



City of Sunnyvale

Agenda Item

16-1121

Agenda Date: 12/7/2016

REPORT TO THE HERITAGE PRESERVATION COMMISSION

Heritage Resource Nomination for six trees on the former Butcher Property (871 E. Fremont Avenue)

BACKGROUND

On June 1, 2016, the Heritage Preservation Commission held a public hearing and voted to initiate the Heritage Resource nomination process for six oak trees on the (former) Butcher Property (also known as Butcher's Corner), located at 871 E. Fremont Avenue. The site is approximately 5 acres and has frontage on Fremont Avenue (on the south), Wolfe Road (on the west) and El Camino Real (on the north). The Heritage Preservation Commission initiated the process to determine if the trees meet one or more of the criteria for nomination of a Heritage Resource contained in Sunnyvale Municipal Code (SMC) Section 19.96.050. The Heritage Preservation Commission's recommendation will be forwarded to the City Council for consideration at a public hearing scheduled for December 13, 2016.

A related project application and Environmental Impact Report (EIR) for the redevelopment of the Butcher Property and adjacent office property (located at 895 E. Fremont Avenue) has been pending for over two years (2014-7373). The project and EIR are also scheduled for City Council on December 13, 2016. While the redevelopment application and environmental analysis are separate from the nomination under consideration, a Heritage Resource designation of the trees could affect the development potential of the site, including location of buildings and infrastructure.

EXISTING GOALS AND POLICIES

Chapter 4 of the Sunnyvale General Plan contains the following related goals and policies:

- CC-5** To enhance, preserve and protect Sunnyvale's heritage including natural features, the built environment and significant artifacts.
- CC-5.4** Seek out, catalog and evaluate Heritage Resources which may be significant.
- CC-6.2** Promote the understanding that heritage preservation enhances property values and provides financial and economic benefits to property owners, neighbors and the City.

DISCUSSION

Existing Heritage Resource Trees in Sunnyvale: There are currently 15 locations that contain trees on the Sunnyvale Heritage Resources Inventory citywide. These trees range in size, species, and local historic significance. For example, the Sunnyvale Town Center contains six Coast Redwoods and one Atlas Cedar just south of Macy's. All seven trees are more than 50 years old and were planted by several community leaders to commemorate different events in Sunnyvale's history,

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such as the completion of the former City Hall building constructed in 1929. Another example is a more than 300-year old Coast Live Oak tree located in the back yard of a single-family property at 1748 Calgary Drive. The tree was added to the Inventory because it is one of the largest Oaks in Sunnyvale and is a “magnificent specimen”.

Process: In the past, consideration of a Heritage Resource designation has been initiated by a property owner/applicant or part of a larger heritage study conducted by the City. During the early years of the Heritage Resources program staff and community members evaluated potential heritage resources. The application to consider nomination has more recently been accompanied by a cultural resource analysis prepared by a professional consultant, paid for by the property owner/applicant or through a budget adjustment approved by the City Council.

In this case, the process was initiated by the Heritage Preservation Commission for a specific property that is not part of a larger heritage study. The owner of the Butcher property did not initiate the process and has expressed concerns about the study (see staff report to the Heritage Preservation Commission (HPC) and HPC meeting minutes of June 1, 2016 in Attachments 4 and 5).

Criteria: SMC 19.96.050 contains criteria for nomination of buildings, structures, scenic views, landscapes, trees, or other natural objects to the Inventory (see Sunnyvale Municipal code section in Attachment 2). Several criteria address buildings or structures. The specific criteria related to trees include:

- (b) Identified with persons or events significant in local, state, or national history.
- (f) 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.

Six Trees Nominated for Heritage Resource Designation: The following information for each of the trees is based on the Butcher property redevelopment project arborist report. The city arborist concurs with these findings. The arborist report also contains photographs of the trees and tree preservation measures that could be utilized to preserve the trees (see also, tree location map in Attachment 4).

Tree Number	Species	Location	Size - Diameter at 4½ ft.	Condition/Notes
106	Valley Oak	Middle of site	64 inches	• Fair to good • Signs of pruning wounds, branch failure and a cavity at the base of the tree
119	Coast Live Oak	Corner of El Camino Real and Wolfe Road	31 inches	• Fair to good • Signs of pruning wounds

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120	Coast Live Oak	Corner	18 inches	• Fair to good
121	Coast Live Oak	Corner	94 inches Several trunks	• Good
123	Coast Live Oak	Corner	20 inches	• Fair to good • Asymmetric form
126	Coast Live Oak	Corner	26 inches	• Good

Analysis: In order to conduct the study, staff contacted the Sunnyvale Historical Society, reviewed materials provided by members of the public, reviewed the Butcher property redevelopment project arborist report and cultural study, and visited the Sunnyvale Public Library.

A cultural study was prepared for the proposed Butcher redevelopment project, which evaluated the potential historic significance of the existing homes on the property (see Attachment 7). The study found that the property was once part of a 160-acre tract which was acquired by the Butcher family in 1881 and stayed in the family until the property was purchased by De Anza Properties in 2014. The study concluded that while the Butcher family has a long history on the property, there were many family orchards in Sunnyvale and the family was not associated with activities or events of historical significance. Therefore, staff's research did not reveal association with persons or events that are significant in history (Criterion b).

Valley Oak Tree (Tree 106): The tree is likely to be approximately 300 years old and predates City incorporation and development. While the tree is located near the center of the site, the tree canopy can be seen from the El Camino, Wolfe Road, and Fremont Avenue street frontages. The tree can also be seen from adjacent properties, and is one of the largest trees in Sunnyvale.

The Urban Forestry Ecosystem Institute notes that Valley Oak trees generally live more than 150 years, with evidence of some living up to 600 years old. Based on information contained in the arborist report, the tree appears to show signs of declining health and decay. While the arborist report provides recommendations to allow the tree to be preserved, staff finds that, given the health of the tree, it may be nearing the end of its life. This concern is consistent with staff's experience with a similar Valley Oak tree that was previously located at the Cala Center on El Camino Real. The 350-year old tree was saved during redevelopment of the shopping center and designated as a Heritage Resource in the mid-1980s but was removed 20 years later due to poor health and potential hazard.

Staff acknowledges that the physical characteristics of this Valley Oak tree may be considered an established and familiar visual feature (Criterion f); however, on balance staff does not recommend Heritage Resource designation due to the declining health of the tree. The development application retains the Valley Oak tree, which accomplishes the preservation goal of Heritage Resource designation.

Corner Live Oak Trees (Trees 119-121, 123, 126): The grove of Live Oak trees are a visible feature of the southwest corner of El Camino Real and Wolfe Road. The trees also mirror the oak trees on the southeast corner of El Camino Real and Wolfe Road, within the City right-of-way.

Based on a 2007 interview given by Audrey Butcher (part of the Sunnyvale Voices oral history video project by the Sunnyvale Public Library), she planted the corner oak trees approximately 50 years

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ago. As a comparison, other Coast Live Oak trees currently designated as Heritage Resources due to its view or vista are at least 200 years old. While the trees have been an established feature at the corner for approximately 50 years, staff does not believe that they warrant a Heritage Resource designation, as there does not seem to be a distinction between the trees and other large trees in Sunnyvale that are of similar age and stature (Criterion f). The development proposal retains three of the five Coast Live Oak trees which accomplishes the preservation goal of Heritage Resource designation.

Summary of Conclusions: Staff finds that the Valley Oak tree (Tree 106) and Coast Live Oak trees (Trees 119-121, 123, 126) do not meet the criteria contained in SMC 19.96.050. Therefore, staff does not recommend that the City Council designate the trees as a Heritage Resource.

Impacts on Butcher Redevelopment Application: A Heritage Resource designation of the trees would restrict the property owner's ability to remove a designated tree. As currently proposed in the Butcher redevelopment application four of the six trees will remain, including the Valley Oak tree and three of the corner Live Oak trees. Requirements for preservation of these four trees will be incorporated in the project's Conditions of Approval and they will remain on the site regardless of the Heritage Resource designation.

If the Valley Oak tree is designated as a Heritage Resource, additional level of review would be required in the future to consider removal. If the corner oak trees are designated, the City Council could require the owner to redesign the project to save the additional two corner oaks that are currently proposed for removal.

Environmental Determination: The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect change in the environment.

FISCAL IMPACT

No City-related fiscal impact is expected with designation of trees as Heritage Resources.

PUBLIC CONTACT

A total of 2,100 notices were mailed to property owners and tenants within 2,000 feet of the property. In addition, notices were sent to the Butcher redevelopment application interested parties list, as well as to several neighborhood associations, including SunnyArts, Braly Corners, Ponderosa, Stratford Gardens, Gavello Glen, Wisteria Terrace, Raynor Park, Birdland and Ortega Park. Staff also followed other standard noticing practices, including advertisement in the Sunnyvale Sun Newspaper and on-site posting along all three property street frontages. Staff received two letters supporting the designation of trees, which are contained in Attachment 8).

ALTERNATIVES

1. Nominate the valley oak tree (#106) as a Heritage Resource.
2. Nominate all or some of the coast live oak trees (#119, 120, 121, 123 and 126) as Heritage

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Resources.

3. Do not nominate any of the trees as a Heritages Resource.
4. Direct staff to obtain additional information.

RECOMMENDATION

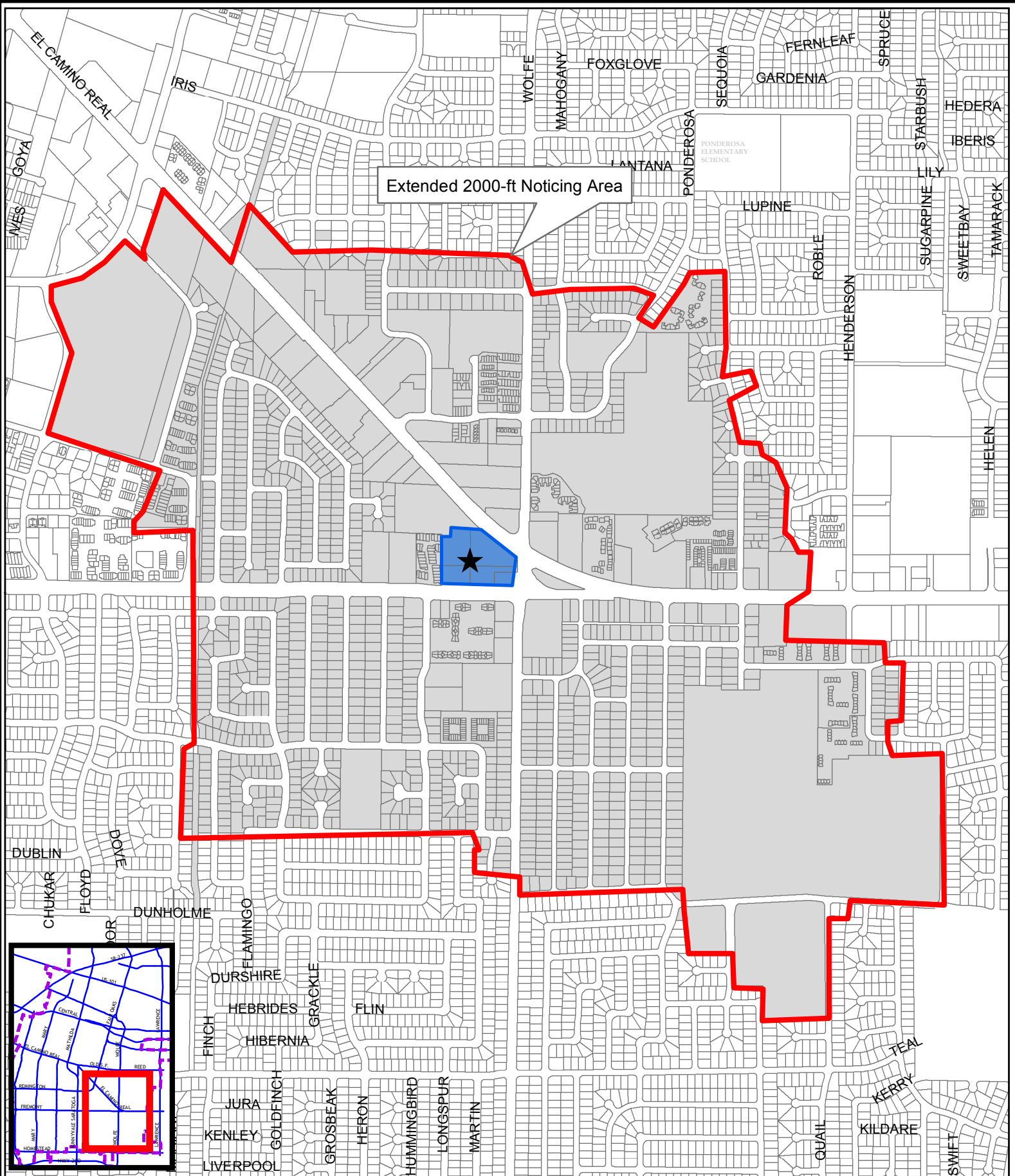
Alternative 3. Do not nominate any of the trees as a Heritages Resource.

Prepared by: Noren Caliva-Lepe, Senior Planner

Approved by: Trudi Ryan, Director of Community Development

ATTACHMENTS

1. Vicinity and Noticing Maps
2. Criteria for Listing of Heritage Resources
3. Tree Location Map
4. Heritage Preservation Commission Report, dated June 1, 2016
5. Heritage Preservation Commission Meeting Minutes, dated June 1, 2016
6. Arborist Report
7. Cultural Study
8. Comment Letters



2014-7373
871 E. Fremont Ave. (APNs: 211-25-011, 211-25-034,
211-25-035, 211-25-036, 211-25-038 and 211-25-039)
Extended 2000-foot area map

0 500 1,000 2,000 Feet



Sunnyvale Municipal Code						
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Title 19. ZONING Article 6. DISCRETIONARY PERMITS AND PROCEDURES Chapter 19.96. HERITAGE PRESERVATION						

19.96.050. Criteria for evaluation and nomination of heritage resources.

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; prior zoning code § 19.80.060).





City of Sunnyvale

Agenda Item 4

16-0570

Agenda Date: 6/1/2016

REPORT TO HERITAGE PRESERVATION COMMISSION

SUBJECT

Consideration to Initiate the Heritage Resource Nomination Process for Six (6) Trees on 871 E. Fremont Avenue (Butcher's Corner)

BACKGROUND

On May 4, 2016, the Heritage Preservation Commission was asked to consider the nomination of six (6) oak trees to the heritage resource inventory by two members of the public who spoke during the public comment portion of the meeting. In order to discuss the non-agenda matter, the Commission voted 6-0 to put the item considering the potential initiation of the nomination process on the agenda of an upcoming meeting to discuss the trees and potential next steps in accordance with Sunnyvale Municipal Code Chapter 19.96 (**Attachment 1**).

The four parcels known as the Butcher's Corner site were recently annexed into the City of Sunnyvale from the County of Santa Clara, and the site has a pending development application associated with it. The development application has recently finished the 45-day public review for the associated Draft Environmental Impact Report (DEIR) which included an Arborist Report for the site and some information on the health of the six (6) trees discussed in this report (**Attachment 2**).

DISCUSSION

There are currently 15 trees on the Sunnyvale Heritage Resources Inventory citywide. The current request is to add six (6) trees to that inventory, which requires nomination by the City Council for inclusion. The following information on the trees is based on the information in the Butcher's Corner DEIR Arborist Report:

- Tree 106:
 - Fair/Good condition (3 out of 5), proposed to be **preserved**, 64" diameter.
 - "Largest most dominant tree at Butcher's Corner with a trunk diameter of 64".....large pruning wounds and branch failures resulted in decay. A cavity was present at the base,"
- Grove of 119-126:
 - All are protected trees per the Arborist Report and all are proposed for **removal** by the applicant based on the most current site plan.
 - Tree 119: Good condition (4 out of 5), 31" diameter
 - Tree 120: Fair/Good condition (3 out of 5), 18" diameter
 - Tree 121: Good condition (4 out of 5), multi-trunk tree
 - Tree 122: Fair/Good condition (3 out of 5), multi-trunk tree
 - Tree 123: Fair/Good condition (3 out of 5), 20" diameter
 - Tree 126: Good condition (4 out of 5), 26" diameter

The process and criteria for nomination of heritage resources by the Heritage Preservation

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Commission is described in detail in Section 19.96.050 and 19.96.060 (**Attachment 1**); however, before the Commission can nominate the resource(s) to the City Council they will need to evaluate the trees based on the nomination criteria and information provided by staff regarding the historical context of the trees.

Generally, if an application for nomination of a tree or structure to the Heritage Resources Inventory is received by the Community Development Department, it would be accompanied by a complete application including supplemental information. Aside from the fee and other material needed by staff (site plan, photos, etc.) the application would also include a cultural resources analysis that would be provided (and paid for) by the applicant, who is usually the property owner. In this case, the property owner has not asked for this nomination so the Commission must decide if they want to act as the “applicant” of this nomination process and direct staff to do the necessary research and analysis on the trees to complete the application. In order to make a formal decision, the Commission must vote to add this item to a future agenda.

The development application for the Butcher’s property is pending review by the Planning Commission and City Council. Although the current proposal includes removal of trees 119-126, it is possible the project could be required to redesign the corner at El Camino Real and Wolfe Road, which could protect those trees. Hearings for the development project have not yet been set.

POTENTIAL NEXT STEPS

If the Commission chooses to initiate the nomination process, the next steps in the process would be:

- Prior to the hearing on the Heritage Preservation Commission nomination:
 - Staff would conduct research on the history of the trees by:
 - Researching and discussing the subject with the Sunnyvale Historical Society; or,
 - If not enough information exists to satisfy the nomination criteria staff may need to hire a qualified professional to research the trees in relationship to the required criteria for nomination.
 - Please note that hiring a qualified professional may require budget allocation from the City Council.
 - Staff would notify the property owner and notice the public hearing as required.
 - Staff would provide the information to the Commission along with a recommendation and summary of what criteria could be met (if any).
- Prior to the City Council hearing on the nomination the Commission would need to:
 - Determine that the tree(s) meet the Criteria of the National Register of Historic Places or one of more of the criteria in Section 19.96.050 of the SMC (**Attachment 1**); and
 - Vote to recommend the nomination of the tree(s) to the Heritage Resources Inventory.

Prepared by: Amber Blizinski, Principal Planner

Approved by: Andrew Miner, Planning Officer

ATTACHMENTS

1. Sunnyvale Municipal Code Chapter 19.96 (Heritage Preservation)
2. Arborist Report from the Butcher’s Corner DEIR
3. Public Comment
4. Link to the Butcher’s Corner Project Webpage

Sunnyvale Municipal Code						
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Title 19. ZONING Article 6. DISCRETIONARY PERMITS AND PROCEDURES						

Chapter 19.96. HERITAGE PRESERVATION

19.96.010. Findings and purpose.

(a) The city council finds that the character and history of the city are reflected in its cultural, historical, and architectural heritage, that these historical and cultural foundations should be preserved as living parts of community life and development to build an understanding of the city's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand the rich heritage of the city, that with ever increasing pressures of modernization and urbanization, city landmarks, neighborhoods, and other areas of historical and cultural interest are threatened with demolition, and that pursuant to the provisions of the National Historic Preservation Act of 1966, as amended, the city of Sunnyvale joins with private concerns, the state of California, and the United States Congress to develop preservation programs and activities to give maximum encouragement to agencies and individuals undertaking preservation of the city's unique architectural, historical, aesthetic, and cultural heritage. The provisions of this chapter identify and prescribe specific procedures and requirements for the filing, processing and consideration by the heritage preservation commission. These provisions shall be used in conjunction with the general requirements and procedures identified in Chapter [19.98](#) including requirements and procedures for applications, fees, notification, appeals, conditions of approval, modifications, expiration, extensions, revocation and infractions.

(b) The purpose of this chapter is to promote the public health, safety, and general welfare, and

(1) To safeguard the city's unique cultural heritage as embodied and reflected in the city's architectural history and patterns of cultural development;

(2) To encourage and facilitate public knowledge, understanding, and appreciation of the city's historic past and unique sense of place and to encourage public participation in identifying heritage resources;

(3) To promote the enjoyment, celebration, and use of heritage resources appropriate for the educational, cultural, recreational as well as material needs of people;

(4) To preserve diverse architectural styles, patterns of development, and design preferences reflecting phases of the city's history and to encourage complementary contemporary design and construction and inspire a more livable urban environment;

(5) To enhance property values and to increase economic and financial benefits to the city and its inhabitants through incentives for preservation;

(6) To protect and enhance the city's attraction to tourists and visitors thereby stimulating business and industry;

(7) To identify as early as possible and resolve conflicts between the preservation of heritage resources and alternative land uses by integrating the preservation of heritage resources into the comprehensive planning, management and development processes for both public and private property;

(8) To conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment;

(9) To stabilize neighborhoods through the preservation of heritage resources and establishment of heritage resource districts; and

(10) To develop and maintain appropriate settings and environments for heritage resources. (Ord. 2623-99 § 1; prior zoning code § [19.80.005](#)).

19.96.020. Heritage preservation commission.

The heritage preservation commission is established and functions pursuant to Article X of the City Charter. The members of the heritage preservation commission shall have a demonstrated interest in the heritage of the city. Strong consideration shall be given applicants with a background in architecture, design, history, museums, urban preservation, planning, construction, real estate or structural engineering. (Ord. 2623-99 § 1; prior zoning code §§ [19.80.010](#), [19.80.020](#)).

19.96.030. Responsibilities.

The heritage preservation commission shall have the responsibility to:

- (a) Recommend criteria for and supervise a comprehensive survey of improvements, buildings, structures, signs, features, landscape, trees, sights, places, areas or other artifacts of architectural, artistic, cultural, engineering, aesthetic, political or social significance to the citizens of Sunnyvale;
- (b) Provide recommendations and other assistance concerning development and maintenance of a local inventory of the above described heritage resources of the city including the nomination of neighborhoods to be considered by the city council for HH heritage housing district consideration;
- (c) Recommend criteria for designation of heritage resources, landmark sites, and landmark districts;
- (d) Recommend heritage resources for landmark site or landmark district status;
- (e) Review and comment upon the conduct of matters undertaken by the city, county or state which have a bearing upon heritage resources including, but not limited to, land use, municipal improvement, and housing;
- (f) Assist in the preparation of standards for the commission to use in reviewing applications for permits which significantly affect any landmark or landmark district, including permits to construct, change, alter, modify, remodel, or demolish the foregoing;
- (g) Review all applications for permits regarding heritage resources, heritage resource districts, landmark site or landmark district designated structures that involve changing use, exterior alteration or demolition, and approve, disapprove, or approve as modified said applications. All related environmental documentation shall also be reviewed;
- (h) Participate in, promote, and conduct public information and explanatory programs pertaining to heritage resources;
- (i) Cooperate with other interests and programs that are developed by both public and private agencies in the fields of museums and the development of city archives;
- (j) Promote the restoration, maintenance and operation of heritage resources owned by the city;
- (k) Investigate and report to the city council on public or private fund sources and mechanisms available to promote preservation of heritage resources in the city;
- (l) Recommend to the city council the purchase of appropriate interests in property for purposes of preservation of heritage resources;
- (m) Make other recommendations, perform studies and make deliberations deemed desirable or necessary to the effective functioning of the commission;

- (n) Encourage citizen participation in support of heritage resources;
- (o) Make available to the public copies of all recommendations, studies, standards and criteria produced in the exercise of the above functions;
- (p) Approve demolitions and new construction of replacement structures in any HH heritage housing district. (Ord. 2780-05 § 1; Ord. 2623-99 § 1; prior zoning code § 19.80.040).

19.96.040. Definitions.

For the purpose of this chapter, the following definitions apply:

- (a) “Alteration” means any exterior change or modification to an improvement or site which affects the exterior architectural features of property.
- (b) “Designated heritage resource” means a heritage resource which has specific elements which are expressly found to meet one or more of the Criteria of the National Register of Historic Places as established by the Secretary of the Interior and incorporated by reference into this code and which has been designated and determined to be appropriate for preservation by the city council, and has been recognized by the state or the nation to be historically significant.
- (c) “Designated heritage resource district” means a heritage resources district which has specific elements which are expressly found to meet one or more of the Criteria of the National Register of Historic Places as established by the Secretary of the Interior and incorporated by reference into this code and which has been designated and determined to be appropriate for preservation by the city council, and has been recognized by the state or the nation to be historically significant.
- (d) “Exterior architectural feature” means the architectural elements embodying style, design, general arrangement and components of all of the outer surfaces of an improvement. This includes such visual characteristics as paint, color, surface texture, grading, surface paving, materials, accessory structures, trees and other natural features, and exterior objects such as signs, plaques, light fixtures, street furniture, walls, fences, steps, plantings and landscape accessories.
- (e) “Heritage housing combining district” means a heritage resource district consisting of residential properties which has been zoned as a heritage housing combining district for the purposes of preserving, protecting, enhancing and perpetuating the appearance of the district which contributes to the cultural or aesthetic heritage of the city.
- (f) “Heritage resource” means improvements, buildings, portions of buildings, structures, signs, features, sites, scenic areas, views and vistas, places, areas, landscapes, trees, or other natural objects or objects of scientific, aesthetic, educational, political, social, cultural, architectural, or historical significance to the citizens of the city, the Santa Clara Valley region, the state, or the nation, which are designated and determined to be appropriate for preservation by the city council.
- (g) “Heritage resource district” means any geographically definable area containing a concentration or continuity of heritage resources which are thematically related, or which contribute to each other and are unified by a special character, historical interest, aesthetic value, or which represents one or more architectural periods or styles typical to the city, and that has been designated and determined to be appropriate for preservation by the city council, pursuant to provisions of this chapter.
- (h) “Improvement” means any building, structure, place, parking facility, fence, gate, wall, work of art, or other object constituting a physical betterment of real property, or any part of such betterment.
- (i) “Local landmark” means a heritage resource which 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, and has been designated and determined to be appropriate for preservation by the city council.

(j) “Local landmark district” means a heritage resources district which demonstrates a higher collective integrity of location, design, setting, materials, workmanship, feeling, and association which is essential to the sustained value of the separate individual resources and which has been designated and determined to be appropriate for preservation by the city council. A local landmark district possesses a significant concentration or continuity of heritage resources unified by past events, or aesthetically by plan or physical development; or the collective value of the local landmark district as a whole may be greater than the value of each individual heritage resource within it.

(k) “Local register of heritage resources” means a list of heritage resources officially designated or recognized by the city.

(l) “Preservation” means the identification, protection, conservation, enhancement, perpetuation or rehabilitation of any heritage resource that prevents the deterioration, alteration, destruction or removal of such resource. (Ord. 2780-05 § 1; Ord. 2623-99 § 1; prior zoning code § 19.80.050).

* **Editor’s Note:** The definitions in Section 19.96.040 also appear in Ch. 19.12.

19.96.050. Criteria for evaluation and nomination of heritage resources.

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; prior zoning code § 19.80.060).

19.96.060. Heritage resources and heritage resource districts designation procedures.

Heritage resources and heritage resource districts shall be designated by the city council in the following manner:

(a) The heritage preservation commission, city council, or owners or the authorized agents of the owners of property for which designation is requested may request the designation of an improvement as a heritage resource or a heritage resource district, as the case may be, by submitting an application for such designation to the director of the department of community development.

(b) Each proposal shall be considered by the heritage preservation commission at a noticed public hearing. In addition to the requirements of Section 19.98.040 (Public notice), notice of the time and place of each public hearing by the heritage commission shall be provided by certified mail to the owners of property for which designation is requested.

(c) The commission may continue a hearing but not in excess of thirty days from the date originally established for such hearing provided that such thirty day period may be extended by mutual consent of the commission and the party submitting the application. A party's consent to an extension of such period shall be presumed unless timely objection is made thereto within the thirty day period by the party or at the time the matter is continued beyond such period. A record of pertinent information presented at the hearing shall be maintained and made available to the public as a public record.

(d) The heritage preservation commission shall recommend to the city council approval, disapproval or approval with modifications of the application for designation.

(e) Prior to recommending approval or approval with modifications, the heritage preservation commission shall find:

- (1) That the proposed heritage resource, or heritage resource district, has significance;
- (2) That the proposed designation may be made without imposing an undue hardship upon the owner(s) of the property; and
- (3) That approval or approval with modification(s) of the application is consistent with the purpose and criteria of this chapter.

(f) After receiving a recommendation from the commission, the city council shall hold a public hearing. In addition to the requirements of Section 19.98.040 (Public notice), notice of the time and place of the city council hearing shall be provided by certified mail to the owners of property for which designation is requested.

(g) Upon the conclusion of the hearing, the city council may approve, disapprove, or approve with modifications the proposed designation as a heritage resource or heritage resource district.

(h) Following approval of the designation, the director of community development shall send to the owner of the property so designated a letter outlining the basis for such designation, and the regulations resulting from such designation. The director may also forward a copy of the letter to any other department or agency requesting it or that the director considers affected by the designation. (Ord. 3043-14 § 11; Ord. 2623-99 § 1; prior zoning code §§ [19.20.330](#), [19.80.070\(a\)](#)).

19.96.065. Ranking of heritage resources, alteration process.

(a) Within the overall category of historic resources, the city recognizes three levels of significance, ranked in descending from most significant as follows:

- (1) Local landmark resource/local landmark district;
- (2) Designated heritage resource/designated heritage resource district; and
- (3) Heritage resource/heritage resource district.

(b) Designated heritage resources and heritage resource districts are those resources that have been designated by both the city and the state or federal government as historically significant. Any person desiring to reconstruct, demolish, relocate or modify a designated heritage resource/district must first apply for a resource alteration permit, as described in Section [19.96.090](#), as well as comply with all state or federal requirements.

(c) No person shall carry out or cause to be carried out on a landmark or in a landmark district any material change in exterior appearance of such landmark or landmark district through alteration, construction, relocation, or demolition without a landmark alteration permit issued by the heritage preservation commission as described in Section [19.96.090](#).

(d) No person shall carry out or cause to be carried out on a heritage resource or in a heritage resource district any material change in exterior appearance of such resource or district through alteration, construction, relocation, or demolition without a resource alteration permit issued by the heritage preservation commission as described in Section [19.96.095](#). Minor modifications to heritage resources or heritage resource districts may be processed by city staff through the miscellaneous plan permit process set forth in Section [19.82.030\(a\)](#) of this code; provided, however, that appeal of such decision shall be made to the heritage preservation commission rather than the planning commission, and the decision of the heritage preservation commission shall be final. (Ord. 3050-14 § 10).

19.96.070. Change of use or multiple residential uses of landmark or landmark district.

The use of any landmark or landmark district shall not be changed, nor shall any multiple residential use be allowed of a landmark or of or in a landmark district unless a special development permit is first issued by the city. (Ord. 2623-99 § 1; prior zoning code § [19.80.080](#)).

19.96.080. Landmarks and landmark districts—Exceptions for reconstruction or additions.

Exceptions from dimensional requirements may be granted by the heritage preservation commission in conjunction with a landmark alteration permit filed in accordance with Section [19.96.090](#).

(a) Reconstruction of a landmark or a structure within a landmark district shall be exempt from setback and height requirements if rebuilt as originally constructed.

(b) Additions to landmarks or structures within landmark districts may be granted exceptions from dimensional requirements provided that the following findings can be made:

(1) The proposed work will not adversely affect the exterior architectural characteristics or other features of the landmark, nor adversely affect the character of historical, architectural or aesthetic interest or value of the landmark and its site; and

(2) In landmark districts, the proposed work will not adversely affect the exterior architectural characteristics, nor adversely affect its relationship in terms of harmony and appropriateness, with its surroundings, including neighboring structures, nor adversely affect the character, architectural or aesthetic interest or value of the district. (Ord. 2623-99 § 1; prior zoning code § 19.80.085).

19.96.090. Construction, demolition, relocation, or material change to landmark or landmark district.

(a) No person shall carry out or cause to be carried out on a landmark or in a landmark district any material change in exterior appearance of such landmark or landmark district through alteration, construction, relocation, or demolition without a landmark alteration permit issued by the heritage preservation commission.

(b) The department of community development shall maintain with the building inspection division a current record of designated landmarks and landmark districts. When an application for a permit which indicates possible material change to the exterior architectural features of the building, structure or landmark is received, an application for a landmark alteration permit shall be required.

(c) The director of community development shall forward all applications to the heritage preservation commission. Upon receipt of an application for a landmark alteration permit, the commission shall hold a public hearing. Notice of the time and place of each public hearing by the heritage preservation commission shall be provided in accordance with Section 19.98.040 (Public notice).

(d) The commission in considering the appropriateness of the landmark alteration application shall consider, among other things, the purposes of this chapter and the historic architectural value and significance of the landmark or landmark district, as well as present and prospective effects or hardships upon the owners and occupants of the affected properties. The commission shall take into consideration exterior architectural features of the building or structure in question, other buildings within a landmark district, and the position of such building or structure in relation to the street or public way and to other buildings and structures. The United States Secretary of the Interior's "Guidelines for Rehabilitation" shall provide base criteria for evaluating proposed alterations to a landmark structure.

(e) The commission may approve, approve with modifications, or disapprove the application.

(f) Prior to the approval, or approval with modifications, the commission shall find that:

(1) The action proposed is consistent with the purposes of this chapter; and

(2) The action proposed will not be detrimental to a structure or feature of significance as a heritage resource;

(3) The applicant has demonstrated that the action proposed is necessary to correct an unsafe or dangerous condition on the property pursuant to Section 19.96.110; or

(4) The applicant has demonstrated that denial of the application will result in immediate, undue, or substantial hardship pursuant to Section 19.96.120.

(5) If all of the findings in subsections (f)(2) through (f)(4) of this section are not made, the permit shall be denied.

(g) The commission may continue action on landmark alteration permits for two meetings, not to exceed fifty-five days from the date of the public hearing for purposes of reaching a mutually acceptable solution in keeping with the criteria of this chapter. If at the end of that time a mutually acceptable solution has not been achieved, the application shall be finally granted or denied.

(h) Within seven days following upon approval of an application, the commission shall issue a landmark alteration permit, one copy of which shall be forwarded to the applicant, one copy of which shall be retained in the files of the department of community development and one copy of which shall be forwarded to the building inspection division. In addition, a copy shall be forwarded to any other requesting department or agency which will be affected by the permit.

(i) The applicant may appeal the action of the commission to the city council. (Ord. 3043-14 § 12; Ord. 2623-99 § 1; prior zoning code §§ 19.80.090(a), 19.80.090(b), 19.80.090(d), 19.80.090(e)—(j)).

19.96.095. Construction, demolition, relocation, or material change to heritage resource or heritage resource district.

(a) No person shall carry out or cause to be carried out on a heritage resource or in a heritage resource district any material change in exterior appearance of such resource or district through alteration, construction, relocation, or demolition without a resource alteration permit issued by the heritage preservation commission.

(b) The department of community development shall maintain with the building inspection division a current record of heritage resources and districts. When an application for a permit which indicates possible material change to the exterior architectural features of the building, structure or district is received, an application for a resource alteration permit shall be required.

(c) The director of community development shall forward all applications to the heritage preservation commission. Upon receipt of an application for a resource alteration permit, the commission shall first consider whether the resource is historically or culturally significant, based upon evidence submitted by staff and the applicant to aid its determination. In the event the commission finds the resource is not culturally or historically significant, it shall return the application to the department of community development for processing in accordance with other relevant city procedures.

(d) If the commission finds the resource to be culturally or historically significant, it shall schedule a public hearing to be held on the matter in accordance with the procedures set forth in Section 19.96.090 for landmark alteration permits. (Ord. 2780-05 § 1).

19.96.100. Inventoried structures—Notice prior to demolition.

(a) Applicants for permits authorizing demolition of any structure listed within the latest edition of the city of Sunnyvale's Local Register of Heritage Resources shall show, prior to issuance of such a permit, that they have advertised such structure as being available for removal or relocation intact.

(b) A program of advertising shall be considered to meet the requirements of this section if it continues for sixty consecutive days, both: (1) as a display or classified advertisement of a character commensurate with the significance of the affected structure, published not less frequently than once each week during the sixty-day period within one or more Bay Area daily periodicals having substantial circulation within the South Peninsula area; and (2) as one or more signs on the affected premises, legible from the public right-of-way. Each such advertisement or sign shall indicate the Sunnyvale director of community development, or the director's designee, and the telephone number of such official, as a source of further information.

(c) The owner of any affected structure shall be entitled to make its availability contingent upon such reasonable conditions as are calculated to protect the owner, the city of Sunnyvale, and other interested parties from damage or loss of any nature, to protect the structure from excessive damage, and to permit the owner to select among competing relocation or removal proposals.

(d) At least sixty days prior to issuance of a permit authorizing demolition or relocation of any structure described in this section, the owner thereof shall provide written notice of proposed demolition or relocation

plans to the Sunnyvale heritage preservation commission, in care of the director of community development. (Ord. 2623-99 § 1; prior zoning code § [19.80.095](#)).

19.96.110. Unsafe or dangerous conditions.

None of the provisions of this chapter shall be construed to prevent any measures of construction, alteration, removal, demolition or relocation necessary to correct the unsafe or dangerous condition of any structure, other feature, or part thereof, where such condition has been declared unsafe or dangerous by the building official or the chief of the department of public safety; provided, however, that when the structure is a landmark or is in a landmark district, and where the proposed measures have been declared necessary by such official to correct the condition, only such work as is necessary to correct the unsafe or dangerous condition may be performed pursuant to this section. The commission shall be informed of such work in advance whenever practicable. (Ord. 2623-99 § 1; prior zoning code § [19.80.100](#)).

19.96.120. Showing of hardship.

The commission may approve a landmark alteration permit or resource alteration permit to carry out construction, demolition, material change or relocation of a landmark or in a landmark district, or heritage resource, or in a heritage resource district, if the applicant presents facts clearly demonstrating to the satisfaction of the heritage preservation commission at a public hearing that failure to receive such approval will cause an immediate undue and substantial hardship. If hardship is found to exist under this section, the commission shall make a written finding to that effect, and shall also specify in writing the facts relied upon in making such finding. (Ord. 2780-05 § 1; Ord. 2623-99 § 1; prior zoning code § [19.80.110](#)).

19.96.130. Ordinary maintenance and repair.

Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in or on any property covered by this chapter that does not involve a change in design, material or external appearance thereof, nor does this chapter prevent the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when the building official certifies to the commission that such action is required for the public safety due to an unsafe or dangerous condition which cannot be rectified through the uses of the State Historical Building Code, as set forth in Section 18950 et seq., of the California [Health and Safety Code](#) as the same exists or may hereafter be amended. (Ord. 2623-99 § 1; prior zoning code § [19.80.120](#)).

19.96.140. Duty to keep in good repair.

The owner, occupant, or other person in actual charge of a landmark or an improvement, building or structure in a landmark district shall keep in good repair all of the exterior portions of such improvement, building or structure; all of the interior portions thereof when subject to control by reason of designation or permit; and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior architectural feature. It shall be the duty of the director of community development to enforce this section. (Ord. 2623-99 § 1; prior zoning code § [19.80.130](#)).

19.96.150. Actions.

Following the filing of an appeal of an action by the heritage preservation commission, the city council shall schedule a public hearing to be held no later than thirty days after the notice of appeal is filed, and shall render its decision within thirty days of the hearing date. (Ord. 2623-99 § 1; prior zoning code § 19.80.140).

19.96.160. Enforcement and penalties.

In addition to the regulations of this chapter, other chapters of the code and other provisions of law which govern the approval or disapproval of applications for permits or licenses covered by this chapter, the director of community development shall have the authority to implement the enforcement thereof by any of the following means:

- (a) Serving notice requiring the removal of any violation of this chapter upon the owner, agent, occupant or tenant of the improvement, building, structure or land.
- (b) Calling upon the city attorney to institute any necessary legal proceedings to enforce the provisions of this chapter, and the city attorney is hereby authorized to institute any legal actions toward that end.
- (c) Calling upon the director of public safety and authorized agents to assist in the enforcement of this chapter.
- (d) In addition to any of the foregoing remedies, the city attorney may maintain an action for injunctive relief to restrain or enjoin or to cause the correction or removal of any violation of this chapter, or for an injunction in appropriate cases. (Ord. 2623-99 § 1; prior zoning code § 19.80.150).

View the [mobile version](#).

Preliminary Tree Report

Butcher's Corner

Prepared for:
PlaceWorks
1625 Shattuck Avenue, Suite 300
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October 21, 2015



Preliminary Tree Report

Butcher's Corner
East Fremont Avenue
Sunnyvale CA

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Introduction and Overview

PlaceWorks is assisting in reviewing the environmental impacts of the proposed redevelopment of Butcher's Corner, located on E. Fremont Avenue in Sunnyvale CA. Current site use consists of two homes, accessory structures, abandoned orchard and associated landscape features. PlaceWorks requested that HortScience, Inc. prepare a **Preliminary Tree Report** for the site. This report provides the following information:

1. A survey of trees currently growing on the site and trees along the site periphery that have the potential of being impacted due to construction.
2. An assessment of the impacts of constructing the proposed project on the trees.
3. Recommendations for tree removal and replacement.
4. Guidelines for tree preservation during the design, construction, and maintenance phases of development.

Assessment Methods

Trees were assessed in September 2015. Trees were evaluated through a visual assessment from the ground and consisted of the following steps:

1. Tagging each tree with an identifying number and record its location on a map.
2. Identifying the tree as to species.
3. Measuring the trunk diameter at 54" above grade.
4. Evaluating the health and structural condition using a scale of 0 – 5:
 - 5 - A healthy, vigorous tree, reasonably free of signs and symptoms of disease, with good structure and form typical of the species.*
 - 4 - Tree with slight decline in vigor, small amount of twig dieback, minor structural defects that could be corrected.*
 - 3 - Tree with moderate vigor, moderate twig and small branch dieback, thinning of crown, poor leaf color, moderate structural defects that might be mitigated with regular care.*
 - 2 - Tree in decline, epicormic growth, extensive dieback of medium to large branches, significant structural defects that cannot be abated.*
 - 1 - Tree in severe decline, dieback of scaffold branches and/or trunk; most of foliage from epicormics; extensive structural defects that cannot be abated.*
 - 0 – Tree is dead.*
5. Noting any significant structural characteristics including decay, poor crown conformation, dieback and a history of failure.
6. Rating the suitability for preservation as "high", "moderate" or "low".
Suitability for preservation considers the health, age and structural condition of the tree, invasive potential, and its potential to remain an asset to the site for years to come.

Each tree is described in the attached **Tree Assessment Form** and its approximate location plotted in the **Tree Assessment Map** located in the Attachments.

Description of Trees

Eighty-four (84) landscape trees were evaluated, representing 29 species (Table 1). Trees were a mix of native and non-native species. Species native to the Sunnyvale area include coast live oak, valley oak, Calif. bay, and Calif. buckeye. Some of these appear to be indigenous to the site. Among non-native species, all were typical of landscape plants used in the Sunnyvale area.

Table 1. Species present and tree condition. Butcher's Corner. Sunnyvale CA.

Common name	Scientific name	Condition				No. of Trees	
		Poor	Fair	Good	Excell.	Protected	Total
Bailey acacia	<i>Acacia baileyana</i>	--	1	--	--	1	1
Calif. buckeye	<i>Aesculus californica</i>	--	--	1	--	1	1
African fern pine	<i>Afrocarpus gracilior</i>	--	--	1	--	1	1
Strawberry tree	<i>Arbutus unedo</i>	1	--	--	--	--	1
European birch	<i>Betula pendula</i>	--	1	--	--	--	1
Carob	<i>Ceratonia siliqua</i>	--	1	--	--	1	1
Euonymus	<i>Euonymus</i> sp.	1	--	--	--	--	1
Hollywood juniper	<i>Juniperus chinensis</i> 'Torulosa'	--	1	--	--	--	1
Glossy privet	<i>Ligustrum lucidum</i>	2	1	--	--	--	3
Sweetgum	<i>Liquidambar styraciflua</i>	--	1	1	--	--	2
Catalina ironwood	<i>Lyonothamnus floribundus</i>	--	2	--	--	2	2
Olive	<i>Olea europaea</i>	--	1	--	--	--	1
Canary Island date palm	<i>Phoenix canariensis</i>	--	2	1	4	7	7
Afghan pine	<i>Pinus eldarica</i>	--	1	--	--	1	1
Monterey pine	<i>Pinus radiata</i>	--	1	--	--	1	1
Chinese pistache	<i>Pistachia chinensis</i>	1	1	1	--	1	3
Tawhihiwi	<i>Pittosporum</i> sp.	1	--	--	--	--	1
Victorian box	<i>Pittosporum undulatum</i>	1	--	--	--	1	1
Catalina cherry	<i>Prunus caroliniana</i>	2	7	--	--	2	9
Coast live oak	<i>Quercus agrifolia</i>	2	8	10	--	13	20
Holly oak	<i>Quercus ilex</i>	--	1	--	--	1	1
Valley oak	<i>Quercus lobata</i>	1	2	1	--	3	4
Chinese tallow	<i>Sapium sebiferum</i>	1	--	--	--	--	1
Calif. pepper	<i>Schinus molle</i>	2	5	--	2	7	9
Coast redwood	<i>Sequoia sempervirens</i>	1	3	1	--	5	5
Queen palm	<i>Sygarus romanzoffiana</i>	1	--	--	--	1	1
Chinese elm	<i>Ulmus parvifolia</i>	--	1	--	--	--	1
Calif. bay	<i>Umbellularia californica</i>	--	--	1	--	--	1
Xylosma	<i>Xylosma congestum</i>	1	--	1	--	1	2
Total, all trees assessed		18	41	19	6	50	84

The City of Sunnyvale defines "Protected" tree as having a circumference of 38" or more (equivalent to a diameter of 12") (Municipal Code 19.94. Fifty (50) of the 84 landscape trees met this criterion. Protected Trees are identified on the ***Tree Assessment Form***.

Coast live oak (20 trees) was the most frequently occurring species. Tree maturity ranged from young to mature. Tree trunk diameters were between 6" and 36". About half of the coast live oaks were smaller than 18" in diameter. Several large trees were present. Coast live oak #116 was 36" and in good condition. Tree #118 was also 36" but in fair condition. Both trees #116 and 118 were located off-site, near Wolfe Road, with canopies that extended over the wall separating the two properties (Photo 1).



Photo 1. The canopy of coast live oak #118 extended over the property line and into the project area.

Several large coast live oaks were present in the east side of the property. Tree #121 had several stems that arose near ground level (Photo 2). It was in good condition. Other large oaks included #119 (31", good condition), 125 (27", poor condition), and #126 (26", good condition). Several smaller oaks were also present in this area.



Photo 2. Coast live oak #121.

Condition of coast live oaks ranged from poor (#125, 149) to fair (8 trees) to good (10 trees). Factors influencing condition of coast live oaks included crowded growing conditions (leading to asymmetric and otherwise poor form), the presence of codominant trunks and multiple attachments, and drought.

Nine (9) Calif. peppers were present (Photo 3). Several trees were located near the existing residence. Trees ranged from young (#151, 160) to semi-mature (#136, 140, 143) to mature (#128, 141, 169) to overmature (#115). Located near the entrance to the site, Calif. pepper #115 was 47" and in fair condition with several large stems. Tree condition varied by diameter with the small trees in excellent condition while larger trees were in fair and poor (#140, 141) condition.



Photo 3. Typical Calif. pepper.

Nine (9) Carolina cherries were present on the south side of the residence. Most trees were small (<10" diameter). Exceptions included cherry #107 (stems of 19", 19" and 8") and #114 (6 stems between 4" and 9"). Tree #107 was in poor condition with extensive decay and a history of branch failure. Tree #114 was in fair condition with a thin canopy of foliage.

Seven (7) Canary Island date palms were present. Palms #101, 103, 105, 124, 127 were mature trees with more than 25' of clear (brown) trunk. Palms #101, 124 and 127 were in excellent condition; #105 was good with penciling of the trunk, while #103 was in fair condition. Smaller palms were #137 (4' clear trunk) and #139 (12').

The remaining 25 species were represented by 5 or fewer trees. Included in this group were:

- Coast redwoods #152 – 156 were semi-mature and mature in development with trunk diameters between 15" and 28" (Photo 4). Trees were located off-site, along the north edge of the property. Tree canopies extended into the project area. Tree condition was poor (#154), fair (#152, 153, 155) and good (#156). The primary limitation to tree health was lack of irrigation. Tree canopies were thin with extensive dieback.



Photo 4. Coast redwoods #152 – 156.

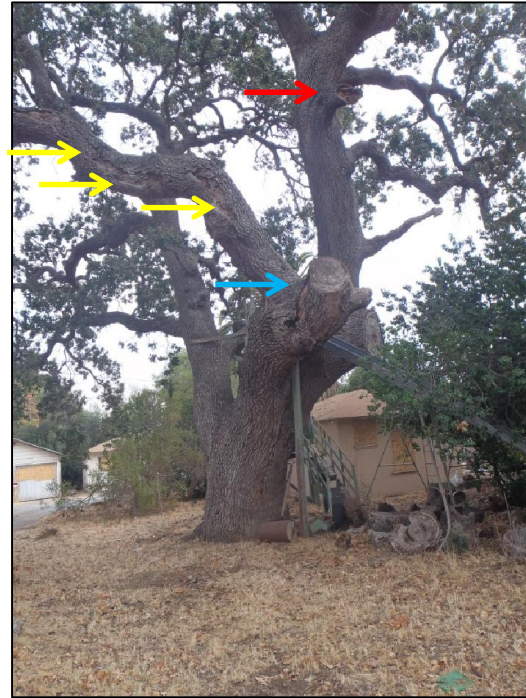
- Valley oaks #146, 147 and 148 were located near the northeast corner of the residence. Valley oak #146 was 21" and in good condition; #147 was 14" and poor; #148 was 8" and fair.

Valley oak #106 was the largest and most dominant tree at Butcher's Corner with a trunk diameter of 64" (Photo 5, following page). Overall tree structure was typical of valley oaks of this age and size. Several large scaffold limbs arose at 12'. Large pruning wounds and branch failures resulted in decay. A cavity was present at the base. The tree's canopy was thin.

- Chinese pistache #163 and 165 were located off-site, on the west side of the property. Pistache #150 was a mature tree with poor form and structure.
- Glossy privets #144, 164 and 181 were large shrubs.
- Sweetgums #157 and 158 were off-site to the north. Both were 8" in diameter. Tree #157 was in fair condition; #158 was good.
- Catalina ironwood #129 was a mature tree with several stems between 12" and 18". Tree condition was fair. Catalina ironwood #166 was located off-site. It was 14" and in fair condition.



Photo 4. Valley oak #106. Above: tree crown. Right: lower trunk and scaffold limbs. Note failed branch (red arrow), areas of dead bark (yellow arrow) and large stub (blue arrow).



- Xylosma #177 was 9" and dying while #178 was 14" and in good condition.
- Afghan pine #175 was 23" and in fair condition.
- African fern pine #162 was off-site, 15" and in good condition.
- Bailey acacia #173 was 14" and in fair condition, having been topped to clear overhead utility lines.
- Calif. bay #176 was a small tree (7, 6") in good condition.
- Calif. buckeye #104 was mature in development with multiple stems. It was in good condition.
- Carob #167 was located off-site. It was 16" and in fair condition.
- Chinese elm #172 was small (7, 4") and in fair condition.
- Chinese tallow #174 was a small tree (6, 6") in poor condition.
- Euonymus #102 was a large shrub in poor condition.
- European birch #159 was off-site, 8" and in fair condition.
- Holly oak #183 was mature in development, 18" in diameter and in fair condition.
- Hollywood juniper #8 was a large suppressed shrub.

- Monterey pine #180 was mature in size and development with a trunk diameter of 33". Condition was fair as the tree had been side-trimmed to clear nearby utility lines.
- Olive #117 was located off-site. It was 8" and in fair condition.
- Queen palm #134 was small and poor.
- Strawberry tree #145 was 8" and dying.
- Tawhiwi #179 was a large shrub in poor condition.
- Victorian box #184 was 13" in diameter and in poor condition.

Orchard species

In addition to the 84 landscape trees, a total of 161 orchard trees were present at Butcher's corner. Orchard trees were not tagged and individually assessed. Included in this group were:

- 15 small citrus (*Citrus* sp.) in declining condition.
- 42 olives (*Olea europaea*) in fair and good condition.
- 97 plums (*Prunus domestica*) were largely dead.
- 7 avocado (*Persea americana*) around the residence.

In general, orchard trees had been abandoned and left unmaintained. No irrigation appeared to be present which is why tree condition was declining.

Orchard trees are exempt from the City of Sunnyvale's tree protection requirements. (Municipal Code 19.94.050). No orchard trees are considered for Protected status.

Suitability for Preservation

Trees that are preserved on development sites must be carefully selected to make sure that they may survive development impacts, adapt to a new environment and perform well in the landscape. Our goal is to identify trees that have the potential for long-term health, structural stability and longevity. Evaluation of suitability for preservation considers several factors:

- **Tree health**
Healthy, vigorous trees are better able to tolerate impacts such as root injury, demolition of existing structures, changes in soil grade and moisture, and soil compaction than are non-vigorous trees.
- **Structural integrity**
Trees with significant amounts of wood decay and other structural defects that cannot be corrected are likely to fail. Such trees should not be preserved in areas where damage to people or property is likely.
- **Species response**
There is a wide variation in the response of individual species to construction impacts and changes in the environment. For example, coast redwood and coast live oak are relatively tolerant of construction impacts while Bailey acacia and carob are sensitive.

▪ **Tree age and longevity**

Old trees, while having significant emotional and aesthetic appeal, have limited physiological capacity to adjust to an altered environment. Young trees are better able to generate new tissue and respond to change.

▪ **Species invasiveness**

Species which spread across a site and displace desired vegetation are not always appropriate for retention. This is particularly true when indigenous species are displaced. The California Invasive Plant Inventory Database (<http://www.cal-ipc.org/paf/>) lists species identified as having being invasive. Sunnyvale is part of the Central West Floristic Province. Olive, Canary Island date palm, Chinese tallow, and Calif. pepper are noted as being invasive.

Each of the 84 landscape trees was rated for suitability for preservation based upon its age, health, structural condition and ability to safely coexist within a development environment (Table 2).

Table 2. Tree suitability for preservation. Butcher's Corner. Sunnyvale CA.

High	Trees with good health and structural stability that have the potential for longevity at the site. Eleven (11) trees were rated as having good suitability for preservation: Canary Island date palm #101, 105, 124, 127, 137; Calif. pepper #151, 160; coast live oak #110, 168, 171; and Chinese pistache #163.
Moderate	Trees in fair health and/or possessing structural defects that may be abated with treatment. Trees in this category require more intense management and monitoring, and may have shorter life-spans than those in the "high" category. Fifty (50) trees were rated as having moderate suitability for preservation including: 13 coast live oaks, Afghan pine #175, African fern pine #162, Calif. bay #176, Calif. buckeye #104, Calif. pepper #128, sweetgum #158, valley oak #146, and xylosma #178.
Low	Trees in poor health or possessing significant defects in structure that cannot be abated with treatment. These trees can be expected to decline regardless of management. The species or individual tree may possess either characteristics that are undesirable in landscape settings or be unsuited for use areas. Fifty (50) trees were rated as having poor suitability for preservation including: 8 Catalina cherry, 6 Calif. pepper, 5 coast redwood, 4 coast live oak, 3 glossy privet, and 2 valley oak.

We consider trees with high suitability for preservation to be the best candidates for preservation. We do not recommend retention of trees with low suitability for preservation near proposed homes or useable open space. Retention of trees with moderate suitability for preservation depends upon the intensity of proposed site changes.

Evaluation of Impacts and Recommendations for Action

Appropriate tree retention develops a practical match between the location and intensity of construction activities and the quality and health of trees. The **Tree Assessment** was the reference point for tree condition and quality. Potential impacts from the proposed project were assessed using two Illustrative Site Plans prepared by the Dahlin Group (both plans dated June 2015).

The site plans represented two development options. Option 1 comprised the existing Butcher's Corner site while Option 2 included the property at the northwest corner of the intersection of South Wolfe Road and East Fremont Avenue. Both plans include high density residential units as well as non-residential space along East El Camino Real. Both plans would entirely redevelop the Butcher's Corner site.

Impacts to trees could occur in a variety of ways. First, demolition of existing structures could directly damage tree roots and crowns. Second, grading, excavation, and other construction activities may also damage trees, through both direct mechanical injury and indirectly by altering drainage. The most significant impacts to the trees would occur as a result of demolition, grading and construction across the entire site.

Both site plan options depict retention of valley oak #106 (Table 3, following page). This is a large massive tree in fair condition with low suitability for preservation due to its age, health and structure. It can be expected to decline over many years by losing large branches. Decay is present in the scaffold limbs and at the base. Valley oaks of this size and maturity often drop branches without any warning. Because of the risk of branch or whole tree failure, no development activity should take place within the dripline of this tree. No use such as paths, benches or parking should be planned within the dripline.

The site plans depict the tree as having a 60' wide canopy. The actual canopy is 85' to 90' wide. In order to accommodate the tree, some re-design must occur to provide additional space for the tree. No details of construction activity near the tree are provided. But removal of structures and controls to disturbance under this tree as well as corrective work on past poorly cut limbs or failed branches, together with cabling and possibly major limb support should serve to improve conditions, and reduce risks associated with this tree. So long as the proposed **TREE PROTECTION ZONE** accommodates the entire canopy, impacts from construction should be within the tolerance of the tree.

In order to maintain tree health and limit the potential for someone to be injured by a failing branch, I recommend that no improvements and use areas be established beneath the tree. No activity should occur within the dripline subsequent to demolition: The area under the dripline should be mulched with 4" to 6" of wood chips. No grading, construction, landscaping, irrigation, lighting, or utilities should be installed within the dripline with the exception of removal of artificial fills placed under the tree, paving and other impervious surfaces, the existing treehouse built onto the tree, and the nearby garage structure, assuming this work is performed under the supervision of a Certified Arborist with careful controls as described further below under the recommended **Tree Preservation Guidelines**. Grading around the tree should ensure that storm water does not collect around the base of the tree.

Based on my review of the plans, there is limited opportunity to preserve any additional trees without significant re-design of the site plan.

Several mature coast live oaks (#119, 120, 121, 123, and 126) form a grove near the highly visible El Camino Real and Wolfe Road intersection. These trees have moderate and high suitability for preservation, and would complement the stand of coast live oaks on the east side of Wolfe Road. However, preservation would require substantial redesign of the Site Plan and possible reduction of the retail/office building on the southeast end. For design purposes, the **TREE PROTECTION ZONE** should be the existing dripline of trees to be retained.

Trees located off-site are noted for preservation and pruning to provide clearance for construction activity. Recommendations for preservation are predicated on adherence to the **Tree Preservation Guidelines** (following section).

Table 3. Proposed action. Butcher's Corner. Sunnyvale CA.

Tree No.	Species	Trunk Diameter (in.)	Protected Tree?	Condition 1=poor 5=excell.	Proposed Action	Notes
101	Canary Island date palm	35	Yes	5	Remove	Within project area
102	Euonymus	5,3,2	No	2	Remove	Within project area; low suitability for preservation
103	Canary Island date palm	47	Yes	3	Remove	Within project area; low suitability for preservation
104	Calif. buckeye	8,8,8,7,6,5	Yes	4	Remove	Within project area
105	Canary Island date palm	27	Yes	4	Remove	Within project area
106	Valley oak	64	Yes	3	Preserve	Low suitability for preservation
107	Catalina cherry	19,18,8	Yes	2	Remove	Within project area; low suitability for preservation
108	Catalina cherry	7	No	3	Remove	Within project area; low suitability for preservation
109	Catalina cherry	8	No	3	Remove	Within project area; low suitability for preservation
110	Coast live oak	7	No	4	Remove	Within project area
111	Catalina cherry	5	No	3	Remove	Within project area; low suitability for preservation
112	Catalina cherry	5	No	3	Remove	Within project area; low suitability for preservation
113	Catalina cherry	5	No	3	Remove	Within project area; low suitability for preservation
114	Catalina cherry	9,9,8,7,6,4	Yes	3	Remove	Within project area; low suitability for preservation
115	Calif. pepper	47	Yes	3	Remove	Within project area; low suitability for preservation

Table 3, continued. Proposed action. Butcher's Corner. Sunnyvale CA.

Tree No.	Species	Trunk Diameter (in.)	Protected Tree?	Condition 1=poor 5=excell.	Proposed Action	Notes
116	Coast live oak	36	Yes	4	Preserve	Off-site; prune for clearance
117	Olive	8	No	3	Preserve	Off-site; pruning for clearance will likely remove much of the tree's canopy
118	Coast live oak	36	Yes	3	Preserve	Off-site; prune for clearance
119	Coast live oak	31	Yes	4	Remove	Within project area
120	Coast live oak	18	Yes	3	Remove	Within project area
121	Coast live oak	24,22,20,14,14	Yes	4	Remove	Within project area
122	Coast live oak	17,12	Yes	3	Remove	Within project area; low suitability for preservation
123	Coast live oak	20	Yes	3	Remove	Within project area
124	Canary Island date palm	30	Yes	5	Remove	Within project area
125	Coast live oak	27	Yes	2	Remove	Within project area; low suitability for preservation
126	Coast live oak	26	Yes	4	Remove	Within project area
127	Canary Island date palm	30,30,30	Yes	5	Remove	Within project area
128	Calif. pepper	18,16	Yes	3	Remove	Within project area
129	Catalina ironwood	18,12,12,12,10,8	Yes	3	Remove	Within project area; low suitability for preservation
130	Catalina cherry	7,5,4,4	No	3	Remove	Within project area
131	Coast live oak	8	No	3	Remove	Within project area; low suitability for preservation

Table 3, continued. Proposed action. Butcher's Corner. Sunnyvale CA.

Tree No.	Species	Trunk Diameter (in.)	Protected Tree?	Condition 1=poor 5=excell.	Proposed Action	Notes
132	Coast live oak	13,8	Yes	3	Remove	Within project area
133	Coast live oak	13	Yes	3	Remove	Within project area
134	Queen palm	12	Yes	2	Remove	Within project area; low suitability for preservation
135	Coast live oak	14	Yes	4	Remove	Within project area
136	Calif. pepper	13	Yes	3	Remove	Within project area; low suitability for preservation
137	Canary Island date palm	22	Yes	5	Remove	Within project area
138	Catalina cherry	5	No	2	Remove	Within project area; low suitability for preservation
139	Canary Island date palm	29	Yes	3	Remove	Within project area
140	Calif. pepper	13	Yes	2	Remove	Within project area; low suitability for preservation
141	Calif. pepper	30	Yes	1	Remove	Within project area; low suitability for preservation
142	Coast live oak	6	No	4	Remove	Within project area
143	Calif. pepper	14	Yes	3	Remove	Within project area; low suitability for preservation
144	Glossy privet	6,6	No	1	Remove	Within project area; low suitability for preservation
145	Strawberry tree	8	No	1	Remove	Within project area; low suitability for preservation
146	Valley oak	21	Yes	4	Remove	Within project area
147	Valley oak	14	Yes	1	Remove	Within project area; low suitability for preservation

Table 3, continued. Proposed action. Butcher's Corner. Sunnyvale CA.

Tree No.	Species	Trunk Diameter (in.)	Protected Tree?	Condition 1=poor 5=excell.	Proposed Action	Notes
148	Valley oak	8	No	3	Remove	Within project area; low suitability for preservation
149	Coast live oak	14	Yes	2	Remove	Within project area; low suitability for preservation
150	Chinese pistache	15	Yes	2	Remove	Within project area; low suitability for preservation
151	Calif. pepper	8,8,5	No	5	Remove	Within project area
152	Coast redwood	28	Yes	3	Preserve	Off-site; prune for clearance
153	Coast redwood	17	Yes	3	Preserve	Off-site; prune for clearance
154	Coast redwood	18	Yes	2	Preserve	Off-site; prune for clearance
155	Coast redwood	15	Yes	3	Preserve	Off-site; prune for clearance
156	Coast redwood	15	Yes	4	Preserve	Off-site; prune for clearance
157	Sweetgum	8	No	3	Preserve	Off-site; prune for clearance
158	Sweetgum	8	No	4	Preserve	Off-site; prune for clearance
159	European birch	7	No	3	Preserve	Off-site; prune for clearance
160	Calif. pepper	5,3,3	No	5	Remove	Within project area
161	Coast live oak	7	No	3	Remove	Within project area

Table 3, continued. Proposed action. Butcher's Corner. Sunnyvale CA.

Tree No.	Species	Trunk Diameter (in.)	Protected Tree?	Condition 1=poor 5=excell.	Proposed Action	Notes
162	African fern pine	15	Yes	4	Preserve	Off-site; prune for clearance
163	Chinese pistache	9	No	4	Preserve	Off-site; prune for clearance
164	Glossy privet	8,4	No	3	Remove	Within project area; low suitability for preservation
165	Chinese pistache	9	No	3	Preserve	Off-site; prune for clearance
166	Catalina ironwood	14	Yes	3	Preserve	Off-site; prune for clearance
167	Carob	16	Yes	3	Preserve	Off-site; prune for clearance
168	Coast live oak	7,5	No	4	Remove	Within project area
169	Calif. pepper	15,14,12,11,10	Yes	3	Remove	Within project area; low suitability for preservation
170	Coast live oak	4,3,2,2	No	4	Remove	Within project area
171	Coast live oak	6,5	No	4	Remove	Within project area
172	Chinese elm	7,4	No	3	Remove	Within project area; low suitability for preservation
173	Bailey acacia	14	Yes	3	Remove	Within project area; low suitability for preservation
174	Chinese tallow	6,6	No	1	Remove	Within project area; low suitability for preservation
175	Afghan pine	23	Yes	3	Remove	Within project area
176	Calif. bay	7,5	No	4	Remove	Within project area
177	Xylosma	9	No	2	Remove	Within project area; low suitability for preservation

Table 3, continued. Proposed action. Butcher's Corner. Sunnyvale CA.

Tree No.	Species	Trunk Diameter (in.)	Protected Tree?	Condition 1=poor 5=excell.	Proposed Action	Notes
178	Xylosma	14	Yes	4	Remove	Within project area
179	Tawhiwi	6,4	No	2	Remove	Within project area; low suitability for preservation
180	Monterey pine	33	Yes	3	Remove	Within project area; low suitability for preservation
181	Glossy privet	8,5,3	No	2	Remove	Within project area; low suitability for preservation
182	Hollywood juniper	8	No	3	Remove	Within project area; low suitability for preservation
183	Holly oak	18	Yes	3	Remove	Within project area; low suitability for preservation
184	Victorian box	13	Yes	1	Remove	Within project area; low suitability for preservation

Tree Preservation Guidelines

The following are recommendations for design and construction phases that will assist in successful tree preservation. The focus of tree preservation efforts are on valley oak #106 and all off-site trees.

Design recommendations

1. Establish the horizontal and vertical elevation of valley oak #106 and include on all plans.
2. Design improvements so that no grading or construction occurs within the dripline of valley oak #106. Demolition of the existing garage, tree house, impervious surfaces and artificial fills under the dripline of this tree shall be performed under the supervision of the Consulting Arborist. Equipment operation shall be restricted from the furthest point possible to the tree trunk, so minimize the potential for compaction and root zone disturbance.
3. Allow the Consulting Arborist to review all future project submittals including grading, utility, drainage, irrigation, and landscape plans.
4. Establish a **TREE PROTECTION ZONE** around valley oak #106. The **TREE PROTECTION ZONE** shall be at least 50' from the center of the trunk in all directions.
5. Route all underground services including utilities, sub-drains, water or sewer around the **TREE PROTECTION ZONE**.
6. Use only herbicides safe for use around trees and labeled for that use, even below pavement.
7. Design irrigation systems so that no trenching will occur within the **TREE PROTECTION ZONE**.

Pre-construction and demolition treatments and recommendations

1. The demolition contractor shall meet with the Consulting Arborist before beginning work to discuss work procedures and tree protection.
2. Install protection at the **TREE PROTECTION ZONE** prior to demolition, grubbing, or grading. Valley oak #106 may require installation of hay bales around the tree prior to the start of demolition of nearby improvements.
3. No entry is permitted into a **TREE PROTECTION ZONE** without permission of the project superintendent.
4. Trees to be preserved may require pruning to clean the crown and to provide clearance. All pruning shall be completed by an ISA Certified Arborist or Tree Worker and adhere to the latest editions of the American National Standards for tree work (Z133 and A300) and International Society of Arboriculture Best Management Practices, Pruning.

Tree protection during construction

1. Prior to beginning work, the contractors working in the vicinity of trees to be preserved are required to meet with the Consulting Arborist at the site to review all work procedures, access routes, storage areas and tree protection measures.
2. Trees to be removed shall be felled so as to fall away from **TREE PROTECTION ZONE** and avoid pulling and breaking of roots of trees to remain. If roots are entwined, the consultant may require first severing the major woody root mass before extracting the trees, or grinding the stump below ground.
3. Valley oak #106 must be irrigated during the construction period. The irrigation schedule to be determined by the Consulting Arborist. Each irrigation shall wet the soil within the **TREE PROTECTION ZONE** to a depth of 30". For planning purposes, expect to irrigate the tree twice per month during months with no or low rainfall.
4. Any grading, construction, demolition or other work that is expected to encounter roots of trees to be preserved should be monitored by the Consulting Arborist.
5. If injury occurs to any tree during construction, it should be evaluated as soon as possible by the Consulting Arborist so that appropriate treatments can be applied.
6. Fences are to remain until all site work has been completed. Fences may not be relocated or removed without permission of the project superintendent.
7. Construction trailers, traffic and storage areas must remain outside fenced areas at all times.
8. No materials, equipment, soil, waste or wash-out water may be deposited, stored, or parked within the **TREE PROTECTION ZONE** (fenced area).
9. Any additional tree pruning needed for clearance during construction must be performed by a qualified arborist and not by construction personnel.
10. Any roots damaged during grading or construction shall be exposed to sound tissue and cut cleanly with a saw.

Tree Preservation Guidelines (with coast live oaks)

The following are recommendations for design and construction phases that will assist in successful tree preservation. The focus of tree preservation efforts are on valley oak #106, several coast live oaks, and all off-site trees.

Design recommendations

1. Establish the horizontal and vertical elevation of valley oak #106 and the coast live oaks to remain. Include trunk locations on all plans.
2. Design improvements so that no grading or construction occurs within the dripline of all trees to be preserved. Demolition of the existing structures, impervious surfaces and artificial fills under the dripline of any tree to be preserved shall be performed under the supervision of the Consulting Arborist. Equipment operation shall be restricted from the furthest point possible to the tree trunk, so minimize the potential for compaction and root zone disturbance.
3. Allow the Consulting Arborist to review all future project submittals including grading, utility, drainage, irrigation, and landscape plans.
4. Establish a **TREE PROTECTION ZONE** around tree to be retained. For valley oak #106, the **TREE PROTECTION ZONE** shall be at least 50' from the center of the trunk in all directions. For coast live oaks, the **TREE PROTECTION ZONE** shall be the dripline.
5. Route all underground services including utilities, sub-drains, water or sewer around the **TREE PROTECTION ZONE**.
6. Use only herbicides safe for use around trees and labeled for that use, even below pavement.
7. Design irrigation systems so that no trenching will occur within the **TREE PROTECTION ZONE**.

Pre-construction and demolition treatments and recommendations

1. The demolition contractor shall meet with the Consulting Arborist before beginning work to discuss work procedures and tree protection.
2. Install protection at the **TREE PROTECTION ZONE** prior to demolition, grubbing, or grading. Valley oak #106 may require installation of hay bales around the tree prior to the start of demolition of nearby improvements. For coast live oaks, install tree protective fencing at the dripline.
3. No entry is permitted into a **TREE PROTECTION ZONE** without permission of the project superintendent.
4. Prune trees to be preserved may require pruning to clean the crown. All pruning shall be completed by an ISA Certified Arborist or Tree Worker and adhere to the latest editions of the American National Standards for tree work (Z133 and A300) and International Society of Arboriculture Best Management Practices, Pruning.

Tree protection during construction

1. Prior to beginning work, the contractors working in the vicinity of trees to be preserved are required to meet with the Consulting Arborist at the site to review all work procedures, access routes, storage areas and tree protection measures.
2. Trees to be removed shall be felled so as to fall away from **TREE PROTECTION ZONE** and avoid pulling and breaking of roots of trees to remain. If roots are entwined, the consultant may require first severing the major woody root mass before extracting the trees, or grinding the stump below ground.
3. Valley oak #106 must be irrigated during the construction period. Coast live oaks may require irrigation. The irrigation schedule to be determined by the Consulting Arborist. Each irrigation shall wet the soil within the **TREE PROTECTION ZONE** to a depth of 30". For planning purposes, expect to irrigate the tree twice per month during months with no or low rainfall.
4. Any grading, construction, demolition or other work that is expected to encounter roots of trees to be preserved should be monitored by the Consulting Arborist.
5. If injury occurs to any tree during construction, it should be evaluated as soon as possible by the Consulting Arborist so that appropriate treatments can be applied.
6. Fences are to remain until all site work has been completed. Fences may not be relocated or removed without permission of the project superintendent.
7. Construction trailers, traffic and storage areas must remain outside fenced areas at all times.
8. No materials, equipment, soil, waste or wash-out water may be deposited, stored, or parked within the **TREE PROTECTION ZONE** (fenced area).
9. Any additional tree pruning needed for clearance during construction must be performed by a qualified arborist and not by construction personnel.
10. Any roots damaged during grading or construction shall be exposed to sound tissue and cut cleanly with a saw.

HortScience, Inc.



James R. Clark, Ph.D.
Certified Arborist WE-0846A
Registered Consulting Arborist #357



HeritagePreservation AP <heritagepreservation@sunnyvale.ca.gov>

Butcher's Corner 300 year old valley oak

Martin Landzaat

@

Wed, Apr 27, 2016 at 11:01 AM

To: "HeritagePreservation@sunnyvale.ca.gov" <HeritagePreservation@sunnyvale.ca.gov>

Cc: Martin Landzaat

Dear Heritage Preservation Commission (HPC) Members,

I asked the city council to add the 300 year old valley oak at Butcher's Corner to the heritage resource inventory at their meeting on Feb-09-2016. Council Member Whittum asked the Mayor to put my request on the city council agenda. According to Council Member Whittum, the Mayor would prefer that I ask the HPC to review my request. I am attaching the PowerPoint slides I used at the City Council meeting. A video of the City Council meeting is available at http://sunnyvaleca.granicus.com/MediaPlayer.php?view_id=4&clip_id=1857, my presentation starts at 00:27:30.

Here's a link to the section of the municipal code, [19.96.060](#) that explains how the process works. The HPC can initiate an application to add the valley oak to the heritage resource inventory. I urge you to start the process at your next meeting.

Regards,

Martin Landzaat

Sunnyvale, CA



M. Landzaat Feb-09 Public Comments-Version 1.pptx

1119K



HeritagePreservation AP <heritagepreservation@sunnyvale.ca.gov>

Agenda Item Request - May 4 Meeting

Wed, Apr 27, 2016 at 11:38 AM

To: HeritagePreservation@sunnyvale.ca.gov

Heritage Preservation Commissioners,

I would like to add an item to the May 4, 2016 agenda.

I am requesting that the commission begin the application process to designate the grove of oak trees at El Camino Real and Wolfe Road (Butcher's Corner) as heritage trees. An arborist report is available and these trees are healthy and are protected because of their age and size. They qualify as heritage trees because of their location.

The Sunnyvale Municipal Code 19.96.050 Criteria for evaluation and nomination of heritage resources, item (f), states that a tree may be designated a heritage resource if "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."

The group of trees on the corner is a familiar visual feature of the neighborhood and the city. Protection of the trees would maintain the established vista at this busy intersection. It would also preserve one of the few remaining areas along El Camino that have large trees.

I have been informed that the Heritage Preservation Commission can initiate the process with the goal of approval by the City Council.

Thank you,
Mary Brunkhorst



HeritagePreservation AP <heritagepreservation@sunnyvale.ca.gov>

Heritage Oaks at Butcher's Corner

Thu, May 5, 2016 at 9:29 AM

To: ael-hajj@sunnyvale.ca.gov, heritagepreservation@sunnyvale.ca.gov

Amber,

Here is some background on the oak trees at Butcher's Corner regarding condition and age. Hopefully this information will prove useful as you prepare your report.

First, two separate requests were made at the meeting and should be considered as two requests.

Martin requested that the one large oak tree (#106) be designated as a heritage tree.

I requested that the oak grove on the corner of Wolfe and El Camino be designated as heritage trees (#119, 120, 121, 122, 123, 126). I will discuss the oak grove.

I am referencing the Butcher's Corner DEIR, as they have numbered and evaluated the trees. The DEIR also provides a bit of background on the trees.

I want to point out that my initial questions to you date back to October 29, 2015, right after this property was annexed into the city (on October 13). It was the annexation that prompted my actions. The fact that the trees have been targeted for removal as part of the Butcher's Corner project simply adds urgency to the request. On the plus side, the DEIR and arborist report that were prepared for the project have provided supporting data.

History of the Trees - In the video listed below, Audrey Butcher explains how she planted a number of the oak trees near the corner fifty or more years ago. In the video from 2007, she said that she planted them over forty years earlier (which would make them over fifty today).

<https://www.youtube.com/watch?v=PrRhWVFLXJg>

DEIR - Appendix E - Arborist Report and Biological Resources Data -

The Tree Assessment Plan identifies the location and condition of the trees of interest. The grove of trees are listed as protected trees in good condition with a moderate suitability for preservation. The trees are healthy.

DEIR - Within the DEIR, Section 4.0 Biological Resources - Under the BIO-2 discussion (page 4.3-14), it is stated that "Of particular interest is a grove of mature native coast live oaks near the intersection of El Camino Real and Wolfe Road that contribute to the aesthetic and habitat values of the site. These consist of five mature coast live oaks (Trees #119, 120, 121, 123, and 126), all of which are of a protected tree size, are in good to excellent condition and have a moderate suitability for preservation according to the Preliminary Tree Report."

DEIR Project Info - The arborists report lists the trees as healthy and they are expected to live a long life. Despite the health of the trees, and the stated interest in the trees, the proposed project would basically raze the property and remove 245 trees, while saving only one tree.

Heritage Worthy -

The group of oak trees at the corner of Wolfe Road and El Camino Real qualify as heritage trees. The Sunnyvale Municipal Code 19.96.050 Criteria for evaluation and nomination of heritage resources, item (f), states that a tree may be designated a heritage resource if "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."

The group of trees on the corner is a familiar visual feature of the neighborhood and the city. Protection of the trees would maintain the established vista at this busy intersection. It would also preserve one of the few remaining areas along El Camino that have large trees.

As development encroaches on that area, preserving the trees is an important step to saving the visual feature

and will benefit both the neighbors and the city. Removal of these trees would greatly alter the look and feel of the area, and they should be protected. Adding a heritage tree status should add an extra layer of approvals required to receive a tree removal permit.

I am requesting that the oak grove be declared heritage trees on their own merit, not simply because of this project. This designation should move forward regardless of the project, as the project may change as it goes through the review process.

Please let me know if there is any other data you need. I might have something in the various documents I have accumulated.

Please pass this information on to the Heritage Preservation Commission members.

Thank you,
Mary Brunkhorst

Link to Butchers Corner Webpage:

www.ButchersCorner.InSunnyvale.com

Preliminary Tree Report

Butcher's Corner

Prepared for:
PlaceWorks
1625 Shattuck Avenue, Suite 300
Berkeley, California 94709

Prepared by:
HortScience, Inc.
325 Ray Street
Pleasanton CA 94566

October 21, 2015



Preliminary Tree Report

Butcher's Corner
East Fremont Avenue
Sunnyvale CA

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Attachments

Tree Assessment Form

Tree Assessment Plan

Tree Pruning Specifications

Introduction and Overview

PlaceWorks is assisting in reviewing the environmental impacts of the proposed redevelopment of Butcher's Corner, located on E. Fremont Avenue in Sunnyvale CA. Current site use consists of two homes, accessory structures, abandoned orchard and associated landscape features. PlaceWorks requested that HortScience, Inc. prepare a **Preliminary Tree Report** for the site. This report provides the following information:

1. A survey of trees currently growing on the site and trees along the site periphery that have the potential of being impacted due to construction.
2. An assessment of the impacts of constructing the proposed project on the trees.
3. Recommendations for tree removal and replacement.
4. Guidelines for tree preservation during the design, construction, and maintenance phases of development.

Assessment Methods

Trees were assessed in September 2015. Trees were evaluated through a visual assessment from the ground and consisted of the following steps:

1. Tagging each tree with an identifying number and record its location on a map.
2. Identifying the tree as to species.
3. Measuring the trunk diameter at 54" above grade.
4. Evaluating the health and structural condition using a scale of 0 – 5:
 - 5 - A healthy, vigorous tree, reasonably free of signs and symptoms of disease, with good structure and form typical of the species.*
 - 4 - Tree with slight decline in vigor, small amount of twig dieback, minor structural defects that could be corrected.*
 - 3 - Tree with moderate vigor, moderate twig and small branch dieback, thinning of crown, poor leaf color, moderate structural defects that might be mitigated with regular care.*
 - 2 - Tree in decline, epicormic growth, extensive dieback of medium to large branches, significant structural defects that cannot be abated.*
 - 1 - Tree in severe decline, dieback of scaffold branches and/or trunk; most of foliage from epicormics; extensive structural defects that cannot be abated.*
 - 0 – Tree is dead.*
5. Noting any significant structural characteristics including decay, poor crown conformation, dieback and a history of failure.
6. Rating the suitability for preservation as "high", "moderate" or "low".
Suitability for preservation considers the health, age and structural condition of the tree, invasive potential, and its potential to remain an asset to the site for years to come.

Each tree is described in the attached ***Tree Assessment Form*** and its approximate location plotted in the ***Tree Assessment Map*** located in the Attachments.

Description of Trees

Eighty-four (84) landscape trees were evaluated, representing 29 species (Table 1). Trees were a mix of native and non-native species. Species native to the Sunnyvale area include coast live oak, valley oak, Calif. bay, and Calif. buckeye. Some of these appear to be indigenous to the site. Among non-native species, all were typical of landscape plants used in the Sunnyvale area.

Table 1. Species present and tree condition. Butcher's Corner. Sunnyvale CA.

Common name	Scientific name	Condition				No. of Trees	
		Poor	Fair	Good	Excell.	Protected	Total
Bailey acacia	<i>Acacia baileyana</i>	--	1	--	--	1	1
Calif. buckeye	<i>Aesculus californica</i>	--	--	1	--	1	1
African fern pine	<i>Afrocarpus gracilior</i>	--	--	1	--	1	1
Strawberry tree	<i>Arbutus unedo</i>	1	--	--	--	--	1
European birch	<i>Betula pendula</i>	--	1	--	--	--	1
Carob	<i>Ceratonia siliqua</i>	--	1	--	--	1	1
Euonymus	<i>Euonymus</i> sp.	1	--	--	--	--	1
Hollywood juniper	<i>Juniperus chinensis</i> 'Torulosa'	--	1	--	--	--	1
Glossy privet	<i>Ligustrum lucidum</i>	2	1	--	--	--	3
Sweetgum	<i>Liquidambar styraciflua</i>	--	1	1	--	--	2
Catalina ironwood	<i>Lyonothamnus floribundus</i>	--	2	--	--	2	2
Olive	<i>Olea europaea</i>	--	1	--	--	--	1
Canary Island date palm	<i>Phoenix canariensis</i>	--	2	1	4	7	7
Afghan pine	<i>Pinus eldarica</i>	--	1	--	--	1	1
Monterey pine	<i>Pinus radiata</i>	--	1	--	--	1	1
Chinese pistache	<i>Pistachia chinensis</i>	1	1	1	--	1	3
Tawhihiwi	<i>Pittosporum</i> sp.	1	--	--	--	--	1
Victorian box	<i>Pittosporum undulatum</i>	1	--	--	--	1	1
Catalina cherry	<i>Prunus caroliniana</i>	2	7	--	--	2	9
Coast live oak	<i>Quercus agrifolia</i>	2	8	10	--	13	20
Holly oak	<i>Quercus ilex</i>	--	1	--	--	1	1
Valley oak	<i>Quercus lobata</i>	1	2	1	--	3	4
Chinese tallow	<i>Sapium sebiferum</i>	1	--	--	--	--	1
Calif. pepper	<i>Schinus molle</i>	2	5	--	2	7	9
Coast redwood	<i>Sequoia sempervirens</i>	1	3	1	--	5	5
Queen palm	<i>Sygarus romanzoffiana</i>	1	--	--	--	1	1
Chinese elm	<i>Ulmus parvifolia</i>	--	1	--	--	--	1
Calif. bay	<i>Umbellularia californica</i>	--	--	1	--	--	1
Xylosma	<i>Xylosma congestum</i>	1	--	1	--	1	2
Total, all trees assessed		18	41	19	6	50	84

The City of Sunnyvale defines "Protected" tree as having a circumference of 38" or more (equivalent to a diameter of 12") (Municipal Code 19.94. Fifty (50) of the 84 landscape trees met this criterion. Protected Trees are identified on the ***Tree Assessment Form***.

Coast live oak (20 trees) was the most frequently occurring species. Tree maturity ranged from young to mature. Tree trunk diameters were between 6" and 36". About half of the coast live oaks were smaller than 18" in diameter. Several large trees were present. Coast live oak #116 was 36" and in good condition. Tree #118 was also 36" but in fair condition. Both trees #116 and 118 were located off-site, near Wolfe Road, with canopies that extended over the wall separating the two properties (Photo 1).



Photo 1. The canopy of coast live oak #118 extended over the property line and into the project area.

Several large coast live oaks were present in the east side of the property. Tree #121 had several stems that arose near ground level (Photo 2). It was in good condition. Other large oaks included #119 (31", good condition), 125 (27", poor condition), and #126 (26", good condition). Several smaller oaks were also present in this area.



Photo 2. Coast live oak #121.

Condition of coast live oaks ranged from poor (#125, 149) to fair (8 trees) to good (10 trees). Factors influencing condition of coast live oaks included crowded growing conditions (leading to asymmetric and otherwise poor form), the presence of codominant trunks and multiple attachments, and drought.

Nine (9) Calif. peppers were present (Photo 3). Several trees were located near the existing residence. Trees ranged from young (#151, 160) to semi-mature (#136, 140, 143) to mature (#128, 141, 169) to overmature (#115). Located near the entrance to the site, Calif. pepper #115 was 47" and in fair condition with several large stems. Tree condition varied by diameter with the small trees in excellent condition while larger trees were in fair and poor (#140, 141) condition.



Photo 3. Typical Calif. pepper.

Nine (9) Carolina cherries were present on the south side of the residence. Most trees were small (<10" diameter). Exceptions included cherry #107 (stems of 19", 19" and 8") and #114 (6 stems between 4" and 9"). Tree #107 was in poor condition with extensive decay and a history of branch failure. Tree #114 was in fair condition with a thin canopy of foliage.

Seven (7) Canary Island date palms were present. Palms #101, 103, 105, 124, 127 were mature trees with more than 25' of clear (brown) trunk. Palms #101, 124 and 127 were in excellent condition; #105 was good with penciling of the trunk, while #103 was in fair condition. Smaller palms were #137 (4' clear trunk) and #139 (12').

The remaining 25 species were represented by 5 or fewer trees. Included in this group were:

- Coast redwoods #152 – 156 were semi-mature and mature in development with trunk diameters between 15" and 28" (Photo 4). Trees were located off-site, along the north edge of the property. Tree canopies extended into the project area. Tree condition was poor (#154), fair (#152, 153, 155) and good (#156). The primary limitation to tree health was lack of irrigation. Tree canopies were thin with extensive dieback.



Photo 4. Coast redwoods #152 – 156.

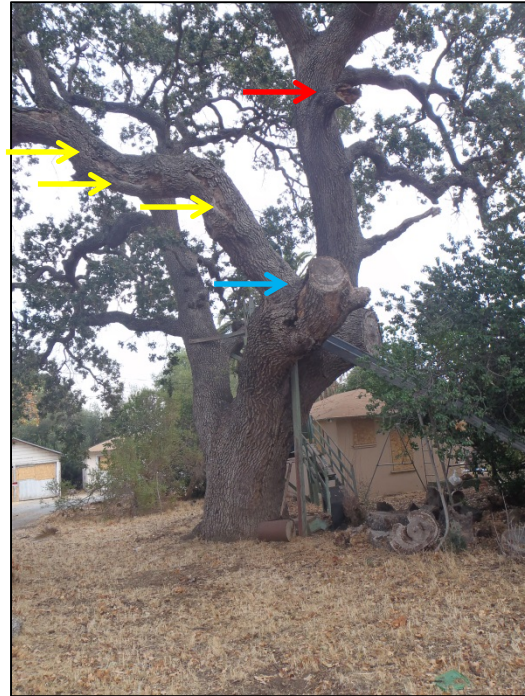
- Valley oaks #146, 147 and 148 were located near the northeast corner of the residence. Valley oak #146 was 21" and in good condition; #147 was 14" and poor; #148 was 8" and fair.

Valley oak #106 was the largest and most dominant tree at Butcher's Corner with a trunk diameter of 64" (Photo 5, following page). Overall tree structure was typical of valley oaks of this age and size. Several large scaffold limbs arose at 12'. Large pruning wounds and branch failures resulted in decay. A cavity was present at the base. The tree's canopy was thin.

- Chinese pistache #163 and 165 were located off-site, on the west side of the property. Pistache #150 was a mature tree with poor form and structure.
- Glossy privets #144, 164 and 181 were large shrubs.
- Sweetgums #157 and 158 were off-site to the north. Both were 8" in diameter. Tree #157 was in fair condition; #158 was good.
- Catalina ironwood #129 was a mature tree with several stems between 12" and 18". Tree condition was fair. Catalina ironwood #166 was located off-site. It was 14" and in fair condition.



Photo 4. Valley oak #106. Above: tree crown. Right: lower trunk and scaffold limbs. Note failed branch (red arrow), areas of dead bark (yellow arrow) and large stub (blue arrow).



- Xylosma #177 was 9" and dying while #178 was 14" and in good condition.
- Afghan pine #175 was 23" and in fair condition.
- African fern pine #162 was off-site, 15" and in good condition.
- Bailey acacia #173 was 14" and in fair condition, having been topped to clear overhead utility lines.
- Calif. bay #176 was a small tree (7, 6") in good condition.
- Calif. buckeye #104 was mature in development with multiple stems. It was in good condition.
- Carob #167 was located off-site. It was 16" and in fair condition.
- Chinese elm #172 was small (7, 4") and in fair condition.
- Chinese tallow #174 was a small tree (6, 6") in poor condition.
- Euonymus #102 was a large shrub in poor condition.
- European birch #159 was off-site, 8" and in fair condition.
- Holly oak #183 was mature in development, 18" in diameter and in fair condition.
- Hollywood juniper #8 was a large suppressed shrub.

- Monterey pine #180 was mature in size and development with a trunk diameter of 33". Condition was fair as the tree had been side-trimmed to clear nearby utility lines.
- Olive #117 was located off-site. It was 8" and in fair condition.
- Queen palm #134 was small and poor.
- Strawberry tree #145 was 8" and dying.
- Tawihiwi #179 was a large shrub in poor condition.
- Victorian box #184 was 13" in diameter and in poor condition.

Orchard species

In addition to the 84 landscape trees, a total of 161 orchard trees were present at Butcher's corner. Orchard trees were not tagged and individually assessed. Included in this group were:

- 15 small citrus (*Citrus* sp.) in declining condition.
- 42 olives (*Olea europaea*) in fair and good condition.
- 97 plums (*Prunus domestica*) were largely dead.
- 7 avocado (*Persea americana*) around the residence.

In general, orchard trees had been abandoned and left unmaintained. No irrigation appeared to be present which is why tree condition was declining.

Orchard trees are exempt from the City of Sunnyvale's tree protection requirements. (Municipal Code 19.94.050). No orchard trees are considered for Protected status.

Suitability for Preservation

Trees that are preserved on development sites must be carefully selected to make sure that they may survive development impacts, adapt to a new environment and perform well in the landscape. Our goal is to identify trees that have the potential for long-term health, structural stability and longevity. Evaluation of suitability for preservation considers several factors:

- **Tree health**
Healthy, vigorous trees are better able to tolerate impacts such as root injury, demolition of existing structures, changes in soil grade and moisture, and soil compaction than are non-vigorous trees.
- **Structural integrity**
Trees with significant amounts of wood decay and other structural defects that cannot be corrected are likely to fail. Such trees should not be preserved in areas where damage to people or property is likely.
- **Species response**
There is a wide variation in the response of individual species to construction impacts and changes in the environment. For example, coast redwood and coast live oak are relatively tolerant of construction impacts while Bailey acacia and carob are sensitive.

▪ **Tree age and longevity**

Old trees, while having significant emotional and aesthetic appeal, have limited physiological capacity to adjust to an altered environment. Young trees are better able to generate new tissue and respond to change.

▪ **Species invasiveness**

Species which spread across a site and displace desired vegetation are not always appropriate for retention. This is particularly true when indigenous species are displaced. The California Invasive Plant Inventory Database (<http://www.cal-ipc.org/paf/>) lists species identified as having being invasive. Sunnyvale is part of the Central West Floristic Province. Olive, Canary Island date palm, Chinese tallow, and Calif. pepper are noted as being invasive.

Each of the 84 landscape trees was rated for suitability for preservation based upon its age, health, structural condition and ability to safely coexist within a development environment (Table 2).

Table 2. Tree suitability for preservation. Butcher's Corner. Sunnyvale CA.

High	Trees with good health and structural stability that have the potential for longevity at the site. Eleven (11) trees were rated as having good suitability for preservation: Canary Island date palm #101, 105, 124, 127, 137; Calif. pepper #151, 160; coast live oak #110, 168, 171; and Chinese pistache #163.
Moderate	Trees in fair health and/or possessing structural defects that may be abated with treatment. Trees in this category require more intense management and monitoring, and may have shorter life-spans than those in the "high" category. Fifty (50) trees were rated as having moderate suitability for preservation including: 13 coast live oaks, Afghan pine #175, African fern pine #162, Calif. bay #176, Calif. buckeye #104, Calif. pepper #128, sweetgum #158, valley oak #146, and xylosma #178.
Low	Trees in poor health or possessing significant defects in structure that cannot be abated with treatment. These trees can be expected to decline regardless of management. The species or individual tree may possess either characteristics that are undesirable in landscape settings or be unsuited for use areas. Fifty (50) trees were rated as having poor suitability for preservation including: 8 Catalina cherry, 6 Calif. pepper, 5 coast redwood, 4 coast live oak, 3 glossy privet, and 2 valley oak.

We consider trees with high suitability for preservation to be the best candidates for preservation. We do not recommend retention of trees with low suitability for preservation near proposed homes or useable open space. Retention of trees with moderate suitability for preservation depends upon the intensity of proposed site changes.

Evaluation of Impacts and Recommendations for Action

Appropriate tree retention develops a practical match between the location and intensity of construction activities and the quality and health of trees. The **Tree Assessment** was the reference point for tree condition and quality. Potential impacts from the proposed project were assessed using two Illustrative Site Plans prepared by the Dahlin Group (both plans dated June 2015).

The site plans represented two development options. Option 1 comprised the existing Butcher's Corner site while Option 2 included the property at the northwest corner of the intersection of South Wolfe Road and East Fremont Avenue. Both plans include high density residential units as well as non-residential space along East El Camino Real. Both plans would entirely redevelop the Butcher's Corner site.

Impacts to trees could occur in a variety of ways. First, demolition of existing structures could directly damage tree roots and crowns. Second, grading, excavation, and other construction activities may also damage trees, through both direct mechanical injury and indirectly by altering drainage. The most significant impacts to the trees would occur as a result of demolition, grading and construction across the entire site.

Both site plan options depict retention of valley oak #106 (Table 3, following page). This is a large massive tree in fair condition with low suitability for preservation due to its age, health and structure. It can be expected to decline over many years by losing large branches. Decay is present in the scaffold limbs and at the base. Valley oaks of this size and maturity often drop branches without any warning. Because of the risk of branch or whole tree failure, no development activity should take place within the dripline of this tree. No use such as paths, benches or parking should be planned within the dripline.

The site plans depict the tree as having a 60' wide canopy. The actual canopy is 85' to 90' wide. In order to accommodate the tree, some re-design must occur to provide additional space for the tree. No details of construction activity near the tree are provided. But removal of structures and controls to disturbance under this tree as well as corrective work on past poorly cut limbs or failed branches, together with cabling and possibly major limb support should serve to improve conditions, and reduce risks associated with this tree. So long as the proposed **TREE PROTECTION ZONE** accommodates the entire canopy, impacts from construction should be within the tolerance of the tree.

In order to maintain tree health and limit the potential for someone to be injured by a failing branch, I recommend that no improvements and use areas be established beneath the tree. No activity should occur within the dripline subsequent to demolition: The area under the dripline should be mulched with 4" to 6" of wood chips. No grading, construction, landscaping, irrigation, lighting, or utilities should be installed within the dripline with the exception of removal of artificial fills placed under the tree, paving and other impervious surfaces, the existing treehouse built onto the tree, and the nearby garage structure, assuming this work is performed under the supervision of a Certified Arborist with careful controls as described further below under the recommended **Tree Preservation Guidelines**. Grading around the tree should ensure that storm water does not collect around the base of the tree.

Based on my review of the plans, there is limited opportunity to preserve any additional trees without significant re-design of the site plan.

Several mature coast live oaks (#119, 120, 121, 123, and 126) form a grove near the highly visible El Camino Real and Wolfe Road intersection. These trees have moderate and high suitability for preservation, and would complement the stand of coast live oaks on the east side of Wolfe Road. However, preservation would require substantial redesign of the Site Plan and possible reduction of the retail/office building on the southeast end. For design purposes, the **TREE PROTECTION ZONE** should be the existing dripline of trees to be retained.

Trees located off-site are noted for preservation and pruning to provide clearance for construction activity. Recommendations for preservation are predicated on adherence to the **Tree Preservation Guidelines** (following section).

Table 3. Proposed action. Butcher's Corner. Sunnyvale CA.

Tree No.	Species	Trunk Diameter (in.)	Protected Tree?	Condition 1=poor 5=excell.	Proposed Action	Notes
101	Canary Island date palm	35	Yes	5	Remove	Within project area
102	Euonymus	5,3,2	No	2	Remove	Within project area; low suitability for preservation
103	Canary Island date palm	47	Yes	3	Remove	Within project area; low suitability for preservation
104	Calif. buckeye	8,8,8,7,6,5	Yes	4	Remove	Within project area
105	Canary Island date palm	27	Yes	4	Remove	Within project area
106	Valley oak	64	Yes	3	Preserve	Low suitability for preservation
107	Catalina cherry	19,18,8	Yes	2	Remove	Within project area; low suitability for preservation
108	Catalina cherry	7	No	3	Remove	Within project area; low suitability for preservation
109	Catalina cherry	8	No	3	Remove	Within project area; low suitability for preservation
110	Coast live oak	7	No	4	Remove	Within project area
111	Catalina cherry	5	No	3	Remove	Within project area; low suitability for preservation
112	Catalina cherry	5	No	3	Remove	Within project area; low suitability for preservation
113	Catalina cherry	5	No	3	Remove	Within project area; low suitability for preservation
114	Catalina cherry	9,9,8,7,6,4	Yes	3	Remove	Within project area; low suitability for preservation
115	Calif. pepper	47	Yes	3	Remove	Within project area; low suitability for preservation

Table 3, continued. Proposed action. Butcher's Corner. Sunnyvale CA.

Tree No.	Species	Trunk Diameter (in.)	Protected Tree?	Condition 1=poor 5=excell.	Proposed Action	Notes
116	Coast live oak	36	Yes	4	Preserve	Off-site; prune for clearance
117	Olive	8	No	3	Preserve	Off-site; pruning for clearance will likely remove much of the tree's canopy
118	Coast live oak	36	Yes	3	Preserve	Off-site; prune for clearance
119	Coast live oak	31	Yes	4	Remove	Within project area
120	Coast live oak	18	Yes	3	Remove	Within project area
121	Coast live oak	24,22,20,14,14	Yes	4	Remove	Within project area
122	Coast live oak	17,12	Yes	3	Remove	Within project area; low suitability for preservation
123	Coast live oak	20	Yes	3	Remove	Within project area
124	Canary Island date palm	30	Yes	5	Remove	Within project area
125	Coast live oak	27	Yes	2	Remove	Within project area; low suitability for preservation
126	Coast live oak	26	Yes	4	Remove	Within project area
127	Canary Island date palm	30,30,30	Yes	5	Remove	Within project area
128	Calif. pepper	18,16	Yes	3	Remove	Within project area
129	Catalina ironwood	18,12,12,12,10,8	Yes	3	Remove	Within project area; low suitability for preservation
130	Catalina cherry	7,5,4,4	No	3	Remove	Within project area
131	Coast live oak	8	No	3	Remove	Within project area; low suitability for preservation

Table 3, continued. Proposed action. Butcher's Corner. Sunnyvale CA.

Tree No.	Species	Trunk Diameter (in.)	Protected Tree?	Condition 1=poor 5=excell.	Proposed Action	Notes
132	Coast live oak	13,8	Yes	3	Remove	Within project area
133	Coast live oak	13	Yes	3	Remove	Within project area
134	Queen palm	12	Yes	2	Remove	Within project area; low suitability for preservation
135	Coast live oak	14	Yes	4	Remove	Within project area
136	Calif. pepper	13	Yes	3	Remove	Within project area; low suitability for preservation
137	Canary Island date palm	22	Yes	5	Remove	Within project area
138	Catalina cherry	5	No	2	Remove	Within project area; low suitability for preservation
139	Canary Island date palm	29	Yes	3	Remove	Within project area
140	Calif. pepper	13	Yes	2	Remove	Within project area; low suitability for preservation
141	Calif. pepper	30	Yes	1	Remove	Within project area; low suitability for preservation
142	Coast live oak	6	No	4	Remove	Within project area
143	Calif. pepper	14	Yes	3	Remove	Within project area; low suitability for preservation
144	Glossy privet	6,6	No	1	Remove	Within project area; low suitability for preservation
145	Strawberry tree	8	No	1	Remove	Within project area; low suitability for preservation
146	Valley oak	21	Yes	4	Remove	Within project area
147	Valley oak	14	Yes	1	Remove	Within project area; low suitability for preservation

Table 3, continued. Proposed action. Butcher's Corner. Sunnyvale CA.

Tree No.	Species	Trunk Diameter (in.)	Protected Tree?	Condition 1=poor 5=excell.	Proposed Action	Notes
148	Valley oak	8	No	3	Remove	Within project area; low suitability for preservation
149	Coast live oak	14	Yes	2	Remove	Within project area; low suitability for preservation
150	Chinese pistache	15	Yes	2	Remove	Within project area; low suitability for preservation
151	Calif. pepper	8,8,5	No	5	Remove	Within project area
152	Coast redwood	28	Yes	3	Preserve	Off-site; prune for clearance
153	Coast redwood	17	Yes	3	Preserve	Off-site; prune for clearance
154	Coast redwood	18	Yes	2	Preserve	Off-site; prune for clearance
155	Coast redwood	15	Yes	3	Preserve	Off-site; prune for clearance
156	Coast redwood	15	Yes	4	Preserve	Off-site; prune for clearance
157	Sweetgum	8	No	3	Preserve	Off-site; prune for clearance
158	Sweetgum	8	No	4	Preserve	Off-site; prune for clearance
159	European birch	7	No	3	Preserve	Off-site; prune for clearance
160	Calif. pepper	5,3,3	No	5	Remove	Within project area
161	Coast live oak	7	No	3	Remove	Within project area

Table 3, continued. Proposed action. Butcher's Corner. Sunnyvale CA.

Tree No.	Species	Trunk Diameter (in.)	Protected Tree?	Condition 1=poor 5=excell.	Proposed Action	Notes
162	African fern pine	15	Yes	4	Preserve	Off-site; prune for clearance
163	Chinese pistache	9	No	4	Preserve	Off-site; prune for clearance
164	Glossy privet	8,4	No	3	Remove	Within project area; low suitability for preservation
165	Chinese pistache	9	No	3	Preserve	Off-site; prune for clearance
166	Catalina ironwood	14	Yes	3	Preserve	Off-site; prune for clearance
167	Carob	16	Yes	3	Preserve	Off-site; prune for clearance
168	Coast live oak	7,5	No	4	Remove	Within project area
169	Calif. pepper	15,14,12,11,10	Yes	3	Remove	Within project area; low suitability for preservation
170	Coast live oak	4,3,2,2	No	4	Remove	Within project area
171	Coast live oak	6,5	No	4	Remove	Within project area
172	Chinese elm	7,4	No	3	Remove	Within project area; low suitability for preservation
173	Bailey acacia	14	Yes	3	Remove	Within project area; low suitability for preservation
174	Chinese tallow	6,6	No	1	Remove	Within project area; low suitability for preservation
175	Afghan pine	23	Yes	3	Remove	Within project area
176	Calif. bay	7,5	No	4	Remove	Within project area
177	Xylosma	9	No	2	Remove	Within project area; low suitability for preservation

Table 3, continued. Proposed action. Butcher's Corner. Sunnyvale CA.

Tree No.	Species	Trunk Diameter (in.)	Protected Tree?	Condition 1=poor 5=excell.	Proposed Action	Notes
178	Xylosma	14	Yes	4	Remove	Within project area
179	Tawihiwi	6,4	No	2	Remove	Within project area; low suitability for preservation
180	Monterey pine	33	Yes	3	Remove	Within project area; low suitability for preservation
181	Glossy privet	8,5,3	No	2	Remove	Within project area; low suitability for preservation
182	Hollywood juniper	8	No	3	Remove	Within project area; low suitability for preservation
183	Holly oak	18	Yes	3	Remove	Within project area; low suitability for preservation
184	Victorian box	13	Yes	1	Remove	Within project area; low suitability for preservation

Tree Preservation Guidelines

The following are recommendations for design and construction phases that will assist in successful tree preservation. The focus of tree preservation efforts are on valley oak #106 and all off-site trees.

Design recommendations

1. Establish the horizontal and vertical elevation of valley oak #106 and include on all plans.
2. Design improvements so that no grading or construction occurs within the dripline of valley oak #106. Demolition of the existing garage, tree house, impervious surfaces and artificial fills under the dripline of this tree shall be performed under the supervision of the Consulting Arborist. Equipment operation shall be restricted from the furthest point possible to the tree trunk, so minimize the potential for compaction and root zone disturbance.
3. Allow the Consulting Arborist to review all future project submittals including grading, utility, drainage, irrigation, and landscape plans.
4. Establish a **TREE PROTECTION ZONE** around valley oak #106. The **TREE PROTECTION ZONE** shall be at least 50' from the center of the trunk in all directions.
5. Route all underground services including utilities, sub-drains, water or sewer around the **TREE PROTECTION ZONE**.
6. Use only herbicides safe for use around trees and labeled for that use, even below pavement.
7. Design irrigation systems so that no trenching will occur within the **TREE PROTECTION ZONE**.

Pre-construction and demolition treatments and recommendations

1. The demolition contractor shall meet with the Consulting Arborist before beginning work to discuss work procedures and tree protection.
2. Install protection at the **TREE PROTECTION ZONE** prior to demolition, grubbing, or grading. Valley oak #106 may require installation of hay bales around the tree prior to the start of demolition of nearby improvements.
3. No entry is permitted into a **TREE PROTECTION ZONE** without permission of the project superintendent.
4. Trees to be preserved may require pruning to clean the crown and to provide clearance. All pruning shall be completed by an ISA Certified Arborist or Tree Worker and adhere to the latest editions of the American National Standards for tree work (Z133 and A300) and International Society of Arboriculture Best Management Practices, Pruning.

Tree protection during construction

1. Prior to beginning work, the contractors working in the vicinity of trees to be preserved are required to meet with the Consulting Arborist at the site to review all work procedures, access routes, storage areas and tree protection measures.
2. Trees to be removed shall be felled so as to fall away from **TREE PROTECTION ZONE** and avoid pulling and breaking of roots of trees to remain. If roots are entwined, the consultant may require first severing the major woody root mass before extracting the trees, or grinding the stump below ground.
3. Valley oak #106 must be irrigated during the construction period. The irrigation schedule to be determined by the Consulting Arborist. Each irrigation shall wet the soil within the **TREE PROTECTION ZONE** to a depth of 30". For planning purposes, expect to irrigate the tree twice per month during months with no or low rainfall.
4. Any grading, construction, demolition or other work that is expected to encounter roots of trees to be preserved should be monitored by the Consulting Arborist.
5. If injury occurs to any tree during construction, it should be evaluated as soon as possible by the Consulting Arborist so that appropriate treatments can be applied.
6. Fences are to remain until all site work has been completed. Fences may not be relocated or removed without permission of the project superintendent.
7. Construction trailers, traffic and storage areas must remain outside fenced areas at all times.
8. No materials, equipment, soil, waste or wash-out water may be deposited, stored, or parked within the **TREE PROTECTION ZONE** (fenced area).
9. Any additional tree pruning needed for clearance during construction must be performed by a qualified arborist and not by construction personnel.
10. Any roots damaged during grading or construction shall be exposed to sound tissue and cut cleanly with a saw.

Tree Preservation Guidelines (with coast live oaks)

The following are recommendations for design and construction phases that will assist in successful tree preservation. The focus of tree preservation efforts are on valley oak #106, several coast live oaks, and all off-site trees.

Design recommendations

1. Establish the horizontal and vertical elevation of valley oak #106 and the coast live oaks to remain. Include trunk locations on all plans.
2. Design improvements so that no grading or construction occurs within the dripline of all trees to be preserved. Demolition of the existing structures, impervious surfaces and artificial fills under the dripline of any tree to be preserved shall be performed under the supervision of the Consulting Arborist. Equipment operation shall be restricted from the furthest point possible to the tree trunk, so minimize the potential for compaction and root zone disturbance.
3. Allow the Consulting Arborist to review all future project submittals including grading, utility, drainage, irrigation, and landscape plans.
4. Establish a **TREE PROTECTION ZONE** around tree to be retained. For valley oak #106, the **TREE PROTECTION ZONE** shall be at least 50' from the center of the trunk in all directions. For coast live oaks, the **TREE PROTECTION ZONE** shall be the dripline.
5. Route all underground services including utilities, sub-drains, water or sewer around the **TREE PROTECTION ZONE**.
6. Use only herbicides safe for use around trees and labeled for that use, even below pavement.
7. Design irrigation systems so that no trenching will occur within the **TREE PROTECTION ZONE**.

Pre-construction and demolition treatments and recommendations

1. The demolition contractor shall meet with the Consulting Arborist before beginning work to discuss work procedures and tree protection.
2. Install protection at the **TREE PROTECTION ZONE** prior to demolition, grubbing, or grading. Valley oak #106 may require installation of hay bales around the tree prior to the start of demolition of nearby improvements. For coast live oaks, install tree protective fencing at the dripline.
3. No entry is permitted into a **TREE PROTECTION ZONE** without permission of the project superintendent.
4. Prune trees to be preserved may require pruning to clean the crown. All pruning shall be completed by an ISA Certified Arborist or Tree Worker and adhere to the latest editions of the American National Standards for tree work (Z133 and A300) and International Society of Arboriculture Best Management Practices, Pruning.

Tree protection during construction

1. Prior to beginning work, the contractors working in the vicinity of trees to be preserved are required to meet with the Consulting Arborist at the site to review all work procedures, access routes, storage areas and tree protection measures.
2. Trees to be removed shall be felled so as to fall away from **TREE PROTECTION ZONE** and avoid pulling and breaking of roots of trees to remain. If roots are entwined, the consultant may require first severing the major woody root mass before extracting the trees, or grinding the stump below ground.
3. Valley oak #106 must be irrigated during the construction period. Coast live oaks may require irrigation. The irrigation schedule to be determined by the Consulting Arborist. Each irrigation shall wet the soil within the **TREE PROTECTION ZONE** to a depth of 30". For planning purposes, expect to irrigate the tree twice per month during months with no or low rainfall.
4. Any grading, construction, demolition or other work that is expected to encounter roots of trees to be preserved should be monitored by the Consulting Arborist.
5. If injury occurs to any tree during construction, it should be evaluated as soon as possible by the Consulting Arborist so that appropriate treatments can be applied.
6. Fences are to remain until all site work has been completed. Fences may not be relocated or removed without permission of the project superintendent.
7. Construction trailers, traffic and storage areas must remain outside fenced areas at all times.
8. No materials, equipment, soil, waste or wash-out water may be deposited, stored, or parked within the **TREE PROTECTION ZONE** (fenced area).
9. Any additional tree pruning needed for clearance during construction must be performed by a qualified arborist and not by construction personnel.
10. Any roots damaged during grading or construction shall be exposed to sound tissue and cut cleanly with a saw.

HortScience, Inc.



James R. Clark, Ph.D.
Certified Arborist WE-0846A
Registered Consulting Arborist #357

Attachments

Tree Assessment Form

Tree Assessment

Butcher's Corner
Sunnyvale CA
Placeworks
September 2015



TREE No.	SPECIES	TRUNK DIAMETER (in.)	PROTECTED TREE?	CONDITION 1=poor 5=excell.	SUITABILITY for PRESERVATION	COMMENTS
101	Canary Island date palm	35	Yes	5	High	Good form & structure; 25' of brown trunk.
102	Euonymus	5,3,2	No	2	Low	Leans away from building; poor form & structure.
103	Canary Island date palm	47	Yes	3	Low	Pencilling; crook just below pineapple; 35' of brown trunk.
104	Calif. buckeye	8,8,8,7,6,5	Yes	4	Moderate	Multiple attachments @ base; branch tear-out @ 8'; one-sided W.
105	Canary Island date palm	27	Yes	4	High	Slight pencilling; smallish crown; 35' of brown trunk.
106	Valley oak	64	Yes	3	Low	Multiple attachments @ 12'; large pruning cuts S.; decay in trunks & branches; basal cavity W.; thin canopy.
107	Catalina cherry	19,18,8	Yes	2	Low	Multiple attachments @ 3'; extensive trunk decay; history of branch failure; vigorous.
108	Catalina cherry	7	No	3	Low	Suppressed; leans N.
109	Catalina cherry	8	No	3	Low	Suppressed; leans N.
110	Coast live oak	7	No	4	High	Upright form; canopy a little thin.
111	Catalina cherry	5	No	3	Low	Suppressed; crown bowed W.
112	Catalina cherry	5	No	3	Low	Suppressed; leans S.
113	Catalina cherry	5	No	3	Low	Suppressed; leans S.
114	Catalina cherry	9,9,8,7,6,4	Yes	3	Low	Multiple attachments @ 2'; thin canopy; vigorous root suckers.
115	Calif. pepper	47	Yes	3	Low	Multiple attachments @ 20'; large cavity with decay W.; stub S.
116	Coast live oak	36	Yes	4	Moderate	Off-site, no tag ; good form; can't see base; canopy a little thin; extends 20' N. over wall.

Tree Assessment

Butcher's Corner
Sunnyvale CA
Placeworks
September 2015



TREE No.	SPECIES	TRUNK DIAMETER (in.)	PROTECTED TREE?	CONDITION 1=poor 5=excell.	SUITABILITY for PRESERVATION	COMMENTS
117	Olive	8	No	3	Low	Off-site, no tag; good form; suppressed with entire canopy bowed N. over wall.
118	Coast live oak	36	Yes	3	Moderate	Off-site, no tag; good form; pruned hard on S. for building; most of canopy extends 25' N. over wall.
119	Coast live oak	31	Yes	4	Moderate	Codominant with #120; one-sided SE.; pruning wounds.
120	Coast live oak	18	Yes	3	Moderate	Codominant with #119; included bark; crown bowed slightly SW.
121	Coast live oak	24,22,20,14, 14	Yes	4	Moderate	Multiple attachments @ 4'; spreading form; thin upper canopy; heavy lateral limbs E.
122	Coast live oak	17,12	Yes	3	Low	Codominant trunks @ 3'; suppressed; poor form & structure.
123	Coast live oak	20	Yes	3	Moderate	Codominant trunks @ 8'; narrow attachment; asymmetric form.
124	Canary Island date palm	30	Yes	5	High	Good form & structure; fire scars @ base; 35' of brown trunk.
125	Coast live oak	27	Yes	2	Low	Slight lean S.; no basal flare; borer damage; dead top.
126	Coast live oak	26	Yes	4	Moderate	Multiple attachments @ 8'; good form; laterals SE.
127	Canary Island date palm	30,30,30	Yes	5	High	Multiple attachments @ base; main trunk has good form & structure; 35' of brown trunk.
128	Calif. pepper	18,16	Yes	3	Moderate	Codominant trunks @ 3'; wide attachment; one stem upright; one stem a lateral to the S.
129	Catalina ironwood	18,12,12,12, 10,8	Yes	3	Low	Multiple attachments @ 3'; fair structure; twig dieback throughout canopy.
130	Catalina cherry	7,5,4,4	No	3	Moderate	Multiple attachments @ 2'; small laterals.

Tree Assessment

Butcher's Corner
Sunnyvale CA
Placeworks
September 2015



TREE No.	SPECIES	TRUNK DIAMETER (in.)	PROTECTED TREE?	CONDITION 1=poor 5=excell.	SUITABILITY for PRESERVATION	COMMENTS
131	Coast live oak	8	No	3	Low	Crowded; leans SW.
132	Coast live oak	13,8	Yes	3	Moderate	Codominant trunks @ 1'; included bark; upright form.
133	Coast live oak	13	Yes	3	Moderate	One-sided N.; wide branch attachment; thin canopy.
134	Queen palm	12	Yes	2	Low	Trunk wounds; crook @ 30'; small crown.
135	Coast live oak	14	Yes	4	Moderate	Good form & structure; borer damage on lower trunk
136	Calif. pepper	13	Yes	3	Low	Codominant trunks @ 5'; sweeps E. from base; poor form.
137	Canary Island date palm	22	Yes	5	High	Good form & structure; 4' of brown trunk.
138	Catalina cherry	5	No	2	Low	Small crown; leans W.; trunk wound.
139	Canary Island date palm	29	Yes	3	Moderate	Small crown; 12' of brown trunk.
140	Calif. pepper	13	Yes	2	Low	Base of trunk grew over retaining wall; trunk wound with decay.
141	Calif. pepper	30	Yes	1	Low	Stump sprout with two 8" stems @ 6'.
142	Coast live oak	6	No	4	Moderate	Good form & structure; one-sided S.
143	Calif. pepper	14	Yes	3	Low	Codominant trunks @ 5'; fair structure; twig dieback.
144	Glossy privet	6,6	No	1	Low	Extensive dieback.
145	Strawberry tree	8	No	1	Low	Extensive dieback.
146	Valley oak	21	Yes	4	Moderate	Codominant trunks @ 15'; wide attachment; twig dieback.
147	Valley oak	14	Yes	1	Low	Trunk wound the length of the stem; little live material remains.
148	Valley oak	8	No	3	Low	Codominant trunks @ 7'; small crown; twig dieback.
149	Coast live oak	14	Yes	2	Low	Topped @ 20'; slight lean W.; poor structure; girdling wires.

Tree Assessment

Butcher's Corner
Sunnyvale CA
Placeworks
September 2015



TREE No.	SPECIES	TRUNK DIAMETER (in.)	PROTECTED TREE?	CONDITION 1=poor 5=excell.	SUITABILITY for PRESERVATION	COMMENTS
150	Chinese pistache	15	Yes	2	Low	Poor form & structure.
151	Calif. pepper	8,8,5	No	5	High	Multiple attachments @ base; good young tree.
152	Coast redwood	28	Yes	3	Low	Off-site, tag on fence; good form & structure; twig dieback due to water stress; extends 15' S. over fence.
153	Coast redwood	17	Yes	3	Low	Off-site, tag on fence; narrow form; water stress dieback; extends 10' S. over fence.
154	Coast redwood	18	Yes	2	Low	Off-site, tag on fence; narrow form; significant dieback; extends 15' S. over fence.
155	Coast redwood	15	Yes	3	Low	Off-site, tag on fence; water stressed; twig dieback; extends 10' S. over fence.
156	Coast redwood	15	Yes	4	Low	Off-site, tag on fence; good form; extends 10' S. over fence.
157	Sweetgum	8	No	3	Low	Off-site, tag on fence; twig dieback in upper canopy; extends 10' S. over fence.
158	Sweetgum	8	No	4	Moderate	Off-site, tag on fence; good form; extends 10' S. over fence.
159	European birch	7	No	3	Low	Off-site, tag on fence; moderate dieback; extends 15' S. over fence.
160	Calif. pepper	5,3,3	No	5	High	Multiple attachments @ base; good young tree.
161	Coast live oak	7	No	3	Moderate	Multiple attachments @ 10'; fair structure
162	African fern pine	15	Yes	4	Moderate	Off-site, tag on fence; good form; laterals; extends 15' S. over fence.
163	Chinese pistache	9	No	4	High	Off-site, tag on fence; upright form; extends 10' E. over fence.

Tree Assessment

Butcher's Corner
Sunnyvale CA
Placeworks
September 2015



TREE No.	SPECIES	TRUNK DIAMETER (in.)	PROTECTED TREE?	CONDITION 1=poor 5=excell.	SUITABILITY for PRESERVATION	COMMENTS
164	Glossy privet	8,4	No	3	Low	Codominant trunks @ 1'; narrow attachment; growing against fence.
165	Chinese pistache	9	No	3	Low	Off-site, tag on fence ; dead top; extends 10' E. over fence.
166	Catalina ironwood	14	Yes	3	Low	Off-site, tag on fence ; codominant trunks @ 10'; twig dieback; extends 15' E. over fence.
167	Carob	16	Yes	3	Low	Off-site, tag on fence ; multiple attachments @ 6'; extends 10' E. over fence.
168	Coast live oak	7,5	No	4	High	Codominant trunks @ 1'; good structure; seam in attachment.
169	Calif. pepper	15,14,12,11,10	Yes	3	Low	Multiple attachments @ base; topped for overhead utilities; heavy lateral limb S.
170	Coast live oak	4,3,2,2	No	4	Moderate	Multiple attachments @ 1'; stump sprout.
171	Coast live oak	6,5	No	4	High	Codominant trunks @ 1'; good structure; seam in attachment.
172	Chinese elm	7,4	No	3	Low	Codominant trunks @ 1'; 4" stem is low lateral S.; fair structure; twig dieback.
173	Bailey acacia	14	Yes	3	Low	Topped for overhead utilities; good form.
174	Chinese tallow	6,6	No	1	Low	Mostly dead.
175	Afghan pine	23	Yes	3	Moderate	Upright form; codominant trunks in upper canopy; thin canopy.
176	Calif. bay	7,5	No	4	Moderate	Codominant trunks @ 1'; a little one-sided NW.
177	Xylosma	9	No	2	Low	Declining; dead top.
178	Xylosma	14	Yes	4	Moderate	Codominant trunks @ 7'; twig dieback.
179	Tawhiwi	6,4	No	2	Low	Topped for overhead utilities; extensive dieback.

Tree Assessment

Butcher's Corner
Sunnyvale CA
Placeworks
September 2015



TREE No.	SPECIES	TRUNK DIAMETER (in.)	PROTECTED TREE?	CONDITION 1=poor 5=excell.	SUITABILITY for PRESERVATION	COMMENTS
180	Monterey pine	33	Yes	3	Low	W. half of canopy pruned for overhead utilities; trunk wounds; twig dieback.
181	Glossy privet	8,5,3	No	2	Low	Multiple attachments @ 1'; thin canopy.
182	Hollywood juniper	8	No	3	Low	Suppressed; crown bowed S. to horizontal.
183	Holly oak	18	Yes	3	Low	Codominant trunks @ 6'; crown bowed S.; moderate dieback.
184	Victorian box	13	Yes	1	Low	Extensive dieback.

Tree Assessment Plan

Tree Assessment Plan

Butcher's Corner
871 East Fremont Avenue
Sunnyvale, CA

Prepared for:
Placeworks
Berkeley, CA

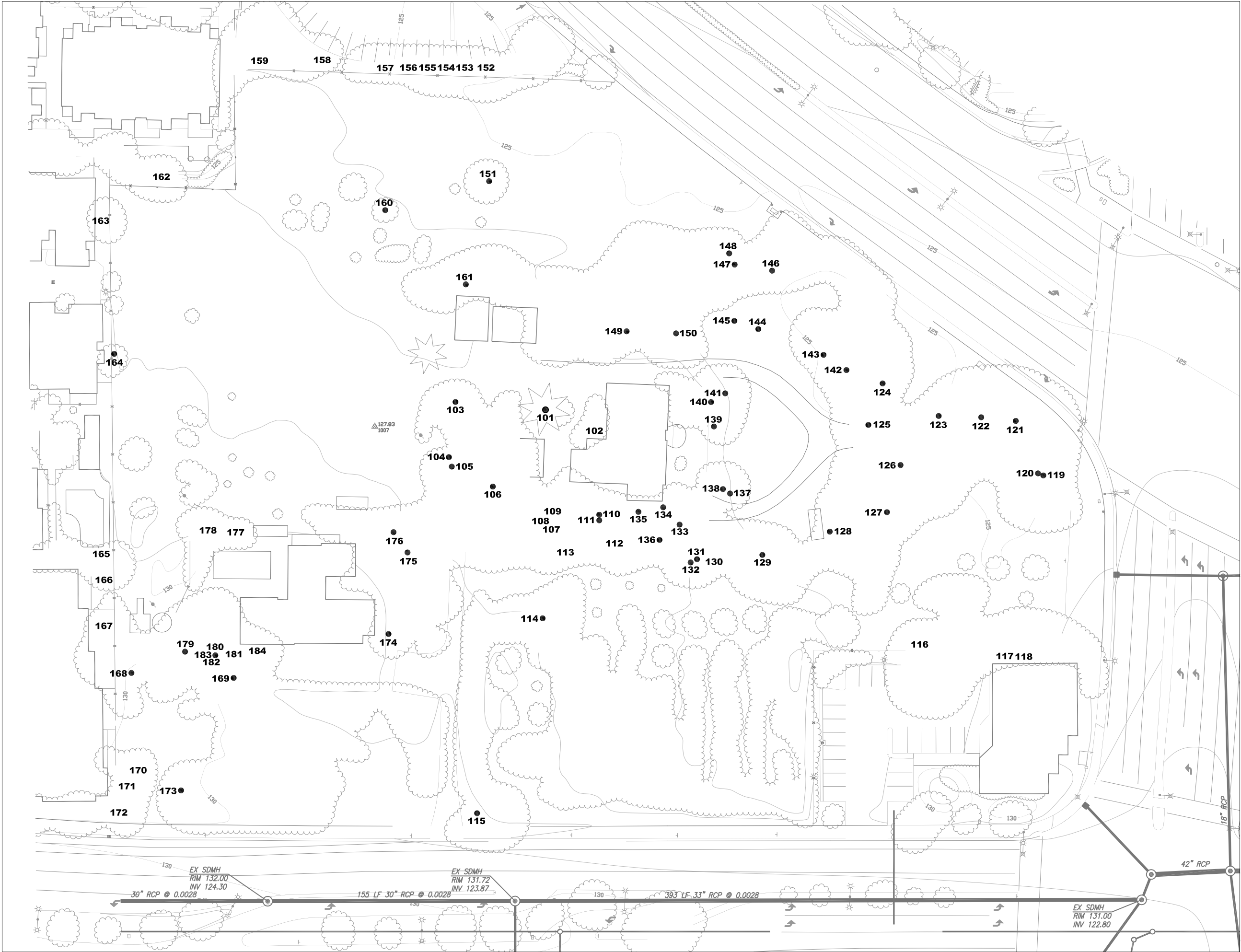
September 2015



No Scale

Notes:
Base map provided by:
Dahlin Group
Pleasanton, CA

Numbered tree locations are approximate.
Fruit and nut trees are not included in this assessment.



325 Ray Street
Pleasanton, CA 94566
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Fax 925.484.0596
www.hortscience.com

Tree Pruning Specifications



Tree Pruning Specifications

Valley oak #106
Butcher's Corner
Sunnyvale CA

Qualifications

An I.S.A. (International Society of Arboriculture) Certified Arborist or Tree Worker is to be present at all times during pruning. Arborist must have a State of Calif. Contractor's License for Tree Service (C61-D49) and provide proof of workman's compensation and general liability insurance.

Objectives

The following are general objectives:

1. Clean the crown of diseased, crossing, weak, hanging, partially attached and dead branches to a minimum size of 2" diameter.
 2. Reduce the length and/or weight of any long horizontal branches.
 3. Evaluate the tree for installation of a cable support system.
-

Specifications

1. All pruning shall be in accordance with the most recent editions of the *Best Management Practices for Pruning* (International Society of Arboriculture) and the American National Standard for Tree Care Operations (Z133.1) and Pruning (A300). Cabling operations should adhere to the ANSI A300 Support Systems and ISA Best Management Practices – Support Systems.
 2. Interior branches shall not be stripped out.
 3. No more than 15% of live foliage shall be removed from the tree at any one time.
 4. Tree shall not be climbed with spurs.
 5. Branch removal or reduction cuts (thinning cuts) are to be employed rather than heading cuts. The oak shall not be topped or headed back.
 6. All branches and brush shall be removed from the site.
 7. Work area shall be hand-raked and restored to pre-pruning condition.
 8. Vehicles and equipment such as chain saws will be serviced and fueled only on paved surfaces, not on turf or other landscape material.
 9. While in the tree, the arborist shall perform an aerial inspection to identify any defects in structure that require treatment. Any additional work needed shall be reported to the property owner.
 10. A structural treatment plan shall be prepared by the Consulting Arborist to reduce the failure potential of major limbs that does not compromise the health of the tree. At minimum this shall include design and installation of a cable system for the major limbs, but may include a structural brace system under major branches. The design and installation of the structural support system(s) shall be coordinated with the Consulting Arborist.
-

Jim Clark
Certified Arborist WE-0846

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Registered Consulting Arborist #357

**A Cultural Resources Survey and Historical Evaluation
for the Proposed Butcher's Corner Project
Sunnyvale, Santa Clara County, California**

Vicki R. Beard, M.A./RPA

June 3, 2014



**A Cultural Resources Survey and Historical Evaluation
for the Proposed Butcher's Corner Project
Sunnyvale, Santa Clara County, California**

Prepared by:

A handwritten signature in dark ink, appearing to read "V. R. Beard", is positioned above a horizontal line.

Vicki R. Beard, M.A./RPA

Tom Origer & Associates
Post Office Box 1531
Rohnert Park, California 94927
(707) 584-8200

Requested by:

PlaceWorks
1625 Shattuck Avenue, Suite 300
Berkeley, California 94709

June 3, 2014

ABSTRACT

Tom Origer & Associates conducted a cultural resources survey and historical evaluation for the proposed Butcher's Corner Project at 871 East Fremont Avenue in Sunnyvale, Santa Clara County, California. The study area is located 1.75 miles southeast of the Sunnyvale civic center, and includes four parcels (APN 211-25-011, -034, -038, -039) totaling 5.23 acres. This study was requested by PlaceWorks and was designed to satisfy the requirements of the California Environmental Quality Act.

The study included archival research at the Northwest Information Center, Sonoma State University (NWIC File No.13-1825), examination of the library and files of Tom Origer & Associates, contact with the Native American Heritage Commission, and field inspection of the project area. Field survey found no prehistoric resources within the study area.

The study area contains two residences and associated outbuildings. As part of this study, those buildings were evaluated for potential inclusion on the California Register of Historical Resources. Evaluation included historical research at the Louis E. Stocklmeir Regional History Library and Archives, DeAnza College, and the Sunnyvale Public Library. Additionally, documents, maps, and secondary sources at the offices of Tom Origer & Associates and various online databases such as the Online Archive of California, Calisphere, and Ancestry.com were searched.

Documentation pertaining to this study is on file at the offices of Tom Origer & Associates (File No. 14-056).

Synopsis

Project:	Butcher's Corner
Location:	871 E. Fremont Avenue, Sunnyvale, Santa Clara County, California
APN:	211-25-011, -034, -038, -039
Quadrangle:	Cupertino, California 7.5' series
Study Type:	Intensive survey
Scope:	5.23-acre survey and historical evaluation
Finds:	Historical farm and orchard not eligible for California Register

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INTRODUCTION

This report describes a cultural resources study for the proposed Butcher's Corner Project at 871 East Fremont Avenue in Sunnyvale, Santa Clara County, California (Figure 1). The study area is situated at the intersection of East Fremont Avenue, Wolfe Road, and El Camino Real, 1.75 miles southeast of the civic center in Sunnyvale. It consists of four parcels (APN 211-25-011, -034, -038, -039) totaling 5.23 acres.

PlaceWorks requested the study on behalf of De Anza Properties, who is proposing a housing development on the property. The development will result in the removal of two existing residences, several outbuildings, and the remains of an orchard.

This study was designed in compliance with the California Environmental Quality Act. Documentation pertaining to this study is on file at Tom Origer & Associates (File No. 14-056).

REGULATORY CONTEXT

The California Environmental Quality Act (CEQA) requires that cultural resources be considered during the environmental review process. This is accomplished by an inventory of resources within a study area and by assessing the potential that cultural resources could be affected by development.

This cultural resources survey was designed to satisfy environmental issues specified in the CEQA and its guidelines (Title 14 CCR §15064.5) by: (1) identifying all cultural resources within the project area; (2) offering a preliminary significance evaluation of the identified cultural resources; (3) assessing resource vulnerability to effects that could arise from project activities; and (4) offering suggestions designed to protect resource integrity, as warranted.

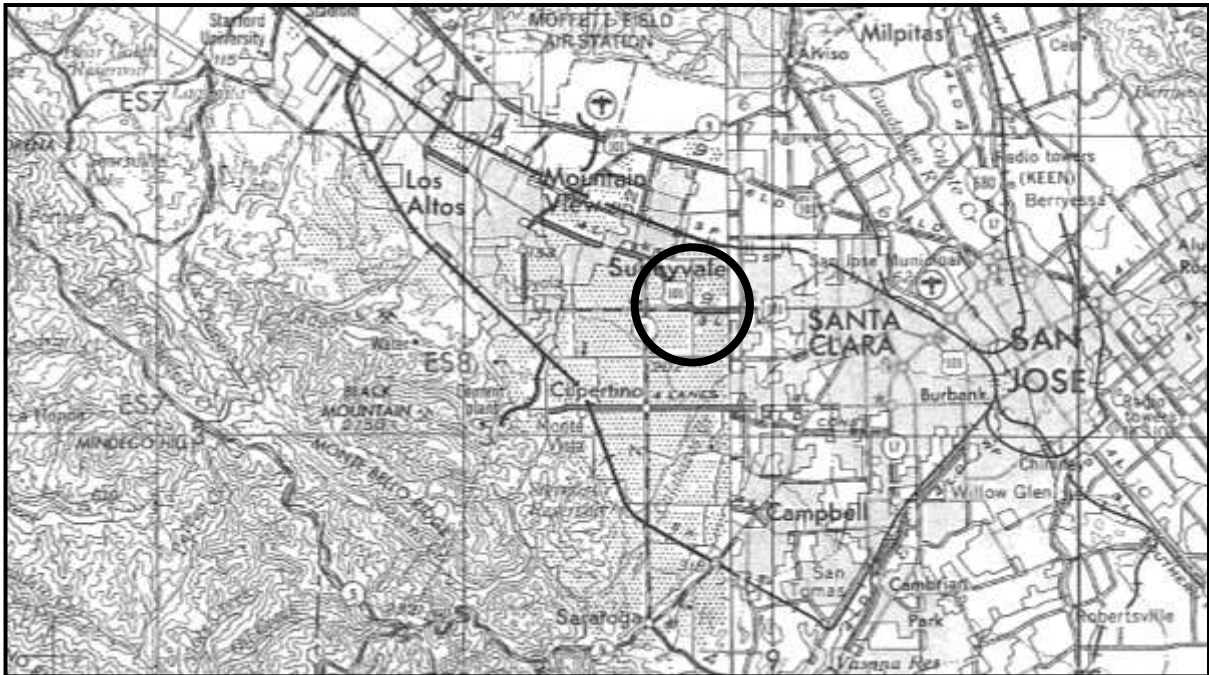


Figure 1. Study vicinity (USGS San Jose 1:250,000 scale map).

Resource Definitions

Cultural resources are classified by the State Office of Historic Preservation (OHP) as sites, buildings, structures, objects and districts, and each is described by OHP (1995) as follows.

Site. A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archaeological value regardless of the value of any existing structure.

Building. A building, such as a house, barn, church, hotel, or similar construction, is created principally to shelter any form of human activity. "Building" may also be used to refer to a historically and functionally related unit, such as a courthouse and jail, or a house and barn.

Structure. The term "structure" is used to distinguish from buildings those functional constructions made usually for purposes other than creating human shelter.

Object. The term "object" is used to distinguish from buildings and structures those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be, by nature or design, movable, an object is associated with a specific setting or environment.

District. A district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

Significance Criteria

When a project might affect a cultural resource, the project proponent is required to conduct an assessment to determine whether the effect may be one that is significant. Consequently, it is necessary to determine the importance of resources that could be affected. The importance of a resource is measured in terms of criteria for inclusion on the California Register of Historical Resources (Title 14 CCR, §4852) as listed below. A resource may be important if it meets any one of the criteria below, or if it is already listed on the California Register of Historical Resources or a local register of historical resources.

An important historical resource is one which:

1. Is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.
2. Is associated with the lives of persons important to local, California, or national history.
3. It embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of a master or possesses high artistic values.

4. It has yielded, or may be likely to yield, information important to the pre-history or history of the local area, California, or the nation.

In addition to meeting one or more of the above criteria, eligibility for the California Register requires that a resource retains sufficient integrity to convey a sense of its significance or importance. Seven elements are considered key in considering a property's integrity: location, design, setting, materials, workmanship, feeling, and association.

The OHP advocates that all historical resources over 45 years old be recorded for inclusion in the OHP filing system (OHP 1995:2), although professional judgment is urged in determining whether a resource warrants documentation.

PROJECT DESCRIPTION AND SETTING

Study Area Location and Description

The study area is located in northwestern Santa Clara County, 1.75 miles southeast of downtown Sunnyvale, at the intersection of East Fremont Avenue, Wolfe Road, and El Camino Real. It includes four parcels totaling 5.23 acres, and is shown on the Cupertino, California 7.5' USGS quadrangle (Figure 2).

Geologically, this area consists of recent alluvium (Jenkins and Burnett 1961). The oldest of these deposits are thought to be between 5,000 and 7,000 years old. Soils mapped for the study area are of the Urban land-Flaskan complex. Urban lands consists of disturbed and human transported material. Although situated in an urban area, most of the study area has not been disturbed beyond agricultural activities and the soils are well-drained, fine loam of the Flaskan series. Flaskan soils are situated on alluvial fans and consist of alluvium derived from metamorphic and sedimentary rock, and alluvium derived from metavolcanics (Natural Resources Conservation Service 2014). In an uncultivated state, these soils support the growth of annual grasses and forbs.

Cultural Setting

Archaeological evidence indicates that human occupation of California began at least 12,000 years ago (Fredrickson 1984:506). Early occupants appear to have had an economy based largely on hunting, with limited exchange, and social structures based on extended family units. Later, milling technology and an inferred acorn economy were introduced. This diversification of economy appears coeval with the development of sedentism, population growth, and expansion. Sociopolitical complexity and status distinctions based on wealth are also observable in the archaeological record, as evidenced by an increased range and distribution of trade goods (e.g., shell beads, obsidian tool stone), which are possible indicators of both status and increasingly complex exchange systems.

At the time of European settlement, the study area was included in the territory controlled by the Ohlone, who are also referred to as Costanoans (Levy 1978:485-495). The Ohlone were hunter-gatherers who lived in rich environments that allowed for dense populations with complex social structures (Levy 1978:485-495; Kroeber 1925:462-473). They settled in large, permanent villages about which were distributed seasonal camps and task-specific sites.



Figure 2. Study location (adapted from the USGS 1980 Cupertino 7.5' map).

Primary village sites were occupied throughout the year and other sites were visited in order to procure particular resources that were especially abundant or available only during certain seasons. Sites often were situated near fresh water sources and in ecotones where plant life and animal life were diverse and abundant.

STUDY PROCEDURES AND RESULTS

Native American Contact

A letter was sent to the State of California's Native American Heritage Commission seeking information from the sacred lands files, which track Native American cultural resources, and the names of Native American individuals and groups that would be appropriate to contact regarding this project. The Native American Heritage Commission replied with a letter dated May 29, 2014, in which they indicated that the sacred land file has no information about the presence of Native American cultural resources in the immediate project area.

Letters were also sent to the following Native American groups and individuals:

Muwekma Ohlone Indian Tribe of the San Francisco Bay Area
Amah/Mutsun Tribal Band
The Ohlone Indian Tribe
Trina Marine Ruano Family
Indian Canyon Mutsun Band of Costanoan
Jakki Kehl
Katherine Erolinda Perez
Linda Yamane

A log of contact efforts is provided at the end of this report (Appendix A), along with copies of correspondence. No comments have been received as of the date of this report.

Archival Study Procedures

Archival research included examination of the library and project files at Tom Origer & Associates. A review (NWIC File No. 13-1825) was completed of the archaeological site base maps and records, survey reports, and other materials on file at the Northwest Information Center (NWIC), Sonoma State University, Rohnert Park. Sources of information included but were not limited to the current listings of properties on the National Register of Historic Places (National Register), California Historical Landmarks, California Register of Historical Resources (California Register), and California Points of Historical Interest as listed in the Office of Historic Preservation's *Historic Property Directory* (OHP 2012).

The State Office of Historic Preservation has determined that structures in excess of 45 years of age should be considered to be potentially important resources, and former building and structure locations could be potentially important historic archaeological sites. Archival research included an examination of historical maps to gain insight into the nature and extent of historical development in the general vicinity, and especially within and adjacent to the study area. Maps ranged from hand-drawn maps of the 1800s to topographic quadrangles issued by the United States Geological Survey (USGS). Included were General Land Office (GLO) survey plats and early USGS topographic maps.

Field Survey Procedures

An intensive field survey was completed by the author on May 29, 2014. The entire parcel was examined by walking in a zigzag fashion within corridors approximately 10 meters wide. Visibility was excellent over 95 percent of the study area. Where needed, a hoe was used to clear small patches of vegetation and duff so that the ground surface could be inspected.

Prehistoric archaeological site indicators expected to be found in the region include but are not limited to: obsidian and chert flakes and chipped stone tools; slabs and handstones, and mortars and pestles; and locally darkened soils containing some of the previously listed items plus fragments of bone, shellfish, and fire affected stones. Historic period site indicators generally include: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and discrete trash deposits (e.g., wells, privy pits, dumps).

Historical Research Procedures

Historical research was completed at the Louis E. Stocklmeir Regional History Library and Archives, DeAnza College, the Sunnyvale Public Library, the offices of Tom Origer & Associates, and various online archives such as Online Archive of California, Calisphere, Ancestry.com, and Family Search).

FINDINGS

Archival Study Results

A search of the archaeological base maps at the NWIC found no previous archaeological survey of the study area and no recorded archaeological sites on the property. Buildings within the study area were recorded during an historical resources survey for the widening of Wolfe Road and were evaluated for inclusion on the National Register of Historic Places (Hill 2000). There are no other known resources within a one-half-mile radius of the study area.

There are no reported ethnographic sites within or near the project area (Kroeber 1925; Levy 1985).

Review of historical maps found that there was one building within or immediately adjacent to the study area in 1876 and four buildings in 1897 (Thompson & West 1876; USGS 1897).

There are no federal, state, or locally recognized historic properties within the study area (OHP 2012).

Field Survey Results

Archaeology

No prehistoric resources were found.



Figure 3. Aerial photograph of the Butcher's Corner property layout.

Built Environment

Two residences and several outbuildings are within the study area. In addition, there is a remnant orchard and landscaping.

Craftsman-Style House. Located near the center of the property and oriented toward the intersection of El Camino Real and Wolfe Road is an early 20th century, Craftsman-style dwelling. This is a cross-hipped building with stucco cladding and rounded rafter tails exposed beneath the eaves. The front of the house is marked by two projecting wings that form a recessed entryway with a glass-paneled door flanked by sidelights. The two wings have matching tripartite windows consisting of a large central window with arched mullions in the top light flanked by casement sashes. The west side of the house has a screened porch with convex corbelled shouldered arches forming the openings. The rear of the house has a wing projecting on the west side that forms an enclosed porch accessed by a concrete steps leading to a concrete. Except at the front, windows are a mix of casement, sliding, awning, double-hung, and fixed windows with wood sashes.

There are four nearby outbuildings associated with this house; three appear to be contemporaneous. Close behind the house is a rectangular, hipped roof structure clad with stucco. The eaves are open with exposed rafters. Doors are found on three sides. Windows are set high on the wall and appear to be fixed wood sashes. Northwest of the house are two garages. One is similar to the outbuilding behind the house with a rectangular footprint, hipped-roof, stucco siding, and exposed rafters. Double-hung, wood-sashed windows are on the three sides of the garage, and the south-facing elevation has a

pair of large overhead doors. The second garage was likely a shed or barn that was converted to a garage. This building is front-gabled, and is clad with vertical boards. The front half of the building has drop siding installed above the original wall cladding. There is one six-over-six, double-hung, window at the rear of the building and a pair of overhead doors at the front. The fourth outbuilding is a small shed with vertical board siding located east of the house.

Mid-century Modern House. In the southwest quadrant of the property and oriented toward East Fremont Avenue is a mid-century, cross-gabled home with an irregular shape. The side-gabled wing forming the front portion of the house has a long, narrow porch beneath the principle roof. Diagonal, wood posts serve as supports along the porch. The entry is a standard doorway with a large, 15-light window to the east of the door. A brick planter is constructed around the porch. The west half of this elevation has two double-hung, windows. A gabled wing extends north from the center of the rear elevation, and from that another wing protects to the east forming a courtyard opening to the east. A swimming pool is to the west of the central wing. The entire house is clad with horizontal wood siding. Windows are a mix of double-hung and fixed wood sashes.

There are two structures located just west of this house. One is a water tank and the other is a wood-framed pump shed with corrugated metal siding.

Historical Research Results

Research found that the study area was once part of a 160-acre tract that belonged to Franklin Pancoast in 1876.

Rolla and Emma Butcher acquired the property in 1881. Prior to that time, Rolla and Emma lived in Walkerville, a mining town in Montana, where Rolla struck the Alice claim. The Alice Mine was one of the earliest and richest silver mines in Montana (National Park Service 2006). He sold the mine to the Walker Brothers in 1876 for \$25,000, and in 1880 he and Charles Archabald were running a hotel in Walkerville (United States Bureau of Census 1880). Rolla died in 1882, the year after moving to California, leaving Emma with the property. Emma planted fruit trees and established an orchard that remained in the family until 2013. The following description of the Butcher property was provided in 1888

[Emma Butcher] the widow of Rolla Butcher, resides on the San Francisco road, in the Millikin District, about four miles west of Santa Clara. She is the owner of a magnificent orchard, of sixty-four acres, containing a choice variety of fruit, which may be classed as follows: twenty-five acres in the different varieties of prunes, twelve acres in apricots and peaches, eight acres in apples, and the remainder in cherries, plums, and grapes [Foote 1888:483].

The 1876 atlas of Santa Clara County shows a building on the Butcher property at the southeast corner. This might have been used by the Butchers when they first moved to Santa Clara. Another home was built on the property in 1895 by Butcher's son Rolla Jr. The 1895 house was damaged by fire and was demolished in 1980. The existing dwellings represent later generations of the Butcher family. The US Census rolls for 1900 through 1930 show Rolla Jr. and brother Arthur Butcher with their own homes but residing in close proximity. The Craftsman home is reported to have been built by Arthur Butcher in 1912. It was also reportedly built the same year his son Robert was born, which was 1914. The Mid-century Modern home belonged to Robert Butcher and his wife Audrey. After Arthur's death in 2003, Audrey kept the orchard going but her death in 2013 ended three-generations of Butchers farming the property.

FINDINGS

Because the study area contains buildings that are more than 50 years old an evaluation was completed to determine the historical importance of those buildings with respect to the California Register eligibility criteria listed in a previous section of this report. Restated briefly, a building (or any other cultural resource) acquires significance from its association with an important event or pattern in history; through its association with an important person; because it represents a particular type, period, region or method of construction, the work of a master, or possesses high artistic values; or because it contains information that can be studied to enhance our understanding of history.

Both the County of Santa Clara and the City of Sunnyvale have developed historic contexts in which to assess the historical importance of a resource. In each case, fruit production/horticulture are listed as import themes (City of Sunnyvale 2012:6-11; Archives & Architecture, LLC 2012:109-111). This evaluation is based on the contexts of fruit production presented in those documents.

In addition to meeting one or more of the above criteria, eligibility for the California Register requires that a resource retain sufficient integrity to convey a sense of its significance or importance. As defined by the State, “Integrity is the authenticity of an historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance” (California Office of Historic Preservation 2001:11). Seven elements are considered key in considering a property’s integrity: location, design, setting, materials, workmanship, feeling, and association.

Assessment of Significance

The following conclusions were reached with regard to each of the California Register criteria.

Criterion 1

In order to be considered important under Criterion 1, the property needs to be able to convey its importance within the context of fruit production. At present, the property has the appearance of a residential property primarily and does not adequately convey the fruit production theme. The orchard itself is has been pared down to just a small plot along Wolfe Road, and there are no buildings that provide an adequate sense of the property being a fruit farm. Criterion 1 is not met.

Criterion 2

Under Criterion 2, a property can be significant because of its association with an important person. While the Butcher family has a long history on the property, they are not especially important. There were many family orchards in the Sunnyvale area. Emma Butcher has some historical importance because she was one of only a few women orchardists; however, her home and outbuildings associated with her tenure as head of the farm are missing. Criterion 2 is not met.

Criterion 3

Criterion 3 speaks to the architectural significance of a property, and to meet this criterion a property should be a good representative of an architectural style or a transitional form between styles, the work of a master, or have high artistic value. Neither of the homes on this property are distinctive examples of their style.

Criterion 4

Criterion 4 generally applies to archaeological resources or resources that, through study of construction details, can provide information that cannot be obtained in other ways. This building possesses no intrinsic qualities that could answer questions or provide important information about our history, and Criterion 4 is not met.

RECOMMENDATIONS**Archaeology**

No Archaeological resources were found and no resource-specific recommendations are made.

Built Environment

There are buildings on the property that are older than 50 years. These buildings were evaluated and did not meet criteria for inclusion on the California Register. No further recommendations are made.

Accidental Discovery

There is a possibility that buried archaeological deposits could be present and accidental discovery could occur. Prehistoric and historical archaeological site indicators are described above. In keeping with the CEQA guidelines, if archaeological remains are uncovered, work at the place of discovery should be halted immediately until a qualified archaeologist can evaluate the finds (§15064.5 [f]).

The following actions are promulgated in Public Resources Code 5097.98 and Health and Human Safety Code 7050.5, and pertain to the discovery of human remains. If human remains are encountered, excavation or disturbance of the location must be halted in the vicinity of the find, and the county coroner contacted. If the coroner determines the remains are Native American, the coroner will contact the Native American Heritage Commission. The Native American Heritage Commission will identify the person or persons believed to be most likely descended from the deceased Native American. The most likely descendent makes recommendations regarding the treatment of the remains with appropriate dignity.

SUMMARY

Tom Origer & Associates conducted a cultural resources survey and historical evaluation for the Butcher's Corner project on East Fremont Avenue. The study was requested by PlaceWorks, and was designed to meet CEQA guidelines. No prehistoric resources were found. Buildings on the property were considered for inclusion on the California Register but they do not meet California Register eligibility criteria. No resource-specific recommendations were made.

MATERIALS CONSULTED

Archives & Architecture, LLC

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Bean, L. (Editor)

1994 *The Ohlone Past and Present*. Ballena Press, Menlo Park.

California History Center

1974 *Sunnyvale, City of Destiny*. California History Center, De Anza College

1988 *Images: Sunnyvale's Heritage Resources*. J. Williams, editor. City of Sunnyvale.

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General Land Office

1868 Survey Plat for T7S/R1W, MDBM. Department of the Interior, Washington, D.C.

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1966 *Historic Spots in California*. 3rd edition. Stanford University Press. Stanford.

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1994 *Sunnyvale: From the City of Destiny to the Heart of the Silicon Valley*. California History Center & Foundation.

Koning, B., and A. Metz

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1974 *Soil Survey of the Eastern Santa Clara Area, California*. U.S. Department of Agriculture in co-operation with the University of California Agricultural Experiment Station.

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National Park Service

2006 *Butte–Anaconda Historic District*.

<<http://www.nps.gov/nhl/find/statelists/mt/ButteAnacondaHD.pdf>>

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2014 Web Soil Survey. United States Department of Agriculture

<<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>>

Office of Historic Preservation

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Sawyer, E.

1922 *History of Santa Clara County, California*. Historic Record Company, Los Angeles. State of California Department of Parks and Recreation

1976 *California Inventory of Historic Resources*. Department of Parks and Recreation, Sacramento.

Sunnyvale, City of

2009 City of Sunnyvale Heritage Resources Inventory. <<http://sunnyvale.ca.gov/Portals/0/Sunnyvale/CDD/Residential/Heritage%20Resources%20and%20Landmark%20Alteration%20%20Inventory-%20%20FINAL.pdf>>

2012 City of Sunnyvale Historical Context Statement. City of Sunnyvale Planning Division.

<<http://sunnyvale.ca.gov/Portals/0/Sunnyvale/CouncilReports/2012/12-239.pdf>>

Thompson & West

1876 *Historical Atlas Map of Santa Clara County, California*. Thompson & West, San Francisco

United States Bureau of Census

1860 Manuscript Census, Santa Clara County.

1870 Manuscript Census, Santa Clara County.

1880 Manuscript Census, Santa Clara County.

1900 Manuscript Census, Santa Clara County.

1910 Manuscript Census, Santa Clara County.

1920 Manuscript Census, Santa Clara County.

1930 Manuscript Census, Santa Clara County.

1840 Manuscript Census, Santa Clara County.

United States Army Corps of Engineers

1943 Palo Alto Tactical Map. Geological Survey, Washington, D.C.

United States Geological Survey

1897 Palo Alto 15' quadrangle. Geological Survey, Washington, D.C.

1953 Cupertino 7.5' quadrangle. Geological Survey, Washington, D.C.

APPENDIX A:
Native American Correspondence

Contact Log
Correspondence

**Native American Contact Efforts
Butcher's Corner Project
Sunnyvale, Santa Clara County, California**

Organization	Contact	Letters	Results
Native American Heritage Commission	Debbie Pilas-Treadway	5/5/14	Faxed letter received 5/29/14 stating that the sacred land file failed to indicate the presence of Native American cultural resources in the immediate project area.
Muwekma Ohlone Indian Tribe of the San Francisco Bay Area	Rosemary Cambra	5/24/14	No comments received as of the date of this report
Amah/Mutsun Tribal Band	Jean-Mari Feyling Irene Zwierlein	5/24/14	No comments received as of the date of this report
The Ohlone Indian Tribe	Andrew Galvan	5/24/14	No comments received as of the date of this report
Trina Marine Ruano Family	Ramona Garibay	5/24/14	No comments received as of the date of this report
Indian Canyon Mutsun Band of Costanoan	Ann Marie Sayers	5/24/14	No comments received as of the date of this report
	Linda G. Yamane	5/24/14	No comments received as of the date of this report
	Jakki Kehl	5/24/14	No comments received as of the date of this report
	Katherine Erolinda Perez	5/24/14	No comments received as of the date of this report

Sacred Lands File & Native American Contacts List Request

NATIVE AMERICAN HERITAGE COMMISSION

915 Capitol Mall, RM 364
Sacramento, CA 95814
(916) 653-4082
(916) 657-5390 – Fax
nahc@pacbell.net

Information Below is Required for a Sacred Lands File Search

Project: Butcher's Corner

County: Santa Clara

USGS Quadrangles

Name: Cupertino

Township 7S Range 1W Section(s) 6

Company/Firm/Agency: Tom Origer & Associates

Contact Person: Vicki Beard

Street Address: PO Box 1531

City: Rohnert Park Zip: 94927

Phone: (707) 584-8200 Fax: (707) 584-8300

Email: vbeard@origer.com

Project Description: Housing development on four parcels totaling 5.23 acres.

Date: 5/5/2014

Tom Origer & Associates
Archaeology / Historical Research

May 28, 2014

Jean-Marie Feyling
Amah/Mutsun Tribal Band
19350 Hunter Court
Redding, CA 96003

Re: Butcher's Corner Project, 971 East Fremont Avenue, Sunnyvale, Santa Clara County

Dear Ms. Feyling:

I write to notify you of a proposed project within Santa Clara County, for which our firm is conducting a cultural resources study. The Butcher's Corner project is a proposed housing development on a 5.23 acre property at 871 East Fremont Avenue in Sunnyvale. The City of Sunnyvale is reviewing the project for CEQA compliance.

Enclosed is a portion of the Cupertino 7.5' USGS map showing the project location.

Sincerely,

Julia Franco
Associate

Tom Origer & Associates
Archaeology / Historical Research

May 28, 2014

Edward Ketchum
Amah Mutsun Tribal Band
35867 Yosemite Avenue
Davis, CA 95616

Re: Butcher's Corner Project, 971 East Fremont Avenue, Sunnyvale, Santa Clara County

Dear Mr. Ketchum:

I write to notify you of a proposed project within Santa Clara County, for which our firm is conducting a cultural resources study. The Butcher's Corner project is a proposed housing development on a 5.23 acre property at 871 East Fremont Avenue in Sunnyvale. The City of Sunnyvale is reviewing the project for CEQA compliance.

Enclosed is a portion of the Cupertino 7.5' USGS map showing the project location.

Sincerely,

Julia Franco
Associate

Tom Origer & Associates
Archaeology / Historical Research

May 28, 2014

Valentin Lopez
Amah Mutsun Tribal Band
P.O. Box 5272
Galt, CA 95632

Re: Butcher's Corner Project, 971 East Fremont Avenue, Sunnyvale, Santa Clara County

Dear Mr. Lopez:

I write to notify you of a proposed project within Santa Clara County, for which our firm is conducting a cultural resources study. The Butcher's Corner project is a proposed housing development on a 5.23 acre property at 871 East Fremont Avenue in Sunnyvale. The City of Sunnyvale is reviewing the project for CEQA compliance.

Enclosed is a portion of the Cupertino 7.5' USGS map showing the project location.

Sincerely,

Julia Franco
Associate

Tom Origer & Associates
Archaeology / Historical Research

May 28, 2014

Ann Marie Sayers
Indian Canyon Mutsun Band of Costonoan
P.O. Box 28
Hollister, CA 95024

Re: Butcher's Corner Project, 971 East Fremont Avenue, Sunnyvale, Santa Clara County

Dear Ms. Sayers:

I write to notify you of a proposed project within Santa Clara County, for which our firm is conducting a cultural resources study. The Butcher's Corner project is a proposed housing development on a 5.23 acre property at 871 East Fremont Avenue in Sunnyvale. The City of Sunnyvale is reviewing the project for CEQA compliance.

Enclosed is a portion of the Cupertino 7.5' USGS map showing the project location.

Sincerely,

Julia Franco
Associate

Tom Origer & Associates
Archaeology / Historical Research

May 28, 2014

Irene Zwierlein
Amah/Mutsun Tribal Band
789 Canada Road
Woodside, CA 94062

Re: Butcher's Corner Project, 971 East Fremont Avenue, Sunnyvale, Santa Clara County

Dear Ms. Zwierlein:

I write to notify you of a proposed project within Santa Clara County, for which our firm is conducting a cultural resources study. The Butcher's Corner project is a proposed housing development on a 5.23 acre property at 871 East Fremont Avenue in Sunnyvale. The City of Sunnyvale is reviewing the project for CEQA compliance.

Enclosed is a portion of the Cupertino 7.5' USGS map showing the project location.

Sincerely,

Julia Franco
Associate

Tom Origer & Associates
Archaeology / Historical Research

May 28, 2014

Rosemary Cambra
Muwekma Ohlone Indian Tribe of the SF Bay Area
P.O. Box 360791
Milpitas, CA 95036

Re: Butcher's Corner Project, 971 East Fremont Avenue, Sunnyvale, Santa Clara County

Dear Ms. Cambra:

I write to notify you of a proposed project within Santa Clara County, for which our firm is conducting a cultural resources study. The Butcher's Corner project is a proposed housing development on a 5.23 acre property at 871 East Fremont Avenue in Sunnyvale. The City of Sunnyvale is reviewing the project for CEQA compliance.

Enclosed is a portion of the Cupertino 7.5' USGS map showing the project location.

Sincerely,

Julia Franco
Associate

Tom Origer & Associates
Archaeology / Historical Research

May 28, 2014

Andrew Galvan
The Ohlone Indian Tribe
P.O. Box 3152
Fremont CA, 94539

Re: Butcher's Corner Project, 971 East Fremont Avenue, Sunnyvale, Santa Clara County

Dear Mr. Galvan:

I write to notify you of a proposed project within Santa Clara County, for which our firm is conducting a cultural resources study. The Butcher's Corner project is a proposed housing development on a 5.23 acre property at 871 East Fremont Avenue in Sunnyvale. The City of Sunnyvale is reviewing the project for CEQA compliance.

Enclosed is a portion of the Cupertino 7.5' USGS map showing the project location.

Sincerely,

Julia Franco
Associate

Tom Origer & Associates
Archaeology / Historical Research

May 28, 2014

Jakki Kehl
720 North 2nd Street
Patterson, CA 95363

Re: Butcher's Corner Project, 971 East Fremont Avenue, Sunnyvale, Santa Clara County

Dear Ms. Kehl:

I write to notify you of a proposed project within Santa Clara County, for which our firm is conducting a cultural resources study. The Butcher's Corner project is a proposed housing development on a 5.23 acre property at 871 East Fremont Avenue in Sunnyvale. The City of Sunnyvale is reviewing the project for CEQA compliance.

Enclosed is a portion of the Cupertino 7.5' USGS map showing the project location.

Sincerely,

Julia Franco
Associate

Tom Origer & Associates
Archaeology / Historical Research

May 28, 2014

Katherine Erolinda Perez
P.O. Box 717
Linden, CA 95236

Re: Butcher's Corner Project, 971 East Fremont Avenue, Sunnyvale, Santa Clara County

Dear Ms. Perez:

I write to notify you of a proposed project within Santa Clara County, for which our firm is conducting a cultural resources study. The Butcher's Corner project is a proposed housing development on a 5.23 acre property at 871 East Fremont Avenue in Sunnyvale. The City of Sunnyvale is reviewing the project for CEQA compliance.

Enclosed is a portion of the Cupertino 7.5' USGS map showing the project location.

Sincerely,

Julia Franco
Associate

Tom Origer & Associates
Archaeology / Historical Research

May 28, 2014

Ramona Garibay
Trina Marine Ruano Family
30940 Watkins Street
Union City, CA 94587

Re: Butcher's Corner Project, 971 East Fremont Avenue, Sunnyvale, Santa Clara County

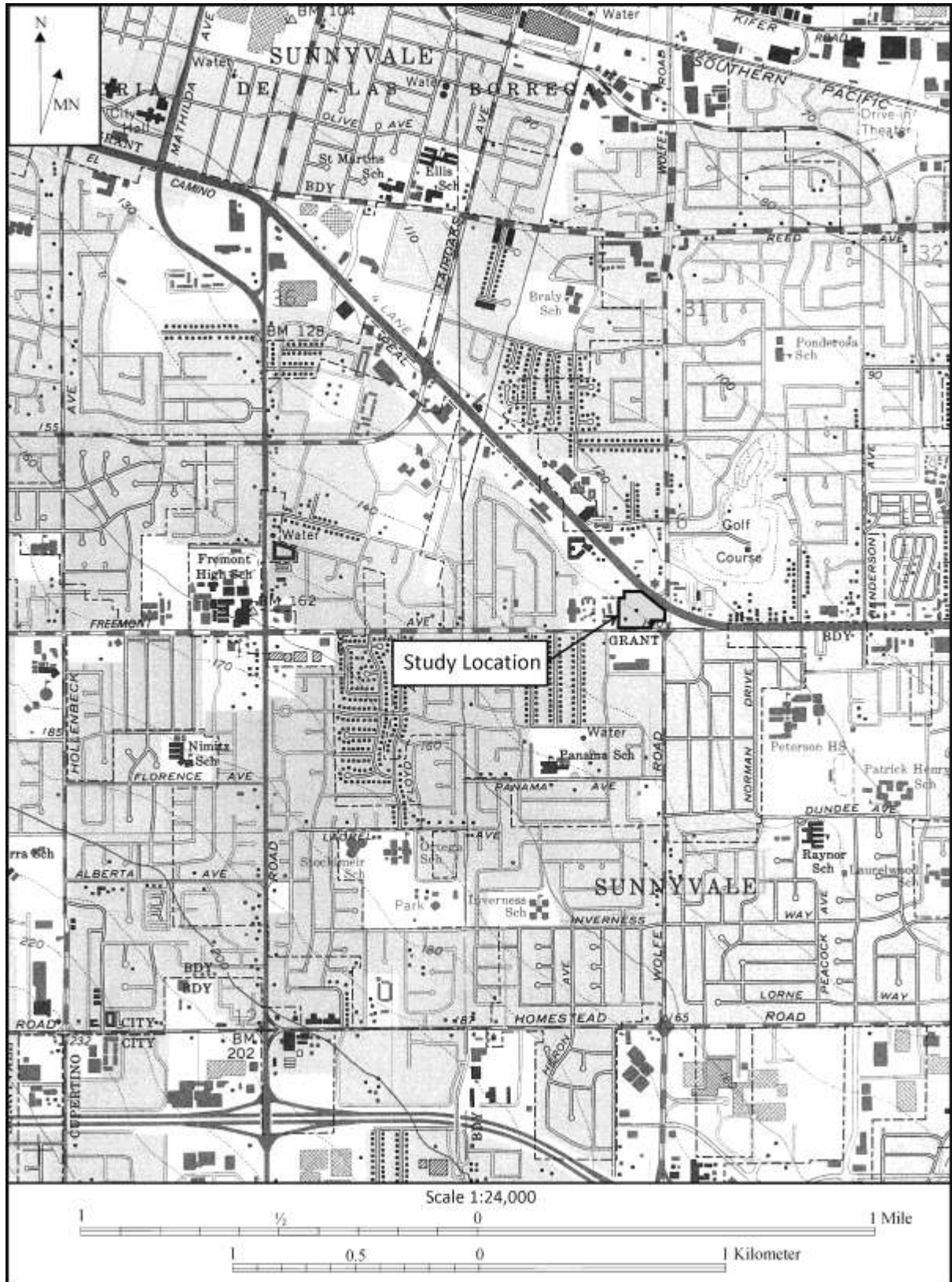
Dear Ms. Garibay:

I write to notify you of a proposed project within Santa Clara County, for which our firm is conducting a cultural resources study. The Butcher's Corner project is a proposed housing development on a 5.23 acre property at 871 East Fremont Avenue in Sunnyvale. The City of Sunnyvale is reviewing the project for CEQA compliance.

Enclosed is a portion of the Cupertino 7.5' USGS map showing the project location.

Sincerely,

Julia Franco
Associate



USGS 1980 Cupertino, California

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd, Suite 100
West Sacramento, CA 95691
(916) 373-3710
(916) 373-5471 - Fax



May 29, 2014

Vicki Beard
Tom Origer and Associates
PO Box 1531
Rohnert Park, CA 94927

VIA FAX: 707-584-8300
Number of Pages: 3

Re: Butchers Corner project, Santa Clara County

Dear Ms. Beard:

A record search of the sacred land file has failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the sacred lands file does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Enclosed is a list of Native Americans individuals/organizations who may have knowledge of cultural resources in the project area. The Commission makes no recommendation or preference of a single individual, or group over another. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated, if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe or group. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact me at (916) 373-3713.

Sincerely,


Debbie Pilas-Treadway
Environmental Specialist III

**Native American Contacts
Santa Clara County
May 29, 2014**

Jakki Kehl 720 North 2nd Street Patterson, CA 95363 (209) 892-1060	Ohlone/Costanoan	Amah Mutsun Tribal Band of Mission San Juan Bautista Irene Zwierlein, Chairperson 789 Canada Road Woodside, CA 94062 amahmutsuntribal@gmail.com 650-400-4806 cell 650-332-1526 - Fax	Ohlone/Costanoan
Katherine Erolinda Perez PO Box 717 Linden, CA 95236 canutes@verizon.net (209) 887-3415	Ohlone/Costanoan Northern Valley Yokuts Bay Miwok	Amah Mutsun Tribal Band of Mission San Juan Bautista Michelle Zimmer 789 Canada Road Woodside, CA 94062 amahmutsuntribal@gmail.com (650) 851-7747 - Home 650-332-1526 - Fax	Ohlone/Costanoan
Linda G. Yamane 1585 Mira Mar Ave Seaside, CA 93955 rumsien123@yahoo.com 831-394-5915	Ohlone/Costanoan	Indian Canyon Mutsun Band of Costanoan Ann Marie Sayers, Chairperson P.O. Box 28 Hollister, CA 95024 ams@indiancanyon.org 831-637-4238	Ohlone/Costanoan
Amah Mutsun Tribal Band Valentin Lopez, Chairperson PO Box 5272 Galt, CA 95632 vlopez@amahmutsun.org 916-743-5833	Ohlone/Costanoan	Muwakma Ohlone Indian Tribe of the SF Bay Area Rosemary Cambra, Chairperson PO Box 360791 Milpitas, CA 95036 muwakma@muwakma.org 408-205-9714 510-581-5194	Ohlone / Costanoan
Amah Mutsun Tribal Band Edward Ketchum 35867 Yosemite Ave Davis, CA 95616 aerleways@aol.com	Ohlone/Costanoan Northern Valley Yokuts	The Ohlone Indian Tribe Andrew Galvan PO Box 3152 Fremont, CA 94539 chochenyo@AOL.com (510) 882-0527 - Cell (510) 687-9393 - Fax	Ohlone/Costanoan Bay Miwok Plains Miwok Patwin

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Butchers Corner project, Santa Clara County

**Native American Contacts
Santa Clara County
May 29, 2014**

Trina Marine Ruano Family
Ramona Garibay, Representative
30940 Watkins Street
Union City, CA 94587
510-972-0645-home

Ohlone/Costanoan
Bay Miwok
Plains Miwok
Patwin

soaprootmo@comcast.net

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5007.98 of the Public Resources Code

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Butchers Corner project, Santa Clara County

000/000

CHYN

05/29/2014 14:58 FAX 916 057 5390

APPENDIX B:
Resource Documentation

Butcher's Corner
P-43-001592 (Supplement)

PRIMARY RECORD

Primary # P-43-001592 **SUPPLEMENT**
HRI #
Trinomial:
NRHP Status Code:
Resource Name or #: Butcher's Corner

Other Listings:**Review Code:****Reviewer:****Date:**

Page 1 of 7

P1. Other Identifier: Butcher's House & Orchard**P2. Location:** Unrestricted**a. County:** Santa Clara**b. USGS 7.5' Quad:** Cupertino**Date:** 1980**T** 7 **S/R** 1 **W**; **SE 1/4 of SW 1/4 of Sec. 6; MDBM****c. Address:** 871 E. Fremont Avenue **City:** Sunnyvale **Zip:** 94087**d. UTM: Zone:** 10 **587200 mE** **4134480 mN****e. Other Locational Information:** This resource is west of the intersections of El Camino Real, Wolfe Road, and E. Fremont Avenue.

P3a. Description: This property consists of two dwellings and four outbuildings. A Craftsman-style house is located near the center of the property and is oriented toward the intersection of El Camino Real and Wolfe Road. This is a cross-hipped building with stucco cladding and rounded rafter tails exposed beneath the eaves. The front of the house is marked by two projecting wings that form a recessed entryway with a glass-paneled door flanked by sidelights. The two wings have matching tripartite windows consisting of a large central window with arched mullions in the top light flanked by casement sashes. The west side of the house has a screened porch with convex corbelled shouldered arches forming the openings. The rear of the house has a wing projecting on the west side that forms an enclosed porch accessed by a concrete steps leading to a concrete. Except at the front, windows are a mix of casement, sliding, awning, double-hung, and fixed windows with wood sashes.

P3b. Resource Attributes: HP2. Single family property**P4. Resources Present:** Building**P5. Photograph or Drawing:****P5b. Description of Photo:** Aerial view of Butcher's Corner

P6. Date Constructed/Age and Sources:
 c. 1912 and c. 1950

P7. Owner and Address:
 Audrey E. Butcher Tr. *et al.*
 4265 Rancho Road
 Chico, CA 95973

P8. Recorded by:
 V. Beard
 Tom Origer & Associates
 P.O. Box 1531
 Rohnert Park, CA 94927

P9. Date Recorded:
 May 2014

P10. Type of Survey:
 Property specific

P11. Report Citation:

Beard, V.

2014 *A Cultural Resources Survey and Historical Evaluation for the Proposed Butcher's Corner Project Sunnyvale, Santa Clara County, California.*

12. Attachments: Building, Structure, and Object Record; Continuation Sheets; Location Map

CONTINUATION SHEET

Page 2 of 7

Recorded by: V. Beard

Primary #: P-43-001592 SUPPLEMENT

HRI #:

Trinomial:

Resource Name or #: Butcher's Corner

Date: May 2014

P3a. Description: (continued from page 1)

There are four nearby outbuildings associated with this house; three appear to be contemporaneous. Close behind the house is a rectangular, hipped roof structure clad with stucco. The eaves are open with exposed rafters. Doors are found on three sides. Windows are set high on the wall and appear to be fixed wood sashes. Northwest of the house are two garages. One is similar to the outbuilding behind the house with a rectangular footprint, hipped-roof, stucco siding, and exposed rafters. Double-hung, wood-sashed windows are on the three sides of the garage, and the south-facing elevation has a pair of large overhead doors. The second garage was likely a shed or barn that was converted to a garage. This building is front-gabled, and is clad with vertical boards. The front half of the building has drop siding installed above the original wall cladding. There is one six-over-six, double-hung, window at the rear of the building and a pair of overhead doors at the front. The fourth outbuilding is a small shed with vertical board siding located east of the house.

In the southwest quadrant of the property and oriented toward East Fremont Avenue is a mid-century, cross-gabled home with an irregular shape. The side-gabled wing forming the front portion of the house has a long, narrow porch beneath the principle roof. Diagonal, wood posts serve as supports along the porch. The entry is a standard doorway with a large, 15-light window to the east of the door. A brick planter is constructed around the porch. The west half of this elevation has two double-hung, windows. A gabled wing extends north from the center of the rear elevation, and from that another wing protects to the east forming a courtyard opening to the east. A swimming pool is to the west of the central wing. The entire house is clad with horizontal wood siding. Windows are a mix of double-hung and fixed wood sashes.

There are two structures located just west of this house. One is a water tank and the other is a wood-framed pump shed with corrugated metal siding.

**Figure 1.** Craftsman house, facing northwest.**Figure 2.** Mid-century house, facing northwest.**Figure 3.** Outbuilding behind house, facing southwest.**Figure 4.** Garages, facing northwest.

BUILDING, STRUCTURE, AND OBJECT RECORD

Primary # P-43-001592 SUPPLEMENT
HRI #
NRHP Status Code:
Resource Name or #: Butcher's Corner

Page 3 of 7

B1. Historic Name: Butcher's Ranch

B2. Common Name: Butcher's Corner

B3. Original Use: Farm

B4. Present Use: Single family residence

B5. Architectural Style: Craftsman and Mid-century Modern

B6. Construction History:

B7. Moved? No **Date:** NA

Original Location: NA

B8. Related Features: Remnant orchard

B9a. Architect: Unknown

B9b. Builder: Unknown

B10. Significance: **Theme:** Fruit Production
Period of Significance: 1880 to 1950
Property Type: Buildings
Applicable Criteria: None

Area: Sunnyvale

Context Statement

Both the County of Santa Clara and the City of Sunnyvale have developed historic contexts in which to assess the historical importance of a resource. In each case, fruit production/horticulture are emphasized as import themes (City of Sunnyvale 2012:6-11; Archives & Architecture, LLC 2012:109-111). This evaluation is based on the contexts of fruit production presented in those documents.

B11. Additional Resource Attributes:

B12. References:
 See Continuation Sheet page 9

B13. Remarks:

B14. Evaluator: V. Beard
Date of Evaluation: May 2014

See Page 1

CONTINUATION SHEET

Primary #: P-43-001592 SUPPLEMENT
HRI #:
Trinomial:
Resource Name or #: Butcher's Corner
Date: January 2014

Page 4 of 7

Recorded by: V. Beard

B11. Significance: (Continued)**Property History**

The study area was once part of a 160-acre tract that belonged to Franklin Pancoast in 1876. Rolla and Emma Butcher acquired the property in 1881. Prior to that time, Rolla and Emma lived in Walkerville, a mining town in Montana, where Rolla struck the Alice claim. The Alice Mine was one of the earliest and richest silver mines in Montana (National Park Service 2006). Rolla sold the mine to the Walker Brothers in 1876 for \$25,000, and in 1880 he and Charles Archabald were running a hotel in Walkerville (United States Bureau of Census 1880). Rolla died in 1882, the year after moving to California, leaving Emma with the property. Emma planted fruit trees and established an orchard at that remained in the family until 2013. The following description of the Butcher property was provided in 1888

[Emma Butcher] the widow of Rolla Butcher, resides on the San Francisco road, in the Millikin District, about four miles west of Santa Clara. She is the owner of a magnificent orchard, of sixty-four acres, containing a choice variety of fruit, which may be classed as follows: twenty-five acres in the different varieties of prunes, twelve acres in apricots and peaches, eight acres in apples, and the remainder in cherries, plums, and grapes [Foote 1888:483].

The 1876 atlas of Santa Clara County shows a building on the Butcher property (then Pancoast property) at the southeast corner. This might have been used by the Butchers when they first moved to Santa Clara. Another home was built on the property in 1895 by Butcher's son Rollo Jr. The 1895 house was damaged by fire and was demolished in 1980. The existing dwellings represent later generations of the Butcher family. The US Census rolls for 1900 through 1930 show Rolla Jr. and brother Arthur Butcher with their own homes but residing in close proximity. The Craftsman home is reported to have been built by Arthur Butcher in 1912. It was also reportedly built the same year his son Robert was born, which was 1914. The Mid-century Modern home belonged to Robert Butcher and his wife Audrey. After Arthur's death in 2003, Audrey kept the orchard going but her death in 2013 ended three-generations of Butchers farming the property.

Statement of Significance

This building was evaluated for inclusion on the California Register of Historical Resources (California Register). Briefly, a resource eligible for the California Register is one that meets one of the following criteria.

1. Is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.
2. Is associated with the lives of persons important to local, California, or national history.
3. Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of a master, or possesses high artistic values.
4. Has yielded, or may be likely to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to meeting one or more of the above criteria, eligibility to the California Register requires that a resource retain sufficient integrity to convey a sense of its significance or importance. As defined by the State, "Integrity is the authenticity of an historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance" (California Office of Historic Preservation 2001:11). Seven elements are considered key in considering a property's integrity: location, design, setting, materials, workmanship, feeling, and association.

The following conclusions were reached regarding the property's eligibility for the California Register as an individual resource:

CONTINUATION SHEET

Primary #: P-43-001592 SUPPLEMENT
HRI #:
Trinomial:
Resource Name or #: Butcher's Corner
Date: January 2014

Page 5 of 7

Recorded by: V. Beard

B11. Significance: (Continued)

Criterion 1. In order to be considered important under Criterion 1, the property needs to be able to convey its importance within the context of fruit production. At present, the property has the appearance of a residential property primarily and does not adequately convey the fruit production theme. The orchard itself is has been pared down to just a small plot along Wolfe Road, and there are no buildings that provide an adequate sense of the property being a fruit farm. Criterion 1 is not met.

Criterion 2. Under Criterion 2, a property can be significant because of its association with an important person. While the Butcher family has a long history on the property, they are not especially important. There were many family orchards in the Sunnyvale area. Emma Butcher has some historical importance because she was one of only a few women orchardists; however, her home and outbuildings associated with her tenure as head of the farm are missing. Criterion 2 is not met.

Criterion 3. Criterion 3 speaks to the architectural significance of a property, and to meet this criterion a property should be a good representative of an architectural style or a transitional form between styles, the work of a master, or have high artistic value. Neither of the homes on this property are distinctive examples of their style.

Criterion 4. Criterion 4 generally applies to archaeological resources or resources that, through study of construction details, can provide information that cannot be obtained in other ways. This building possesses no intrinsic qualities that could answer questions or provide important information about our history, and Criterion 4 is not met.

B12. References:

Archives & Architecture, LLC

2012 *County of Santa Clara Historic Context Statement*. Revision of the 2004 edition. County of Santa Clara Planning Office.

Foote, H.

1888 *Pen Pictures from the Garden of the World or Santa Clara County*. The Lewis Company, Chicago.

Hill, W.

2000 Primary Record for Butcher House & Orchard (P-43-001592). Document on file at the Northwest Information Center, Rohnert Park.

Sawyer, E.

1922 *History of Santa Clara County, California*. Historic Record Company, Los Angeles.

Sunnyvale, City of

2009 City of Sunnyvale Heritage Resources Inventory. <<http://sunnyvale.ca.gov/Portals/0/Sunnyvale/CDD/Residential/Heritage%20Resources%20and%20Landmark%20Alteration%20%20Inventory-%20%20FINAL.pdf>>

2012 City of Sunnyvale Historical Context Statement. City of Sunnyvale Planning Division.
 <<http://sunnyvale.ca.gov/Portals/0/Sunnyvale/CouncilReports/2012/12-239.pdf>>

National Park Service

2006 *Butte-Anaconda Historic District*. <<http://www.nps.gov/nhl/find/statelists/mt/ButteAnacondaHD.pdf>>

Thompson & West

1876 *Historical Atlas Map of Santa Clara County, California*. Thompson & West, San Francisco

United States Bureau of Census

1860 Manuscript Census, Santa Clara County.

1870 Manuscript Census, Santa Clara County.

1880 Manuscript Census, Santa Clara County.

CONTINUATION SHEET**Primary #:** P-43-001592 SUPPLEMENT**HRI #:****Trinomial:****Resource Name or #:** Butcher's Corner**Date:** January 2014**Page 6 of 11****Recorded by:** V. Beard

B12. References: (Continued)

1900 Manuscript Census, Santa Clara County.

1910 Manuscript Census, Santa Clara County.

1920 Manuscript Census, Santa Clara County.

1930 Manuscript Census, Santa Clara County.

United States Army Corps of Engineers

1943 Palo Alto Tactical Map. Geological Survey, Washington, D.C.

United States Geological Survey

1897 Palo Alto 15' quadrangle. Geological Survey, Washington, D.C.

LOCATION MAP

Page 7 of 7

Map Name: Cupertino

Scale: 7.5'

Primary #: P-43-001592 SUPPLEMENT

HRI #:

Trinomial:

Resource Name or #: Butcher's Corner

Date of Map: 1980





City of Sunnyvale

Meeting Minutes Heritage Preservation Commission

Wednesday, June 1, 2016

7:00 PM

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

CALL TO ORDER

Chair Squellati called the meeting to order.

SALUTE TO THE FLAG

Chair Squellati led the salute to the flag.

ROLL CALL

Present: 7 - Chair David Squellati
Vice Chair Dale Mouritsen
Commissioner Hannalore Dietrich
Commissioner Dawn Hopkins
Commissioner Dixie Larsen
Commissioner Mike Michitaka
Commissioner Kenneth Valenzuela

PRESENTATION

[16-0483](#) PRESENTATION - Recognition of Service

Recognition of Service

Council Member Griffith presented recognition awards to Chair Squellati and Comm. Michitaka for their dedicated service to the City on the Heritage Preservation Commission.

ORAL COMMUNICATIONS

None.

CONSENT CALENDAR

[16-0484](#) Approve the Heritage Preservation Commission Meeting Minutes of May 4, 2016

Comm. Hopkins moved to approve the Heritage Preservation Commission Meeting Minutes of May 4, 2016, as submitted. Comm. Valenzuela seconded.

Motion carried by the following vote.

Yes: 6 - Chair Squellati
Vice Chair Mouritsen
Commissioner Hopkins
Commissioner Larsen
Commissioner Michitaka
Commissioner Valenzuela

No: 0

Abstain: 1 - Commissioner Dietrich

PUBLIC HEARINGS/GENERAL BUSINESS

16-0567**Review Planning Program Budget and Fees for FY 2016-17**

Planning Officer Andrew Miner introduced himself to the Commission and presented the report.

Comm. Dietrich asked a few questions about the budget.

Chair Squellati and Comm. Michitaka asked staff to clarify the hourly rates noted in the report.

Mr. Miner briefly informed the Commission about Sunnyvale's 20-year budget plan and the process for each budget cycle.

Chair Squellati asked if it were possible for staff to present the budget in a way that shows the amount utilized for Heritage Preservation Commission (HPC) items.

Mrs. Blizinski discussed the budget reporting style and how it was very difficult to separate out only the HPC items and that staff provided a table to show what percentage of the projects processed by the Community Development Department went to the HPC.

Chair Squellati opened the public hearing.

No members of the public spoke on this item.

Chair Squellati closed the public hearing.

Commissioners voted on the Recommended FY 2015-2016 budget for the Planning Program, as submitted.

Motion carried by the following vote.

Yes: 7 - Chair Squellati
Vice Chair Mouritsen
Commissioner Dietrich
Commissioner Hopkins
Commissioner Larsen
Commissioner Michitaka
Commissioner Valenzuela

No: 0

[16-0569](#)**File #:** 2013-7653**Location:** Peery Park District Area**Applicant:** City of Sunnyvale**Proposed Project:**

Public Comments on the Draft Environmental Impact Report
and Draft Peery Park Specific Plan for the Peery Park Specific
Plan.

Project Planner: Amber Blizinski, (408) 730-2723,
ablizinski@sunnyvale.ca.gov

Amber Blizinski, Principal Planner, presented the report for the Peery Park Specific Plan.

Chair Squellati opened the item for public comments.

Donald Kirker, expressed his pleasure regarding the planned restoration of the structure on the Mellows Nursery site.

Chair Squellati closed the public hearing.

Chair Squellati made a motion that the cultural resources information within the Draft EIR for the Peery Park Specific Plan contains adequate review of the historic resources within the area and comes to adequate conclusions. Comm. Dietrich seconded.

Motion carried by the following vote.

Yes: 7 - Chair Squellati
Vice Chair Mouritsen
Commissioner Dietrich
Commissioner Hopkins
Commissioner Larsen
Commissioner Michitaka
Commissioner Valenzuela

No: 0

16-0570

Consideration to Initiate the Heritage Resource Nomination Process for Six (6) Trees on 871 E. Fremont Avenue (Butcher's Corner)

Mrs. Blizinski presented the report.

Comm. Dietrich confirmed that the property had been sold by the Butcher family.

Comm. Michitaka asked if the property owner is responsible for the health of the trees on the site.

Principal Planner Amber Blizinski responded yes, that the health and safety of the trees on private property are the property owner's responsibility.

Comm. Dietrich expressed that the tree's health is important to her.

Chair Squellati expressed some concern for tree #106 (per the Arborist report for the Butcher's Corner Draft Environmental Impact Report).

Planning Officer Andrew Miner discussed the difference between natural resources and heritage resources with the Commissioners. He also reminded the Commission that their purview is to determine if the trees meet certain historic criteria and are not just natural resource to the City.

Comm. Larsen clarified with staff on the Commission's purview.

Chair Squellati opened the public hearing.

Denise DeLang noted her support to save the trees and nominate them as heritage resources.

Donald Kirker, spoke in support to save the trees on the Butcher's Corner property. He noted that the City was once called Encinal, which he believes is in reference to the Live Oak trees that were prominent to early Sunnyvale history.

Mary Brunkhorst, requested the Heritage Preservation Commission designate the trees as heritage resources.

Martin Landzaat, spoke in favor to save the Valley Oak Tree on the Butcher's Corner property.

Deborah Marks, SUFA (Sunnyvale Urban Forest Advocates), noted her support to nominate the trees.

John Vidovich, owner of the property, spoke about the development proposal for the Butcher's Corner property site. He noted that the trees are valuable; however, does not believe the trees have heritage criteria.

Vice Chair Mouritsen clarified with Mr. Vidovich of the health of the trees.

Chair Squellati further discussed the significance of tree # 106 on the arborist report.

Comm. Valenzuela noted that tree #106 of the arborist report is his main consideration.

Chair Squellati noted that he feels that trees #119, #120, and #121 are also significant to the City and clarified the Commission's purview of whether the trees are a heritage resource.

MOTION:

Comm. Dietrich moved to initiate the nomination process for seven trees (Grove and Center Oak) as Heritage Resources. Vice Chair Mouritsen seconded.

Comm. Dietrich stated that the trees are large, indigenous, and are (in her opinion) of historic significance to the City.

Vice Chair Mouritsen noted that he believes the trees are significant to the City's heritage.

Comm. Larsen agreed with the Commissioners statements regarding the importance of the subject trees.

Comm. Michitaka noted the importance to balance the City's heritage with new developments.

Motion carried by the following vote.

Yes: 7 - Chair Squellati
Vice Chair Mouritsen
Commissioner Dietrich
Commissioner Hopkins
Commissioner Larsen
Commissioner Michitaka
Commissioner Valenzuela

No: 0

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

None.

NON-AGENDA ITEMS & COMMENTS

Mrs. Blizinski thanked Chair Squellati and Comm. Michitaka for their service as Heritage Preservation Commissioners.

-Commissioner Comments

Comm. Mouritsen noted an event at the Sunnyvale Heritage Park Museum.

INFORMATION ONLY REPORTS/ITEMS

Mrs. Blizinski noted that there will be no meeting in July since there are no public hearing items scheduled.

ADJOURNMENT

Chair Squellati adjourned the meeting at 9:07 p.m.



Amber Blizinski <ablizinski@sunnyvale.ca.gov>

Heritage Oaks at Butcher's Corner

Brunkhorst@aol.com <Brunkhorst@aol.com>

Thu, May 5, 2016 at 9:29 AM

To: ael-hajj@sunnyvale.ca.gov, heritagepreservation@sunnyvale.ca.gov

Amber,

Here is some background on the oak trees at Butcher's Corner regarding condition and age. Hopefully this information will prove useful as you prepare your report.

First, two separate requests were made at the meeting and should be considered as two requests.

Martin requested that the one large oak tree (#106) be designated as a heritage tree.

I requested that the oak grove on the corner of Wolfe and El Camino be designated as heritage trees (#119, 120, 121, 122, 123, 126). I will discuss the oak grove.

I am referencing the Butcher's Corner DEIR, as they have numbered and evaluated the trees. The DEIR also provides a bit of background on the trees.

I want to point out that my initial questions to you date back to October 29, 2015, right after this property was annexed into the city (on October 13). It was the annexation that prompted my actions. The fact that the trees have been targeted for removal as part of the Butcher's Corner project simply adds urgency to the request. On the plus side, the DEIR and arborist report that were prepared for the project have provided supporting data.

History of the Trees - In the video listed below, Audrey Butcher explains how she planted a number of the oak trees near the corner fifty or more years ago. In the video from 2007, she said that she planted them over forty years earlier (which would make them over fifty today).

<https://www.youtube.com/watch?v=PrRhWVFLXJg>

DEIR - Appendix E - Arborist Report and Biological Resources Data -

The Tree Assessment Plan identifies the location and condition of the trees of interest. The grove of trees are listed as protected trees in good condition with a moderate suitability for preservation. The trees are healthy.

DEIR - Within the DEIR, Section 4.0 Biological Resources - Under the BIO-2 discussion (page 4.3-14), it is stated that "Of particular interest is a grove of mature native coast live oaks near the intersection of El Camino Real and Wolfe Road that contribute to the aesthetic and habitat values of the site. These consist of five mature coast live oaks (Trees #119, 120, 121, 123, and 126), all of which are of a protected tree size, are in good to excellent condition and have a moderate suitability for preservation according to the Preliminary Tree Report."

DEIR Project Info - The arborists report lists the trees as healthy and they are expected to live a long life. Despite the health of the trees, and the stated interest in the trees, the proposed project would basically raze the property and remove 245 trees, while saving only one tree.

Heritage Worthy -

The group of oak trees at the corner of Wolfe Road and El Camino Real qualify as heritage trees. The Sunnyvale Municipal Code 19.96.050 Criteria for evaluation and nomination of heritage resources, item (f), states that a tree may be designated a heritage resource if "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."

The group of trees on the corner is a familiar visual feature of the neighborhood and the city. Protection of the trees would maintain the established vista at this busy intersection. It would also preserve one of the few remaining areas along El Camino that have large trees.

As development encroaches on that area, preserving the trees is an important step to saving the visual feature

5/12/2016

City of Sunnyvale Mail - Heritage Oaks at Butcher's Corner

and will benefit both the neighborhood and the city. Removal of these trees would greatly alter the look and feel of the area, and they should be protected. Adding a heritage tree status should add an extra layer of approvals required to receive a tree removal permit.

I am requesting that the oak grove be declared heritage trees on their own merit, not simply because of this project. This designation should move forward regardless of the project, as the project may change as it goes through the review process.

Please let me know if there is any other data you need. I might have something in the various documents I have accumulated.

Please pass this information on to the Heritage Preservation Commission members.

Thank you,
Mary Brunkhorst
(408) 739-6480
brunkhorst@aol.com

Heritage Tree Designation

Butcher's Corner - Corner of El Camino Real and Wolfe Road

Heritage Tree - Unique location, singular physical characteristic, a view or vista representing an established and familiar visual feature of a neighborhood, community, or the city of Sunnyvale

Center Oak

300 years old



Oak Grove

Established
visual Feature



Overview



Aerial view of Butcher's Corner



View of city owned property (left side) and Butcher's Corner (right side)

Oak Grove

The oak grove is shown from various angles.

The trees are a familiar visual feature of this intersection.

The trees are an important part of the community and a treasure for the City of Sunnyvale.



View from Wolfe Road towards El Camino Real



View from opposite side of El Camino



View from El Camino towards Wolfe Road



View from opposite corner across El Camino Real



View from across Wolfe Road

Heritage Tree Designation –

Grove of five Coast Live Oak trees at the corner of El Camino Real and Wolfe Road
Large Valley Oak in center of property

Heritage Preservation – 19.96.050 Criteria for evaluation and nomination of heritage resources (f) – A tree may be designated a heritage tree if “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.”

The oak grove is a familiar visual feature of the neighborhood and the city. Protection of the trees would maintain the established vista at this busy intersection. The significance of the oak grove and center oak are noted in the DEIR that was prepared for Butcher’s Corner. The size, health, age, and location of these trees deem them worthy of heritage status.

DEIR – Biological Resources – 4.3.2 Impact Discussion – Item BIO-2

BIO-2 Explains that the regulations regarding protected trees apply to this project.

“Many of the protected trees on the site are in good to excellent condition, have a high suitability for preservation, and contribute to the aesthetic and habitat values of the site. The City’s Tree Preservation regulations are intended to provide for reasonable protection of trees which qualify as protected trees, and removal of all but one of the protected trees on the site would conflict with that intent.”

“Of particular interest is a grove of mature native coast live oaks near the intersection of El Camino Real and Wolfe Road that contribute to the aesthetic and habitat value of the site, and complement the existing grove of oaks on the east side of South Wolfe Road, opposite the site. These consist of five mature coast live oaks, all of which are of a protected tree size, are in good to excellent condition and have a moderate suitability for preservation.”

“There is also a large heritage oak tree (tree #106) located in the middle of the site, which is noted as “existing tree to remain” in the proposed site plans.”

Arborist Report (DEIR Appendix E) Summary –

The five trees in the oak grove are identified as #119, 120, 121, 123, 126

The large center oak is #106.

Trees are healthy. Trees are protected.

Map of tree locations and arborist report are included.

On Page 9 it is noted that “Several mature coast live oaks (#119, 120, 121, 123, and 126) form a grove near the highly visible El Camino Real and Wolfe Road intersection. These trees have moderate and high suitability for preservation, and would complement the stand of coast live oaks on the east side of Wolfe Road.”

On Page 4, it was noted that “Valley oak #106 was the largest and most dominant tree at Butcher’s Corner with a trunk diameter of 64 inches.”

Video of Audrey Butcher – Sunnyvale Voices, Sunnyvale Public Library February 17, 2007

<https://www.youtube.com/watch?v=PrRhWVFLXJg>

A video of Audrey Butcher describing the history of the Butcher property was produced in 2007. The Butcher Family has a long history on the property. The trees in the oak grove are over 50 years old. The large center oak is over 300 years old.

Tree Assessment

Butcher's Corner
Sunnyvale CA
Placeworks
September 2015



TREE No.	SPECIES	TRUNK DIAMETER (in.)	PROTECTED TREE?	CONDITION 1=poor 5=excell.	SUITABILITY for PRESERVATION	COMMENTS
101	Canary Island date palm	35	Yes	5	High	Good form & structure; 25' of brown trunk.
102	Euonymus	5,3,2	No	2	Low	Leans away from building; poor form & structure.
103	Canary Island date palm	47	Yes	3	Low	Pencilling; crook just below pineapple; 35' of brown trunk.
104	Calif. buckeye	8,8,8,7,6,5	Yes	4	Moderate	Multiple attachments @ base; branch tear-out @ 8'; one-sided W.
105	Canary Island date palm	27	Yes	4	High	Slight pencilling; smallish crown; 35' of brown trunk.
106	Valley oak	64	Yes	3	Low	Multiple attachments @ 12'; large pruning cuts S.; decay in trunks & branches; basal cavity W.; thin canopy.
107	Catalina cherry	19,18,8	Yes	2	Low	Multiple attachments @ 3'; extensive trunk decay; history of branch failure; vigorous.
108	Catalina cherry	7	No	3	Low	Suppressed; leans N.
109	Catalina cherry	8	No	3	Low	Suppressed; leans N.
110	Coast live oak	7	No	4	High	Upright form; canopy a little thin.
111	Catalina cherry	5	No	3	Low	Suppressed; crown bowed W.
112	Catalina cherry	5	No	3	Low	Suppressed; leans S.
113	Catalina cherry	5	No	3	Low	Suppressed; leans S.
114	Catalina cherry	9,9,8,7,6,4	Yes	3	Low	Multiple attachments @ 2'; thin canopy; vigorous root suckers.
115	Calif. pepper	47	Yes	3	Low	Multiple attachments @ 20'; large cavity with decay W.; stub S.
116	Coast live oak	36	Yes	4	Moderate	Off-site, no tag; good form; can't see base; canopy a little thin; extends 20' N. over wall.

Page 1

Tree Assessment

Butcher's Corner
Sunnyvale CA
Placeworks
September 2015



TREE No.	SPECIES	TRUNK DIAMETER (in.)	PROTECTED TREE?	CONDITION 1=poor 5=excell.	SUITABILITY for PRESERVATION	COMMENTS
117	Olive	8	No	3	Low	Off-site, no tag; good form; suppressed with entire canopy bowed N. over wall.
118	Coast live oak	36	Yes	3	Moderate	Off-site, no tag; good form; pruned hard on S. for building; most of canopy extends 25' N. over wall.
119	Coast live oak	31	Yes	4	Moderate	Codominant with #120; one-sided SE.; pruning wounds.
120	Coast live oak	18	Yes	3	Moderate	Codominant with #119; included bark; crown bowed slightly SW.
121	Coast live oak	24,22,20,14,14	Yes	4	Moderate	Multiple attachments @ 4'; spreading form; thin upper canopy; heavy lateral limbs E.
122	Coast live oak	17,12	Yes	3	Low	Codominant trunks @ 3'; suppressed; poor form & structure.
123	Coast live oak	20	Yes	3	Moderate	Codominant trunks @ 8'; narrow attachment; asymmetric form.
124	Canary Island date palm	30	Yes	5	High	Good form & structure; fire scars @ base; 35' of brown trunk.
125	Coast live oak	27	Yes	2	Low	Slight lean S.; no basal flare; borer damage; dead top.
126	Coast live oak	26	Yes	4	Moderate	Multiple attachments @ 8'; good form; laterals SE.
127	Canary Island date palm	30,30,30	Yes	5	High	Multiple attachments @ base; main trunk has good form & structure; 35' of brown trunk.
128	Calif. pepper	18,16	Yes	3	Moderate	Codominant trunks @ 3'; wide attachment; one stem upright; one stem a lateral to the S.
129	Catalina ironwood	18,12,12,12,10,8	Yes	3	Low	Multiple attachments @ 3'; fair structure; twig dieback throughout canopy.
130	Catalina cherry	7,5,4,4	No	3	Moderate	Multiple attachments @ 2'; small laterals.

Page 2

Tree Assessment Plan

Butcher's Corner
871 East Fremont Avenue
Sunnyvale, CA

Prepared for:
Placeworks
Berkeley, CA

September 2015



No Scale

Notes:
Base map provided by:
Dartmouth Group
Pleasanton, CA

Numbered tree locations are approximate.
Fruit and nut trees are not included in this assessment.



HORT SCIENCE

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