermines the credibility of the proposed historic demolition.

Over the past few years, MVBT has also been engaged in a master plan process for future development and growth to support its religious mission. Through that process, it has identified renovations and alterations needed to other campus buildings. Akin to the past renovations made to the Hondo and YBA Hall, the anticipated future updates and improvements to other structures and the campus, in general, are directly related to furthering MVBT's religious mission. (See Exhibit A.) While MVBT is a few years away from seeking formal permits from the City, it has discussed such preliminary plans with City planning staff. Moreover, most buildings have an estimated useful life of 50 years or so. Thus, at some point, all campus buildings will require renovations, alterations, and eventually demolition and replacement.

Inclusion of the Property on the City's Register would restrict and/or inhibit MVBT's ability to alter or demolish campus building over time. If the Property were to be placed on the City's Register, MVBT would have to obtain a historic preservation permit ("HP permit") to "make a significant alteration, redevelop, or relocate any structure." (MVMC § 36.54.85(a).) The discretionary HP permit is reviewed by the zoning administrator and may be "approved or conditionally approved if the following findings are made: (1) the proposed significant alteration will not result in a substantial adverse change in the significance of the historic resource; (2) the proposed significant alteration maintains and enhances the appearance of the community." (MVMC § 36.54.85(c)-(d).) As noted by the Court of Appeal in *California-Nevada Annual*

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<sup>7</sup> We hereby incorporate by reference into the proceedings for this matter, the building permit record and associated planning files for the Property.



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*Conference*, Section 37361 was enacted precisely to allow churches to exempt themselves from such a discretionary process which not only requires time, effort, and expense, but also “generates uncertainty that may discourage the parties from going forward with the project.” (173 Cal.App.4th at 1571.)

#### **IV. Inclusion of the Property in the Register would Violate RLUIPA.**

The RLUIPA applies when a local government places a “substantial burden” on religious exercise in the form of a land use regulation, under which a government makes, or has in place formal or informal procedures or practices that permit the government to make, individualized assessments of the proposed uses for the property involved. (42 USC § 2000cc(a)(2).) Such a regulation is permissible only if “the government demonstrates that imposition of the burden on the person, assembly or institution—(A) is in furtherance of a compelling governmental interest; and (B) is the least restrictive means of furthering that compelling governmental interest.” (42 USC § 2000cc(a)(1).) Agencies that violate RLUIPA are subject to the payment of a prevailing religious entity’s attorneys’ fees and costs. (42 U.S.C. § 2000cc-2(f)).

As outlined above the inclusion of the Property on the Register would impose a substantial burden on MVBT’s religious exercise by greatly limiting its ability to alter or demolish its buildings. Based on the record, the City has failed to substantially demonstrate that a historic designation of the Property would further a compelling government interest, nor that designating the Property as historic would be the least restrictive means of achieving that interest.

The issues we raise herein are not limited or restricted to MVBT. Given the relatively limited amount of time, we did a cursory review of all the properties listed in the Survey as eligible for inclusion in the Register. While our search was not exhaustive, we have already identified 9 other properties that are used for religious purposes and could similarly subject the City to liability for the claims we assert herein.

##### **A. The designation of the Property was the result of an individualized assessment.**

The “individualized assessment” requirement is satisfied when the government takes “into account the particular details of an applicant’s proposed use of land” when making land use decisions. (*Guru Nanak Sikh Society v. County of Sutter* (9th Cir. 2006) 456 F.3d 978, 986.) If the zoning law permits a governmental entity to consider the applicant’s intended use of the property and utilizes “at least partly subjective criteria on a case-by-case basis[.]” then it qualifies as an individualized assessment. (*Chabad Lubavitch of Litchfield Cnty., Inc. v. Litchfield Historic Dist. Commn.* (2nd Cir. 2014) 768 F.3d 183, 193.)

In *Chabad*, the Second Circuit analyzed a Connecticut statute that required an individual assessment of applications to alter historic properties. The statute required entities in a historic district to obtain a certificate of appropriateness, which is granted by a local commission that

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applies “loosely defined and subjective standards to discrete applications.” (768 F.3d at 194.) When the commission assesses the appropriateness of an application, they must consider such criteria as the “historical and architectural value and significance of the modification” as well as the relationship of the exterior architectural style to the neighborhood. (*Id.*) The Court held that these standards were subjective, and that the denial of the Plaintiff’s application resulted from an “individual assessment” thus triggering RLUIPA’s substantial burden provision. (*Id.*)

The determination of which properties to be included on the City’s Register, particularly the Property, involved an assessment of the uses of the land and employed subjective criteria. For instance, the City’s consultant identified the religious use of the Property. The consultant then made a subjective determination that the Property “appears” historically significant “for its direct and significant association with the Japanese Buddhist ethnic and religious community in Mountain View.” The consultant acknowledges the Property does not appear to be associated with historic persons or significant architectural design, but rather is “associated with the broader community.”<sup>8</sup>

The evaluation fails to consider or discuss any of the relatively recent alterations made to the oldest building and original temple (YBA Building) or the current temple (Hondo); instead it notes the complex has “evolved over time” and replacement of exterior wood siding has “diminished integrity of materials and design.” Then it refers to the Property as “retain[ing] integrity of location, feeling, and association with the Japanese Buddhist community.” In short, the City’s determination of the Project as historic was based on an individualized assessment for purposes of RLUIPA.

**B. Inclusion of the Property in the Register would impose a substantial burden on MVBT’s religious exercise.**

In order to satisfy the substantial burden element, courts have looked at a number of factors to determine whether the substantial burden has been met. Courts often find that a substantial burden exists when the government entities (1) apply broad rationales that could foreclose future religious development opportunities, (2) ignore good faith compliance efforts by religious organizations, (3) are applied inconsistently compared to similar religious or secular uses, or (4) effectively shrink the amount of land available for religious purposes. (*Guru Nanak*, 456 F.3d at 989; *Living Water Church of God v. Charter Twp. of Meridian*, 384 F.Supp. 2d 1123, 1134 (W.D. Mich 2005).)

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<sup>8</sup> According to the Historic Context Statement, in order to be considered for the National Register, a religious property from the 1945-1979 period like the Property “must also meet National Register Criteria Consideration A and derive its primary significance from architectural or artistic distinction or historical importance.” (Historic Context Statement, p. 171.)



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As previously noted, once placed on the City's Register, properties must obtain a historic HP permit to "make a significant alteration, redevelop, or relocate any structure." (MVMC § 36.54.85(a).) The HP permit is reviewed by the zoning administrator and may be "approved or conditionally approved if the following findings are made: (1) the proposed significant alteration will not result in a substantial adverse change in the significance of the historic resource; (2) the proposed significant alteration maintains and enhances the appearance of the community." (MVMC § 36.54.85(c)-(d).) At minimum, these criteria consists of broad rationales that could foreclose future religious development opportunities. Moreover, because the designation is proposed for the entire Property including the parking lot, storage building, and classroom space, the designation effectively shrinks the amount of land available for religious purposes.

In sum, inclusion of the Property on the Register would impose a substantial burden on MVBT's religious exercise.

**C. The City has not shown that designating the Property as historic achieves a compelling government interest or is the least restrictive means of doing so.**

Under the RLUIPA, the government entity is subject to strict scrutiny and "shall bear the burden of persuasion" in demonstrating they have a compelling government interest and are using the least restrictive means of achieving that interest. (42 USC § 2000 cc(a)(1).) When evaluating a claim of compelling interest courts often look to whether "in the past the governmental actor has consistently and vigorously protected that interest." (*Grace Church of North County v. City of San Diego*, 555 F.Supp.2d 1126, 1141 (2008).) Further, the government entity must show they used the least restrictive means to further the stated government interest by demonstrating they "actually considered and rejected the efficacy of less restrictive measures before adopting the challenged practice." (*Warsoilder v. Woodford* (9th Cir. 2005) 418 F.3d 989, 999.)

While the City would contend it has a compelling government interest to preserve historic resources, there is no evidence that the City has "consistently and vigorously protected that interest." (*Grace Church of North County*, 555 F.Supp.2d at 1141.) The record shows the City initiated the HPO and Register updates to try and retain as much discretion as possible over future development in the light of recently failed legislation that would have required the City to approve new housing developments unless the site had been designated as a historic resource. (April 12, 2022 Staff Report to City Council Regarding Historic Preservation Ordinance and Historic Register Update: Scope of Work and Consultant Contract.) Along those lines, the City is proposing to more than double the number of historic resources on its Register from 48 to 100 (per the October 1, 2025 Staff Report to the EPC).

Further, the City acknowledges that it evaluated sites like the Property "with a lower threshold of integrity" given that these properties were likely altered over time and are likely associated with "intangible cultural heritage." (HCS, p. 173.) Given that the supposed connotations are with the broader community, designating the Property as historic is not the least

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restrictive means of accomplishing the City’s goal of historic preservation. (*Warsoilder, supra*, 418 F.3d at 999.) For instance, the City could provide historical information about the Mountain View Buddhist Community through historic walking tours; displays in museums, libraries or online; or through public speaker series.

In sum, inclusion of the Property on the Register does not advance a compelling governmental interest and is, in any case, not the least restrictive means of doing so.

**V. Inclusion of the Property in the Register would Violate MVBT’s Constitutionally-Protected Rights.**

**A. Due Process**

The Due Process Clause of the Fourteenth Amendment to the United States Constitution prohibits a state from depriving a person of life, liberty, or property without due process of law. (*See also* Cal. Con., art. I, sec. 7.) The Due Process Clause has both procedural and substantive elements. And a violation of either subjects a public agency to liability for damages and attorneys’ fees. (42 U.S.C. §§ 1983, 1988.) As set forth below, were the City to include the Property in the Register, it would be liable for violating MVBT’s procedural and due process rights.

**1. Procedural Due Process**

In accordance with principles of procedural due process, an owner of property that may be impacted by a land use decision is entitled to reasonable notice and opportunity to be heard. (*Horn v. County of Ventura* (1979) 24 Cal.3d 605, 612.) This right includes a fair hearing before unbiased and disinterested decision-makers. (*Nasha L.L.C. v. City of Los Angeles* (2004) 125 Cal.App.4th 470, 483).

While the City initiated the HPO and Register update process in April 2022, the first notice MVBT received of the City’s proposal to include its Property on the City’s Register was when it received a letter from the City dated August 11, 2025 that the Property “has been identified as a historic resource, based on age, architectural features and/or relationship to important events.” By this point, the HCS, Report, and Survey had all been completed, albeit in final draft form. In other words, MVBT’s Property was proposed for inclusion in the City’s Register, all without its knowledge, input, or consent. To compound matters, the EPC then recommended to not allow owners of otherwise historic properties to opt out of the City’s Register, as is currently allowed. As previously noted, the City sent a letter dated November 17, 2025 providing less than 30 days’ notice of the December 9, 2025 City Council meeting to consider the direction of the EPC on the Register. This does not constitute reasonable notice nor a reasonable opportunity to be heard.

In an attempt to determine what actions the City took to notify the public that the City planned to update its HPO and Register, we reviewed the City’s website and multiple staff reports,

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watched video recordings of public meetings, and contacted Elaheh Kerachian, Senior Planner at the City of Mountain View, directly for information. We discovered that while the City held Community Workshops on September 6, 2022, October 30, 2023, August 13, 2024, August 25, 2025, and September 3, 2025, the City provided little to no notice to the public that these Community Workshops were scheduled to occur. Apparently, the only notice given to the public was (i) publication of information on the City’s website and (ii) erection of a stand at a single Farmer’s Market on October 16, 2022. (October 1, 2025 Staff Report, Exhibit 8; March 26, 2024 Draft Historical Context Statement, p. 7.) Further, the HCS provides that City’s “[web]site provided . . . noticing [for] community workshops and public outreach.” (March 26, 2024 Draft Historical Context Statement, p. 7.)<sup>9</sup>

When we asked Senior Planner Elaheh Kerachian about the March 26, 2024 Draft Historical Context Statement, she wrote: “The Historic Context Statement has not been changed since it was provided on the website for public review.” (November 24, 2025 Email Communication to Lilian Winters, p. 1.) Thus, it appears that the *only* notice given to the public about the Community Workshops was publication of information to the City’s website. But without any indication that this update to the HPO and Register was ongoing, property owners had no reason to comb through the City’s website and, therefore, received no notice of the Community Workshops. Thus, publication to the City’s website was largely ineffective at reaching each property owner who might be subject to the HPO for being added to the Register. And, as discussed above, MVBT was not provided with notice until the August 11<sup>th</sup> 2025 letter, when they learned the Property was eligible for the Register.

While the City conducted multiple “stakeholder meetings” with a few homeowners’ associations throughout 2022 and 2023, it appears the City failed to send out a City-wide mailer or otherwise contact the majority of property owners who might be impacted by the planned update to the HPO and Register. (HCS, p. 8.) To be clear, in our review of all the publicly available documents and information, and in our communications with the City, it appears that the only notice the City gave to the public that the HPO and Register would be updated was maintenance of a webpage on the City’s website and a booth at one Farmer’s Market in 2022. (*See* October 1, 2025 Staff Report, Exhibit 8; HCS, p. 7.) Such efforts are insufficient.

From early 2022 through August, 2025, the City failed to provide MVBT with notice and a reasonable opportunity to be heard on the proposed historic designation of its Property. As a result, the City would be liable for violating MVBT’s procedural due process right if it were to include the Property on the Register.

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<sup>9</sup> While the Staff Report for the December 12, 2023 City Council Study Session on the HPO and Register Update made mention of a “Citywide Public Notice” sent “prior to the first workshop on September 6, 2022,” MVBT never received any such notice.

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## **2. Substantive Due Process**

The Due Process Clause of the Fourteenth Amendment to the United States Constitution prohibits a state from depriving a person of life, liberty, or property without due process of law. (*See also* Cal. Con., art. I, sec. 7.) The touchstone of substantive due process is the protection of the individual against arbitrary government action; the due process clause was intended to prevent government officials from abusing their power or employing it as an instrument of oppression. (*Wolff v. McDonnell*, (1974) 418 U.S. 539, 558; *Collins v. City of Harker Heights* (1992) 503 U.S. 115, 126.) A violation of substantive due process rights occurs if a government agency's actions are (1) irrational or arbitrary or (2) not rationally related to a legitimate government interest. (*Euclid v. Ambler Realty Co.* (1926) 272 U.S. 365; *Lingle v. Chevron* (2005) 544 U.S. 528.) The test is disjunctive. Thus, an aggrieved party need only demonstrate facts to support one of the two bases in order to state a viable due process claim.

In *Arnel Development Co. v. City of Costa Mesa* (1981) 126 Cal.App.3d 330, 337, the Court of Appeal ruled that enactment of an ordinance downzoning certain property was arbitrary and discriminatory where enacted without considering appropriate planning or land use criteria.<sup>10</sup> (*See also Del Monte Dunes, Ltd. v. City of Monterey* (9th Cir. 1990) 920 F.2d 1496, 1508 [court finds local agency's land use decision, motivated by "political pressure from neighbors" instead of legitimate regulatory concerns, supported a substantive due process claim] and *Herrington v. County of Sonoma* (9th Cir. 1987) 834 F.2d 1488 [denial of subdivision and subsequent downzoning of property violated property owner's due process rights given evidence that county's general plan/subdivision inconsistency determination was irrational and arbitrary and aimed at defeating particular development project].)

As explained above, the Property is not historic. It is not associated with historic persons and does not contain historic structures. While it has long been the site of the Buddhist society in Mountain View, it was not the only site or even the original site. It is not the site of a significant historic event in the City's past. It lack historical integrity based on location, feeling, and association. Thus, including the Property on the Register would be irrational and arbitrary and not rationally related to a legitimate government interest.

In sum, if the City were to include the Property on the Register, this would violate MVBT's rights to substantial due process.

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<sup>10</sup> The *Arnel* court noted that the ordinance was "not rationally related to the general regional public welfare, but, at best, to conserving the interests of the adjoining property owners and residents of the immediate area." (*Arnel, supra*, 126 Cal.App.3d at 337.)

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### **C. Equal Protection**

The Fourteenth Amendment to the United States Constitution provides that no state shall deny to any person within its jurisdiction the equal protection of the laws. (*See also* Cal. Con., art. I, sec. 7.) The concept of equal protection has been defined to mean that no person or class of persons may be denied the same protection of law that is enjoyed by other persons or other classes in like circumstances. (*Hawn v. County of Ventura* (1977) 73 Cal.App.3d 1009, 1018.) “[A] deliberate, irrational discrimination, even if it is against one person (or other entity) rather than a group, is actionable under the equal protection clause.” (*World Outreach Conference Center v. City of Chicago* (7th Cir. 2009) 591 F.3d 531, 538.)

In *Village of Willowbrook v. Olech* (2000) 528 U.S. 562, the U.S. Supreme Court ruled that a plaintiff stated a viable equal protection cause of action based on claims that a municipality required a 33-foot easement from her as a condition of connecting her property to the municipal water supply when it had only required a 15-foot easement from other similarly situated property owners. The Ninth Circuit has likewise upheld equal protection claims brought by property owners that were discriminated against or treated unfairly by local agencies as part of the land use approval process. (*See, e.g., Herrington, supra* [denial of proposed subdivision and subsequent downzoning violated property owner’s equal protection rights where there was evidence that county had approved sizable residential development projects on three other agricultural properties shortly after it rejected the owner’s proposal] and *Del Monte Dunes, Ltd., supra* [allegation that city arbitrarily and unreasonably limited use and development of property and set aside open space for public use, whereas owners of comparable properties were not subjected to these conditions and restrictions states viable equal protection claim].)<sup>11</sup>

Our understanding is that the Property is the only site on the Survey that is identified as historically significant based on events. All of the other sites on the Survey are found to be historically significant based on the architectural quality of the building and/or association with historic persons. Further, the City seems to have isolated the Buddhist religious community for separate and unequal regulatory treatment simply because they have practiced their faith in Mountain View for more than 50 years

In sum, if the City were to include the Property on the Register, this would violate MVBT’s rights to equal protection under the law.

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<sup>11</sup> (*See also Fry v. Hayward* (N.D. Cal. 1988) 701 F.Supp. 179 [zoning restrictions applicable to just one of several open space areas in City, without rational basis for selective application, were invalidated for denial of equal protection].)

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#### **D. Takings**

The Takings Clause of the Fifth Amendment to the United States Constitution, made applicable to the states through the Fourteenth Amendment, guarantees that private property shall not “be taken for public use, without just compensation.” Article I, section 19 of the California Constitution also provides that “[p]rivate property may be taken or damaged for public use only when just compensation . . . has first been paid to . . . the owner.” A land use regulation effects an impermissible taking of property if it deprives an owner of all economically beneficial or productive uses of his land (*Lucas v. South Carolina Coastal Council* (1992) 505 U.S. 1003) or conflicts with an owner’s distinct investment-backed expectations (*Penn Central Transp. Co. v. New York City* (1978) 438 U.S. 104); causes the owner to suffer a permanent physical invasion of his property (*Loretto v. Teleprompter Manhattan CATV Corp.* (1982) 458 U.S. 419); or imposes an exaction in violation of the “essential nexus” and “rough proportionality” standards respectively set forth in *Nollan v. California Coastal Commission* (1987) 483 U.S. 825 and *Dolan v. City of Tigard* (1994) 512 U.S. 374.

A land use regulation that deprives the owner of substantially all economically beneficial or productive use of his land constitutes a taking. (*Lucas v. South Carolina Coastal Council, supra* [property owner entitled to compensation for regulations precluding development of two beachfront lots, thereby depriving owner of all economic use of his property]; *see also First English Evangelical Lutheran Church of Glendale v. County of Los Angeles* (1987) 482 U.S. 304 [property owners are entitled to compensation for temporary taking of their land] and *Monks v. City of Rancho Palos Verdes Estates* (2008) 167 Cal.App.4th 263 [ordinance imposing a moratorium on construction in landslide area deprived landowner of all economically beneficial use and thus constituted a taking].) Courts have recognized that land use regulations that take all economically viable use of only a portion of private property can constitute a taking. (*See, e.g., Twain Harte Associates, Ltd. v. County of Tuolumne* (1990) 217 Cal.App.3d 71 and *Jefferson Street Ventures, LLC v. City of Indio* (2015) 236 Cal.App.4th 1175.)

A regulation may affect a taking even though it leaves the property owner some economically beneficial use of his property. (*Kavanau v. Santa Monica Rent Control Board* (1997) 16 Cal.4th 761, 774.) In order to determine whether a taking has occurred when the economic impact is less than total, a reviewing court looks to three factors in particular: (i) the economic impact of the regulation on the owner; (ii) the extent to which the regulation interferes with the property owner’s distinct investment-backed expectations as to the use of its property; and (iii) the character of the governmental action.<sup>12</sup> (*Penn Central Transportation Co. v. New York City* (1978) 438 U.S. 104, 124.)

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<sup>12</sup> This last criterion requires a reviewing court to “consider the purpose and importance of the public interest reflected in the regulatory imposition.” (*Loveladies Harbor, Inc. v. United States* (Fed. Cir. 2003) 28 F.3d 1171, 1176.)



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Inclusion of the Property in the Register would likely result in a taking of all (or least most) of the economic value of the Property and interfere with MVBT's distinct investment-backed expectations. (*Lucas v. South Carolina Coastal Council* and *Penn Central Transp. Co. v. New York City*, both *supra*.) The buildings could not be demolished, altered, or repurposed for some other use without the approval of discretionary approvals from the City. While the buildings themselves are not historic they still could not likely be demolished without preparation of a full-blown environmental impact report. (*League for Protection of Oakland's etc. Historic Resources v. City of Oakland* (1997) 52 Cal.App.4th 896; *Architectural Heritage Assn. v. County of Monterey* (2004) 122 Cal.App.4th 1095.) Likewise, it is entirely unclear what standards the City would employ to evaluate alterations to the building since they are not historically significant. As such, the Secretary of the Interior's Standards for the Treatment of Historic Properties would not apply. As such, the designation would freeze the buildings in place as of the date of the designation. The land could not be altered or sold but instead must be preserved as is, seemingly in perpetuity.

In short, inclusion of the Property on the Register would result in an unlawful, uncompensated taking of MVBT's land.

#### **VI. The City has not conducted adequate CEQA review for the Historic Preservation Ordinate Update.**

The update to the HPO (including the Register) is a "project" subject to the California Environmental Quality Act ("CEQA"), and one likely to result in significant environmental impacts. As such, the City cannot lawfully act on it without first conducting environmental review pursuant to CEQA. (*See*, Public Resources Code §§ 21080, 21000, 21065.)

It is reasonably foreseeable that by designating 100 properties as historic resources, the Project could force development to locate in other areas inside and outside of the City. This would result in associated traffic, air quality, and noise pollution, including an increase in greenhouse gas emissions, vehicle miles traveled and other related emissions. In *Muzzy Ranch Co. v. Solano County Airport Land Use Commn.* (2007) 41 Cal.4th 372, 383, the California Supreme Court observed that a government agency should "reasonably anticipate that its placing a ban on development in one area of a jurisdiction may have the consequence, notwithstanding existing zoning or land use planning, of displacing development to other areas . . ." (*See also Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342, 369 ["the purpose of CEQA would be undermined if the appropriate governmental agencies went forward without an awareness of the effects a project will have on areas outside of the boundaries of the project area."].)<sup>13</sup>

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<sup>13</sup> (*See also Marin Municipal Water Dist. v. KG Land California Corp.* (1991) 235 Cal.App.3d 1652 [water district prepared an EIR prior to adopting a water moratorium based in part on potential secondary impacts of the moratorium]; *City of Riverside v. LAFCO* (1986) 184 Cal.App.3d 531 [EIR required for revision to sphere of influence policies because change could

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Thus, prior to approving Project, the environmental impacts associated with such displaced development needs to be addressed in an appropriate CEQA document. It is likely that the City could not proceed without preparing and circulating an EIR for public review and comment. (See Public Resources Code §§ 21080(d) and 21081; CEQA Guidelines § 15091; *City of Livermore v. LAFCO* (1986) 184 Cal.App.3d 531 [EIR was required for revision to LAFCO sphere-of-influence guidelines because change in policies could affect location of development, resulting in significant environmental impacts]; and *City of Redlands v. County of San Bernardino* (2002) 96 Cal.App.4th 398 [EIR was required for amendments to county general plan eliminating policies requiring deference to city standards regarding hillside development, density of development, and public utilities because changes may result in significant impacts].)

Further, it is well settled that an EIR must be prepared if there is substantial evidence of a fair argument that the Project *may* result in significant environmental impacts, including urban decay. (*California Clean Energy Committee v. City of Woodland* (2014) 225 Cal.App.4th 173, 188 and *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1207; *see also*, *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1406, fn. 24 and *Wal-Mart Stores, Inc. v. City of Turlock* (2006) 138 Cal.App.4th 273, 287-288.) Urban decay refers to long-term building vacancies or site closures that would ultimately result in deterioration and decay of an area. (*Joshua Tree Downtown Bus. Alliance v. County of San Bernardino* (2016) 1 Cal.App.5th 677, 685; *Chico Advocates for a Responsible Economy v. City of Chico* (2019) 40 Cal.App.5th 839, 849.) Here, the Project would make it very difficult for designated historic properties or redevelop, renovate, or upgrade their sites. This could result in deferred maintenance, property neglect, and overall lack of upkeep. Such conditions could lead to significant urban decay impacts.

In short, the City would be required to conduct full CEQA review prior to updating its HPO and Register to include the Property.

## **VII. Conclusion**

In conclusion, MVBT objects to the inclusion of its Property in the Register and has determined that inclusion of the Property in the Register will cause it to suffer substantial hardship, which is likely to deprive MVBT of an economic return on the Property, the reasonable use of the Property, and/or the appropriate use of its Property in the furtherance of its religious mission. Additionally, inclusion of the Property in the City Register would impose a substantial burden on MVBT's religious exercise in contravention of the RLUIPA and violate myriad other statutory and constitutional provisions, as detailed above. As such, MVBT respectfully asks that you direct Staff

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affect location of development, resulting in significant impacts]; and *County Sanitation Dist. No. 2 v. County of Kern* (2005) 127 Cal.App.4th 1544 [EIR required for ordinance restricting disposal of sewage sludge because of indirect impacts, including need for alternative disposal, increased hauling, and potential loss of farmland].)



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to remove the Property from the Register and to not consider it any further in connection with the City's proposed update to the HPO.

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Thank you for your consideration of our client's views on this important matter. Representatives of the MVBT, including the undersigned, will be in attendance at your December 9, 2025 meeting on the HPO and Register. In the meantime, please do not hesitate to contact me or Ms. Romanowsky at ( [REDACTED] ) with any questions regarding this correspondence.

Very truly yours,

RUTAN & TUCKER, LLP



Matthew D. Francois

MDF:mtr

cc: Julie Satake Ryu, President-Board of Directors, Mountain View Buddhist Temple

[REDACTED]  
Mindie Romanowsky, Jorgenson, Siegel, McClure & Flegel [REDACTED]

Kimbra McCarthy, City Manager ([city.mgr@mountainview.gov](mailto:city.mgr@mountainview.gov))

Jennifer Logue, City Attorney ([cityattorney@mountainview.gov](mailto:cityattorney@mountainview.gov))

Christian Murdock, Community Development Director

([community.development@mountainview.gov](mailto:community.development@mountainview.gov))

Eric Anderson, Advanced Planning Manager ([eric.anderson2@mountainview.gov](mailto:eric.anderson2@mountainview.gov))

Elaheh Kerachian, Senior Planner ([elaheh.kerachian@mountainview.gov](mailto:elaheh.kerachian@mountainview.gov))

# **EXHIBIT A**

## EXHIBIT A

<b>Building/ Improvement</b>	<b>Year Built</b>	<b>Function and support for religious mission</b>	<b>Changes/Remodels Over Time</b>
YBA Hall	1957	<p>Office for minister &amp; staff, Board Room, Sunday School, meetings, social gatherings, kitchen.</p> <p>YBA hall provides a number of office spaces, meeting rooms, and open areas. There are areas dedicated to specific functions, and areas that are flexible (i.e. can accommodate a variety of purposes). For instance, there is a dedicated office for the Minister. This office provides a quiet and private area for the Minister to counsel Members. This is especially helpful in funeral planning and, happily, wedding planning. As such, this space is vital to the religious purpose of the Temple. Ensuring that it can be easily modified, as needed, to provide a comfortable and secure area is very important.</p> <p>The Board room is another dedicated space. The Temple Board of Directors meets in the Board room. Monthly or as-needed meetings are held, either in-person or virtually. Managing, directing and establishing the goals and objectives of the Temple is definitely helped by having this dedicated and adequately-equipped space.</p> <p>Further, Temple operations are conducted in an administrative space in the YBA Hall. To provide a stable Temple operation, various administrative functions are</p>	<p>Major interior remodel (2011–2013); reception counter added (1986); quiet room converted to minister’s office; wood siding replacement in 1990s.</p> <p>Future YBA Hall renovations will provide improved spaces for the Temple community to gather, conduct, or support Buddhist ceremonies or observances.</p> <p>For example, plans for creating a covered arbor or area between the YBA Hall and fence in order to provide some privacy and allow for gathering outside the YBA Hall.</p> <p>Further, there are plans to remodel the Kitchen to repurpose it for a more suitable use (Kitchen was originally designed as a commercial kitchen. Its current flow is not well suited to its current use.)</p> <p>Installing solar panels is another possible improvement. Also under consideration are other HVAC systems for reducing energy costs.</p> <p>This is a smaller space than Sangha Hall, but a very valuable space to be able to host organizational, religious and social gatherings in order to continue to promote our important religious practice, particularly in the building that was originally our Hondo/primary worship space, that contains many</p>

## EXHIBIT A

Building/ Improvement	Year Built	Function and support for religious mission	Changes/Remodels Over Time
		<p>necessary. Here, members publish Temple newsletters and mailings, document donations and other financial transactions necessary to comply with various federal and state rules, receive and send packages and mail, store supplies and other items.</p> <p>The YBA Hall has meeting halls or rooms that are “flexible” in nature. That is, they can be used for a variety of needs. For example funeral and wedding planning and support is a commonly used function of these spaces. Also, Buddhist education sessions (for the wider Buddhist community) is another common need. During Obon, these spaces are used to hold cultural (e.g., floral arrangements, handicrafts) displays and religious items.</p>	<p>positive memories of those Resident Ministers and their families that were so important to our Buddhist Teachings.</p> <p>MVBT could potentially add some square footage for additional classroom or meeting spaces that would serve its Dharma School, affiliate organizations (Scouts, Tri-City youth sports, Nakayoshi Gakko a Japanese cultural school), Board committee meetings, or Buddhist/Religious meetings for both the Temple and wider Buddhist community.</p> <p>In time, MVBT may need to consider expanding its Board Room for larger meetings to be able to be held as well as completely outfit the entire structure for current and future AV needs.</p>
Education Buildings	1967	<p>Classrooms, library, restrooms, storage for religious/educational/event supplies. Teaching the Dharma to youth and adults is a core mission of the Temple. This building consists of classrooms and supporting facilities (restrooms, storage areas, so on) that provide a permanent location for weekly classes and teaching materials (e.g., library of important religious and cultural textbooks and artifacts). If these facilities were only temporary, then teaching activities would be greatly disadvantaged. (materials, chairs would have to be moved out of the way when classes are not in session)</p>	<p>No major renovations conducted but maintenance and repair work is needed.</p> <p>Planning includes renovating existing classrooms or adding new classroom space. The new classroom space may be dedicated to a Music Room for housing the Temple Taiko Program instruments as well as providing a dedicated rehearsal and practice area.</p> <p>The classrooms are very cold and drafty. Upgrades to the HVAC systems may be done. Also, repair and maintenance work needs to be completed. Also, studying solar</p>

# EXHIBIT A

Building/ Improvement	Year Built	Function and support for religious mission	Changes/Remodels Over Time
		<p>Additionally, these classrooms support the various cultural displays and/or demonstrations so important to the annual Obon Festival. For example, the classrooms are used during Obon to dress our traditional Japanese Dancers and Taiko performers. During Obon two classrooms are dedicated to making signs and creating informational instructions necessary to operate Obon.</p>	<p>panels or other HVAC systems to decrease energy costs.</p> <p>MVBT may retrofit classrooms with AV equipment to enable hosting virtual meetings. This capability would enable the Temple to host conferences with other temples or with other Buddhist organizations. Facilitating such events enhances our Temple's religious objective of teaching the Dharma to the community at large.</p>
Parsonage	1973	<p>Minister's residence. The parsonage is an extremely valuable asset of the Temple. The city, indeed much of Silicon Valley, has a very high cost of living. Having a permanent Resident Minister, compared to a temporary or rotating minister, adds much value to the MVBT community. The congregation is closer to the resident minister and the bonds formed are stronger and longer lasting. Thus, having this asset on property and readily available to offer to candidate Resident Ministers and family provides an incalculable value to the Temple. Additionally, the parsonage is surrounded by a gated enclosed garden. This private area, maintained by member volunteers, provides a serene aesthetic area for the minister and family to enjoy. Further the parsonage provides a more intimate setting for the Resident Minister to host important visitors from other Buddhist organizations.</p>	<p>No major renovations but in time, but MVBT plans to remodel various areas such as the kitchen, bathrooms and bedrooms. Having a comfortable and "modern" rooms provides a powerful recruitment tool necessary to make the Temple attractive to candidate Resident Ministers and their families.</p>

<b>Building/ Improvement</b>	<b>Year Built</b>	<b>Function and support for religious mission</b>	<b>Changes/Remodels Over Time</b>
Sangha Hall	1977– 1979	<p>Classrooms, storage, gym (basketball, volleyball, pickleball), social hall (500+ capacity), kitchen, Obon dining hall, stage, BBQ/outdoor prep</p> <p>Sangha Hall contains classrooms, storage rooms, a stage, a kitchen, and gymnasium. When outfitted with chairs and tables the gym area can accommodate approximately 500.</p> <p>It is used for many Temple functions. All major fund raising events use the entirety of Sanga Hall. Without Sanga Hall there would be no Obon, and Temple functions would stop.</p>	<p>No major renovations; targeted for future remodeling.</p> <p>Sanga Hall is the most used building on our campus and the heart of our religious practice and social gathering. Therefore, this is the building MVBT is focused on for our first phase of Campus renovation.</p> <p>Religious practices and organizations must adapt to cultural evolutions. Part of our belief is that gathering and social spaces for religious, intergenerational and sports events are important to a thriving Buddhist community.</p> <p>In accordance with its Mission to share the Jodo Shinshu teachings in a safe and inclusive environment, MVBT is developing plans to create a Campus Master Plan to meet its growing needs.</p> <p>The Sangha Hall renovation has been identified as the structure that MVBT wants to improve in this next phase of development. MVBT wishes to create a Music Room/Space that could be used for our Taiko programs that have been so valuable to our community. Originally envisioned as a separate building in front of the existing Education classrooms, we may look at potentially utilizing the concrete slab in front of the foyer to be able to create a Music Stage/Room for this purpose. This</p>

Building/ Improvement	Year Built	Function and support for religious mission	Changes/Remodels Over Time
			<p>is part of our Value-Engineering idea and still to be developed.</p> <p>MVBT also would like to redesign the kitchen/service/smaller gathering areas to be more efficient and serviceable for our needs. Providing multiple gathering spaces of various sizes allows us to have religious, organizational and social gatherings in order to practice our Buddhist Teachings. MVBT will need to look at the pantry areas and walk-in refrigerators for adequacy and potential replacement/upgrade.</p> <p>Further MVBT would like to remodel our gym level restrooms to be more serviceable and need to look at the existing stage and the storage above and below. MVBT wants to optimize these spaces to accommodate growth and development of Sanga Hall.</p> <p>MVBT would like to have a much more handicap accessible foyer/entrance. MVBT is also considering a more accessible method to go from the entrance to the gym floor to the kitchen/service area.</p>
Rock Garden/ Landscape	1979	The decorative rock garden is an open space between the Hondo and Sanga Hall. It is a serene and meditative area for people to informally gather and socialize as they move between the Hondo and Sanga Hall. Additionally, this open area contributes to the aesthetic and ambience of the Temple during Obon. During Obon many visitors	<p>Installed around the same time as Hondo; no major changes noted.</p> <p>MVBT's Vision Committee did a survey in 2025 to ask the Temple members what they felt about the rock garden area. Many members liked the open space and that it created an area for informal activities. Another common</p>

Building/ Improvement	Year Built	Function and support for religious mission	Changes/Remodels Over Time
		<p>come to the Temple (often for the only time in a year). The rock garden welcomes them and creates a quiet and peaceful environment among the foot traffic shuttling between the food//game booths and cafeteria/dining tables.</p> <p>The landscape consists of approximately 100 spaces along the Shoreline side of the property and along the Hetch Hetchy easement. Around the rear of the property (close to the Prometheus development), MVBT has additional non-paved areas that can be used as parking. MVBT currently rents a portion of the front corner (Hetch Hetchy/Shoreline) to a cell tower, but that lease is set to expire in approximately 2035.</p> <p>The majority of these spaces are used during the Obon festival. Some are for parking, others are used to booths. For example, the Shoreline adjacent parking lot is our main fairway upon which a large tent is erected for Bingo and smaller tents are erected for games and food/drink sales. The walkway between the Hondo and Sangha Hall becomes our Plant and Flower Sales area. The parking area that wraps around Sangha Hall becomes the stage for our traditional Obon Odori Dancing as well as Maui Style Obon Dance and Taiko performances. MVBT also features a traditional Japanese music band that accompanies our hundreds of dancers during this annual tradition.</p>	<p>response noted that the space was under-utilized. Potential uses may include gatherings for Dharma Classes or even outdoor services. Notably, there was strong sentiment not to completely hardscape. Perhaps, many noted, was that the space could be better used to practice our religious beliefs, or used for intergenerational gatherings, or simply kept as-is for the enjoyment of the openness and garden atmosphere.</p> <p>The value of this space is that it provides potential areas to use for, or to enhance our religious gatherings, ceremonies, observances, and practices.</p> <p>Some of this area MVBT is thinking will become additional Classroom/Education space (across from Prometheus, in the back of the property). Some of this area may become part of the Sangha Hall addition/remodel. MVBT could more efficiently arrange space in the front to accommodate more parking, but would need to look at some of the trees to determine how to best approach a re-design. MVBT may need to provide a fire road/access road around the property in order to comply with fire code. MVBT is also considering whether a Buddhist Pre-School (similar to the Lotus Preschool associated with the San Jose Buddhist Temple) might be both a source of income as well as a source of potential families interested in our Buddhist</p>



Building/ Improvement	Year Built	Function and support for religious mission	Changes/Remodels Over Time
		<p>As noted elsewhere, the Obon Festival is the primary fund raising event for the Temple. The areas described above are needed to facilitate a pleasant and welcoming environment for the visitors and performers. Of course, having space to erect booths facilitates all of the Obon money-making activities.</p> <p>Further, this area has been a source of revenue beyond Obon. For example, building contractors will reach out to inquire about during-the-week parking. MVB T has provided this to the builders for Prometheus as well as Roberts-Obayashi, who is completing a project on Stierlin.</p>	<p>practices. MVB T knows that several current families enroll in Lotus Pre School since it does not have the ability at this point to host a pre-school at our own facilities.</p>
Hondo	1979	<p>The Hondo is the primary Worship space, including the altar (“Naijin”), pews, and entry. At the rear is the Nokotsudo (columbarium). The Hondo is the place for Sunday Services, funerals, weddings, and ancestral memorials.</p> <p>The entry area also is an area for helpers during a funeral service to collect koden (donations to the family or Temple) and write acknowledgements. This area is a “welcoming” or staging area where greeters and safety ambassadors meet visitors to Sunday Services.</p> <p>During Obon, the Hondo is open to the public. MVB T uses it to share information, with the public, about</p>	<p>Major remodel (2011–2013): Nokotsudo addition; replaced original Hondo,</p> <p>Hondo renovation - improvements made to permit greater accessibility for the Temple members, and to make services more inviting.</p> <p>As an example, during the Covid pandemic, MVB T made significant investments in AV equipment to allow for streaming services in a hybrid manner as well as providing the ability for a speaker to project slides onto a large screen for Dharma messages.</p> <p>Expanding the Hondo is also a possible direction for the Temple.</p>

Building/ Improvement	Year Built	Function and support for religious mission	Changes/Remodels Over Time
		<p>Buddhism generally and our Temple specifically.</p> <p>There is also a Minister's area at the rear of the altar. This area is a room for the Minister to prepare and relax before conducting a Sunday Service, funeral, wedding, or other service. During funerals, this room is used to gather the family and have a private meeting with the Minister.</p> <p>Behind the altar is the Nokotsudo or columbarium. The Nokotsudo was remodeled in 2011-2013. The original Nokotsudo is now a hallway area accessing both the Minister's area and the new Nokotsudo. Religious artifacts are displayed in this hallway area (e.g., the traditional elephant statue for celebrating, every spring, the Buddha's Birth or Hanamatsuri.</p> <p>The Nokotsudo is a beautiful space with many niches for holding the cremated remains of ancestors. Members may purchase a niche for themselves or a loved one. The room also contains a small altar to burn incense for honoring ancestors. The Nokotsudo provides an area for visiting loved ones at the Temple in a Buddhist environment. It is highly important for servicing the Temple community, and enabling the religious objectives of being a Buddhist.</p> <p>Outside the Hondo on the side facing Sangha Hall, is a large bell from Japan. This bell is rung for any</p>	<p>For instance, MVBT may consider adding to the Hondo with smaller spaces that could be useful for smaller, more intimate religious service gatherings. Currently, MVBT is limited to the Hondo and for very small memorial services, the Nokotsudo could be used. Having one or two other spaces in between those sizes of gathering spaces would be optimal to be able to host more than one memorial or religious service at a time, which is not possible with MVBT's current configuration.</p>

<b>Building/ Improvement</b>	<b>Year Built</b>	<b>Function and support for religious mission</b>	<b>Changes/Remodels Over Time</b>
		service to mark the start of the service.	
Warehouse	1998	The Obon festival is the Temple's major fundraising event of the year. The warehouse stores all the materials used to build up the various booths and attractions of Obon. Also, tools, equipment (truck, forklift), and supplies needed to operate Obon and other Temple operations are housed in this valuable space.	Built on the site of the original parsonage.  In the future, renovating or re-configuring the warehouse or modernizing it (e.g., installing solar panels) is possible. These improvements will increase the utility of the storage space thereby enhancing the number and/or types of religious, social and fundraising activities, all while making Temple operations more economical.



Outlook

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**Save our downtown - declare it an official historic district on the local historic register**

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**From** Aaron Rother <[REDACTED]>  
**Date** Mon 12/1/2025 2:11 PM  
**To** City Council <City.Council@mountainview.gov>

**CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.**

Dear Representatives of Mountain View,

Our downtown commercial district should be saved by declaring it an official historic district on the local historic register.

My family and I and my friends and community all cherish the historic downtown.

My wife and met at Molly Magee's on Castro Steet 26 years ago.

We frequently visit Castro Street, in particular the East West Bookstore and Maizon Ayzee, but so many others as well.

Many times I have just come to downtown for the sheer comfort and feeling of home and community it evokes.

Many times during Covid, it was a refuge and place to restore sanity. I remember yearning for my favorite shops to re-open.

It still is a place where I can come and if I am feeling down, my spirits are instantly lifted.

Open Mic in Red Rock Coffee on Mondays is a creative outlet like no other not just in Mountain View, but the entire Bay Area.

So much of all of this is because of the historic nature of the old historic buildings and the feeling that evokes, which in my opinion is absolutely critical to preserve. So again, to repeat, our downtown commercial district should be saved by declaring it an official historic district on the local historic register.

Thank you,  
-Aaron, Ines and Sophia Rother



Outlook

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**Downtown historic district**

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**From** Nabeel Al-Shamma [REDACTED]**Date** Sun 11/30/2025 4:31 PM**To** City Council <City.Council@mountainview.gov>

**CAUTION: EXTERNAL EMAIL** - Ensure you trust this email before clicking on any links or attachments.

Dear city council members,

Our downtown commercial district should be saved by declaring it an official historic district on the local historic register. Let's preserve the feel of downtown for residents and visitors to enjoy.

Nabeel Al-Shamma  
[REDACTED]



Outlook

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**Please make downtown a historic district**

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**From** Becca S <[REDACTED]>  
**Date** Mon 12/1/2025 12:03 PM  
**To** City Council <City.Council@mountainview.gov>

**CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.**

Hi,

**Our downtown commercial district should be saved by declaring it an official historic district on the local historic register.**

I moved to Mountain View in 2007. The downtown specifically is what drew me to it. I was able to move to Old Mountain View in 2008, and I hope to spend the rest of my life here.

In a world where large commercial chains and strip malls are robbing cities of their character, downtown Mountain View is special. The mix of buildings we have is authentic and represents all the different people who have lived here.

The trees throughout downtown are also a key part of our DNA. The shady sidewalks they provide are a defining part of my family's day to day. The mature fruit trees leftover from when the land was orchards bring the neighborhood together as we share their bounty.

Mountain View has plenty of land where we can make more housing. Please don't destroy its heart.

Thank you,  
Becca



Outlook

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**SB 79 / Downtown Historic District**

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**From** Maureen B [REDACTED]**Date** Mon 12/1/2025 4:41 PM**To** City Council <City.Council@mountainview.gov>

CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Dear Mayor Kamei and City Council,

I am writing as I am concerned that our downtown district may be at risk due to the recent passage of SB 79. It appears that the best way to protect our downtown would be to declare it an official historic district on the local historic register.

I would urge you to prioritize this as we do not have much time to work with.

Thank you very much,

Maureen Blando



Outlook

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**SB79 & DT Mountain View**

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**From** [REDACTED]  
**Date** Wed 12/3/2025 11:17 AM  
**To** City Council <City.Council@mountainview.gov>

**CAUTION: EXTERNAL EMAIL** - Ensure you trust this email before clicking on any links or attachments.

Dear City Council Members,

Our downtown commercial district should be saved by declaring it an official historic district on the local historic register.

Please designate the downtown Mountain View area as an official historic district to avoid the 6-9 story housing which is being mandated by SB79. As a 45+ year resident, I remember when Castro Street was narrowed from 4 lanes to the current 2 lanes to facilitate the small town feel and I fully supported that. The partial Castro St closure post-Covid also was a good decision.

Please, please, please consider this.  
Thanks,  
Barbara Burbach  
[REDACTED]





Outlook

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**Re: Act Now to Save Mountain View's Historic Downtown**

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**From** Greg Coombe [REDACTED]**Date** Mon 12/1/2025 12:33 PM**To** [REDACTED]**Cc** City Council <City.Council@mountainview.gov>; [REDACTED]

**CAUTION: EXTERNAL EMAIL** - Ensure you trust this email before clicking on any links or attachments.

Hi,

I would agree that the downtown is old, but I'm not sure it really rises to the level of "historic". There are a lot of nice buildings, and we should try to keep those. But there are also a lot of old rundown single-story buildings. These buildings could be knocked down and replaced with something a lot more functional, incorporating some mix of housing/retail/office space. There is a massive lack of housing options in the area, and I worry that freezing last century's poor land-use decisions prevents us from addressing this.

Greg Coombe

On Mon, Dec 1, 2025 at 10:54 AM [REDACTED] &gt; wrote:

Send an email to [city.council@mountainview.gov](mailto:city.council@mountainview.gov).

Our legislature passed Senate Bill 79 in October 2025. It goes into effect July 1, 2026, and mandates that areas within one-half mile of a rail stop in our county must allow 6-9 story housing BY RIGHT without a city council vote. Residents will have no say in what is built. Our downtown and its historic buildings can be torn down.

But the new law does allow for a limited exception for official city-certified historic districts that are on a local historic register. The problem is that we do not yet have the needed historic district that could save our downtown.

BUT on Tuesday, December 9, the Mountain View City Council will vote on changes to the Historic Ordinance and Local Register. Council will have the opportunity to weigh in on whether our downtown commercial district in and around the 100-300 blocks of Castro Street merits this historic designation. City documents have always called our downtown "the historic center and focus of the community, and the heartbeat of the city". And it is a key source of sales tax revenue supporting our city's economic vitality.

Please write the council at [city.council@mountainview.gov](mailto:city.council@mountainview.gov) and say: "Our downtown commercial district should be saved by declaring it an official historic district on the local historic register." If you have time, it would help to add a personal note about a restaurant, shop, or life event to illustrate why you love our downtown. I will be writing "My wife and I had our first date on Castro Steet 26 years ago. Each year we celebrate our anniversary with dinner at a downtown restaurant."

For more information, write to [livable.mountain.vew@gmail.com](mailto:livable.mountain.vew@gmail.com) or see our plan to save our historic downtown at <https://www.livablemv.com/blog/>.

Robert Cox & Louise Katz

For the Steering Committee of Livable Mountain View

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You received this message because you are subscribed to the Google Groups "Livable Mountain View" group.

To unsubscribe from this group and stop receiving emails from it, send an email to [livable-mountain-view+unsubscribe@googlegroups.com](mailto:livable-mountain-view+unsubscribe@googlegroups.com).

To view this discussion visit <https://groups.google.com/d/msgid/livable-mountain-view/036101dc62f3%24ef26e1b0%24cd74a510%24%40gmail.com>.



Outlook

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**Preserve Downtown Mountain View as a historic district**

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**From** Mackenzie Cooper [REDACTED]**Date** Wed 12/3/2025 10:15 AM**To** City Council <City.Council@mountainview.gov>

**CAUTION: EXTERNAL EMAIL** - Ensure you trust this email before clicking on any links or attachments.

To the Mountain View City Council:

Our downtown commercial district should be saved by declaring it an official historic district on the local historic register.

I grew up in Los Altos and specifically chose to move to Mountain View after college because of the vibrant, charming downtown. In the last 20 years we've seen many changes, but the character of our lovely downtown with historic buildings has remained. Children in our Mountain View public schools learn about the history of the area and take walking tours of Castro Street; downtown is a destination spot for people throughout the Bay Area and tourists alike. This is the Mountain View we love and want to keep.

Please preserve and honor our city's history and our downtown, by designating it an official historic district.

Thank you,  
Mackenzie Cooper  
Old Mountain View resident



Outlook

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**Downtown historic district**

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**From** Nabeel Al-Shamma [REDACTED]  
**Date** Sun 11/30/2025 4:31 PM  
**To** City Council <City.Council@mountainview.gov>

**CAUTION: EXTERNAL EMAIL** - Ensure you trust this email before clicking on any links or attachments.

Dear city council members,

Our downtown commercial district should be saved by declaring it an official historic district on the local historic register. Let's preserve the feel of downtown for residents and visitors to enjoy.

Nabeel Al-Shamma  
543 Bush St, Mountain View, CA 94041



Outlook

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**Historic Downtown**

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**From** Marie Evitt [REDACTED]**Date** Tue 12/2/2025 9:15 PM**To** City Council <City.Council@mountainview.gov>

**CAUTION: EXTERNAL EMAIL** - Ensure you trust this email before clicking on any links or attachments.

Dear City Councilmembers,

Our downtown commercial district is a treasured historic site. While I welcome additional housing, I want our city council to have the final say in what gets built where. Therefore, I think Mountain View City Council should declare our downtown commercial district an official historic district on the local historic register.

I love the old buildings and variety of restaurants, coffee shops and retail stores in downtown. I love that the lower part of Castro Street is now closed to cars. We can be open to change while preserving some old elements. Give yourself the power and flexibility to have smart development.

Sincerely,  
Marie Evitt

[REDACTED]



Outlook

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**Official Historic District downtown**

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**From** Ronnie Falcao [REDACTED]**Date** Sun 11/30/2025 7:10 PM**To** City Council <City.Council@mountainview.gov>

**CAUTION: EXTERNAL EMAIL** - Ensure you trust this email before clicking on any links or attachments.

Dear City Council Members:

Our downtown commercial district should be saved by declaring it an official historic district on the local historic register.

I think my favorite intersection is Villa and Castro. All four corners have really interesting architecture, which I really enjoy. These older buildings are an important part of the character of downtown Mountain View.

Regards,  
Ronnie Falcao





Outlook

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**Keep Old Mountain View small and historic**

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**From** Lisa Garrard [REDACTED]  
**Date** Mon 12/1/2025 8:35 AM  
**To** City Council <City.Council@mountainview.gov>

**CAUTION: EXTERNAL EMAIL** - Ensure you trust this email before clicking on any links or attachments.

City Council,

**Our downtown commercial district should be saved by declaring it an official historic district on the local historic register.**

**I enjoy the quaint, historic charm of downtown Mountain View and is the reason I have chosen to buy a home and then spend millions building another home in this area. I do not want tall buildings surrounding this charming area.**

**Lisa Garrard**  
[REDACTED]

Sent from my iPad



Outlook

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**Please Save Downtown, Place on a Local Historic Register**

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From [REDACTED] <[REDACTED]>  
Date Mon 12/1/2025 6:40 PM  
To City Council <City.Council@mountainview.gov>

**CAUTION: EXTERNAL EMAIL** - Ensure you trust this email before clicking on any links or attachments.

Dear Council Members,

I've lived in Mountain View for 47 years, raised a family here, love it here. Love the historical downtown! I don't want to see it modernized into a megaplex. There are already too many of those in the area. Downtown has a charm of it's own. Please save it.

Our downtown commercial district should be saved by declaring it an official historic district on the local historic register. Our downtown commercial district in and around the 100-300 blocks of Castro Street merits this historic designation. City documents have always called our downtown "the historic center and focus of the community, and the heartbeat of the city". And its a key source of sales tax revenue supporting our city's economic vitality.

Frankly, I'm tired of the stack'n pack housing and traffic congestion. It's like living in a concrete jungle. We don't even have the infrastructure to keep supporting continuous high density growth--especially not the water.

Sincerely,

Sonja Goedde







Outlook

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**historic district**

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**From** Lawrence Rosenberg <[REDACTED]>  
**Date** Tue 12/2/2025 10:36 AM  
**To** City Council <City.Council@mountainview.gov>

**CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.**

Our downtown commercial district should be saved by declaring it an official historic district on the local historic register.

Sent from my iPad,  
Larry



Outlook

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## Save our Historic Downtown

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**From** Muriel Sivyer-Lee <[REDACTED]>  
**Date** Mon 12/1/2025 5:00 PM  
**To** City Council <City.Council@mountainview.gov>

CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

To Whom it may concern:

I have lived in Downtown Mountain View on Velarde Street for over 43 years now. I own the house next to mine on Velarde Street. I also own a Historic Vintage piece of property at [REDACTED] located between Hope Street and Bush Street. My mother was a real estate agent and stumbled into Downtown while looking for a house for my husband, my 8 month old daughter and myself. Our home became [REDACTED] where I raised my now adult three children. My two young granddaughters have also made my home their second home.

My oldest daughter purchased a home on California Street between Shoreline and Villa Street. This historic downtown has become the soul of this family.

Please take the time to save our downtown commercial district by declaring it an official historic district on the local historic register. We need to work on preserving and honoring our city's history and downtown's unique, irreplaceable characteristics that connect us all as residents and visitors.

Muriel Sivyer-Lee  
[REDACTED]

Member of Livable MV



Outlook

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**Please Protect Our Downtown as a Local Historic District**

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**From** Marina Marinovich [REDACTED]**Date** Mon 12/1/2025 1:05 PM**To** City Council <City.Council@mountainview.gov>

**CAUTION: EXTERNAL EMAIL** - Ensure you trust this email before clicking on any links or attachments.

Dear Mayor and City Councilmembers,

Our downtown commercial district should be saved by declaring it an official historic district on the local historic register.

Like many families in Mountain View, when my family first immigrated to America, they arrived here. The very first time my father came to the United States, he stepped onto the platform at the Castro Street train station. Downtown Mountain View was his introduction to American life — a welcoming neighborhood of small shops, friendly people, and a sense of belonging. That memory has stayed with our family for generations.

Protecting downtown as a historic district will ensure that the heart and heritage of our community are preserved. Its human scale, walkable charm, and local-business character are irreplaceable. Once lost, this history cannot be rebuilt.

I respectfully urge you to designate our downtown commercial district as a local historic district so future generations can experience the same sense of welcome, identity, and community that my family did.

Thank you for your time and dedication to our city.

Sincerely,

Mary Kay Marinovich

Kiwanis Club of Mountain View Foundation Director





Outlook

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**Save historic downtown MV**

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**From** Robert Mullenger [REDACTED]**Date** Mon 12/1/2025 8:10 AM**To** City Council <City.Council@mountainview.gov>

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Hello

I am writing to state that our downtown commercial district should be saved by declaring it an official historic district on the local historic register.

Robert Mullenger





Outlook

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**Please \*don't\* declare downtown an official historic district**

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**From** Kathy Ray [REDACTED]**Date** Mon 12/1/2025 11:53 AM**To** City Council <City.Council@mountainview.gov>

**CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.**

Hello,

I'm writing because there's been an organized effort to get residents in my Old Mountain View neighborhood to write you demanding that the downtown commercial district be declared an official historic district, as a way to avoid having higher density buildings constructed there.

I wanted to chime in, as I would love to see downtown full of nice new buildings taller than anything in downtown currently. Especially right near the transit center, it makes sense to have dense housing and commercial buildings, even if it means that some buildings that have been standing there for many years are replaced with taller ones.

Density near transit creates less traffic, it's environmentally sound, and it creates a walkable neighborhood I would love to live in. Newly constructed buildings are easier to open new businesses in since there are not decades of code violations to rectify, and their modern insulation saves on utilities.

I know you'll be hearing from a lot of people who like the downtown exactly as it is. Thanks for listening to my opinion as well.

Kathy Ray,  
resident of Old Mountain View



Outlook

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**Historic designation for portions of downtown MV**

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**From** Barbara Saxton <[REDACTED]>  
**Date** Tue 12/2/2025 4:46 PM  
**To** City Council <City.Council@mountainview.gov>

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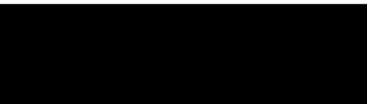
Hi--

I am a longtime resident (45 years) of Mountain View who greatly enjoys the historic feel of many of the buildings in our downtown area.

Please act as soon as possible to confer historic designation to buildings in or around the 100 - 300 blocks of Castro Street.

Thank you.

Barbara Saxton



*Barbara Saxton*



Outlook

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**SAVE OUR PRECIOUS HISTORIC DOWNTOWN**

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**From** Nancy Stuhr [REDACTED]  
**Date** Mon 12/1/2025 6:59 PM  
**To** City Council <City.Council@mountainview.gov>

**CAUTION: EXTERNAL EMAIL** - Ensure you trust this email before clicking on any links or attachments.

Our downtown

commercial district should be saved by declaring it an official historic district on the local historic register." This charm is why I moved here , sell homes here, and why my family decided to join me here . Please - this is really important !!

Nancy Adele Stuhr  
[REDACTED]



Outlook

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**Historic designation for downtown area**

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**From** [REDACTED]**Date** Mon 12/1/2025 1:08 PM**To** City Council <City.Council@mountainview.gov>

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I urge you to approve the proposal to protect the downtown historic area by giving the first few blocks of Castro a historic area designation.

This area reflects the historical roots of Mountain View and makes our downtown area unique and special. The history of some of the early settlers of Mountain View is tied to these beautiful buildings. Please preserve our past. There are many other areas of Mountain View to build instead!

Susanne Martinez  
Resident of Mountain View





Outlook

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## Historic downtown

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**From** Kathy Swartz <[REDACTED]>  
**Date** Mon 12/1/2025 4:59 PM  
**To** City Council <City.Council@mountainview.gov>

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Hi -

I wanted to weigh in on the issue of whether or not our downtown should be an historic district. Please do declare our downtown commercial district to be an official historic district on the local historic register. Our downtown is why I moved to Mountain View almost 30 years ago!

Thank you,  
Kathy Swartz



Outlook

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**Please protect downtown from high rise development**

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**From** Shannon Wilkowski <[REDACTED]>**Date** Tue 12/2/2025 8:21 AM**To** City Council <City.Council@mountainview.gov>

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Our downtown commercial district should be saved by declaring it an official historic district on the local historic register. I love our downtown and would strongly support maintaining it as a "homey/hometown" feeling downtown. I believe that the tall buildings permitted under SB 79 would ruin the feeling of our Castro street and turn it into a canyon.

Please protect our lovely downtown!

Thanks you!

Shannon Wilkowski



**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** City Council meeting 12/9 and saving the Mountain View historic downtown  
**Date:** Wednesday, December 3, 2025 4:48:04 PM  
**Importance:** High

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Dear Mountain View City Council members,

With the passage of Senate Bill 79 your constituents in Mountain View need you help save the historic areas of the city. As a 38-year resident of Mountain View, I strongly urge you to save our downtown commercial district in and around the 100-300 blocks of Castro Street by declaring it an official historic district on the local historic register.

The only way to save our downtown's character and walkability that draw many people to it, both those who live here and those who come to enjoy it, is to designate a needed historic district to save our downtown under SB79's limited exception for official city-certified historic districts that are on a local historic register. Our historic district should include not only architecturally significant buildings but also buildings associated with prominent pioneer and early-day residents and organizations.

On Tuesday, December 9, please establish a historic downtown district adjacent to the transit center. A Historic Ordinance and Local Register will save our downtown and preserve and honor our city's history and character and recognizing the "focus of the community and heartbeat of the city" as well as protecting this important source of sales tax revenue that supports Mountain View economically. Other cities such as Palo Alto and Sunnyvale are working on plans to save their historic centers and we should not delay in doing so for Mountain View.

Sincerely,  
Laura Ackerman-Shaw  
[REDACTED] Mountain View

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** Save MV Historic Section on Castro Street  
**Date:** Wednesday, December 3, 2025 2:16:36 PM

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Dear Mayor and City Council Members,

Our state legislature passed **Senate Bill 79** in October 2025. It goes into effect July 1, 2026, and mandates that areas within one-half mile of a rail stop in our county must allow 6-9 story housing BY RIGHT without city council vote or community input. Our downtown and its historic buildings can be torn down.

But the new law does allow for a limited exception for official city-certified historic districts that are on a local historic register. The problem is that we do not yet have the needed historic district that could save our downtown.

Next **Tuesday, December 9** at the City Council meeting, I urge you to consider designating the **downtown commercial district** in and around the 100-300 blocks of Castro Street, as a historic district on our Local Historic Register. City documents have always called our downtown “the historic center and focus of the community and the heartbeat of the city”. And it is a key source of sales tax revenue supporting our city’s economic vitality.

Moreover, historic districts may include not only architecturally significant buildings but also buildings associated with prominent pioneer and early-day residents and organizations. That was exactly the rationale our neighboring Redwood City utilized in establishing their historic downtown district adjacent to the transit center.

**Please save Our downtown commercial district by declaring it an official historic district on the local historic register.**

As I write this, my memory takes me to 1984, shortly after my family and I moved to Mountain View. I was interviewed by the Voice newspaper and was asked how I liked the city and what would I like to see different. I responded that I love MV because of its older downtown, and would like to see bookstores and coffee shops open on Castro Street.

Now we certainly have bookstores, coffee shops and much more in our downtown. Let’s work on preserving and honoring our city’s history and downtown’s unique, irreplaceable characteristics that connect us all as residents and visitors.

Best Regards,  
Hala Alshahwany  
MV Resident - [REDACTED]