



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO COUNCIL

SUBJECT

Discussion and Possible Action on the Relocation of the Butcher House and Update on the Design of the Orchard Heritage Park Improvement Project (Study Issue) and Find that the Action Is Exempt from CEQA Pursuant to CEQA Guidelines Section 15262 (Feasibility and Planning Studies)

REPORT IN BRIEF

This report provides an overview of the public input and conceptual design process for the 2015 Council Study Issue (Attachment 1 - DPW 15-10) to consider relocation of the Butcher House to Orchard Heritage Park and review the need for a retaining wall to address the drainage between the orchard and the museum grounds. In addition, the report provides an update on the Orchard Heritage Park Improvement Project. The study issue and project are considered as a single project since decisions on each item affect future opportunities at the park.

A community input process was undertaken to review the objectives of the improvement project and the possible locations for the Butcher House. The City Council provided direction that multiple concepts should be reviewed for the Butcher House, including concepts that did not require any tree removals from the orchard. Staff presented three different concepts to the community, and based on the feedback received, developed the following three alternatives:

- **Alternative 1 - Locating the Butcher House within the Orchard:** The Butcher House is located near the museum within the orchard at the location preferred by the Historical Society. This location will require the permanent loss of at least 14 trees, and temporary loss of at least 12 trees for installation of a construction access road.
- **Alternative 2 - Locating the Butcher House within Heritage Park:** The Butcher House is located in the lawn area in front of the museum near the parking lot at the location favored by the public. This alternative does not impact the orchard.
- **Alternative 3 - No Butcher House:** This alternative does not provide a site for the Butcher House.

All three alternatives are feasible and meet the goal of the Capital Project, therefore staff does not make a specific recommendation.

BACKGROUND

The Orchard Heritage Park Improvement Project was created in response to the Orchard Heritage Park Master Plan Revisions, approved by City Council in 2011. Currently, the view to the front of the Heritage Museum is blocked from the surrounding parking lots by a trash enclosure and a

maintenance building with associated storage. The goal of the improvement project is to make the front entry to the museum and surrounding areas more visible, attractive and accessible. This will be achieved by removing the cinder block wall separating the museum from the nearby parking lot, relocating the maintenance building and adjacent trash enclosure elsewhere on the Sunnyvale Community Center campus, and improving the area between the museum and the parking lot in accordance with the Orchard Heritage Park Master Plan.

After the Project had been approved by City Council, the Sunnyvale Historical Society requested to move the 1912 Butcher House to Orchard Heritage Park. In response to this, a 2015 Council Study Issue was approved to review potential locations for the house on the Orchard Heritage Park site and to identify impacted park features such as orchard trees. It is important to note the City's project does not include any funding for relocation of the Butcher House. This staff report assumes, per the approved Study Issue, that all costs associated with the relocation and necessary construction would be privately managed and funded.

In addition, the study issue included review of the existing drainage between the orchard and the museum grounds to determine what improvements (such as retaining walls), if any, should be constructed to address potential flooding and drainage issues.

The Parks and Recreation Commission considered this item at a noticed public hearing on February 10, 2016. Under the Public Contact section of this report, a summary of the Commission's action is included.

EXISTING POLICY

General Plan, Chapter 3, *Land Use and Transportation - Open Space*, Goal LT-8

Adequate and Balanced Open Space: Provide and maintain adequate and balanced open space and recreation facilities for the benefit of maintaining a healthy community based on community needs and the ability of the City to finance, construct, maintain and operate these facilities now and in the future.

From the Orchard Heritage Park Master Plan Action Statements:

2. Maintain a working fruit orchard throughout the largest portion of Orchard Heritage Park for as long a time period as practical within the resources made available by the City. Provide public access to the greatest extent possible while meeting the goal of maintaining a working fruit orchard.
5. Assist the Sunnyvale Historical Society per written agreements, and to the greatest extent practical, in developing a Heritage Museum facility at Orchard Heritage Park consistent with City Council direction.

ENVIRONMENTAL REVIEW

The actions being considered are exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15262 as the actions relate to the authorization of a feasibility and planning study for possible future actions that the City Council has not approved, adopted or funded.

If a conceptual design for the Orchard Heritage Park Improvements Project is approved, the full scope of the project and any potential impacts will need to be determined by the project architect. It is anticipated that the demolition and disposal of the various structures, construction of replacement

structures, and construction of new landscaping and associated improvements will be categorically exempt from CEQA pursuant to CEQA Guidelines Section 15302(b) (replacement or reconstruction of existing facilities). The CEQA determination will be brought to the City Council for approval concurrent with the award of the construction contract for the project.

The relocation of the Butcher House and associated alterations to Orchard Heritage Park may have potential impacts on trees and historical resources that require further analysis under CEQA (CEQA Guidelines Sections 15300.2(c), (f), and 15304). Should City Council direct staff to move forward with the proposal to relocate the Butcher House to Orchard Heritage Park, the Historical Society will bear the costs of appropriate CEQA review. Compliance with CEQA is required before the relocation can be approved.

DISCUSSION

As part of the Study Issue the City Council gave specific direction that the relocation of the Butcher House should consider multiple options, including an option that did not require any tree removals from the orchards. Staff engaged the community to review different concepts, and ultimately developed three alternatives for consideration. This Report to Council describes the community and alternatives development process.

Community Meetings

The architect and City staff hosted two public meetings at the community center campus to gather input on the locations of the new trash enclosure, maintenance building, and Butcher House as well as design features for the new park space (Attachment 2 - Summary of Meeting Notes). The first public meeting was held on Thursday September 17, 2015 at the Sunnyvale Community Center and was attended by at least 52 people. The goal of the meeting was to receive input regarding placement of the new structures (maintenance building, trash enclosure, and Butcher House) and to hear ideas about desired design elements for the new space. This was also an opportunity for the public to ask questions and receive information about the projects. Numerous community members commented that no orchard trees should be removed to accommodate project improvements such as the new maintenance building, trash enclosure or Butcher House. A number of community members stated that the Butcher House should be saved for future generations while others questioned the value of the house or requested that other City parks be considered as potential sites for the house.

Input collected at the first meeting was used to prepare three conceptual designs that were then presented at the second public meeting, held at the Sunnyvale Senior Center on Thursday October 29, 2015 and attended by at least 63 people. Each of the conceptual plans presented indicated a different location or position for the Butcher House as well as various design features requested during the first public meeting. The options presented at the meeting included one option of relocating the Butcher House to the orchard area and two options for relocating the Butcher House within the grounds of the Orchard Heritage Museum. In summary the concepts presented were:

- Concept A - This concept depicted the Butcher House in the existing lawn near the multi-purpose building. The maintenance building and trash enclosure were replaced by a new open turf area with pathways and shade structures on either side.
- Concept B - This concept placed the Butcher House in the orchard in the general area requested by the Historical Society, within the orchard area. Improvements to the current maintenance area include an extended walkway and entry plaza as well as shade trees.

- Concept C - In this concept, the Butcher House was placed diagonally in the existing lawn area in a manner that preserved some of the open turf. Other improvements included a focal feature in the path in front of the museum and an expanded entry plaza near the parking lot.

Each concept was reviewed and at the end of the meeting, attendees were asked to submit a ranking of their order of preference for the three conceptual plans presented. The rankings are included as Attachment 3 and they show that the attendees are more in favor of placing the Butcher House in a location that does not remove any trees from the orchard.

Alternative Plans

From the data and information received from the public, the three concept plans presented at the public input meeting were refined by the consultant into the following three alternatives, included as Attachments 4 - 6. The three alternatives are intended to provide the full range of options. They include an option of the Butcher House within the Orchard, an option of the Butcher House within Heritage Park, and an option that does not include the Butcher House. Staff is requesting City Council to select one of the alternatives as the basis for moving forward with the project.

Alternative 1 - Butcher House in the Orchard Adjacent to the Museum (Attachment 4)

Alternative 1 shows the Butcher House at the location requested by the Sunnyvale Historical Society. This was the least preferred concept based on the rankings received from the public input process. This concept plan shows the amount of orchard land necessary to install the house and related site improvements such as a porch and Americans with Disability Act (ADA) access ramps. This will require the permanent loss of at least 10 apricot trees from the orchard, 4 other non-orchard trees, and temporary loss of at least 12 apricot trees for installation of an access road to facilitate construction and restoration of the house.

Under this alternative a retaining wall will need to be constructed to accommodate the elevation differential between the proposed Butcher House location and the orchard.

Alternative 2 - Butcher House in Lawn Area (Attachment 5)

Alternative 2 is the preferred alternative of the public meeting attendees, and locates the Butcher House on a diagonal within the grassy area adjacent to the parking lot. This concept accomplishes the objectives of the park improvement project and does not involve the removal of any apricot trees from the orchard. However, Alternative 2 is not the requested location of the Historical Society. The Historical Society has concerns about the distance the Butcher House will be from the museum and would prefer to have the house next to the museum to facilitate docent tours of both the museum and house utilizing the same number of volunteer staff. Attachment 7 is a letter from the Historical Society to the City Council.

Should the Butcher House be relocated to this location, other site improvements would need to be included as part of the relocation project. These improvements as shown on the concept plan consist of a new walkway to the house and landscaping changes to accommodate the structure.

Alternative 3 - Improvement Project Only Without Butcher House (Attachment 6)

Alternative 3 does not provide a site for the Butcher House.

Trash Enclosure and Maintenance Building

The location for the trash/maintenance facility was determined based on a site review as well as input received during the first meeting and was the same in all three conceptual plans presented at the second meeting. The general criteria established based on public comments were that the facility not be located in the orchard, not near community center driveway entrances, not in highly utilized parking areas such as the senior center or theater, not in the Orchard Heritage Park footprint, and that it be in an inefficiently used space. The location presented meets these criteria and minimizes the number of parking spaces that will be lost to accommodate the facility. Landscape screening will also be assessed during design and may be added to mitigate any visual impact from the street.

Drainage Improvements

Drainage along the orchard edge between the museum and the amphitheater was preliminarily evaluated by the consultant. Solutions anticipated include re-grading and a possible installation of a valley gutter. At this time it is anticipated that a retaining wall at the existing interface along the orchard is not necessary.

FISCAL IMPACT

Orchard Heritage Park Improvement Project

City Council previously approved a budget of \$750,000 for the design and construction of the Orchard Heritage Park Improvements from the Park Dedication Fund. The project budget was developed and approved prior to any consideration of relocating the Butcher House to the site. City Council subsequently added \$50,000 for consideration of the Butcher House Study Issue. A design contract for \$123,363 was awarded to Callander Associates Landscape Architecture on August 11, 2015.

Drainage Improvements

The drainage issue was not identified until well after the original project budget was developed. For any of the concept plans selected, City Council action requested is to approve a future budget modification at the award of construction contract to accommodate the drainage solution (re-grading and valley gutter) and the implementation of the selected concept plan. The increase in costs above the existing budget is estimated at approximately \$25,000, but actual costs will be determined upon bid opening.

Butcher House Relocation

Per the Study issue, all costs associated with the Butcher House relocation and construction of associated improvements will be privately managed and funded. The Historical Society has communicated to staff that they are willing to fund this work, but would prefer for the City to cover the costs of some related site work such as the construction of the access road, drainage improvements, landscaping and pathways surrounding the house; however there is no current City funding for those improvements.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

The first of two public meetings for the project was conducted by Sunnyvale staff and Callander Associates, the architectural consultant, at the Sunnyvale Community Center on Thursday,

September 17, 2015. A second public meeting was held at the Sunnyvale Senior Center on Thursday, October 29, 2015. Notification of these meetings was provided through posting of informational fliers at Orchard Heritage Park and mail delivery to neighbors that live within 1,000 feet of the project. Those that attended any of the meetings and provided contact information received additional notification of scheduled meetings on this subject.

The Parks and Recreation Commission reviewed this item at their February 10, 2016 meeting (RTC 16-0024). The Park and Recreation Commission voted 2 yes, 1 no, and one 1 abstention to approve Alternative 2 - Direct staff to move forward with CEQA evaluation of the proposal to relocate the Butcher House to the lawn area and acknowledge that a future budget modification with the construction contract award will be required to provide funding for drainage improvements behind the existing multi-purpose building. The costs of the CEQA compliance to be borne by the Historical Society.

The vote was unusual in that there is one vacancy on the Commission and one commissioner abstained. In this case, the Commission had the authority to act because four members were present and a quorum of the board (three members) participated in the matter. Thus, based on the City's rule that motions are approved by a majority of votes cast, the motion carried.

Commissioners discussed the ramifications of the Historical Society's position to support only Alternative 1 and the possibility of working with the Historical Society to accept Alternative 2. Historical aspects of the house and costs associated with moving were also discussed. During the public comment period, comments were heard supporting each of the three Alternatives. The Director of the Sunnyvale Historical Society and Museum spoke in support of Alternative 1, which she indicated is the only Alternative in which the Historical Society would bear the cost of relocating the Butcher House. One other speaker supported Alternative 1. Twelve speakers were in opposition to removing any trees from the orchard and supported either Alternatives 2, 3 or 4. A number of people spoke requesting the orchard remain a working orchard that produces fruit (Attachment 8).

ALTERNATIVES

1. Alternative Plan 1- Direct staff to move forward with the CEQA evaluation of the proposal to relocate the Butcher House to the location preferred by the Historical Society. The costs of CEQA compliance to be borne by the Historical Society.
2. Alternative Plan 2 - Direct staff to move forward with the CEQA evaluation of the proposal to relocate the Butcher House to the lawn area and acknowledge that a future budget modification with the construction contract award will be required to provide funding for drainage improvements (re-grading and valley gutter) behind the existing multi-purpose building. The costs of CEQA compliance to be borne by the Historical Society.
3. Alternative Plan 3- Do not relocate the Butcher House and acknowledge that a future budget modification with the construction contract award will be required to provide funding for drainage improvements (re-grading and valley gutter) behind the existing multi-purpose building.
4. Direct staff to proceed with a different alternative.

If the house is included in the preferred alternative, the Historical Society will be requested to confirm their commitment to proceed with the relocation of the Butcher House within two weeks after City Council's action. This will require a commitment to fund the CEQA evaluation and to privately fund and manage all relocation costs. If a commitment is received, staff will proceed with the City project, include appropriate CEQA analysis for relocation (\$25,000-\$60,000 - funded by the Historical

Society), and maintain the future Butcher House area unimproved for the relocation project. If the Historical Society does not confirm their commitment to proceed with the Butcher House relocation, then Staff would move forward with Alternative Plan 3.

STAFF RECOMMENDATION

Staff makes no recommendation. All alternatives in the report achieve the goals for relocating the maintenance building and trash enclosure.

The City Council has already approved and funded a project for the project that relocates the maintenance building and trash enclosure. Recently, City staff was directed to develop site plan options for the City Council to consider with respect to relocating the Butcher house. Staff makes no recommendation because the construction/engineering issues for the Council directed, and funded, project to relocate the maintenance building and trash enclosures is accomplished in either of the scenarios presented in this report. This report provides the site plan options as City Council directed.

Prepared by: Nathan Scribner, Senior Civil Engineer

Reviewed by: Manuel Pineda, Director, Public Works

Reviewed by: Cynthia Bojorquez, Director, Library and Community Services

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Study Issue
2. Summary of Meeting Notes
3. Community Rankings of Concept Plans
4. Alternative 1 - Butcher House at Historical Society Preferred Location
5. Alternative 2 - Butcher House in Grass Area
6. Alternative 3 - No Butcher House
7. Letter from the Sunnyvale Historical Society and Museum Association
8. Excerpt of Draft PRC Minutes of February 10, 2016