



# City of Sunnyvale

## Notice and Agenda - Final Heritage Preservation Commission

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Wednesday, June 6, 2018

7:00 PM

West Conference Room, City Hall, 456 W.  
Olive Ave., Sunnyvale, CA 94086

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### **CALL TO ORDER**

### **SALUTE TO THE FLAG**

### **ROLL CALL**

### **PRESENTATION**

[18-0484](#)

Heritage Preservation Commission Recognition

### **ORAL COMMUNICATIONS**

*This category provides an opportunity for members of the public to address the commission on items not listed on the agenda and is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Chair) with a maximum of up to three minutes per speaker. Please note the Brown Act (Open Meeting Law) does not allow commissioners to take action on an item not listed on the agenda. If you wish to address the commission, please complete a speaker card and give it to the Recording Secretary. Individuals are limited to one appearance during this section.*

### **CONSENT CALENDAR**

- 1.A. [18-0482](#) Approve the Draft Heritage Preservation Commission Meeting Minutes of May 2, 2018

### **PUBLIC HEARINGS/GENERAL BUSINESS**

2. [18-0481](#) Review Planning Program Budget and Fees for FY 2018-19

**3.     [18-0423](#)**

**Proposed Project:**   **RESOURCE ALLOCATION PERMIT** to consider the historic significance of a single-family home which is listed as part of the Sunnyvale Heritage Resources Inventory.

**Location:** 435 East McKinley Street (APN: 209-11-051)

**File #:** 2017-7961

**Zoning:** R-2

**Applicant / Owner:** Gary Holmes Architects (applicant) / Meena and William Tapsall (owner)

**Environmental Review:** Environmental review will be conducted as required by California Environmental Quality Act provisions and City Guidelines upon determination of significance by the Heritage Preservation Commission.

**Project Planner:** Aastha Vashist, (408) 730-7458,  
avashist@sunnyvale.ca.gov

**STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES****NON-AGENDA ITEMS & COMMENTS**

**-Commissioner Comments**

**INFORMATION ONLY REPORTS/ITEMS**

**ADJOURNMENT***Notice to the Public:*

*Any agenda related writings or documents distributed to members of this meeting body regarding any item on this agenda will be made available for public inspection in the originating department or can be accessed through the Office of the City Clerk located at 603 All America Way, Sunnyvale, CA. during normal business hours and at the meeting location on the evening of the board or commission meeting, pursuant to Government Code §54957.5.*

*Agenda information is available by contacting Joey Mariano at (408) 730-7486. Agendas and associated reports are also available on the City's website at [sunnyvale.ca.gov](http://sunnyvale.ca.gov) or at the Sunnyvale Public Library, 665 W. Olive Ave., Sunnyvale, 72 hours before the meeting.*

*Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Joey Mariano at (408) 730-7486. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.160 (b) (1))*



# City of Sunnyvale

## Agenda Item

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**18-0484**

**Agenda Date:** 6/6/2018

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Heritage Preservation Commission Recognition



# City of Sunnyvale

## Agenda Item

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**18-0482**

**Agenda Date:** 6/6/2018

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**SUBJECT**

Approve the Draft Heritage Preservation Commission Meeting Minutes of May 2, 2018

**RECOMMENDATION**

Approve the Draft Heritage Preservation Commission Meeting Minutes of May 2, 2018, as submitted.



# City of Sunnyvale

## Meeting Minutes - Draft Heritage Preservation Commission

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Wednesday, May 2, 2018

7:00 PM

West Conference Room, City Hall, 456 W.  
Olive Ave., Sunnyvale, CA 94086

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### **CALL TO ORDER**

Chair Dietrich called the meeting to order.

### **SALUTE TO THE FLAG**

Chair Dietrich led the salute to the flag.

### **ROLL CALL**

Chair Dietrich noted Comm. Holthaus' planned absence.

**Present:** 6 - Chair Hannalore Dietrich  
Vice Chair Dawn Hopkins  
Commissioner Dixie Larsen  
Commissioner Mike Michitaka  
Commissioner Dale Mouritsen  
Commissioner Kenneth Valenzuela  
**Absent:** 1 - Commissioner Melanie Holthaus

### **PRESENTATION**

None

### **ORAL COMMUNICATIONS**

None

### **CONSENT CALENDAR**

**1.A.**     [18-0426](#)     Approve the Draft Heritage Preservation Commission Meeting Minutes  
of March 7, 2018

Comm. Mouritsen moved and Comm. Hopkins seconded to approve the Draft  
Minutes of March 7, 2018, as submitted.

**Yes:** 5 - Vice Chair Hopkins  
Commissioner Larsen  
Commissioner Michitaka  
Commissioner Mouritsen  
Commissioner Valenzuela

**No:** 0

**Absent:** 1 - Commissioner Holthaus

**Abstain:** 1 - Chair Dietrich

## **PUBLIC HEARINGS/GENERAL BUSINESS**

2.      [18-0349](#)      **File #:** 2018-7219  
                         **Location:** City of Sunnyvale Civic Center Complex  
                         **Applicant:** City of Sunnyvale  
                         **Proposed Project:**  
                                 **Public Comments on the Draft Program Environmental  
                                 Impact Report** for the Civic Center Modernization Master Plan  
                                 Project  
                         **Project Planner:** Momoko Ishijima, (408)730-7532,  
                         mishijima@sunnyvale.ca.gov

Associate Planner Momoko Ishijima presented the Draft Program Environmental Impact Report (DEIR) for the Civic Center Modernization Master Plan Project. She summarized the proposed project phasing, the DEIR timeline, and the Historic Architecture Evaluation Report's conclusion that the City Hall and City Hall Annex buildings and landscaping, and the Sunnyvale Office Complex are eligible for listing as a historic district, and that the existing City Hall and Sunnyvale Office Complex are also potentially individually eligible for listing.

Chair Dietrich noted that the historical analysis is well presented and noted that a historical plaque may be a good way of recognizing the historic significance of the Civic Center.

Comm. Larsen confirmed with Ms. Ishijima if the Cultural and Tribal Cultural Resources are part of the Commission's purview. Ms. Ishijima discussed that the mitigation measures are addressed under Cultural Impact two and three of the DEIR.

Comm. Mouritsen asked if the proper tribes have been notified and Ms. Ishijima replied yes and stated that the organizations contacted are listed in section 7.2 of

the DEIR.

Ms. Ishijima and Ms. Caliva-Lepe discussed the possibility of tribal resources within the site considering the age of the buildings.

Comm. Michitaka confirmed that the comment period ends on June 7, 2018 and asked staff if the trees are part of their comment area.

Chair Dietrich confirmed with staff that the Cultural and Tribal Cultural Resources as well as the buildings are part of this Commission's purview.

Comm. Larsen asked about the redwood grove between City Hall and the Annex, and stated that she was in belief the trees in that area would be saved.

Chair Dietrich noted that the Sunnyvale Urban Forest Advocates were in attendance at the July 12, 2017 Heritage Preservation Commission meeting (see Legistar file #17 074) to bring awareness and asked this Commission to consider the nomination of 15 to 17 redwood trees at the Civic Center campus as Heritage Resources.

Ms. Ishijima noted that the DEIR includes the protection of 90% of the trees and noted that these trees were evaluated as part of the DEIR.

Ward Hill, historical analysis consultant, noted that landscape historian architect Denise Bradley produced the historical analysis for the landscaping and discussed that the buildings were planned around the landscape.

Comm. Larsen asked staff about the cultural and tribal cultural resources noted in the Impact Discussion of Section 4.4.6 of the DEIR. Ms. Ishijima noted that it is within this Commission's purview to evaluate and comment on this portion of the DEIR and said that the Civic Center has been at its current location since the 1950's and that there is a possibility that resources may be found underground during construction.

Comm. Mouritsen asked about the process if archaeological resources are found on the site. Ms. Ishijima noted that Section 4.4.6 Impact Discussion describes the mitigation process, noting that an onsite archaeologist will contact the appropriate group and determine how to handle any resources that may be found.

Senior Planner Noren Caliva Lepe reminded the Commission that they are being

asked to comment on the adequacy of the DEIR and historic evaluation, and that the trees were evaluated in the DEIR. Ms. Caliva-Lepe noted that discussion about the merits of the project and tree protection are comments that should be reserved for future public hearings for the project. Ms. Caliva-Lepe also summarized the definition of a "protected tree" per the Sunnyvale Municipal Code.

Comm. Mouritsen asked staff about the history of the decision for the need of a new Civic Center and Ms. Ishijima discussed the history of the Civic Center Modernization Project Plan, including outreach and workshops over the past years.

Vice Chair Hopkins noted that the City Council recently approved the Historical Plaque Program study issue and noted that this is a perfect project to consider a plaque placed in the new Civic Center to recognize the history.

Ward Hill noted that an exhibit may be a good idea to include in the Civic Center and Vice Chair Hopkins acknowledged the idea.

Tom Larsen, resident, asked if the trees that are planned to be demolished have a process to get reclaimed and Ms. Ishijima responded that she is not clear if a plan is proposed to re use the wood after removal.

Staff noted that the minutes of this meeting will be forwarded to City Council.

#### **STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES**

None.

#### **NON-AGENDA ITEMS & COMMENTS**

##### **-Commissioner Comments**

None.

#### **INFORMATION ONLY REPORTS/ITEMS**

None.

#### **ADJOURNMENT**

Chair Dietrich adjourned the meeting at 7:47.



# City of Sunnyvale

## Agenda Item

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18-0481

Agenda Date: 6/6/2018

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### REPORT TO HERITAGE PRESERVATION COMMISSION

#### SUBJECT

#### **Review Planning Program Budget and Fees for FY 2018-19**

#### ENVIRONMENTAL REVIEW

The Heritage Preservation Commission's review of the budget is not subject to environmental review.

#### DISCUSSION

Attached is the Planning Program budget proposed for Fiscal Year (FY) 2018-2019. The full recommended budget is available online at:

<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?blobid=25605>

Staff recommends that the Commission review the City Manager's Letter of Transmittal. In addition, the Commission should also review the Community Development Department Narrative in Volume I, Summary & Operating Budget. This discussion includes information on past and projections of future activity.

The Planning program budget starts in Volume one (follows the department narrative). An excerpt which includes the Planning Program budget is included in Attachment 1. Boards and Commissions are asked to provide comments to the City Council on the recommended City budget where it could affect the Commission's work.

Sunnyvale's budget process alternates each year between an operating and projects budget, and this year is focused on the operating budget. The City has moved from the long-used "productive hour" approach to a more commonly used Full Time Equivalent (FTE) method, which simplifies our process and still provides needed detail on staffing costs and allocations. The expenses are slightly higher, reflecting changes in the cost of living.

The Community Development Department added expenditures to reflect the continued high demand for services, including supplies, increasing credit card fees, and overtime for inspections and attendance at after hour meetings. In addition, the department added one Management Analyst to provide analytical support and assist with special projects. The Management Analyst position will not likely be associated with projects requiring review from the Heritage Preservation Commission.

#### **Overview**

The Planning Program oversees policy planning and current planning, with the aim of improving the quality of life in the City through comprehensive and effective policy planning. Program activities include preparing and administering the City's General Plan, specific plans and other land use policy documents, reviewing and processing development applications for planning permits, conducting research on Council-adopted study issues, reviewing proposed legislation affecting the City's zoning

authority, monitoring community conditions and conducting community outreach. Program staff also provides support to the Planning Commission and the Heritage Preservation Commission.

The Planning program is a part of the CDD budget. The upcoming budget is expected to increase in the current fiscal year to FY 2018/19 by 16% and slightly reduced for FY 2018/19 to FY 2019/20 by 3.3%. The budget reflects the expected continued (high) rate of application requests and the policy studies necessary to complete, and also anticipates reductions in those efforts in the future. Staff support to the Planning Commission and Heritage Preservation Commission will be unchanged.

### **Recent Planning Division Accomplishments**

- Deleted 1.0 Planning Official position and added 1.0 Assistant Director of Community Development position in March 2018. The exchange was made to optimize department oversight and provide for succession planning opportunities within the department.
- Managed a large pipeline of residential, industrial/office/commercial (I/O/C) and hotel applications. New applications continue to be submitted, keeping the pipeline at approximately 4,000 housing units (10% affordable), 13.8 million gross square feet of I/O/C (7 million net square feet), and 14 hotel projects.
- Issued building permits for two housing projects with significant affordable housing components (St. Anton 20% and Mid-Pen 100%).
- Issued building permits and started construction for Lawrence Station Area Plan projects and Peery Park Projects.
- Start process to implement e-plan review; if implemented in full it will reduce the need for paper submittals and the storage area required for plans.
- Reviewed an extraordinarily high level of housing related legislation that was passed in 2017 (and resulted in 17 bills adopted by the Governor).
- Completed accessory dwelling unit policy study with code amendments (including changes required by recent state legislation).

### **Recent Heritage Preservation Commission Activity**

- California Environmental Quality Act (CEQA) training provided by City staff in March 2018.
- Provided comments on the Draft Environmental Impact Report (EIR) for the Civic Center Master Plan in April 2018.
- Reviewed two Resource Alteration Permits (RAPs) so far for fiscal year 2017-2018, with at least two upcoming additional RAPs in the pipeline.
- Upcoming decision on the Murphy Station Design Guidelines in October 2018.

### **Fee Schedule**

A recommended fee schedule is considered by the City Council along with the recommended budget. Recommendations for fees are primarily changed due to general cost of living increases.

### **PUBLIC HEARING**

At the June 6, 2018 Heritage Preservation Commission hearing, staff will make a short presentation on current activity levels and will be available for any questions about the budget. The Heritage Preservation Commission has the option to make comments on the budget or to make a motion on the budget. The Heritage Preservation Commission discussion (and motion, if there is one) will be provided to the City Council for the public hearing on the recommended budget on June 12, 2018,

with adoption scheduled for June 26, 2018.

**PUBLIC CONTACT**

Public contact was made through posting of the Heritage Preservation Commission agenda on the City's official-notice bulletin board and on the City's website.

**RECOMMENDATION**

Provide comments to the City Council or make a formal recommendation to the City Council on the Recommended FY 2018-2019 budget for the Planning Program.

Prepared by: Noren Caliva-Lepe, Senior Planner

Reviewed by: Amber Blizinski, Principal Planner

**ATTACHMENTS**

1. Community Development Program Budget Excerpt

## Community Development Department

## Budget Summary

		FY 2016/17 Actuals	FY 2017/18 Adopted	FY 2018/19 Recom- mended	FY 2018/19 Change %	FY 2019/20 Recom- mended	FY 2019/20 Change %
<b>Dollars by Program / Service Delivery Plan*</b>							
<b>Program 233 - Building Safety</b>							
233.01	Plan Review	1,196,591	1,150,487	948,969	(17.5%)	977,835	3.0%
233.02	Construction Inspection	1,639,513	1,627,304	1,837,593	12.9%	1,897,564	3.3%
233.03	One-Stop Permit Center	798,217	947,158	940,466	(0.7%)	972,031	3.4%
233.04	Building Safety Management Supervisory and Administrative Support Services	307,165	357,377	642,307	79.7%	664,461	3.4%
<b>Total Program 233 - Building Safety</b>		<b>3,941,486</b>	<b>4,082,326</b>	<b>4,369,335</b>	<b>7.0%</b>	<b>4,511,892</b>	<b>3.3%</b>
<b>Program 234 - Planning</b>							
234.01	Policy Planning	559,389	671,644	738,331	9.9%	761,998	3.2%
234.03	Planning Management, Supervisory and Administrative Support Services	208,883	223,861	711,799	218.0%	736,200	3.4%
234.04	Land Use and Development Review	2,320,318	2,435,076	2,416,935	(0.7%)	2,497,613	3.3%
<b>Total Program 234 - Planning</b>		<b>3,088,589</b>	<b>3,330,581</b>	<b>3,867,065</b>	<b>16.1%</b>	<b>3,995,812</b>	<b>3.3%</b>
<b>Program 235 - Housing and CDBG Program</b>							
235.01	Community Development Block Grant (CDBG)	229,567	238,739	210,891	(11.7%)	217,951	3.3%
235.02	Lower-Income Housing (HOME)	92,650	103,988	84,878	(18.4%)	87,872	3.5%
235.03	Local Housing / Projects and Programs	354,984	427,156	536,759	25.7%	558,038	4.0%
235.05	Housing Successor Agency Low-Mod Fund	2,854	41,040	47,172	14.9%	48,886	3.6%
235.06	Housing Rehabilitation Program	151,778	164,023	144,131	(12.1%)	149,183	3.5%
235.07	Local Housing / BMR Program Administration	381,960	450,777	451,168	0.1%	467,554	3.6%
<b>Total Program 235 - Housing and CDBG Program</b>		<b>1,213,793</b>	<b>1,425,723</b>	<b>1,474,999</b>	<b>3.5%</b>	<b>1,529,484</b>	<b>3.7%</b>
<b>Program 237 - Community Development Department Management</b>							
237.01	Department Management, Supervisory and Administrative Support Services	538,178	544,238	649,805	19.4%	669,828	3.1%
<b>Total Program 237 - Community Development Department Management</b>		<b>538,178</b>	<b>544,238</b>	<b>649,805</b>	<b>19.4%</b>	<b>669,828</b>	<b>3.1%</b>

	FY 2016/17 Actuals	FY 2017/18 Adopted	FY 2018/19 Recom- mended	FY 2018/19 Change %	FY 2019/20 Recom- mended	FY 2019/20 Change %
<b>Capital or Special Projects</b>						
595-350 Permitting System Replacement	N/A	N/A	192,075	N/A	200,535	4.4%
<b>Total Capital or Special Projects</b>	<b>N/A</b>	<b>N/A</b>	<b>192,075</b>	<b>N/A</b>	<b>200,535</b>	<b>4.4%</b>
<b>Total Dollars by Program / Service Delivery Plan</b>	<b>8,782,046</b>	<b>9,382,868</b>	<b>10,553,280</b>	<b>12.5%</b>	<b>10,907,551</b>	<b>3.4%</b>
<b>Dollars by Fund</b>						
General Fund	1,098,205	1,215,883	1,388,137	14.2%	1,431,826	3.1%
Community Development Block Grant (CDBG) Fund	381,344	402,762	355,022	(11.9%)	367,134	3.4%
Development Enterprise Fund	6,470,048	6,645,402	7,498,069	12.8%	7,745,706	3.3%
General Services Fund	0	95,861	192,075	100.4%	200,535	4.4%
HOME Grant Fund	92,650	103,988	84,878	(18.4%)	87,872	3.5%
Housing Fund	736,945	877,933	987,927	12.5%	1,025,593	3.8%
Redevelopment Housing Fund	2,854	41,039	47,172	14.9%	48,887	3.6%
<b>Total Dollars by Fund</b>	<b>8,782,046</b>	<b>9,382,868</b>	<b>10,553,280</b>	<b>12.5%</b>	<b>10,907,551</b>	<b>3.4%</b>
<b>Dollars by Category*</b>						
<b>Salary and Benefits:</b>						
Salary	3,718,144	4,127,446	5,366,346	30.0%	5,578,584	4.0%
Retirement	1,291,541	1,486,438	1,677,704	12.9%	1,837,156	9.5%
Medical	634,744	644,455	610,569	(5.3%)	622,355	1.9%
Retiree Medical	525,084	509,156	545,906	0.0%	536,275	(1.8%)
Workers Compensation	52,341	74,983	60,752	(19.0%)	63,160	4.0%
Other Benefits	136,254	190,949	201,093	0.0%	197,997	(1.5%)
Other Leaves	790,941	899,633	180,335	(80.0%)	145,208	(19.5%)
Overtime and Casual Staffing	281,595	201,701	418,952	107.7%	418,953	0.0%
<b>Total Salary and Benefits</b>	<b>7,430,644</b>	<b>8,134,761</b>	<b>9,061,657</b>	<b>11.4%</b>	<b>9,399,688</b>	<b>3.7%</b>

	FY 2016/17 Actuals	FY 2017/18 Adopted	FY 2018/19 Recom- mended	FY 2018/19 Change %	FY 2019/20 Recom- mended	FY 2019/20 Change %
Dollars by Category*, continued						
<b>Non-Personnel:</b>						
Purchased Goods and Services	589,653	366,290	423,530	15.6%	437,193	3.2%
Property and Capital Outlay	291	0	2,023	0.0%	0	0.0%
Miscellaneous Expenditures	40,371	54,915	66,160	20.5%	66,160	0.0%
Internal Service Charges	690,895	777,024	943,320	21.4%	947,920	0.5%
Usage Based Internal Services	30,192	49,878	56,590	13.5%	56,590	0.0%
<b>Total Non-Personnel</b>	<b>1,351,402</b>	<b>1,248,107</b>	<b>1,491,623</b>	<b>19.5%</b>	<b>1,507,863</b>	<b>1.1%</b>
<b>Total Dollars by Category</b>	<b>8,782,046</b>	<b>9,382,868</b>	<b>10,553,280</b>	<b>12.5%</b>	<b>10,907,551</b>	<b>3.4%</b>

\* Starting with FY 2018/19, Programs and Service Delivery Plans have been realigned and leave costs associated with a position's paid time during the year are now reflected in the Salary line item instead of Other Leaves. As a result, large variances between FY 2017/18 Adopted and FY 2018/19 Recommended may result.



# City of Sunnyvale

## Agenda Item

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18-0423

Agenda Date: 6/6/2018

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### REPORT TO HERITAGE PRESERVATION COMMISSION

#### SUBJECT

**Proposed Project:** **RESOURCE ALLOCATION PERMIT** to consider the historic significance of a single-family home which is listed as part of the Sunnyvale Heritage Resources Inventory.

**Location:** 435 East McKinley Street (APN: 209-11-051)

**File #:** 2017-7961

**Zoning:** R-2

**Applicant / Owner:** Gary Holmes Architects (applicant) / Meena and William Tapsall (owner)

**Environmental Review:** Environmental review will be conducted as required by California Environmental Quality Act provisions and City Guidelines upon determination of significance by the Heritage Preservation Commission.

**Project Planner:** Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

#### REPORT IN BRIEF

**General Plan:** Low Medium Density Residential

**Existing Site Conditions:** Single-Family Residence

#### **Surrounding Land Uses**

**North:** Single-Family Residence

**South:** Single-Family Residence

**East:** Single-Family Residence

**West:** Single-Family Residence

**Issues:** Historic Significance of the Single-Family Home

**Staff Recommendation:** Determine that the single-family residence does not have local historic significance and recommend that the home be removed from the City Heritage Resource Inventory

#### BACKGROUND

#### Description of Proposed Project

The applicant is requesting a determination from the Heritage Preservation Commission in regards to the local historical significance of the subject property, and staff is requesting a determination to conduct appropriate environmental review prior to reviewing building renovations or future redevelopment of the site. The applicant has expressed interest in adding a second residential unit on the property.

See Attachment 1 for a map of the vicinity and mailing area for notices and Attachment 2 for the Data Table of the project.

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**Previous Actions on the Site**

A Planning permit to allow the operation of a two-unit hotel in conjunction with a single-family home was approved in 1980. The use was discontinued and the property has been used as a single-family home for several years.

**ENVIRONMENTAL REVIEW**

Under the California Environmental Quality Act (CEQA), any application that may cause a substantial adverse change to a Heritage Resource is subject to environmental review. Since, the applicant intends to add a second residential unit, there is a potential adverse impact to the environment if the structure is considered historic. CEQA statute states the following:

*“§ 21084.1, Historical Resource: A project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. For purposes of this section, a historical resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources. Historical resources included in a local register of historical resources, as defined in subdivision (k) of Section 5050.1, or deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1, are presumed to be historically or culturally significant for purposes of this section, unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant. The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not included in a local register of historical resources, or not deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1 shall not preclude a lead agency from determining whether the resource may be an historical resource for purposes of this section.”*

Generally, when projects such as these are reviewed by local agencies, a historical and architectural evaluation is requested from the applicant, which evaluates the historical significance of the structure at the National, State, and local levels. This report is used as “the preponderance of evidence” as stated in the CEQA statute. In this case, the report for the subject property determined that the single-family home is not eligible to be listed on the National and State registries of historic resources. The report also concluded that the single-family home should be removed from the City of Sunnyvale Heritage Resource Inventory because City adopted criteria are not met.

**Historic Preservation Policies**

In order to determine any local historic significance, the Heritage Preservation Commission should evaluate the home with respect to the City’s Municipal Code, Title 19 (Zoning Ordinance) which provides the criteria for nomination of a City Heritage Resource. Criteria for evaluation and nomination of Heritage Resources in Section 19.96.050 of Title 19 state the following:

*“Any improvement, building, portion of buildings, structures, signs, features, sites, scenic areas, views, vistas, places, areas, landscapes, trees, or other natural objects or objects of scientific, aesthetic, educational, political, social, cultural, architectural, or historical significance can be designated a heritage resource by the city council and any area within the city may be designated a heritage resource district by the city council pursuant to provisions of this chapter if it meets the Criteria of the National Register of Historic Places, or one or more of the following:*

*(a) It exemplifies or reflects special elements of the city’s cultural, social, economic, political, aesthetic engineering, architectural, or natural history;*

- 
- (b) It is identified with persons or events significant in local, state, or national history;*
- (c) It embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship;*
- (d) It is representative of the work of a notable builder, designer, or architect;*
- (e) It contributes to the significance of an historic area, being a geographically definable area possessing a concentration of historic or scenic properties or thematically related grouping of properties which contribute to each other and are unified aesthetically or by plan or physical development;*
- (f) It has a unique location or singular physical characteristic or is a view or vista representing an established and familiar visual feature of a neighborhood, community, or the city of Sunnyvale;*
- (g) It embodies elements of architectural design, detail, materials, or craftsmanship that represents a significant structural or architectural achievement or innovation;*
- (h) It is similar to other distinctive properties, sites, areas, or objects based on a historic, cultural, or architectural motif;*
- (i) It reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning;*
- (j) It is one of the few remaining examples in the city, region, state, or nation possessing distinguishing characteristics of an architectural or historic type or specimen;*
- (k) With respect to a local landmark, it is significant in that the resource materially benefits the historical character of a neighborhood or area, or the resource in its location represents an established and familiar visual feature of the community or city.*
- (l) With respect to a local landmark district, a collective high integrity of the district is essential to the sustained value of the separate individual resources;*
- (m) With respect to a designated landmark and designated landmark district, the heritage resource shall meet Criteria of the National Register of Historical Places, which are incorporated by reference into this chapter. (Ord. 2623-99 § 1 (part): prior zoning code § 19.80.060)."*

The criteria for the National Register for evaluating properties are included in Attachment 3.

#### **Required HPC Determination**

The applicant has submitted a historic and architectural evaluation by a consultant; Anthony Kirk, which is included in Attachment 3. The evaluation, completed January 16, 2018, includes DPR (State of California Department of Parks and Recreation) 523A, 523B and 523L forms. The report concludes that property does not qualify for State or National registers and that the property does not meet any of the City's criteria for designation.

The original DPR forms from 1979 lists the significance of the property as an old Sunnyvale industry that was converted into a residence, while retaining the unpretentious industrial design. However, the evaluation by the consultant states that the one-and two-story wood frame structure was constructed as a single-family residence in 1938 by Samuel De Vita. The house was used as the headquarters for a potato chip and salted nut business owned by the occupants for four years, beginning in 1940. As stated in the attached DPR forms, the various alterations made to the structure since the property was used as an industry have led to the loss of integrity. The evaluation further indicates that the potato chip and salted nut factory, which operated for a brief time, was not listed as a significant industry in early Sunnyvale history that provides a context to the development in the City. The house was also not associated with an individual whose life was important within the history of the nation, state or the city. In addition, the house does not have distinctive characteristics of an architectural style.

If the Commission determines that the structure has local historic significance, and significant modifications are proposed, further environmental review including an Initial Study would be required. An Environmental Impact Report (EIR) would likely be required if the home is proposed to be destroyed. If the Commission determines that the structure does not have local historic significance, redevelopment of the site or other modifications to the home could proceed with appropriate environmental review based on the scope of the proposed project without concern for historic preservation.

### **FISCAL IMPACT**

No fiscal impacts other than normal fees and taxes are expected.

### **PUBLIC CONTACT**

#### **Notice of Public Hearing**

- Published in the Sun newspaper
  - Posted on the site
  - 87 notices mailed to property owners and residents within 300 feet of the project site
- See Attachment 1 for a map of the vicinity and mailing area.

#### **Staff Report**

- Posted on the City's website
- Provided at the Reference Section of the City's Public Library

#### **Agenda**

- Posted on the City's official notice bulletin board
- Posted on the City's website

**Public Contact:** Staff has not received any correspondence or phone calls from neighbors at the time of writing of this report.

### **Conclusion**

Staff has reviewed the proposal to remove the home from the Heritage Resource Inventory and has concluded, based on the provided information including the revised DPR forms and the criteria listed in the Municipal Code, that the home should be removed from the inventory. The research has determined that the original design of the home has been significantly compromised over the years and that there is no evidence of notable people or events for historical context.

The home has at one time been an old Sunnyvale industry. However, the evaluation notes that the home has been significantly altered over the years, including conversion of garage to living quarters and bathroom (has now been converted back into a garage), replacement of windows and addition of outdoor dining that has changed the architectural integrity of the original design. There are no known significant associations of the property with any persons considered prominent in the development of Sunnyvale. Staff concurs with the historical evaluation and recommends that the Heritage Preservation Commission determine that the residence at 435 East McKinley Avenue does not meet the criteria for a local Heritage Resource as identified in Section 19.96.050 of the zoning ordinance.

**ALTERNATIVES**

1. Determine that the single-family home does have local historic significance.
2. Determine that the single-family home does not have local historic significance.

**RECOMMENDATION**

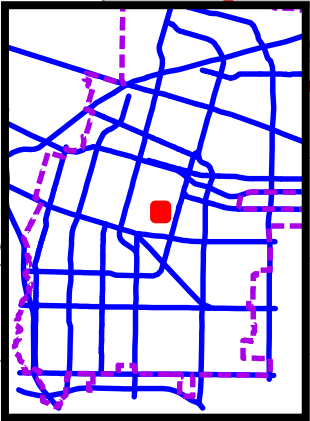
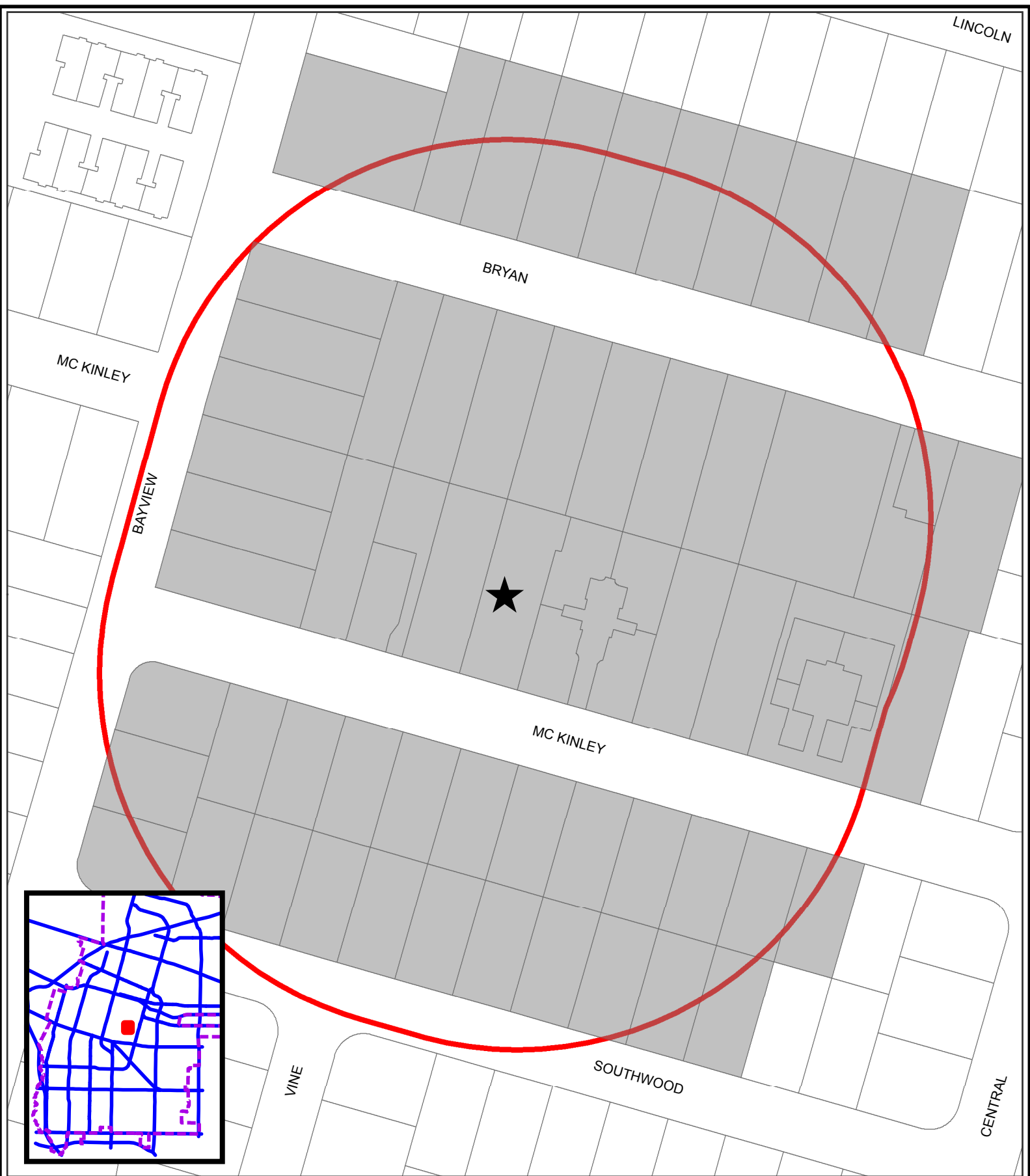
Alternative 2. Determine that the single-family home does not have local historic significance.

Prepared by: Aastha Vashist, Assistant Planner

Approved by: Noren Caliva-Lepe, Senior Planner

**ATTACHMENTS**

1. Vicinity and Noticing Map
2. Evaluation Letter & DPR Forms Completed by Anthony Kirk, January 2018
3. DPR form from the City's Cultural Resource study, September 1979



2017-7961  
 435 E McKinley Ave (APN: 209-11-051)  
 Resource Allocation Permit  
 300-ft Area Map

0 30 60 120 Feet





*Anthony Kirk, Ph.D.*  
420 Alberto Way, No. 36  
Los Gatos, CA 95032  
408-827-4959

16 January 2018

Aastha Vashist  
Department of Community Development  
City of Sunnyvale  
456 West Olive Avenue  
Sunnyvale, CA 94088

Dear Ms. Vashight:

In November 2017 I was retained by Luke and Meena Sequeira-Tapsall to evaluate proposed plans for an addition to their house at 435 East McKinley Avenue. This residence was placed in the Sunnyvale inventory of historic properties in 1988, shortly after the publication of the volume *Images: Sunnyvale's Heritage Resources*, which provides a context for the development of the city. The house was ostensibly build as a factory in the 1930s by Samuel De Vita, who, as early as the 1920s, had supposedly begun producing potato chips and salted nuts to be sold as snacks. The factory is said to have been later "converted into a home while retaining its unpretentious industrial design."

In the course of researching the history of the house, I discovered that it was constructed in 1938 as a single-family residence and used for the production of snack food for no more than four years, beginning in 1940. *Images* makes no mention of the production of potato chips and salted nuts as an important Sunnyvale industry. Additionally, it appears that various alterations to the façade of the house since it was used in part for the production of salted snacks have led to a loss of integrity. Given its history, the property should be removed from the Sunnyvale Cultural Resources Inventory.

Sincerely yours,



Anthony Kirk, Ph.D.

State of California -- The Resources Agency DEPARTMENT OF PARKS AND RECREATION <b>PRIMARY RECORD</b>		Primary # _____ HRI # _____
Other Listings _____ Review Code _____		Trinomial _____ NRHP Status Code _____
Reviewer _____		Date _____

Page 1 of 4

\*Resource Name or #: (Assigned by recorder) 435 East McKinley Avenue

P1. Other Identifier:

\*P2. Location: ☐ Not for Publication ☒ Unrestricted

\*a. County Santa Clara

and (P2b and P2c or P2d. Attach a Location Map as necessary)

\*b. USGS 7.5' Quad Cupertino Date 1995 T 6 S; R 2 W; Mount Diablo B.M.

c. Address 435 East McKinley Avenue City Sunnyvale Zip 94086

d. UTM: (Give more than one for large and/or linear resources) Zone ; mE/ mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

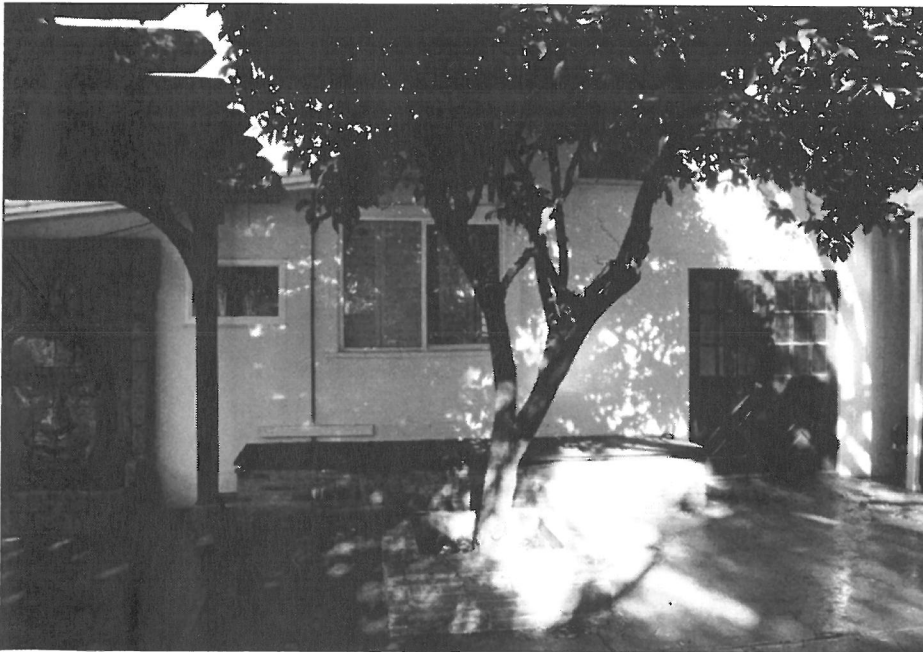
Santa Clara County APN 209-11-051

\*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting and boundaries)

The single-family residence at 435 East McKinley Avenue is a one- and two-story wood-frame house that was constructed in 1938, according to the Santa Clara County Improvement Appraisal Record (DPR 523A Photo and figure 1). It is essentially rectangular in plan and encompasses approximately 2,693 square feet, including a partial basement. It rests on a concrete perimeter foundation. The house, which is built around an atrium, faces south by east, or south as it is designated in this report for simplicity and clarity, toward East McKinley. A concrete driveway leads to the front of the house and turns east, passing a glazed-and-paneled double entry door and stopping at a large outdoor dining room, crowned by a shed roof, with a barbeque at the one end. The exterior walls are clad with smoothly textured stucco painted a light buff color. The complex roof system is composed of a gabled and cross-gabled roof that is double pitched at the front of the house. A hipped roof covers a two-story tower at the northeast corner, which formerly held an Otis elevator. The roof is characterized by open eaves and minimal overhang. It is finished with composition shingles, except for the lower sections of the double-pitched roof, which are finished with composition sheets. Several skylights admit natural light to the house. Fenestration is asymmetrical and composed almost entirely of vinyl-sash (continued on page 3)

\*P3b. Resource Attributes: (List attributes and codes) HP2 – Single Family Property

\*P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)



P5b. Description of Photo: (View, date, accession #) Looking north at south side, 12/5/17

\*P6. Date Constructed/Age and

Sources: ☒ Historic  
☐ Prehistoric ☐ Both

1938; Santa Clara County Improvement Appraisal Record.

\*P7. Owner and Address:

Luke & Meena Sequeira-Tapsall  
435 East McKinley Avenue  
Sunnyvale, CA 94086

\*P8. Recorded by: (Name, affiliation, and address)

Anthony Kirk, Ph.D.  
420 Alberto Way, No. 36  
Los Gatos, CA 95032

\*P9. Date Recorded: 1/16/18

\*P10. Survey Type: (Describe)  
Intensive

\*P11. Report Citation: (cite survey report and other sources, or enter "none.") None

\*Attachments: ☐ NONE ☐ Location Map ☐ Sketch Map ☒ Continuation Sheet ☒ Building, Structure and Object Record  
☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record  
☐ Artifact Record ☐ Photograph Record ☐ Other (List)

State of California -- The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_

# BUILDING, STRUCTURE, AND OBJECT RECORD

Page 2 of 4

\*NRHP Status Code

\*Resource Name or # (Assigned by recorder) 435 East McKinley Avenue

B1. Historic Name: Sunnyside Food Products

B2. Common Name: None

B3. Original Use: Single-family residence

B4. Present Use: Single-family residence

\*B5. Architectural Style: None

\*B6. Construction History: (Construction date, alteration, and date of alterations) Constructed 1938; alterations, chiefly to the interior, for the manufacture of potato chips and salted nuts, ca. 1940; garage converted to living quarters and bathroom, ca. 1975; replacement of wood-sash windows with vinyl-sash windows and construction of exterior dining room, ca. 1990.

\*B7. Moved? ☒ No ☐ Yes ☐ Unknown Date:

Original Location: Unknown

\*B8. Related Features: Outdoor dining room

B9a. Architect: Unknown

b. Builder:

\*B10. Significance: Theme n/a

Area n/a

Period of Significance n/a

Property Type n/a

Applicable Criteria n/a

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Address integrity.)

The house at 435 East McKinley Avenue is not associated with events that have made a significant contribution to the broad patterns of United States, California, or Sunnyvale history. It was constructed as a single-family residence and served for some four years as the headquarters of a business run by the occupants of the house, Samuel and Magdalene De Vita. The manufacturing and sale of potato chips and salted nuts is not an industry mentioned in *Images: Sunnyvale's Heritage Resources*, which provides a useful context for the development of Sunnyvale. The volume lists the Scott-Collins Winery, the Madison and Bonner Dried Fruit Packing Company, Libby, McNeil and Libby Canning Company as significant industries in early Sunnyvale, "which together have made Sunnyvale what it is today." (page 23) Wineries and fruit-packing plants reflected the early importance of local agriculture to Sunnyvale. There is no evidence that either potato chips or salted nuts were ever an important industry in the city. Given the brief time the Sunnyside Food Products company operated, there appears to be no reason to regard it as more than an interesting sidelight to the history of Sunnyvale.

The house is also not associated with an individual whose life was important within the history of the nation, the state, or the city. Samuel De Vita, for whom the house was built, worked as a carpenter, a salesman, (continued on page 3)

B11. Additional Resource Attributes (List attributes and codes):

\*B12. References:

Santa Clara County Improvement Appraisal Record, Office of the Santa Clara County Assessor.

435 E. McKinley United Avenue File, Sunnyvale Heritage Park Museum, Sunnyvale, CA.

Census of the States, 1920, 1930, 1940, Ancestry.com.

Santa Clara County Directory, 1932-45.

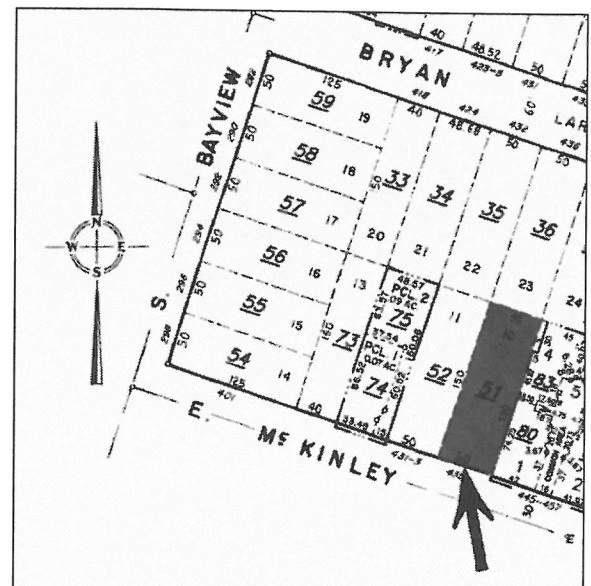
California History Center, De Anza College, *Images: Sunnyvale's Heritage Resources* (Sunnyvale, CA, 1988)

B13. Remarks:

\*B14. Evaluator: Anthony Kirk, Ph.D.

\*Date of Evaluation: 1/16/18

(This space reserved for official comments.)



State of California -- The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_

HRI# \_\_\_\_\_

Trinomial \_\_\_\_\_

Page 3 of 4

\*Resource Name or # (Assigned by recorder) 435 East McKinley Avenue

\*Recorded by Anthony Kirk, Ph.D.

\*Date 1/16/18

☒ Continuation ☐ Update**P3a. Description:**

windows of various types, including double-hung, sliding, fixed, and casement. The single original glazed opening in the house is a stained-glass wood-sash window emblazoned with the word Sunnyside, set above and to the west of the front door, which, it should be noted, is not original.

As constructed in 1938, the one- and two-story house was rectangular in plan, with an atrium toward the rear of the dwelling. An integral garage stood at the southwest corner. The exterior walls were clad with smoothly textured stucco. The roof was characterized by open eaves with minimal overhang and was finished with composition shingles and possibly composition sheets. Fenestration consisted of wood-sash windows of various types: double-hung, fixed, casement, and possibly sliding. About 1940 the house was altered for the manufacture of potato chips, which were packaged and sold to bars and other outlets under the trade name Sunnyside. By no later than 1943, this "small one-horse business," as it was described in the county Improvement Appraisal Record, also packaged salted nuts. Within a year, the business failed, and the property was once again used exclusively as a residence. Phyllis and Byrd Helligas, who purchased the residence in the mid-1970's, radically altered the old garage at the southwest corner of the house, enclosing it and turning the space into suite consisting of a bedroom and bath. The couple ran the residence as a bed-and-breakfast inn for some fifteen years. In 1989 they sold the property to Harold and Arla Stevens, who are said to have modernized the house. It was presumably at this time that the original wood-sash windows were replaced with vinyl-sash windows and construction of exterior dining room with a barbeque undertaken. The house was converted to a duplex and did not become a single-family residence again until the late 1990s.

The house, which appears to be in fair condition, is set at the very back of the parcel, within several feet of the lot line. The handsomely landscaped front yard is distinguished by an enormous Chinese elm. East McKinley Avenue is exclusively residential in this stretch, with most of the houses dating from the 1950s through the 2000s.

**B10. Significance:**

a laborer, and, briefly, as a manufacturer and salesman of snacks. There is no reason to believe that he distinguished himself within a clearly defined historic context, which is also true of his wife Magdalena De Vita, who shared his life for no more than two or three years. They, like later residents of the property, contributed in one way or another to the life of Sunnyvale, but are not significant to the history of the city. Architecturally, the house is a simple vernacular structure, entirely lacking in decorative detailing. It does not embody the distinctive characteristics of a style of architecture, and there is no pattern of physical features, or attributes, associated with a particular period or region. It is clearly not the work of a prominent designer or builder, and it possesses neither architectural interest or significance. Like most other single-family residences, the house is not able to yield information important to history.

In addition to not being architecturally or historically significant, the house, it should be noted, has clearly lost its historic integrity for the four years it was used for the manufacture potato chips and salted nuts. Integrity, which is the ability of a property to convey its importance for a defined period of significance, comprises seven aspects: location, design, setting, materials, workmanship, feeling, and association. The house maintains its original location, and the setting is similar to when it was built. The design, however, is significantly different than when the house was used for the packing of potato chips and salted nuts. The façade has been radically altered by the conversion of the garage to living quarters, and the replacement of all the windows, except for the stained-glass window, as well as the introduction of a new front door. Additionally, the construction of the shed-roofed dining area that extends south from the house has changed the character of the façade. These changes entailed the loss of various original materials, which in turn led to the loss of workmanship and of feeling. The property does not appear to be eligible for the National Register of Historic Places or the California Register of Historical Resources. It should be removed from the City of Sunnyvale Cultural Resources Inventory.

State of California -- The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_

HRI# \_\_\_\_\_

Trinomial \_\_\_\_\_

Page 4 of 4

\*Resource Name or # (Assigned by recorder) 435 East McKinley Avenue

\*Recorded by Anthony Kirk, Ph.D.

\*Date 1/16/18

☒ Continuation ☐ Update

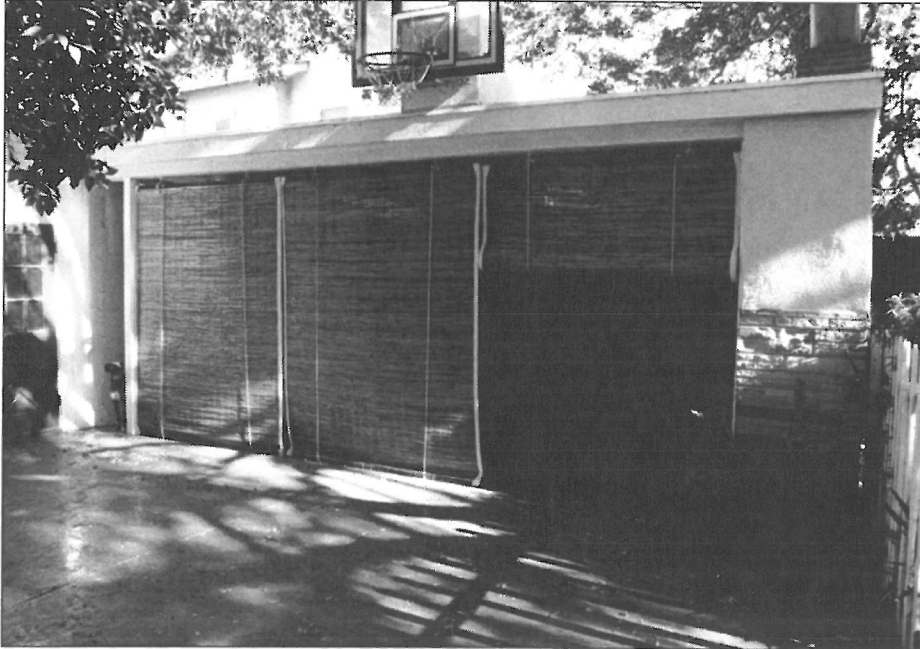


Figure 1. Looking northeast at west side of cooking and dining area, attached to house, ca. 12/5/17.

State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION

## HISTORIC RESOURCES INVENTORY

Ser. No. \_\_\_\_\_  
HABS \_\_\_\_\_ HAER \_\_\_\_\_ NR \_\_\_\_\_ SHL \_\_\_\_\_ Loc \_\_\_\_\_  
UTM: A \_\_\_\_\_ B \_\_\_\_\_  
C \_\_\_\_\_ D \_\_\_\_\_

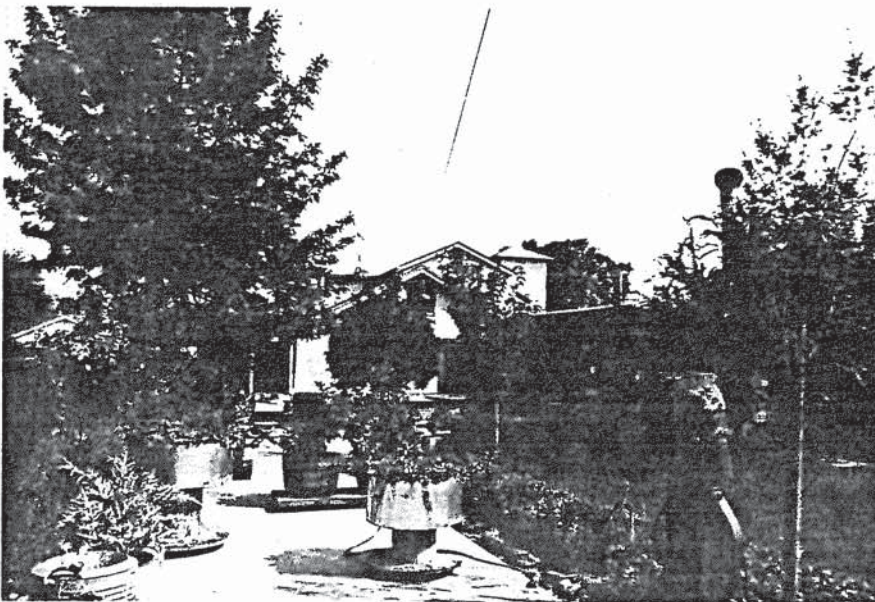
## IDENTIFICATION

1. Common name: 435 East McKinley
2. Historic name: Sunnyside Fruit Products Factory
3. Street or rural address: 435 East McKinley  
City sunnyvale Zip 94086 County Santa Clara
4. Parcel number: 209-11-051
5. Present Owner: Byrd Helligas et. al Address: same  
City \_\_\_\_\_ Zip \_\_\_\_\_ Ownership is: Public \_\_\_\_\_ Private x
6. Present Use: residence Original use: factory

## DESCRIPTION

- 7a. Architectural style: industrial
- 7b. Briefly describe the present *physical description* of the site or structure and describe any major alterations from its original condition:

Built in the 1930s, the Sunnyside Fruit Products Factory is a modest, 1½ story structure covered with stucco. Asymmetrical massing and multiple rooflines distinguish the structure. No detailing is evident. The factory was converted into a residence, retaining the unpretentious design. Set deep on its lot, a trim garden fronts the structure.



8. Construction date: 1930s  
Estimated x Factual \_\_\_\_\_
9. Architect unknown
10. Builder unknown
11. Approx. property size (in feet)  
Frontage 60' Depth 150'  
or approx. acreage \_\_\_\_\_
12. Date(s) of enclosed photograph(s)  
Sept. 1979

13. Condition: Excellent ☒ Good \_\_\_\_\_ Fair \_\_\_\_\_ Deteriorated \_\_\_\_\_ No longer in existence \_\_\_\_\_
14. Alterations: interior and exterior alterations
15. Surroundings: (Check more than one if necessary) Open land \_\_\_\_\_ Scattered buildings \_\_\_\_\_ Densely built-up \_\_\_\_\_  
Residential \_\_\_\_\_ Industrial \_\_\_\_\_ Commercial \_\_\_\_\_ Other: \_\_\_\_\_
16. Threats to site: None known ☒ Private development \_\_\_\_\_ Zoning \_\_\_\_\_ Vandalism \_\_\_\_\_  
Public Works project \_\_\_\_\_ Other: \_\_\_\_\_
17. Is the structure: On its original site? ☒ Moved? \_\_\_\_\_ Unknown? \_\_\_\_\_
18. Related features: garden

# SIGNIFICANCE

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

Sam DeVita started the Sunnyside Fruit Product Factory in the 1920s. The company produced donuts, potatoe chips, packaged peanuts, and raisins. An old car mechanic's pit was in the factory and has been converted into a sunken pantry. The factory is significant as an old Sunnyvale industry.

20. Main theme of the historic resource: (If more than one is checked, number in order of importance.)  
Architecture \_\_\_\_\_ Arts & Leisure \_\_\_\_\_  
Economic/Industrial ☒ Exploration/Settlement \_\_\_\_\_  
Government \_\_\_\_\_ Military \_\_\_\_\_  
Religion \_\_\_\_\_ Social/Education \_\_\_\_\_
21. Sources (List books, documents, surveys, personal interviews and their dates).

Interviews with: Joe DeVita,  
Sept., 1979, and with Dewey  
Dearborn, August, 1979.  
Oct. 1979

22. Date form prepared \_\_\_\_\_  
By (name) Urban/Rural Conservation  
Organization for the City of Sunnyvale  
Address: 456 W. Olive  
City Sunnyvale Zip \_\_\_\_\_  
Phone: 408 738 5467

Locational sketch map (draw and label site and surrounding streets, roads, and prominent landmarks):

