



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 19-1253, Version: 1

REPORT TO HERITAGE PRESERVATION COMMISSION

SUBJECT

Proposed Project:

LANDMARK ALTERATION PERMIT: to repaint an existing building within the Murphy Station Heritage Landmark District, and install a privacy fence in the rear patio.

Location: 111 S. Murphy Avenue (APN: 209-06-077)

File #: 2019-7442

Zoning: Downtown Specific Plan Block 2

Applicant / Owner: Off the Rails (applicant) / Nicholas And Sueanne Gera Trustee & Et Al (owner)

Environmental Review: Categorical Exemption Class 1

Project Planner: Kelly Cha, (408) 730-7408, kcha@sunnyvale.ca.gov

REPORT IN BRIEF

General Plan: Transit Mixed-Use

Existing Site Conditions: Restaurant

Surrounding Land Uses

North: Restaurant

South: Retail (Bookstore)

East: Restaurant

West: Surface Parking Lot

Issues: Consistency with the Design Guidelines for the Murphy Station Heritage Landmark District

Staff Recommendation: Approve the Landmark Alteration Permit with the recommended Conditions of Approval in Attachment 3.

BACKGROUND

The proposed project is to allow modifications to the exterior colors and install privacy fencing at the rear patio of the existing commercial building at 111 S. Murphy Avenue, located within the Murphy Station Heritage Landmark District and the Downtown Specific Plan (Block 2). The existing building is two stories and is currently occupied by Off the Rails Brewing Company. The primary building entry faces South Murphy Avenue and the rear entrance faces the City-owned surface parking lot on South Frances Street.

Sunnyvale Municipal Code Section 19.96.090 requires a Landmark Alteration Permit for substantial exterior modifications to buildings within a Local Landmark District, such as changes to exterior colors or materials. Minor modifications that are consistent with regulations and design guidelines, such as signs and awning replacements, can be approved through a staff-level permit.

Previous Actions on the Site

The first record of a Use Permit on this property was for approval of a print shop in 1984. . A Special

Development Permit was approved in 1994 (file # 7339) to allow outdoor music in the rear patio of the property. All other planning permit approvals were related to temporary signs, permanent signs, and outdoor seating on the sidewalk of Murphy Avenue. Numerous building permits have also been issued for interior improvements.

There is an active Neighborhood Preservation case associated with Off the Rails Brewing Company, related to the proposed project, new paint and a privacy fence in the rear patio.

EXISTING POLICY

General Plan Goals and Policies: The applicable goals and policies from the Community Character Chapter of the General Plan along with analysis are included as recommended findings in Attachment 2.

Applicable Design Guidelines: The City's Design Guidelines provide recommendations for site layout, architecture, and design. The project is subject to the Design Guidelines for the Murphy Station Heritage Landmark District. The following design guidelines from the Design Guidelines are applicable to the project:

Color:

- Consider the color of nearby buildings. Colors of adjacent buildings should complement one another. Maintain a balance of colors. For example, a minimum of three colors is recommended for use on building facades, with the third, and rare fourth, color used on accent items such as awnings, or doors and windows.

Rear Façades:

- Carry the architectural design or a similar architectural vocabulary from the front of the building to the rear of the building (e.g. entries, windows, architectural details, colors and materials).
- Encourage active use of rear areas, such as outdoor dining.
- Ensure rear uses are safe in relation to adjacent parking; make sure uses do not spill into parking areas.

ENVIRONMENTAL REVIEW

A Class 1 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions that include minor alterations and additions to an existing facility (CEQA Section 15301).

DISCUSSION

Exterior Paint: The proposed project includes modifications to the exterior color scheme of the two-story restaurant building. The existing colors are light yellow with a faded red on the window casing and wooden strip that runs along the top of the parapet. The proposed colors are light silvery white with a dark grey accent. As shown in the proposed elevations (Attachment 4), the proposed colors complement the existing black tiles on the bottom of the front façade.

A historical evaluation was prepared by Anthony Kirk on May 7, 2019 (Attachment 6) to assess the impact of the color change to the overall Landmark District. As stated in the report, the façades of neighboring properties on Murphy Avenue have multiple colors ranging from the cool, dark colors of Metro City to the pink and green of the Murphy Street Smoke Shop across the street, with the immediate neighbors of the project site generally with various shades of dark beige and yellow. The proposed color scheme is similar to the property across from the subject property, 140 S. Murphy

Avenue, which was approved for similar paint colors (light grey and dark grey accent) earlier this year by the Heritage Preservation Commission. The proposed light silvery white and dark grey combination adds to the eclectic colors of Murphy Avenue, and are compatible with the District.

Privacy Fence: The proposed project also includes different options for a privacy fence in the rear patio. The three proposed options can be found in Attachment 5 along with the applicant's project description letter. The applicant proposes either of the following options:

Option 1 - installing dark color mesh on the inside of the existing fence;

Option 2 - installing artificial grass on the inside of the existing fence; or

Option 3 - installing artificial grass on the outside of the existing fence (public parking lot side)

The existing patio has an open metal fence to delineate the private space from the public space, which includes a sidewalk and public surface parking lot for the District. For the project site, the Design Guidelines for Murphy Station Heritage Landmark District specifically recommends "[avoiding] elimination of rear seating area as it activates the back of the property and contributes positively to the District".

The applicant requests to cover the open metal fence with either of the above options to provide privacy for the outdoor seating area in the back of the property. This would create a physical barrier between the outdoor seating area and the public surface parking lot. The visual barrier of the outdoor seating area would essentially enclose the outdoor seating area completely and remove the element that contributed positively to the District.

The materials proposed for the privacy fence are also not compatible with the District. The dark mesh material is referenced in the building specific design guidelines section of the Design Guidelines for the Murphy Station Heritage Landmark District as an element that lacks design details or interest to engage the pedestrian. The artificial grass is also not a compatible material for the District. Therefore, staff recommends maintaining the existing open metal fence and not installing any of the privacy fence options as proposed (Condition #PS-1).

FISCAL IMPACT

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

PUBLIC CONTACT

As of the date of staff report preparation, staff has received no public comments.

Notice of Public Hearing:

- Published in the *Sun* newspaper
- Posted on the site
- 320 notices mailed to property owners and residents within 300 feet of the project site

Staff Report:

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

Agenda:

- Posted on the City's website

- Posted on the City's official notice bulletin board

ALTERNATIVES

1. Approve the Landmark Alteration Permit with the recommended Conditions of Approval in Attachment 3.
2. Approve the Landmark Alteration Permit with modifications.
3. Deny the Landmark Alteration Permit.

STAFF RECOMMENDATION

Alternative 1: Approve the Landmark Alteration Permit with the recommended Conditions of Approval in Attachment 3.

Prepared by: Kelly Cha, Associate Planner

Reviewed by: George Schroeder, Senior Planner

ATTACHMENTS

1. Vicinity and Noticing Map
2. Recommended Findings
3. Recommended Conditions of Approval
4. Architectural Plans
5. Applicant's Project Description Letter
6. Historical Evaluation Report prepared by Anthony Kirk