



City of Sunnyvale

Meeting Minutes - Draft Heritage Preservation Commission

Wednesday, December 7, 2016

7:00 PM

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

2. [16-1121](#) Heritage Resource Nomination for six trees on the former Butcher Property (871 E. Fremont Avenue)

Noren Caliva-Lepe gave the staff presentation and finished with staff's recommendation that none of the trees be nominated as Heritages Resources.

Comm. Dietrich asked staff whether they were considering recommendation of the four trees on the corner office property that has been discussed at the previous Heritage Preservation Commission (HPC) meeting in November. Ms. Caliva-Lepe clarified that the study is limited to the six trees that were initiated by the HPC on June 1, 2016 and did not include those additional four trees.

Chair Michitaka asked what the impacts would be to the property owner if trees #123 and 126 were designated as Heritage Resources. Ms. Caliva-Lepe responded that designation of the two additional trees would require some redesign of the current project.

Comm. Mouritsen asked staff if the applicant was willing to preserve some of the trees even if the trees were not placed on the City's Heritage Resource Inventory list. Ms. Caliva-Lepe noted that the applicant's original proposal included removing all of the trees except #106; however, after discussion with staff and public comment, the applicant has agreed to save three of the five corner oak trees. Ms. Caliva-Lepe reminded the Commission that the study was initiated by the Heritage Preservation Commission, or the City, and not by the property owner.

Comm. Dietrich asked to clarify the ramifications of designating the trees as a Heritage Resource, #106 in particular. Ms. Caliva-Lepe noted that if the tree(s) had to be removed in the future they would need to go through a different process than the typical Tree Removal Permit process.

Ms. Caliva-Lepe clarified the Alternatives of the report for the Commissioners.

Chair Michitaka opened the public hearing.

The following twelve members of the public spoke in favor for the HPC to initiate

the Heritage Resource nomination for the six oak trees:

- Denise Delange;
- Paul Haley;
- Meiling Li;
- Deborah Marks;
- Holly Lofgren;
- Teresa Wiegman;
- Mari De Waal;
- Mary Brunkhorst;
- Sue Harrison;
- Rosemarie Tu;
- Peter Wright; and
- Barry Woncastle.

In response to one of the public comments, Ms. Caliva-Lepe noted that trees #119, #120, and #121 would be preserved with the addition of the planned right turn dedicated lane from Wolfe Road.

Chair Michitaka closed the public hearing.

Comm. Larsen clarified that the trees would be protected if Wolfe Road was widened as planned. Ms. Caliva-Lepe again noted that trees #119, #120, and #121 would be preserved with the planned right turn dedicated lane from South El Camino Real.

Comm. Larsen stated that she felt the development should accommodate all six trees, and believes she can make the findings to support nomination of all six trees as Heritage Resources.

Comm. Mouritsen clarified that the property is private property and would not be used as a public park. Ms. Caliva-Lepe replied that it is private property.

Comm. Larsen asked staff if there was any obligation from the City to protect the public safety of residents accessing the tree, such as kids climbing the tree. Ms. Caliva-Lepe noted that the City Arborist could determine options to prevent liability if that area were to become public property.

Chair Michitaka and Comm. Dietrich noted their support to nominate the six oak trees to the City's Heritage Resource Inventory.

MOTION: Comm. Larsen moved Alternatives 1 and 2 of the staff report: Nominate

the Valley Oak tree (#106) as a Heritage Resource, and all of the Coast Live Oak trees (#119, 120, 121, 123 and 126) as Heritage Resources. Chair Michitaka seconded the motion.

Comm. Larsen modified her original motion to include a condition of approval that staff work with the City Arborist and the applicant to look into a protective barrier that could be placed around tree # 106. Comm. Michitaka agreed to the modified motion.

Motion carried by the following vote:

Yes: 5 - Chair Michitaka
Vice Chair Dietrich
Commissioner Mouritsen
Commissioner Hopkins
Commissioner Larsen

No: 1 - Commissioner Valenzuela