



Hearing Date: January 12, 2011
File Number: 2010-7776

SUBJECT: **2010-7776:** Application for a project located at 182 South Murphy Avenue in a DSP – 2 (Downtown Specific Plan – Block 2) Zoning District. (APN: 209-06-028)

Motion Landmark Alteration Permit to consider the redevelopment of a property with the intent to establish a new bar and nightclub for property in a Local Landmark District.

REPORT IN BRIEF:

Existing Site Conditions Two-Story Commercial Building

Surrounding Land Uses

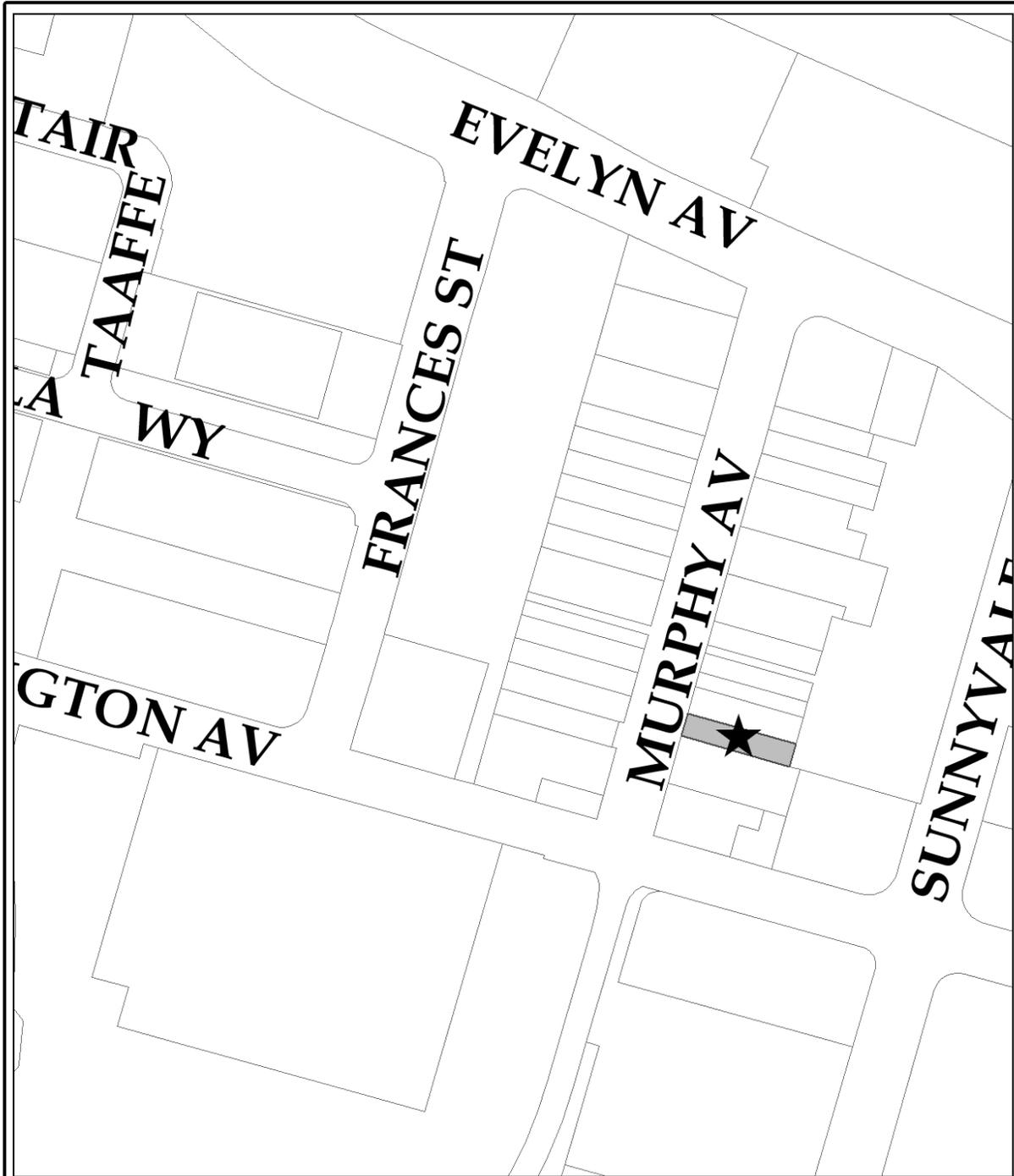
North	Commercial (Gumba’s)
South	Commercial (Bean Scene)
East	City Parking Lot
West	Commercial (across Murphy Avenue)

Issues Design Consistency with Murphy Avenue Design Guidelines and Historic Preservation

Environmental Status A Negative Declaration has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approve with Conditions

VICINITY MAP



182 S. Murphy Ave. (APN: 209-06-028)
landmark Alteration Permit
2010-7776



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Central Business	Same	Central Business
Zoning District	DSP-2	Same	DSP-2
Lot Size (s.f.)	2,800	Same	No min.
Gross Floor Area (s.f.)	4,850	7,000 (incl. 1,400 s.f. basement)	No max.
Lot Coverage (%)	Same	Same	100% max.
Building Height (ft.)	25'	32'	36' max.
No. of Stories	2	Same	2 max.

BACKGROUND:

The proposed project is the redevelopment of a commercial building at 182 S. Murphy Avenue which is located within the Murphy Avenue Local Landmark District (100 Block of S. Murphy Avenue). A Landmark Alteration Permit is required for any exterior modification to buildings or new construction along this block of Murphy Avenue. In this case, most of the existing building, currently utilized as a retail clothing boutique, would be demolished and redeveloped. The new building that would include a bar and nightclub use will be subject to review of a Special Development Permit (2011-7015) by the Planning Commission in February of 2011. The architectural review is the responsibility of the Heritage Preservation Commission.

Previous Actions on the Site

The following table summarizes previous planning applications related to the project site.

File Number	Brief Description	Hearing/Decision	Date
1984-0383	Exterior changes to a commercial building	Heritage Preservation Commission / Approved	6/20/1984
1983-0325	Exterior changes to a commercial building	Heritage Preservation / Approved	12/14/1983

The above table notes exterior changes that occurred in the 1980's to the front and back sides of the building. Additional architectural modifications occurred prior to these dates but were not clearly documented. The above noted modifications included changes to the front of the building that resulted in its current appearance. As part of those modifications, the predominant features

such as the Spanish roof tiles were retained and the current transom windows were uncovered. A brick storefront was replaced with the current tile feature. Modifications were also made to the paint color of the wall and front entryway

DISCUSSION:

Landmark Alteration Permit

As stated previously in the report, the appropriateness of the land use and operation of the bar/nightclub will be subject to subsequent review and approval by the Planning Commission. A project description provided by the applicant has been included in Attachment D.

- **Site/Floor Plan**

The building consists of two floors and a basement (See Site/Floor Plans in Attachment C). The approximately 2,800 square foot first floor would include a bar area with seating towards the front of the building and a dance floor towards the back. A smaller bar is also located at the back of the building. To allow access to the second floor and/or basement, a ramp, elevator and stairway are also provided.

The second floor, which is equal size to the first floor, is partially composed of an open roof garden. A bar area with seating would be open to the sky but be enclosed on all four sides. An open trellis feature would cover approximately two thirds of this area. Bathrooms and access to the first floor are located at the rear.

The 1,400 square foot basement would include a storage area, trash facilities, a bathroom and an electrical/mechanical equipment room.

- **Architecture**

The intent of the proposed architecture is to retain the appearance of the front façade and to utilize, to the extent practicable, some of the predominant features of the front façade of the current building (See Elevations and Architectural Renderings in Attachment C.). These features include the divided clear glass windows that stretch across the second floor portion of the building and the visor roof tile element which includes wood bracketing. The majority of the façade will be composed of plaster and wood paneling. Similar trim will be carried over to the new building. While much of the upper portion of the building will be similar to the existing structure, the entryway and lower half of the building will appear different. Staff has worked with the applicant to open up the entryway to include large display windows which are common along Murphy Avenue. Similar to other bar establishments, a single point of entry at the front with a double door is provided as opposed to the current layout. Wall projections and storefront windows provide for a more historic look and create more interest than the

current structure which has been modified on several occasions over the years.

To address comments brought up by the Heritage Preservation Commission at the study session regarding the location of a seating area immediately adjacent to the second story windows, the applicant has removed the bench seating area. This modification is not reflected in the provided floor plans. Condition of Approval PS-1a requires that this change be incorporated into the plans submitted for a Building Permit.

An additional modification to the previous plans includes a flowered landscaped area that would be located above a projecting wall (rounded) above the entryway (See Renderings in Attachment D for more detail.) Staff has included Condition of Approval PS-1c to require that such area remain well maintained throughout the year.

The color scheme of the building utilizes a beige plaster material with dark red tile and trim. The wood paneling at the entryway is proposed to be painted a navy or dark blue color. Lettering for signs and other elements are preliminarily indicated in a gold hue.

The proposed design of the rear façade contains similar high quality design features as the front of the building (note that the current building does not include significant architectural details on the rear). The use of a similar tile canopy feature along with a mix of wood paneling and plaster façade are incorporated. A second canvas canopy is provided over the door and lower half of the building to provide shade.

ANALYSIS:

Historic Analysis

A historic analysis was conducted on the subject property by a historic consultant, Anthony Kirk, Ph.D. A copy of the State of California Department of Parks and Recreation Form (DPR 523A-L) is provided in Attachment F. It was determined that the commercial building does not appear eligible, by itself, to be in the California Register of Historical Resources under any of the four criteria. The property is not associated in an important way with an event or a pattern of events considered significant at a national, state, or local level, nor is it associated with an individual whose achievements are thought important to the history of the United States, California, or the City of Sunnyvale. The architecture of the building is considered an extremely modest vernacular example of Mission Revival style. There have been several modifications to the building, both interior and exterior, and only a few of the architectural façade features have been retained over the years. Staff concurs with the historic analysis that the building does not represent or identify with a particular

architectural style; nor is it associated with a notable person, family, or event in the history of Sunnyvale. Although numerous modifications to the entryway have affected the building’s historic integrity, staff notes that there are certain unique architectural features that have been maintained or restored such as the metal tile awning and transom windows along the front. The property is part of the Murphy Station Landmark District and contributes to the character of this heritage block of South Murphy.

Staff had initially explored retention of the current structure; however, due to the overall condition and needed improvements for the proposed use, the project would be unfeasible. Staff had to balance the possibility of retaining the building while also allowing reinvestment and redevelopment of the site. This block of Murphy Avenue consists of a mixed age of buildings with different architectural styles but uniformly represent a historic feel. Staff has worked extensively with the applicant to retain certain architectural features that were unique to the original building while also designing a building that would fit within the historic Murphy Avenue streetscape. The project has been scaled back to its current form. Previous designs called for a much larger building which were considered out of scale and incompatible with the surrounding area.

Applicable Design Guidelines and Policy Documents

Design Guideline	Goal or Policy	Comments
Murphy Avenue Design Guidelines (Colors)	<i>"Beige, muted yellows, pale peach colors, blue-grays, ocher and dusty rose colors are part of the palette that could be coordinate to enhance Murphy Avenue’s image."</i>	The proposed materials are consistent with the Murphy Avenue Design Guidelines and the final palette will be coordinated with staff.
Murphy Avenue Design Guidelines (Materials)	<i>"Generally, materials are expected to be appropriate if they express or enhance the character of a building."</i>	The proposed materials are compatible with the character of Murphy Avenue. The new building utilizes similar materials of the existing building while introducing improvements to the entryway design.

<p>Murphy Avenue Design Guidelines (Awnings)</p>	<p><i>Many of the Murphy Avenue buildings were designed to have a retractable 45-degree angle awning.</i></p>	<p>The proposed design will utilize a similar tile awning feature at the front of the building and replicate the feature on the second story at the back. A canvas awning that projects a few feet will also cover the rear doorways. Each awning is in character with the Murphy Avenue Design Guidelines and what is found elsewhere along this block.</p>
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Green Building Requirements

The project is required to meet LEED Certified design intent. The applicant has demonstrated with preliminary documentation that this level will be met. Condition of Approval #BP-11 requires that the project provide documentation by a LEED AP that the development will meet a “Certified” level of design.

Environmental Review

A Negative Declaration has been prepared in compliance with the California Environmental Quality Act provisions and City Guidelines. An initial study has determined that the proposed project would not create any significant environmental impacts (see Attachment C, Initial Study).

FISCAL IMPACT

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

PUBLIC CONTACT

Heritage Preservation Commission Study Session: On December 1, 2010, the Heritage Preservation Commission held a study session to discuss the proposal. The Commissioners asked questions regarding certain architectural features and the floor plan of the proposed building. As stated previously in the report, the Commissioners noted a concern regarding the visibility of the seating area adjacent to the front windows on the second floor. Modifications have been made to address the issue and Conditions of Approval require them to be addressed in the floor plan prior to approval of a Building Permit.

<p>Notice of Negative Declaration and Public Hearing</p>	<p>Staff Report</p>	<p>Agenda</p>
<ul style="list-style-type: none"> • Published in the <i>Sun</i> newspaper • Posted on the site • 229 notices mailed to the property owners and tenants within 300 ft. of the project site 	<ul style="list-style-type: none"> • Posted on the City of Sunnyvale's Website • Provided at the Reference Section of the City of Sunnyvale's Public Library 	<ul style="list-style-type: none"> • Posted on the City's official notice bulletin board • City of Sunnyvale's Website

CONCLUSION

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Landmark Alteration Permit. Recommended Findings and General Plan Goals are located in Attachment A.

Conditions of Approval: Recommended Conditions of Approval are located in Attachment B.

ALTERNATIVES

1. Adopt the Negative Declaration and approve the Landmark Alteration Permit with attached conditions.
2. Adopt the Negative Declaration and approve the Landmark Alteration Permit with modified conditions.
3. Do not adopt the Negative Declaration and direct staff as to where additional environmental analysis is required.
4. Deny the Landmark Alteration Permit.

RECOMMENDATION

Alternative 1.

Prepared by:

Ryan M. Kuchenig
Project Planner

Approved by:

Trudi Ryan
Planning Officer

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Negative Declaration
- D. Site and Architectural Plans
- E. Project Description from the Applicant
- F. State of California Department of Parks and Recreation Form (DPR 523A-L)
- G. Photos of Existing Building

RECOMMENDED FINDINGS

Landmark Alteration Permit

Heritage Preservation Sub-Element

Policy 6.3B.3: Enhance the visual character of the city by preserving diverse as well as harmonious architectural styles and design preferences which reflect various phases of the City's history and cultural traditions of past and present residents.

Action Statement 6.3B.1d: Encourage ongoing maintenance and appropriate use of heritage properties.

1. The proposed project will be consistent with the purposes of the Heritage Preservation Ordinance. (*Finding Met*)

The proposed redevelopment of the site is consistent with City ordinances and design guidelines. As stated in the report, the site would not appear eligible for the California Register of Historical Resources under each of the criteria. The current structure has been modified on several occasions and does not identify particularly with an specific architectural style. The proposed architecture respects the historic character of the Murphy Avenue streetscape.

2. The proposal will not be detrimental to the significant historical features of the building.

Although redevelopment of the site is to occur, the project preserves notable design elements of the original structure while also improving the overall look from the street with high quality architecture and materials. The improved entryway with varying projections creates the look of a historic façade more so than the previously modified structure.

ATTACHMENT B

RECOMMENDED CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS JANUARY 13, 2011

Planning Application 2010-7776

182 S. Murphy Avenue

Landmark Alteration Permit to consider the redevelopment of a property with a new bar and nightclub on Historic Murphy Avenue

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with "Mitigation Measure" and placed in the applicable phase of the project.

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following Conditions of Approval and Standard Development Requirements of this Permit:

GC: THE FOLLOWING GENERAL CONDITIONS AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.
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GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:

All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]

GC-2. PERMIT EXPIRATION:

The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior

- to expiration date and is approved by the Director of Community Development. [SDR] [PLANNING]
- GC-3. TITLE 25:
Provisions of Title 25 of the California Administrative Code shall be satisfied with dependence on mechanical ventilation. [SDR] [BUILDING]
- GC-4. SIGNS:
All new signs shall be brought into conformance with Title 19 of the Sunnyvale Municipal Code. [PLANNING] [COA]
- GC-5 AWNINGS:
Fabric awnings shall be replaced at least every five (5) years. Any change of color, materials or design and are subject to review and approval by the Director of Community Development. [COA] [PLANNING]
- GC-6 SPECIAL DEVELOPMENT PERMIT:
The proposed bar and nightclub use is subject to review and approval of Special Development Permit **(2011-7015)** by the Planning Commission. Separate Conditions of Approval related to the proposed use will apply.

PS: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO SUBMITTAL OF BUILDING PERMIT, AND/OR GRADING PERMIT.

- PS-1. REQUIRED REVISIONS TO PROJECT PLANS:
The plans shall be revised to address comments from the Heritage Preservation Commission including the following:
- a) Modifications shall be made to remove the seating area noted on the floor plans located adjacent to the second floor windows.
 - b) The windows along each elevation shall remain clear. No windows shall be darkly tinted, opaque, or otherwise blocked so there is no visibility through them.
 - c) The flowered landscaped area located above the entryway in front of the windows shall be well maintained throughout the year and allow for unobstructed views to and from the building.
- PS-2. EXTERIOR MATERIALS REVIEW:

Final exterior building materials and color scheme are subject to review and approval by the Director of Community Development prior to submittal of a building permit. [COA] [PLANNING]

BP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).

BP-1. CONDITIONS OF APPROVAL:

Final plans shall include all Conditions of Approval included as part of the approved application starting on sheet 2 of the plans. [COA] [PLANNING]

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:

A written response indicating how each condition has or will be addressed shall accompany the building permit set of plans. [COA] [PLANNING]

BP-3. BLUEPRINT FOR A CLEAN BAY:

The building permit plans shall include a "Blueprint for a Clean Bay" on one full sized sheet of the plans. [SDR] [PLANNING]

BP-4. SOLID WASTE DISPOSAL PLAN:

A detailed recycling and solid waste disposal plan shall be submitted for review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]

BP-5. ROOF EQUIPMENT:

Roof vents, pipes and flues shall be combined and/or collected together on slopes of roof or behind parapets out of public view as per Title 19 of the Sunnyvale Municipal Code and shall be painted to match the roof. [COA] [PLANNING]

BP-6. MECHANICAL EQUIPMENT (EXTERIOR):

Detailed plans showing the locations of individual exterior mechanical equipment/air conditioning units shall be submitted and subject to review and approval by the Director of Community Development prior to issuance of building permits. Proposed locations shall have minimal visual and minimal noise impacts to neighbors and ensure adequate usable open space. Individual exterior mechanical

equipment/air conditioning units shall be screened with architecture or landscaping features. [COA] [PLANNING]

BP-7 MURPHY AVENUE SIDEWALK:

This project is subject to submittal of a pedestrian protection plan as part of the Building clearance process by Department of Public Works, for demolition and construction work at the public right-of-way along the Murphy Avenue sidewalk and the walkway adjacent to the parking lot. [COA] [PUBLIC WORKS]

MURPHY AVENUE SIDEWALK:

BP-8 Any damage to the existing Murphy Avenue street, sidewalk, street furniture/fixtures or utilities as a result of demolition and construction work shall be restored to conditions prior to or better than conditions at the commencement of work. Instruments of bond and certificate of insurance may be required prior to issuance of Building permit.

BP-9 SANITARY SEWER CONNECTION FEES:

Due to the increase of building square footage and change of occupancy use, pay incremental sanitary sewer connection fee in the amount of \$17,765.12 (FY 09-10 rate) prior to any permit issuance. [COA] [PUBLIC WORKS]

BP-10 WATER CONNECTION FEES:

Due to the increase of building square footage, pay incremental water connection fee in the amount of \$1,626.00 (FY 09-10 rate) prior to any permit issuance. [COA] [PUBLIC WORKS]

BP-11 GREEN BUILDING DESIGN

A. The project shall be designed to meet LEED Certified level design intent. The development is required to implement a minimum of 42 LEED points. Upon certification, the applicant shall provide proof that the building has achieved a rating of LEED Certified or better.

B. Building permit plans shall include a sheet noting the green building features incorporated into the design subject to review and approval the Director of Community Development. The plan sheet shall include notes on where specific provisions are included on which plan sets. [COA] [PLANNING]



PLANNING DIVISION
CITY OF SUNNYVALE
P.O. BOX 3707
SUNNYVALE, CALIFORNIA 94088-3707

**NOTICE OF INTENT TO ADOPT
NEGATIVE DECLARATION**

This form is provided as a notification of an intent to adopt a Negative Declaration which has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #193-86.

PROJECT TITLE:

Application for a **Landmark Alteration Permit** by **Des Nolan & Liam Balfe**.

PROJECT DESCRIPTION AND LOCATION (APN):

2010-7776: Des Nolan & Liam Balfe [Applicant] **Cheswycke LLC**. [Owner]. Application for a Landmark Alteration Permit to consider the redevelopment of a property with a new bar & nightclub on Historic Murphy Avenue located at **182 S. Murphy Avenue**. (APN: 209-06-028) RK

WHERE TO VIEW THIS DOCUMENT:

The **Negative Declaration**, its supporting documentation and details relating to the project are on file and available for review and comment in the Office of the Secretary of the Planning Commission, City Hall, 456 West Olive Avenue, Sunnyvale.

This **Negative Declaration** may be protested in writing by any person prior to 5:00 p.m. on **Wednesday, January 12, 2011**. Protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a **Negative Declaration** will be considered by the adopting authority, whose action on the protest may be appealed.

HEARING INFORMATION:

A public hearing on the project is scheduled for:

Wednesday, January 12 2011 at 8:00 p.m. in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.

TOXIC SITE INFORMATION:

(No) listed toxic sites are present at the project location.

Circulated On December 17, 2010

Signed: 
Gerri Caruso, Principal Planner

Project Title	Special Development Permit for a new bar/nightclub use; and Landmark Alteration Permit for the redevelopment of a property located within the Historic Murphy Avenue District
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	Ryan Kuchenig, Associate Planner
Phone Number	408-730-7431
Project Location	182 S. Murphy Avenue
Applicant's Name	Des Nolan and Liam Balfe
Project Address	182 S. Murphy Avenue, Sunnyvale, CA 94086
Zoning	DSP-2 (Downtown Specific Plan – Block 2)
General Plan	Downtown Specific Plan
Other Public Agencies whose approval is required	None

DESCRIPTION OF THE PROJECT: The proposed project is a Special Development Permit and Landmark Alteration Permit for the redevelopment of a downtown commercial property with a new bar/nightclub. The business would be open daily from 11 A.M. to 2 A.M. daily. Live music will typically occur Wednesday through Sunday. The business will employ a total of 19 full-time and 16 part-time employees. Two employees will typically occupy the site.

DETAILED PROJECT DESCRIPTION:

On-site Development: The current site consists of an approximately 4,850 s.f. two-story commercial building occupied by a retail business. This building will be replaced by an approximately 7,000 square foot (including basement) two-story commercial building utilized as a bar/nightclub. The first floor will be mostly open with a bar and dance floor. The second story will include an open beer garden patio and bar area. The basement area will be almost entirely utilized for storage purposes. Certain architectural features of the current building will be re-utilized as part of the design for the new building façade at the front facing S. Murphy Avenue.

Construction Activities and Schedule: Construction activities include full demolition of the existing building on the subject property, and construction of a new commercial building. The project will be subject to the Sunnyvale Municipal Code requirements for noise and hours of construction contained in Chapters 19.42.0.0 and 16.08.030.

Surrounding Uses and Setting: The property is located at 182 S. Murphy Avenue which is within the downtown commercial district. This block is within the historic Murphy Avenue Landmark District. Commercial uses are located in all four directions of the subject property.

Off-site Improvements: Standard water, sewer, right-of-way and utility connections/upgrades will be provided as required by the Municipal Code. Many upgrades have already taken place as part of a City improvement project.

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
5. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
6. Earlier Analysis Used. Identify and state where they are available for review.
7. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
8. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project
9. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Population/Housing | |

MANDATORY FINDINGS OF SIGNIFICANCE (see checklist for further information):

Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? Yes
 No

Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)? Yes
 No

Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? Yes
 No

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Checklist Preparer: Ryan M. Kuchenig

Date: December 13, 2010

Title: Associate Planner

City of Sunnyvale

Signature: 

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
1. Aesthetics -Substantially damage scenic resources, including, but not limited to trees, historic buildings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale General Plan Map, Open Space Sub-element www.sunnyvaleplanning.com Project Description State of California Department of Parks and Recreation Form DPR-523 prepared by a historic consultant, Anthony Kirk, Ph.D.
2. Aesthetics -Substantially degrade the existing visual character or quality of the site and its surroundings including significant adverse visual changes to neighborhood character?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map, Open Space Sub-element www.sunnyvaleplanning.com Murphy Avenue Design Guidelines Project Description
3. Aesthetics -Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map, Open Space Sub-element www.sunnyvaleplanning.com Project Description
4. Population and Housing - Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) in a way that is inconsistent with the Sunnyvale General Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Land Use and Transportation Element of the General Plan, General Plan Map www.sunnyvaleplanning.com Project Description
5. Population and Housing -Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Housing Sub-Element, Land Use and Transportation Element and General Plan Map www.sunnyvaleplanning.com Project Description
6. Population and Housing -Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Housing Sub-Element www.sunnyvaleplanning.com Project Description
7. Land Use Planning - Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map www.sunnyvaleplanning.com Project Description

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
8. Land Use Planning conflict - With the Sunnyvale General Plan, Zoning Ordinance, San Francisco Bay Conservation and Development Commission (BCDC) area or related specific plan adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Land Use and Transportation Element, Sunnyvale General Plan, Title 19 (Zoning) of the Sunnyvale Municipal Code http://qcode.us/codes/sunnyvale/view.php?topic=19&frames=off
9. Transportation and Traffic - Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Parking Requirements (Section 19.46) in the Sunnyvale Municipal Code http://qcode.us/codes/sunnyvale/view.php?topic=19-4-19_46&frames=off . The subject site is located within the Downtown Parking District.
10. Hazards and Hazardous Materials - For a project located the Moffett Field AICUZ or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moffett Field AICUZ, Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
11. Hazards and Hazardous Materials - For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no private airstrips in or in the vicinity of Sunnyvale
12. Hazards and Hazardous Materials - For a project within the vicinity of Moffett Federal Airfield, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moffett Field AICUZ, Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
13. Agricultural Resources - Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Zoning Map www.sunnyvaleplanning.com
14. Noise - Exposure of persons to or generation of noise levels in excess of standards established in the Noise Sub-Element, Noise limits in the Sunnyvale Municipal Code, or applicable standards of the California Building Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Noise Sub-element, SMC www.sunnyvaleplanning.com 19.42 Noise Ordinance http://qcode.us/codes/sunnyvale/view.php?topic=19&frames=off

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
15. Noise -Exposure of persons to or generation of excessive_groundborne vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Noise Sub-Element www.sunnyvaleplanning.com Project Description
16. Noise - A substantial permanent or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Noise Sub-element www.sunnyvaleplanning.com
17. Biological Resources - Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map Project Description
18. Biological Resources -Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map Project Description
19. Biological Resources -Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map Project Description
20. Biological Resources -Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SMC 19.90 Tree Preservation Ordinance Sunnyvale Inventory of Heritage Trees
21. Biological Resources -Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
22. Historic and Cultural Resources - Cause a substantial adverse change in the significance of a historical resource or a substantial adverse change in an archeological	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Heritage Preservation Sub-Element, Sunnyvale Inventory or Heritage Resources The United States Secretary of the

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
resource?					Interior's "Guidelines for Rehabilitation" Criteria of the National Register of Historic Places State of California Department of Parks and Recreation Form DPR-523 prepared by a historic consultant, Anthony Kirk, Ph.D.
23. Historic and Cultural Resources - Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Project Description
24. Public Services - Would the project result in substantial adverse physical impacts associated with the provision of new or expanded public schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The following public school districts are located in the City of Sunnyvale: Fremont Union High School District, Sunnyvale Elementary School District, Cupertino Union School District and Santa Clara Unified School District. Project Description
25. Air Quality - Conflict with or obstruct implementation of the <u>BAAQMD</u> air quality plan? How close is the use to a major road, hwy. or freeway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale General Plan Map Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com
26. Air Quality - Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Project Description
27. Air Quality -Would the project conflict with any applicable plan, policy or regulation of any agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Project Description
28. Air Quality -Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element Project Description
29. Air Quality -Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Project Description

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
precursors)?					
30. Air Quality -Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Project Description
31. Seismic Safety -Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
32. Seismic Safety - Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
33. Seismic Safety-Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
34. Seismic Safety-Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com

Further Discussion if "Less than Significant" with or without mitigation:

1. Aesthetics (Less than Significant): The subject property lies with a Landmark District as designated by the City of Sunnyvale. The existing building will be demolished and replaced with a new building that will utilize similar architectural features such as the predominant stucco façade material and tile awning feature at the front of the building. Similar window shape and spacing is also utilized within the front facade. The scale of the proposed two-story building matches the height of the existing building but comprises of more overall floor area.

2. Aesthetics (Less than Significant): A historic analysis was conducted on the subject property by historic consultant, Anthony Kirk, Ph.D. and determined that the commercial building does not appear eligible in the California Register of Historical Resources under any of the four criteria.

15. Noise (Less than Significant): The project will introduce short-term sources of noise to the project area during construction and demolition of the site. Through the City's implementation of the Municipal Code noise regulations contained in Chapters 19.42.030 and 16.08.030, this impact will be lessened to a less than significant level during construction.

22. Historic and Cultural Resources (Less than Significant) - A historic analysis was conducted on the subject property by historic consultant, Anthony Kirk, Ph.D. and determined that the commercial building does not appear eligible in the California Register of Historical Resources under any of the four criteria. The property

is not associated in an important way with an event or a pattern of events considered significant at a national, state, or local level, nor is it associated with an individual whose achievements are thought important to the history of the United States, California, or the City of Sunnyvale. The architecture of the building is considered an extremely modest vernacular example of Mission Revival style.

23. Historic and Cultural Resources (Less than Significant): The existing buildings on site do not have any Federal, State, local historical or architectural significance. Staff has no evidence of archaeological resources being located on site or being found in the immediate vicinity. However, the scope of the project does include grading and excavation of the site associated with the construction of the project. There may be the potential that the project may uncover resources. As a standard Condition of Approval, staff has included specific project requirements related to the potential discovery of resources and procedural requirements. Based on this analysis and standard conditions of approval, staff has determined that the project would have a less than significant impact.

Responsible Division: Planning Division

Completed by: Ryan M. Kuchenig

Date: 12/13/10

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
35. Exceeds the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all modes of transportation including nonmotorized travel and all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian walkways, bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	City's Land Use and Transportation Element, Santa Clara County Transportation Plan, and AASHTO: A Policy on Geometric Design of Highways and Streets.
36. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measurements, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara County Congestion Management Program and Technical Guidelines (for conducting TIA and LOS thresholds).
37. Results in a change in air traffic patterns, including either an increase in air traffic levels or a change in flight patterns or location that results in substantial safety risks to vehicles, bicycles, or pedestrians?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan including the Land Use and Transportation Element.
38. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	City and CA Standard Plans & Standard Specifications.
39. Conflict with adopted policies, plans, or programs regarding public transit or nonmotorized transportation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Bicycle Plan, VTA Bicycle Technical Guidelines, and VTA Short Range Transit Plan.
40. Affect the multi-modal performance of the highway and/or street and/or rail and/or off road nonmotorized trail transportation facilities, in terms of structural, operational, or perception-based measures of effectiveness (e.g. quality of service for nonmotorized and transit modes)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VTA Community Design and Transportation Manual, and Sunnyvale Neighborhood Traffic Calming Program.

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
41. Reduce, sever, or eliminate pedestrian or bicycle circulation or access, or preclude future planned and approved bicycle or pedestrian circulation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Bicycle Plan, Pedestrian and Bicycle Opportunities Studies and associated capital projects.
42. Cause a degradation of the performance or availability of all transit including buses, light or heavy rail for people or goods movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VTA Transit Operations Performance Report, VTA Short Range Transit Plan, and Valley Transportation Plan for 2035.

Further Discussion if "Less Than Significant" with or without mitigation:

Responsible Division: Planning Division

Completed by: Ryan M. Kuchenig

Date: 12/13/10

Building	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
43. Hydrology and Water Quality - Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code Project Description
44. Hydrology and Water Quality - Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code Project Description
45. Hydrology and Water Quality - Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1995 ABAG Dam Inundation Map www.abag.ca.gov , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code Project Description
46. Geology and Soils -Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Municipal Code 12.60, Storm Water Quality Best Sunnyvale Management Practices Guideline Manual Project Description
47. Geology and Soils -Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Safety and Seismic Safety Sub-Element, www.sunnyvaleplanning.com California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal Code
48. Geology and Soils -Be located on expansive soil, as defined by the current building code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal Code

Further Discussion if "Less than Significant" with or without mitigation:

47. Geology and Soils (Less than Significant) – The project site is not located in an area with any active faults, but may experience strong seismic ground shaking in the event of an earthquake. Through the City's implementation of the Uniform Building Code requirements for areas with potential for seismic activity, this aspect of the project will be reduced to a less than significant level.

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
49. Utilities and Service Systems: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Wastewater Management Sub-Element www.sunnyvaleplanning.com
50. Utilities and Service Systems: Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Waste Water Management Sub-Element Water Resources Sub-Element www.sunnyvaleplanning.com
51. Utilities and Service Systems: Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Waste Water Management Sub-Element Water Resources Sub-Element www.sunnyvaleplanning.com
52. Utilities and Service Systems: Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Water Resources Sub-Element www.sunnyvaleplanning.com
53. Utilities and Service Systems: Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Wastewater Management Sub-Element www.sunnyvaleplanning.com
54. Utilities and Service Systems: Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Solid Waste Management Sub-Element www.sunnyvaleplanning.com
55. Hydrology and Water Quality - Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Regional Water Quality Control Board (RWQCB) Region 2 Municipal Regional Permit
56. Hydrology and Water Quality - Substantially degrade groundwater supplies or interfere substantially	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Water District Groundwater Protection Ordinance www.valleywater.org

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?					
57. Hydrology and Water Quality - Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project description Water Resources Sub-Element www.sunnyvaleplanning.com
58. Hydrology and Water Quality - Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems in a manner which could create flooding or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	RWQCB, Region 2 Municipal Regional Permit, Stormwater Quality BMP Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com
59. Hydrology and Water Quality - Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Water District (SCVWD) Guidelines and Standards for Land Use Near Streams www.valleywater.org City of Sunnyvale Stormwater Quality Best Management Practices (BMP) Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com
60. Utilities and Service Systems: Comply with federal, state, and local statues and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Solid Waste Management Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
61. Public Services Infrastructure? Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description

Further Discussion if "Less than Significant" with or without mitigation:

Responsible Division: Planning Division

Completed by: Ryan M. Kuchenig

Date:12/13/10

Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
62. Public Services Police and Fire protection - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Law Enforcement Sub-Element Sunnyvale Fire Services Sub-Element Safety and Seismic Safety Sub-Element www.sunnyvaleplanning.com
63. Public Services Police and Fire protection - Would the project result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	California Building Code SMC Section 16.52 Fire Code

Responsible Division: Planning Division

Completed by: Ryan M. Kuchenig

Date:12/13/10

Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
64. Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
65. Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
66. Hazards and Hazardous Materials - Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
67. Hazards and Hazardous Materials - Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Hazardous Waste & Substances List (State of California) List of Known Contaminants in Sunnyvale
68. Hazards and Hazardous Materials - Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com

Responsible Division: Planning Division

Completed by: Ryan M. Kuchenig

Date: 12/13/10

Community Services	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
69. Public Services Parks - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Open Space & Recreation Sub-Element www.sunnyvaleplanning.com Project Description
70. Recreation - Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Open Space & Recreation Sub-Element www.sunnyvaleplanning.com Project Description
71. Recreation - Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Open Space & Recreation Sub-Element www.sunnyvaleplanning.com Project Description

Responsible Division: Planning Division

Completed by: Ryan M. Kuchenig

Date: 12/13/10

City of Sunnyvale General Plan:

- A. General Plan Map
- B. Air Quality Sub-Element (1993)
- C. Arts Sub-Element (1995)
- D. Community Design Sub-Element (1990)
- E. Community Engagement Sub-Element (2007)
- F. Fire Services Sub-Element (1995)
- G. Community Vision (2007)
- H. Fiscal Sub-Element (2006)
- I. Heritage Preservation Sub-Element (1995)
- J. Housing & Community Revitalization Sub-Element (2009)
- K. Land Use & Transportation Sub-Element (1997)
Revised 4/28/09 with Allocation of Street Space Policies
- L. Law Enforcement Sub-Element (1995)
- M. Legislative Management Sub-Element (1999)
- N. Library Sub-Element (2003)
- O. Noise Sub-Element (1997)
- P. Open Space and Recreation Sub-Element (2006)
Updated with Parks of the Future Study 4/28/2009. Revised 4/24/09.
- Q. Safety & Seismic Safety Sub-Element (2008)
- R. Socio-Economic Sub-Element (1989)
- S. Solid Waste Management Sub-Element (1996)
- T. Support Services Sub-Element (1988)
- U. Surface Run-off Sub-Element (1993)
- V. Wastewater Management Sub-Element (1996)
- W. Water Resources Sub-Element (2008)

City of Sunnyvale Municipal Code:

- A. Title 8 Health and Sanitation
- B. Title 9 Public Peace, Safety or Welfare
- C. Title 10 Vehicles and Traffic
- D. Title 12 Water and Sewers
- E. Chapter 12.60 Storm Water Management
- F. Title 13 Streets and Sidewalks
- G. Title 16 Buildings and Construction
- H. Chapter 16.52 Fire Code
- I. Chapter 16.54 Building Standards for Buildings Exceeding Seventy –Five Feet in Height
- J. Title 18 Subdivisions
- K. Title 19 Zoning
- L. Chapter 19.28 Downtown Specific Plan District
- M. Chapter 19.29 Moffett Park Specific plan District
- N. Chapter 19.39 Green Building Regulations
- O. Chapter 19.42 Operating Standards
- P. Chapter 19.54 Wireless Telecommunication Facilities

- Q. Chapter 19.81 Streamside Development Review
- R. Chapter 19.96 Heritage Preservation
- S. Title 20 Hazardous Materials

Specific Plans:

- A. Downtown Specific Plan
- B. El Camino Real Precise Plan
- C. Lockheed Site Master Use Permit
- D. Moffett Park Specific Plan
- E. 101 & Lawrence Site Specific Plan
- F. Southern Pacific Corridor Plan
- G. Lakeside Specific Plan
- H. Arques Campus Specific Plan

Environmental Impact Reports:

- A. Futures Study Environmental Impact Report
- B. Lockheed Site Master Use Permit Environmental Impact Report
- C. Tasman Corridor LRT Environmental Impact Study (supplemental)
- D. Kaiser Permanente Medical Center Replacement Center Environmental Impact Report (City of Santa Clara)
- E. Downtown Development Program Environmental Impact Report
- F. Caribbean-Moffett Park Environmental Impact Report
- G. Southern Pacific Corridor Plan Environmental Impact Report
- H. East Sunnyvale ITR General Plan Amendment EIR
- I. Palo Alto Medical Foundation Medical Clinic Project EIR
- J. Luminaire (Lawrence Station Road/Hwy 237 residential) EIR
- K. NASA Ames Development Plan Programmatic EIS
- L. Mary Avenue Overpass EIR
- M. Mathilda Avenue Bridge EIR

Maps:

- A. General Plan Map
- B. Zoning Map
- C. City of Sunnyvale Aerial Maps
- D. Flood Insurance Rate Maps (FEMA)
- E. Santa Clara County Assessors Parcel
- F. Utility Maps
- G. Air Installations Compatible Use Zones (AICUZ) Study Map
- H. Noise Sub-Element Appendix A 2010 Noise Conditions Map

Lists / Inventories:

- A. Sunnyvale Cultural Resources Inventory List
- B. Heritage Landmark Designation List
- C. Santa Clara County Heritage Resource Inventory
- D. Hazardous Waste & Substances Sites List (State of California)
- E. List of Known Contaminants in Sunnyvale
- F. USFWS / CA Dept. F&G Endangered and Threatened Animals of California
<http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/TEAnimals.pdf>
- G. USFWS / CA Dept. F&G Endangered, Threatened and Rare Plants of California
<http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/TEPlants.pdf>

Legislation / Acts / Bills / Resource Agency

Codes and Permits:

- A. Subdivision Map Act
- B. San Francisco Bay Region Municipal Regional Stormwater NPDES Permit
- C. Santa Clara County Valley Water District Groundwater Protection Ordinance
- D. The Hazardous Waste and Substance Site List
www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm
- E. The Leaking Underground Petroleum Storage Tank List
www.geotracker.waterboards.ca.gov
- F. The Federal EPA Superfund List
www.epa.gov/region9/cleanup/california.html
Section 404 of Clean Water Act

Transportation:

- A. California Department of Transportation Highway Design Manual
- B. California Department of Transportation Traffic Manual
- C. California Department of Transportation Standard Plans & Standard Specifications
- D. Highway Capacity Manual
- E. Institute of Transportation Engineers - Trip Generation Manual & Trip Generation Handbook
- F. Institute of Transportation Engineers - Traffic Engineering Handbook
- G. Institute of Transportation Engineers - Manual of Traffic Engineering Studies
- H. Institute of Transportation Engineers - Transportation Planning Handbook
- I. Institute of Transportation Engineers - Manual of Traffic Signal Design

- J. Institute of Transportation Engineers - Transportation and Land Development
- K. U.S. Dept. of Transportation Federal Highway Administration Manual on Uniform Traffic Control Devices for Street and Highways & CA Supplements
- L. California Vehicle Code
- M. Santa Clara County Congestion Management Program and Technical Guidelines
- N. Santa Clara County Transportation Agency Short Range Transit Plan
- O. Santa Clara County Transportation Plan for 2035
- P. Traffic Volume Studies, City of Sunnyvale Public works Department of Traffic Engineering Division
- Q. Statewide Integrated Traffic Records System
- R. Sunnyvale Zoning Ordinance – including Titles 10 & 13
- S. City of Sunnyvale General Plan – land Use and Transportation Element
- T. City of Sunnyvale Bicycle Plan
- U. City of Sunnyvale Neighborhood Traffic Calming Program
- V. Valley Transportation Authority Bicycle Technical Guidelines
- W. Valley Transportation Authority Community Design & Transportation – Manual of Best Practices for Integrating Transportation and Land Use
- X. Santa Clara County Sub-Regional Deficiency Plan
- Y. City of Sunnyvale Deficiency Plan
- Z. AASHTO: A Policy on Geometric Design of Highways and Streets
- AA. City of Sunnyvale Pedestrian and Bicycle Opportunities Studies
- BB. Valley Transportation Authority Operations Performance Report

Public Works:

- A. Standard Specifications and Details of the Department of Public Works
- B. Storm Drain Master Plan
- C. Sanitary Sewer Master Plan
- D. Water Master Plan
- E. Solid Waste Management Plan of Santa Clara County
- F. Geotechnical Investigation Reports
- G. Engineering Division Project Files
- H. Subdivision and Parcel Map Files

N. Project LEED Checklist

Miscellaneous Agency Plans:

- A. ABAG Projections 2010
- B. Bay Area Clean Air Plan
- C. BAAQMD CEQA Guidelines
- D. Criteria of the National Register of Historic Places

Other:

- A. State of California Department of Parks and Recreation From (DPR 523A-L)

Building Safety:

- A. California Building Code
- B. California Energy Code
- C. California Plumbing Code
- D. California Mechanical Code
- E. California Electrical Code
- F. California Fire Code
- G. Title 16.52 Sunnyvale Municipal Code
- H. Title 16.53 Sunnyvale Municipal Code
- I. Title 16.54 Sunnyvale Municipal Code
- J. Title 19 California Code of Regulations

Guidelines and Best Management Practices

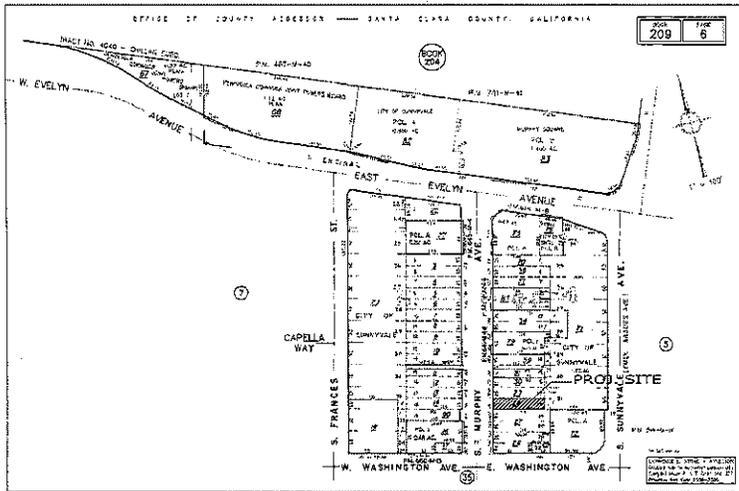
- A. Storm Water Quality Best Management Practices Guidelines Manual 2007
- B. Sunnyvale Citywide Design Guidelines
- C. Sunnyvale Industrial Guidelines
- D. Sunnyvale Single-Family Design Techniques
- E. Sunnyvale Eichler Guidelines
- F. Blueprint for a Clean Bay
- G. SCVWD Guidelines and Standards for Land Use Near Streams
- H. The United States Secretary of the Interior 's Guidelines for Rehabilitation
- I. Criteria of the National Register of Historic Places

Additional Project References:

- A. Project Description
- B. Sunnyvale Project Environmental Information Form
- C. Project Development Plans dated **/**/**
- D. Project Traffic Impact Analysis
- E. Project Noise Study
- F. Project Air Quality Analysis
- G. Field Inspection
- H. Project Site Plan dated **/**/**
- I. Project construction schedule
- J. Project Draft Storm Water Management Plan
- K. Project Tree Inventory
- L. Project Tree Preservation Plan
- M. Project Green Building Checklist

File#: 16419 12/17/2010

LOCATION MAP



AERIAL MAP



PROJECT DATA

1. DEMOLISH EXIST'G 1-1/2 STORY STRUCTURE IN ITS ENTIRELY
2. PROPOSE 2-STORY FACILITIES W/ ROOF ASSEMBLY AREAS
3. THE NEW SPACES TO BE FUNCTIONED AS A TAVERN BAR INCLUD'G DANCE
4. AREA OF PROPERTY 25'X112' = 2800 SF
5. RE-BUILD STORE TO HAVE 2-STORY ABOVE GRADE & 1-STORY BELOW
6. FLOOR AREAS REF. TO A-2 & A-3
7. OCCUPANCY TYPE ASSEMBLY GROUP A-2 AS PER CBC 303.1
8. CONSTRUCTION TYPE VB W/ AUTO FIRE SPRINKLERED SYS.
9. MAX. ALLOWABLE AREA 6000 SF / 1-STORY * AS PER CBC TABLE 503
* 2-STORY & 60' IN HT IF FIRE SPRINKLERED INSTALLED AS PER CBC 504.2
10. TO ERECT FIRE WALL AS PER CBC SECT. 705 BETWEEN ADJACENT PROPERTY.
11. FIRE WALL TO BE 2-HR FIRE-RESISTANCE-RATING FOR TYPE A OCC. AS PER CBC TABLE 706.4
12. SHAFT CONNECT'G MORE THAN 2 STORIES TO BE 1-HR FIRE-RESISTANCE BARRIER AS PER CBC 708.4
OPEN'G FOR DUCTS COMPLYING W/ CBC SECT. 716
13. CONSTRUCTION SHALL BE IN ACCORDANCE W/
 - A. CALIFORNIA BUILDING CODE (CBC) 2010 EDITION
 - B. CALIFORNIA MECHANICAL CODE (CMC) 2010 EDITION
 - C. CALIFORNIA PLUMBING CODE (CPC) 2010 EDITION
 - D. CALIFORNIA ELECTRICAL CODE (CEC) 2010 EDITION
 - E. CALIFORNIA FIRE CODE (CFC) 2010 EDITION
 - F. CALIFORNIA ENERGY CODE 2010 EDITION

DRAWING INDEX

ARCHITECTURAL

SHEET 1	A-1	TITLE SHEET
SHEET 2	A-2	FLOOR PLANS, BASEM'T & 1ST FLOOR
SHEET 3	A-3	2ND FLOOR PLAN
SHEET 4	A-4	BLDG ELEVATIONS, FRONT & REAR
SHEET 5	A-5	BLDG SECTION, LONGITUDINAL

CONSULTANTS

ARCHITECT :	STEVE YANG & ASSOCIATES	1618 WILLOWHURST AVE. SAN JOSE, CA 95125	TEL (408) 694-1618 FAX (408) 694-8686
CIVIL ENGINEER :			
SOIL ENGINEER :			
LANDSCAPE ARCHITECT :			
STRUCTURAL ENGINEER :			
MECHANICAL ENGINEER :			
ELECTRICAL ENGINEER :			
ACOUSTICAL:			

OWNER :

DES NOLAN + LIAM BAFLE
691 N. MATHILDA
SUNNYVALE, CA 94085
(408)481-4990

BRIAN BORU'S
182 S. MURPHY AVE.
SUNNYVALE, CA

Steve Yang
& Associates
projects / drafts
specifications
& more

1618 WILLOWHURST AVE.
SAN JOSE, CA 95125
(408) 694-1618

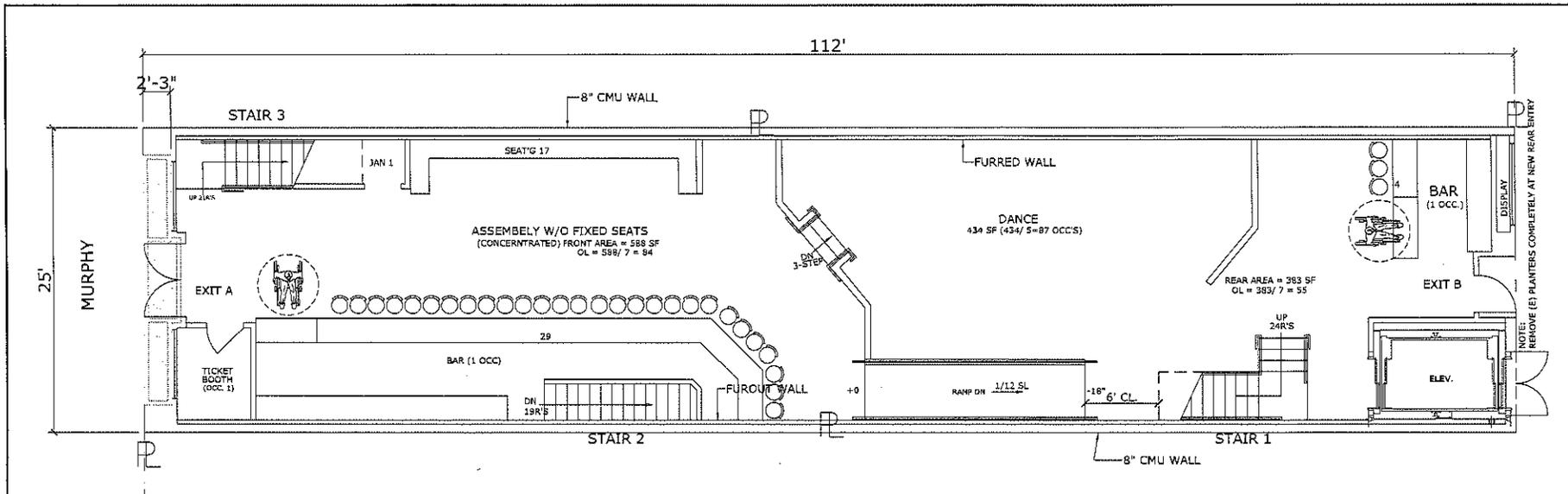
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12/1/10	NH

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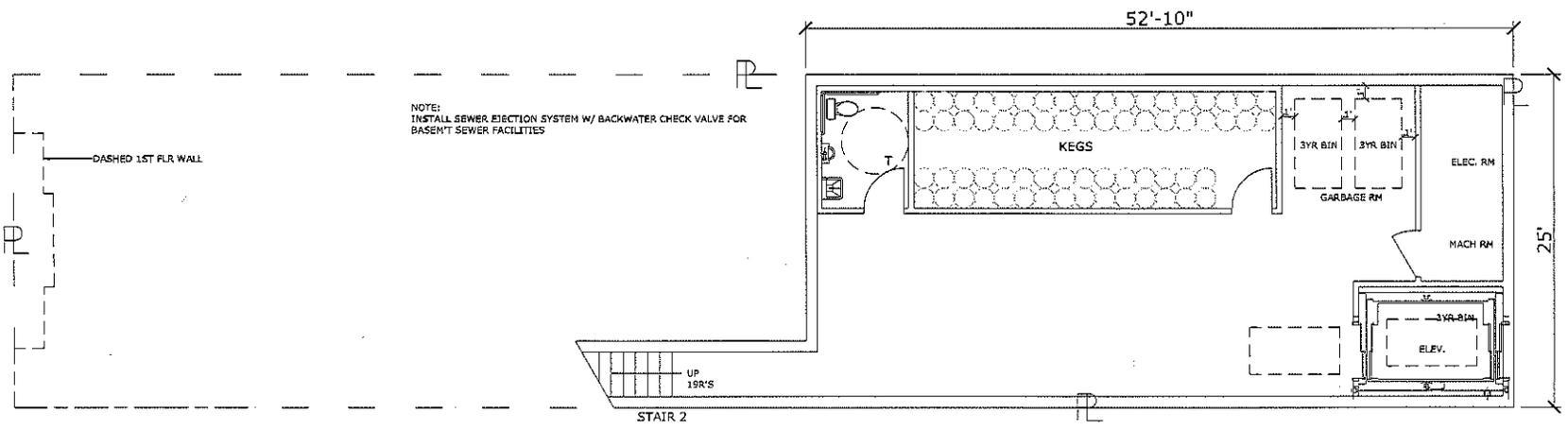
α



1ST FLOOR PLAN

1/4"=1'-0"

GROSS AREA = 2800 SF
TOTAL OL = 274



BASEM'T FLOOR PLAN

1/4"=1'-0"

GROSS AREA = 1400 SF
TOTAL OL = 5 (1400/ 300)



SYVA
Sloan Yang & Associates
ARCHITECTS
1016 WILSONBURST AVE.
SAN ANTONIO, CA 78202-3500
(409) 594-1510

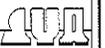
BRIAN BORUS
182 S. MURPHY AVE
SUNNYVALE, CA

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12/1/10	NH

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Date	11/24/09
Scale	AS NOTED
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Sheet
A-1

ATTACHMENT D



Slaw Tong
& Associates
architects/planners
engineers

1618 MILBURN STREET, AVE.
SAN JUAN, CA. 92131-3300
(408) 994-1810

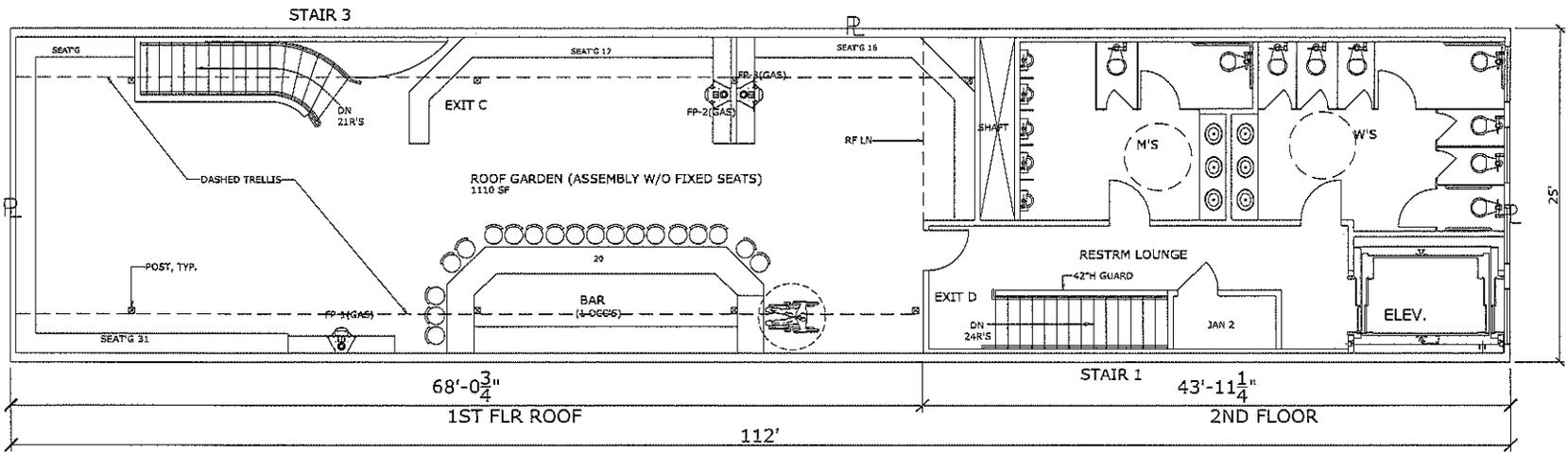
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182 S. MURPHY AVE.
SUNNYVALE, CA

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12/1/10	NH

Drawn	NH
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Date	11/24/10
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Job No.	08.05

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A-3
of

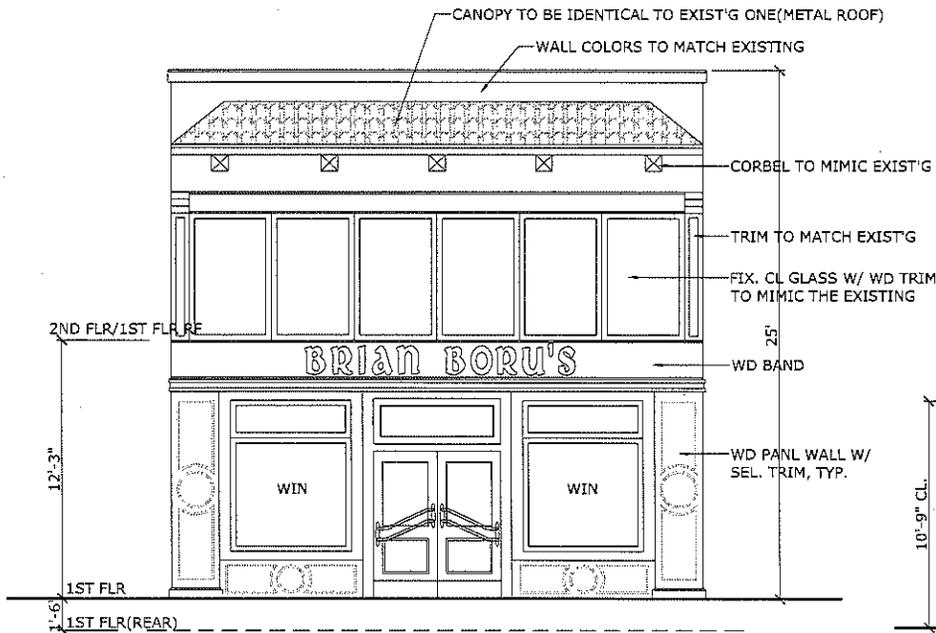
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2ND FLR & 1ST FLR ROOF PLAN
1/4" = 1'-0"

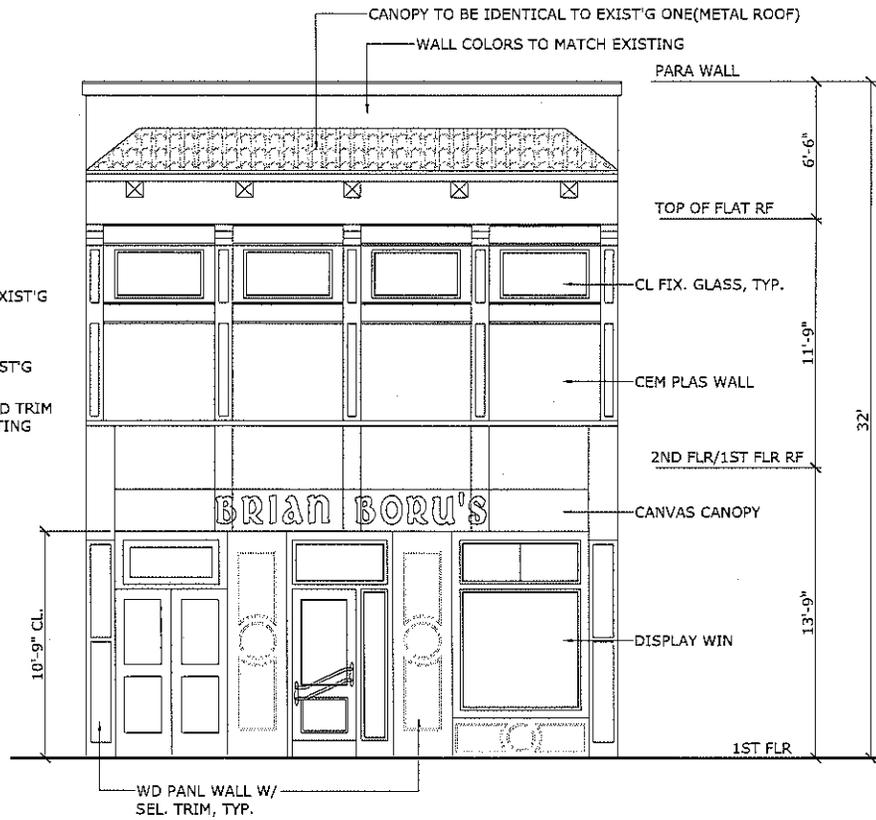
GROSS AREA = 2800 SF
TOTAL OL = 234

NOTE:
INSTALL MOP SK IN JAN. CLOSETS(1ST/2ND FLR'S) W/ WASH'G AREA
& PLUMBED TO S.S. LINE



FRONT ELEVATION

3/8"=1'-0" (VIEWED FROM MURPHY)



REAR ELEVATION

(VIEWED FROM CITY PARK'G LOT)

AVA
 Steve Tong
 & Associates
 architects/planners
 1018 WALDMAN STREET, AVE.
 SAN JUAN, CA 92083-3510
 (408) 294-1510

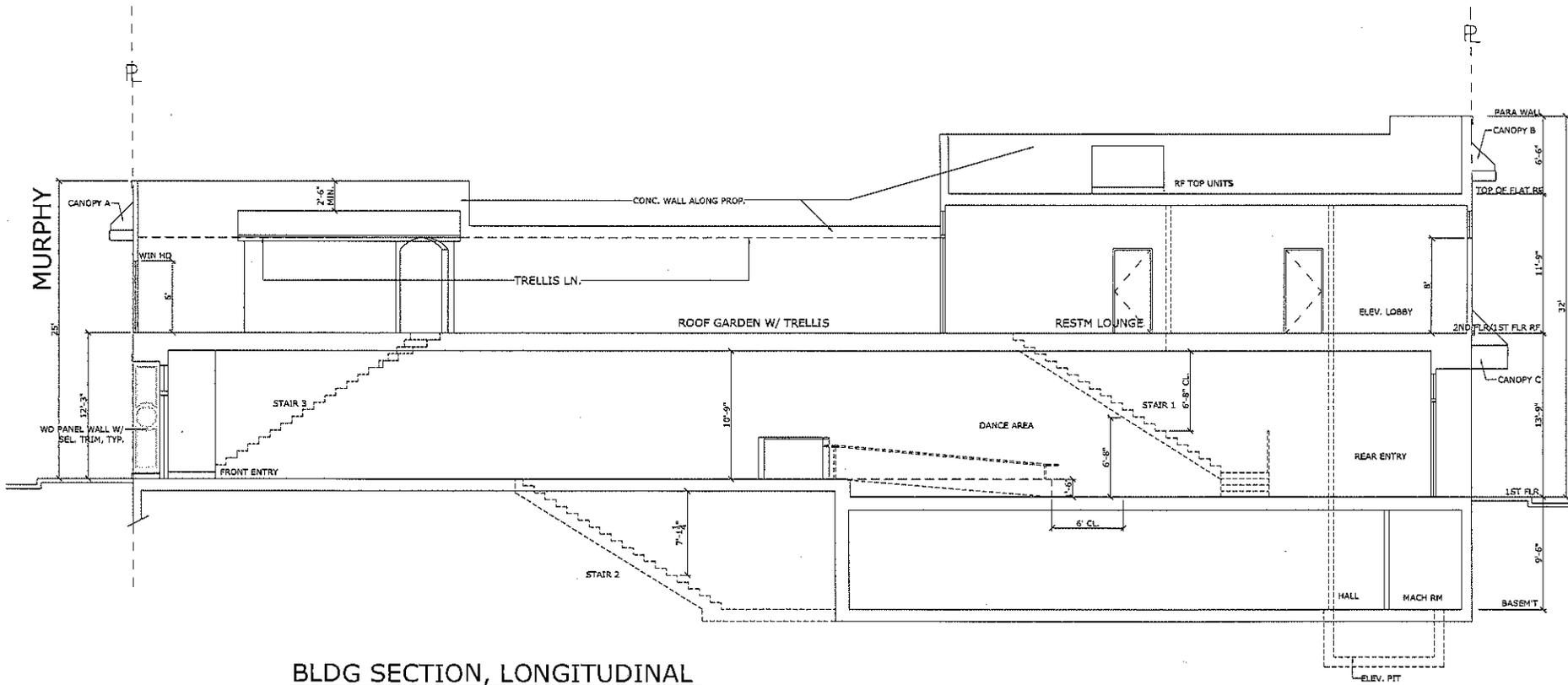
BRIAN BORU'S
 182 S. MURPHY AVE
 SUNNYVALE, CA

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11/1/10	NH
12/1/10	NH

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Checked	
Date	02/24/09
Scale	AS-NOTED
Job No.	05.05

Sheet
A-4
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 1

APPROVED
 [Signature]
 [Signature]



BLDG SECTION, LONGITUDINAL
 1/4"=1'-0"

SYD

Svend Yong
 & Associates
 architects d/p/a
 planners
 interior
 designers

1616 MCGOWAN AVE.
 SAN ANTONIO, CA 78202-2560
 (202) 491-1616

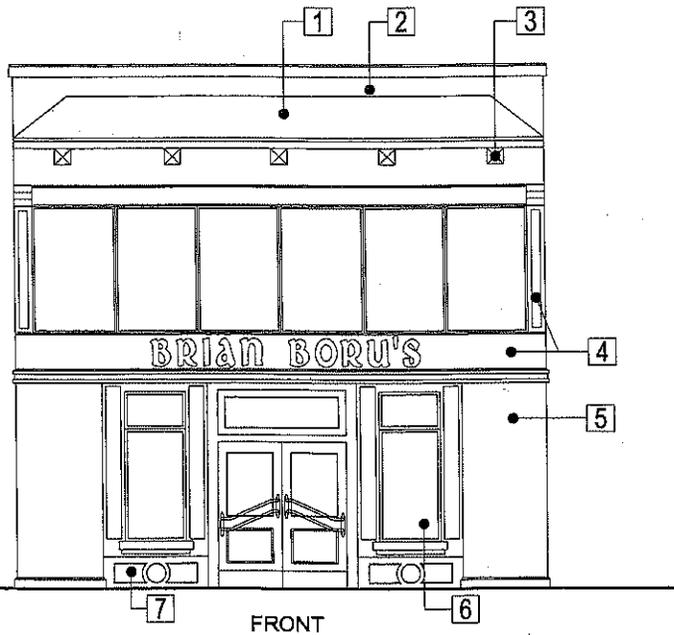
BRIAN BORUS
 182 S. MURPHY AVE
 SUNNYVALE, CA

Revisions	By
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12/1/10	NH

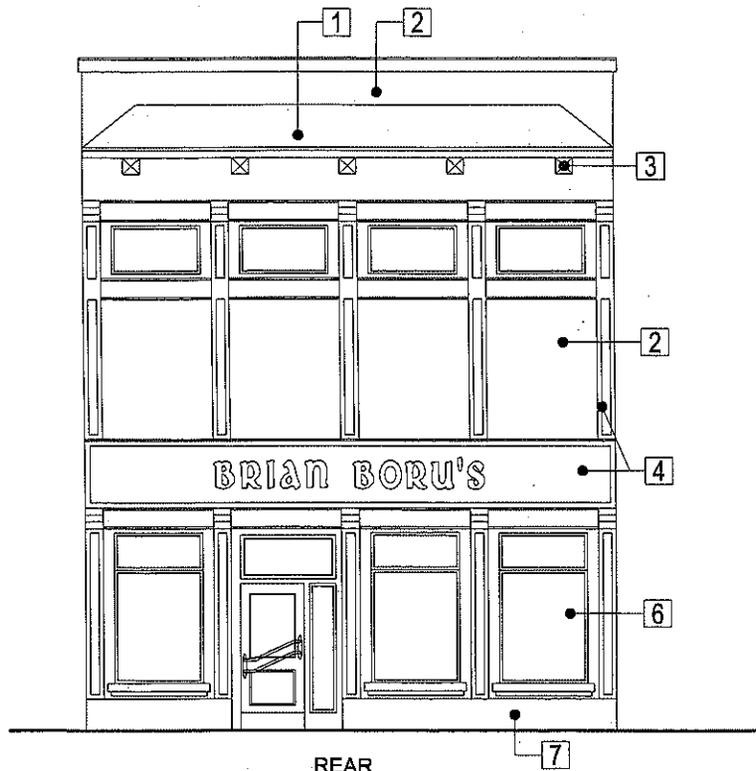
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 of 5

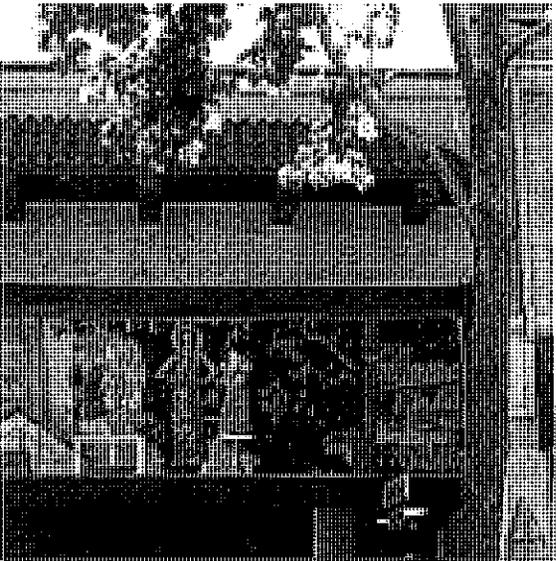
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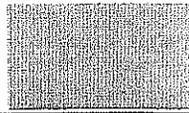
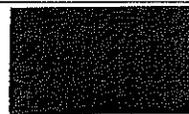


FRONT

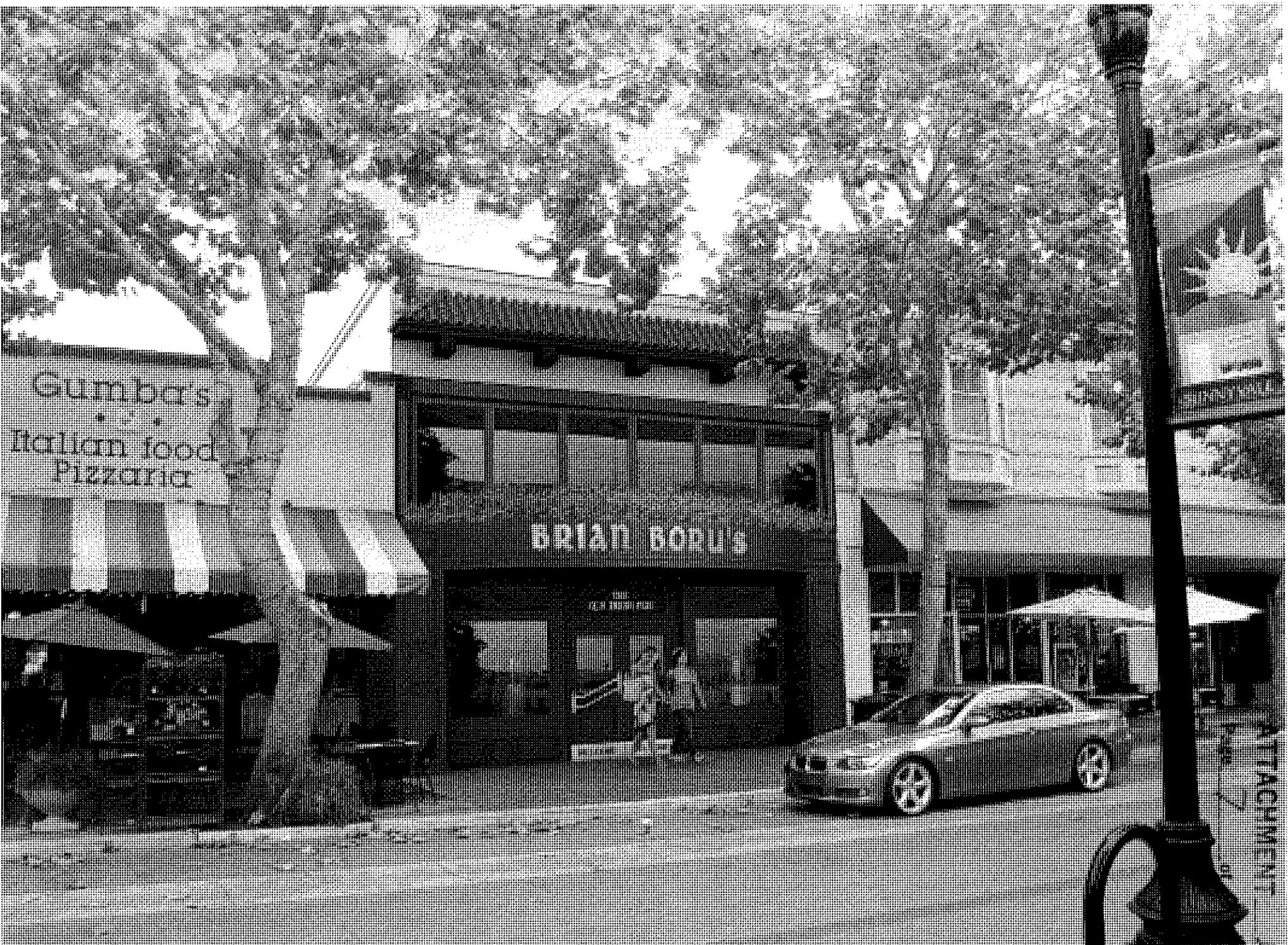


REAR



COLOR SCHEDULE			
	CLASS	MFG'ER	
1	MISSION TILE		
A	2152-50 GOLDEN STRAW (LIGHT EARTH TONE)	BENJAMIN MOORE	
B	1300 TUCSON RED (DARK RED)	BENJAMIN MOORE	
C	HC-155 NEWBURYPORT BLUE (DARK BLUE)	BENJAMIN MOORE	

EXTERIOR FINISH SCHEDULE				
MATERIAL	LOCATION	FINISH	COLOR	REMARKS
1 MISSION TILE	WALL CANOPY	PRE	TO MATCH EXIST'G	
2 CEM PLAS	WALL	PTD	TO MATCH EXIST'G	COLOR A
3 CORBEL & SOFFIT, WD	WALL	STAIN	TO MATCH EXIST'G	
4 WALL BAND & TRIM	WALL	PTD	COLOR B	ACCENT
5 WALL PANEL	WALL	PTD	COLOR C	
6 GLASS	WIN	PRE		
7 WALL TILE	WALL	PRE	SELECTED	
PAINT SCHEDULE				
COLOR A	2152-50	GOLDEN STRAW		
COLOR B	1300	TUSCON RED		
COLOR C	HC-155	NEWBURYPORT BLUE		
PAINT FROM 'BENJAMIN MOORE'				



Gumbars
Italian food
Pizzeria

BRIAN BOBIS

ATTACHMENT
Page 7 of 8



BRIAN BORU'S

GUR
Italian food

Des Liam Enterprises, Inc.

691 N Mathilda Ave, Sunnyvale, Ca 94085

Ph. (408) 481 4990

Fax. (408) 481 4993

11/2/2010

Re: Brian Boru's, 182 South Murphy Avenue Sunnyvale.

Description of operation.

Our company currently owns and operates two drinking establishments in the area. Molly Magees on Castro Street in Mountain View and Fibbar Magees at 156 South Murphy Avenue. For our business model we intend to transpose the most positive attributes of these two locations into the new venue. We have over 16 years experience of running this type of operation in the immediate area and we are aware of our responsibilities as business owners and members of our local community.

We have managed to maintain a level of consistency in our business practices through hands-on management. Over the years we have trained several new staff members while retaining experienced employees whenever possible. We intend to utilize many of our existing staff in various positions within the new operation as bar service staff and security staff. As we approach our opening date, new staff members will be hired and trained at the existing clubs.

In addition to in house training, new members of staff will attend ABC alcohol awareness meetings and undertake a training course such as ABC's LEED program.

Brian Borus would be our fourth such venture in Santa Clara County. We understand the challenges that come with opening a new drinking establishment and we are prepared to meet those challenges. We realize the importance of cooperation with the local code enforcement bodies. We are constantly monitoring downtown activities in both Sunnyvale and Mountain View and are in regular contact with local Public Safety Officers. Our new Club would not differ greatly from our current operations. We intend to meet an anticipated demand increase within downtown Sunnyvale.

Sincerely,

Des Nolan

Des Liam Enterprises, Inc.

691 N Mathilda Ave, Sunnyvale, Ca 94085

Ph. (408) 481 4990

Fax. (408) 481 4993

11/2/2010

Re: Brian Boru's, 182 South Murphy Avenue Sunnyvale.

Project Description Letter: 182 S. Murphy Avenue.

The front and main body of the existing two story building is currently occupied by a clothing store and dance studio. There are two employees working at premises. The rear portion of the building is used for storage. We propose to remove the existing structure and construct a new Pub and Night club named Brian Boru's. The building will have two full stories, and a partial basement used mainly for storage. The first floor facing Murphy Avenue will have a typical City Pub storefront. The first floor facing the rear parking lot will have a similar appearance. The second floor facing Murphy Avenue is designed to mimic the existing upper level style of Architecture.

The interior first floor will have typical pub décor with a dance area. The second level and partial third floor will have a open roof top patio and beer garden with a decorative trellis above. The basement will be used mainly for storage.

The operating hours will be 11am to 2 am daily. We propose to have live music and DJ dancing on Wednesday through Sunday. We anticipate that the entire operation will employ approximately 19 full time and 16 part time employees.

Sincerely,

Des Nolan

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

PRIMARY RECORD

Primary # _____ Page 1 of 7
HRI # _____Trinomial _____
NRHP Status Code 5D1Other Listings _____
Review Code _____ Reviewer _____ Date _____

Page 1 of 7

*Resource Name or #: (Assigned by recorder) 182 South Murphy Avenue

P1. Other Identifier:

*P2. Location: Not for Publication Unrestricted *a. County Santa Clara

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

*b. USGS 7.5' Quad Cupertino Date 1998 T ; R ; 1/4 of 1/4 of Sec ; B.M.

c. Address 182 South Murphy Avenue City Sunnyvale Zip 94086

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

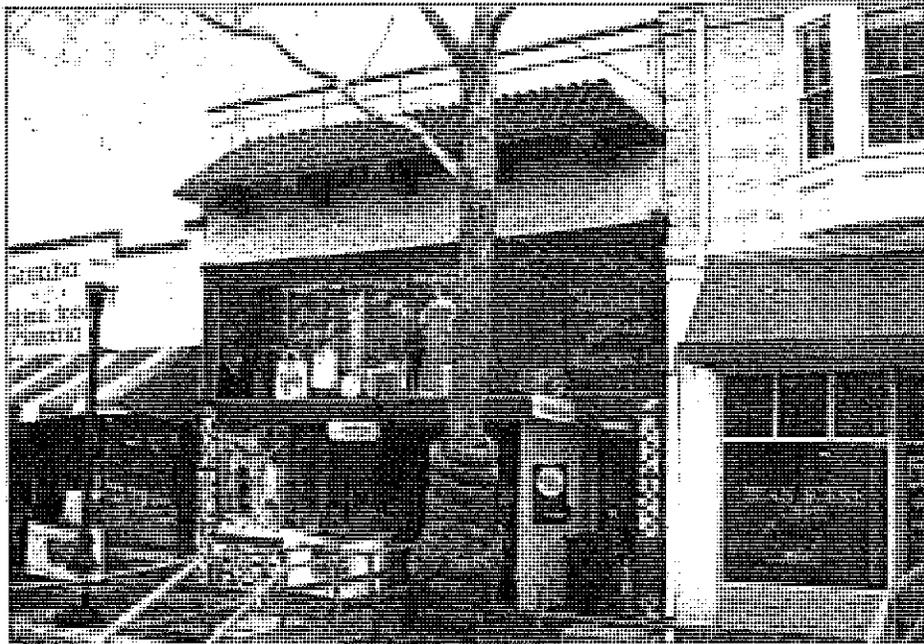
e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

Santa Clara County APN: 209-006-028

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

The two-story wood-frame Mission Revival-style commercial building at 182 South Murphy Avenue was constructed about 1913 and subsequently altered in several phases (DPR 523A Photo and figure 1). It is rectangular in plan, with a projecting lavatory at the rear, and rests on a concrete perimeter foundation. The first floor of the façade, which faces west, is distinguished by large display windows and a deeply inset entry that is trapezoidal in form, the northern wall aligned perpendicularly to the sidewalk, the southern wall sharply canted. Two chamfered steel posts are set to the front of the entry. Immediately to the south is a much smaller recessed entry that leads to the second floor. Both entries have plate-glass doors. Running above the storefront, separated by a fascia board, is a ribbon of tall fixed-sash windows with a broad wood casing above and to the sides that is bordered with laid-on molding. The two vertical elements of the casing are each capped by three corbelled wood blocks, the ensembles suggestive of pilasters. Above the ribbon window is a visor roof supported by large boxed beams and finished with sheet-metal mission tiles. The sides of the building are clad with channel-rustic siding; the front and back with stucco. Below the display windows and at either end of the first floor of the façade the walls are enlivened with a veneer of small red and white glazed tiles laid (See Continuation Sheet)

*P3b. Resource Attributes: (List attributes and codes) HP6 - Commercial Building, 1-3 Stories

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

P5b. Description of Photo: (View, date, accession #) Looking northeast at west elevation, 3/1/10

*P6. Date Constructed/Age and Sources: Historic Prehistoric Both

ca. 1913; Santa Clara County Improvement Appraisal Record

*P7. Owner and Address:

Des-Liam Enterprises
561 South Murphy Avenue
Sunnyvale, CA 94086

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

Anthony Kirk, Ph.D.
134 McCormick Street
Santa Cruz, CA 95062

*P9. Date Recorded: 4/6/10

*P10. Survey Type: (Describe)

Intensive

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

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

State of California -- The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE, AND OBJECT RECORD

Primary # _____
 HRI # _____

Page 2 of 7 *NRHP Status Code 5D1
 *Resource Name or # (Assigned by recorder) 182 South Murphy Avenue

- B1. Historic Name: Unknown
- B2. Common Name: None
- B3. Original Use: Store
- B4. Present Use: Clothing Store
- *B5. Architectural Style: Mission Revival
- *B6. Construction History: (Construction date, alteration, and date of alterations) Constructed ca. 1913; lavatory enlarged or rebuilt ca. 1945-59; galzed tile veneer applied to façade; inset entryway, with door to second floor, constructed 1987; front door and sidelights replaced ca. 1987-2000.

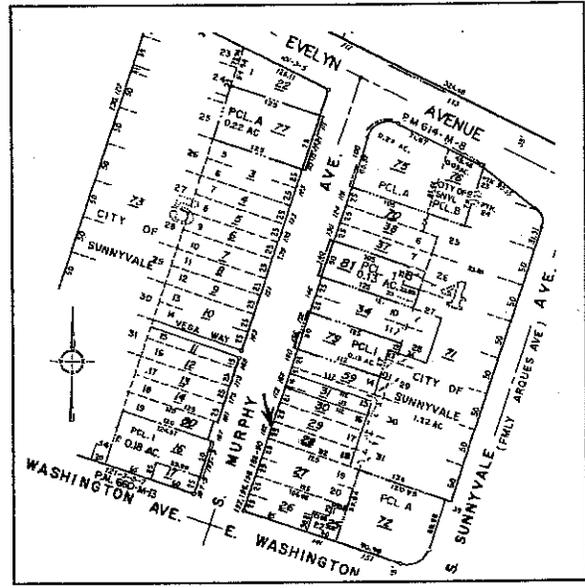
- *B7. Moved? No Yes Unknown Date: _____ Original Location: _____
- *B8. Related Features: Stock Room
 B9a. Architect: Unknown b. Builder: Unknown
 *B10. Significance: Theme n/a Area n/a
 Period of Significance n/a Property Type n/a Applicable Criteria n/a
 (Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Address integrity.)

The commercial building at 182 South Murphy Avenue does not appear to be eligible for listing in the California Register of Historical Resources under any of the four criteria. The property is not associated in an important way with an event or a pattern of events considered significant at a national, state, or local level, nor is it associated with an individual whose achievements are thought important to the history of the United States, California, or the City of Sunnyvale. Architecturally, it is an extremely modest vernacular example of the Mission Revival style; and there is no indication that the property has the potential to yield information important to history or prehistory.

The building was constructed about 1913, when the City of Sunnyvale was enjoying a period of steady expansion and commercial growth. Incorporated just the previous year, Murphy, as the settlement was originally called, had been founded in 1897 by a Wisconsin-born entrepreneur named Walter E. Crossman. Like innumerable other American developers over the course of the previous century, Crossman had laid out the town on a rectilinear grid. It stretched south from the railroad depot on the Southern Pacific main line to the old San Francisco and San Jose Road (present-day El Camino Real) and encompassed fourteen blocks that varied widely in size, reflecting the establishment of specific districts for residences, businesses, and small orchards. Crossman, seeking to further profit (See Continuation Sheet)

- B11. Additional Resource Attributes (List attributes and codes):
- *B12. References:
 Improvement Appraisal Record: 182 South Murphy Avenue,
 Office of the Santa Clara County Assessor, San Jose.
 Newspaper Clipping File, Heritage Park Museum, Sunnyvale.
 Mary Jo Ignoffo, *Sunnyvale: From the City of Destiny to the Heart of Silicon Valley* (1994)
 R. L. Polk & Co., *Polk's Directories* (1911-1968).
 Sanborn Map. Co., *Sunnyvale, California* (1908-1943).
- B13. Remarks:
- *B14. Evaluator: Anthony Kirk, Ph.D.
 *Date of Evaluation: 4/6/10

(This space reserved for official comments.)



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

Primary #	Page <u>3</u> of <u>7</u>
HRI#	
Trinomial	

Page 3 of 7 *Resource Name or # (Assigned by recorder) 182 South Murphy Avenue
 *Recorded by Anthony Kirk, Ph.D. *Date 4/6/10 Continuation Update

***P3a. Description:**

in a random pattern. Apart from the display windows and ribbon window, fenestration is confined to two aluminum-sash windows on the east side, a small sliding window in the lavatory and a centered sliding combination window on the floor above. The front-gabled roof covering the main block of the building is finished with mineral faced composition sheets and characterized by a high parapet above the façade and low parapet at the back. The central section of the rear parapet follows the pitch of the roof, a design element evocative of a "squeezed pediment." Three Plexiglas dome lights are set along the south slope of the roof, just below the ridge. The projecting lavatory, which is situated at the north end of the east side of the building, and the adjoining rear entry are covered by a double-pitched shed roof, suggestive of a gambrel roof, that is finished with composition on the upper slope and wood shakes on the lower.

To the back of the building, separated by a narrow breezeway, is a much smaller one-story building that was constructed in 1970 as a stock room (figure 1). It is rectangular in plan, with stucco-clad walls, vinyl-sash windows, and a flat parapeted roof. A shake-covered visor roof springs from the parapet on the east side and on the north side, where, at the west end, it integrates seamlessly with the roof covering the rear entry and lavatory.

As originally constructed about 1913 the building was rectangular in plan, with a small projecting lavatory on the east side, and was a single story in height. At the rear of the interior of the building a staircase led to a mezzanine. The storefront was characterized by display windows stretching the width of the façade and a deeply inset trapezoidal entry. It is certain that the entry door was flanked by sidelights and topped by a transom window, but the exact character of these features is not known. Immediately above the arcade front, to use the common descriptive term of the day, was a ribbon of tall fixed-sash windows and, slightly below the parapet, a visor roof finished with sheet-metal mission tiles. The façade was clad with a stucco siding; the sides of the building, and not unlikely the rear as well, to judge by the texture of the stucco now present, were clad with channel-rustic siding. Nothing is known of the character of the original fenestration on the south side.

No documentation relating to any early alterations of the building has to come to light, but it is apparent that at least by 1931 the ribbon of tall windows above the storefront had been painted with signage (figure 2). Sometime in the postwar period, and definitely no later than 1959, the lavatory at the rear of the building was enlarged or, more likely, entirely rebuilt. It may well have been at this time, as part of a larger improvement project, that the south side was clad with stucco siding. At an unknown date, possibly in the 1960s and certainly prior to 1984, a cultured stone veneer was applied to the base and sides of the display windows. In the latter year, the mezzanine was expanded to create a full second floor, and it was presumably at this time that the steel posts at the front of the primary entry were installed. As part of this improvement project, or not long after, the cultured stone was removed from the storefront and the current veneer of small red and white glazed tiles laid down. It may also have been at this date that the current entrance door and surrounding lights were introduced to the primary entry. Three years later, in 1987, the display window at the south end of the façade was removed and a secondary recessed entry with a staircase to the second floor constructed.

The building at 182 South Murphy Avenue, which appears to be in good condition, is located in the Murphy Station Heritage Landmark District, which illustrates the early commercial development of the City of Sunnyvale. It is situated on the east side of the street between the two-story Spalding-Stowell Block, which dates to 1907, and a one-story commercial building constructed in the late 1920s.

***B10. Significance:**

from what he envisioned as a community that rested on a balanced economy of agriculture and industry, subsequently formed the Sunnyvale Land Company and invited investors to join him in purchasing surrounding acreage for subdivision and sale.

From the outset, the two blocks of Main Street, as Murphy Avenue was originally called, was the commercial core of what Walter Crossman boldly heralded as the "City of Destiny." Indeed, the same year that Crossman opened his land office, Fred Cornell purchased a lot on the northwest corner of Main Street and Evelyn Avenue and constructed a wood-frame general store, the first business to open on what would become Murphy Avenue. Others followed suit, the town's

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growth accelerating in the aftermath of the San Francisco earthquake and fire, when Crossman, ingeniously, offered free land to companies willing to relocate or to construct a new plant in Sunnyvale. The Joshua Hendy Iron Works soon responded, building a huge foundry-and-machine-shop complex on a thirty-two acre parcel north of the rail line, as did Libby, McNeill & Libby, a Chicago-based company that established an extensive fruit-and-vegetable canning facility on the outskirts of town and quickly became Sunnyvale's largest employer. In 1907, responding to the rapid industrialization and population growth, Charles Clifton Spalding, a shareholder in the Sunnyvale Land Company, erected a substantial two-story brick building on the southwest corner of Murphy and Washington Avenues for his new Bank of Sunnyvale. That same year, Spalding and his brother-in-law, Charles L. Stowell, who had grown to manhood in the same Iowa town as he, built the larger, if not as imposing, two-story Spalding-Stowell Block on the southeast corner of the two streets.

The development of Murphy Avenue can to an extent be traced through the Sanborn Map Company's insurance maps for Sunnyvale, which were first published in 1908 and revised at irregular intervals over the following years. At the outset of the period, most of the construction was located on the west side of what would become the 100 block of Murphy, with only a scattering of buildings on the east side of the street and to the south in what would become the 200 block. The following three years saw relatively little growth, as the Sanborn maps for 1911 reveal. But by 1930, reflecting the great economic expansion that had come with the country's entry into World War I and the Roaring Twenties, both sides of Murphy between Evelyn and Washington were lined with shops and businesses and the 200 block had developed significantly, with several enterprises—a sales office, repair shop, and garage—testifying to the rise of the automobile over the previous decade.

According to the Santa Clara County Improvement Appraisal Record, 182 South Murphy Avenue was built in 1913, the midpoint between the founding of Sunnyvale and the close of its first era of rapid development, when, like the rest of the country, the city teetered on the edge of the Great Depression. A review of the *Sunnyvale Standard* for that year reveals no reference to its construction, however, though the paper makes mention on several occasions to the progress of the Schurra Building on South Murphy, as well as to other construction projects. Nonetheless, even if it does not date to 1913, it was not built prior to the previous year, for until at least October 1911 the American Hotel still stood at this location—one of only three buildings, including the Spalding-Stowell Block and a lumberyard office, that the Sanborn Map for this section of Sunnyvale shows on the east side of the 100 block—and it is unlikely, in light of its architectural style, that it was constructed after 1915.

Early Sunnyvale city directories do not include a householder's section, organized by street and number, or for that matter even provide addresses for residents and businesses. Thus it is virtually impossible to establish a history of the building's first tenants. A guide to the 100 block of South Murphy Avenue published by the Sunnyvale Historical Society relates that the Bobton Bakery and, later, Cecil Stubbs, a stationer, were lessees in the teens and twenties but provides no references to support this contention. It is well documented, by contrast, that in the early teens, at least, Stubbs's store, where he carried a stock of watches, books, and cigars in addition to stationery and office supplies, was located on the west side of Murphy Avenue, a couple of doors down from Evelyn Avenue. The earliest primary source discovered to date that sheds light on the matter of tenancy is the Sanborn Map for 1925, which annotates 182 South Murphy with the single word "Variety," a reference in all likelihood to J. A. Norwood and J. R. Mourning's Sunnyvale Bazaar, a notions shop that is listed for the first time in the 1926 city directory (information for directories were then, as now, typically gathered late in the year prior to publication). The same business is also listed in the directories for 1927 and 1928, as well as in the directory for 1929, which is the first year that street numbers are included, with the address for the Sunnyvale Bazaar shown as 182 South Murphy Avenue. The following year the shop was operated by Norwood and his wife, Pearl, but by late 1931 the couple had moved a door to the north and Orville S. Braucht had opened a stationery and art supply store at this location (figure 2). Braucht soon followed the Norwoods, and about 1934 Joseph Lucchetti established a produce store here, running the business, which he later listed as a grocery, until sometime shortly before America's entry into World War II.

Lucchetti's grocery business was assumed by the Kong brothers, Dick and Carl, who renamed it the State Market. They operated their grocery at this location until 1948, when, in need of a larger space, they moved to Washington Avenue, where over the following decade the market achieved the distinction of selling more Libby, McNeill & Libby canned foods than any other single store in the world. The subsequent tenant of 182 South Murphy is not known, due to

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the lack of directories for several years, but it may have been George Lindberg, whose Lindy's TV & Appliance Co. (figure 3) is listed at this address in the 1952 directory. By the early or mid-1960s, Robert Campello had opened his Sunnyvale Stationery at this location and continued to operate here until at least the end of the decade. In 1974 Walt and Brenda Klocko moved their Klocko Consultants' Advertising Studio, which employed a staff of six, to 182 South Murphy. The following year the couple purchased the building and renovated it, an early manifestation of their interest in the city's history. Brenda Klocko subsequently played a leading role in the preservation of the 100 block of South Murphy, working with Ann Hines to prevent the city from demolishing the area and, instead, in 1980, retaining the firm of Charles Hall Page & Associates to prepare a development proposal and design guidelines for a proposed historic district. In 1984 the Klockos constructed a full second floor in their building, which was initially occupied by an antique shop and later, after the creation of a separate entry on Murphy Avenue, by Brenda Klocko's Upstairs Gallery, which featured contemporary arts and crafts. Recently, the property was acquired by Des Nolan and Liam Balfe's Des-Liam Enterprises.

The history of 182 South Murphy Avenue is not without interest, but there is no evidence that the property meets any of the four criteria of the California Register of Historical Resources. The theme of the Murphy Station Heritage Landmark District is commerce and economic development, and the various businesses that operated at 182 South Murphy Avenue over the years certainly contributed to the economy of Sunnyvale. But there is no evidence to suggest that any of them, individually—or for that matter as a group, collectively—achieved importance within this historical context, and there is no reason to believe that the property has made a significant contribution to any other broad pattern of history, as required for listing in the California Register under Criterion 1. Similarly, a review of primary and secondary sources relating to the history of Sunnyvale reveals no evidence that any of the individuals associated with 182 South Murphy Avenue during its potential period of significance, 1913-1960, achieved importance within a local context, much less a state or national context, making the property ineligible for inclusion in the California Register under Criterion 2.

Architecturally, the building is a simple rectangular two-story box that can be construed as an expression of the Mission Revival exclusively by virtue of the stucco wall cladding and the visor roof finished with inexpensive faux-mission tiles fabricated of sheet metal. The Mission Revival style first appeared in California in the last decade of the nineteenth century and achieved its greatest popularity between 1905 and 1915. The earliest examples of this design mode to appear in Sunnyvale were the office complex of the Joshua Hendy Iron Works, completed in 1906, and the Bank of Sunnyvale, constructed the following year. Not surprisingly, given its lot size and location, the building at 182 South Murphy lacks the features associated with better examples of Mission Revival architecture, an arcade and bell tower. But it lacks, as well, those design elements commonly found on even simple expressions of the style, round-arched windows, a quatrefoil window high on a wall, wrought-iron grilles, and, most typically representative, a mission, or multicurved, parapet. The building clearly does not meet the threshold of architectural significance for listing in the California Register under Criterion 3.

The property is also not eligible for inclusion under Criterion 4 of the California Register, which requires that a property have yielded or have the potential to yield information important to history or prehistory. This criterion is usually applied to archaeological sites, but under certain circumstance it is also applicable to the built environment. A close examination of the physical structure of the building, however, reveals no variation on standard design or construction techniques or any other information of potential importance that suggests the property is significant under this criterion.

In addition to lacking significance, the historical integrity of the building has been adversely effected by the replacement of the primary entry door and sidelights, the removal of a section of the original storefront to create a secondary entry way, and the installation of inappropriate glazed tile on the ground floor of the façade.

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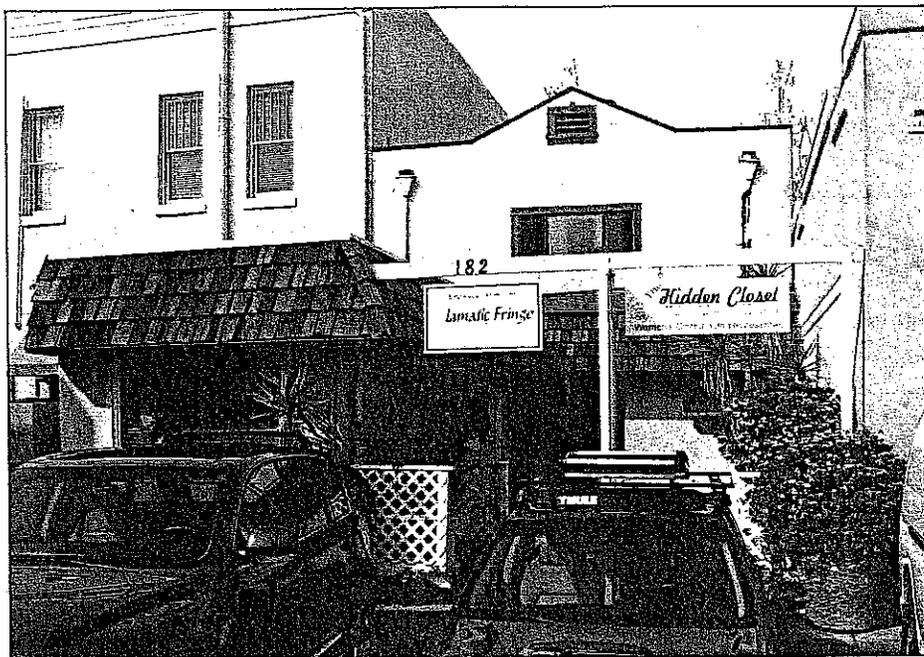
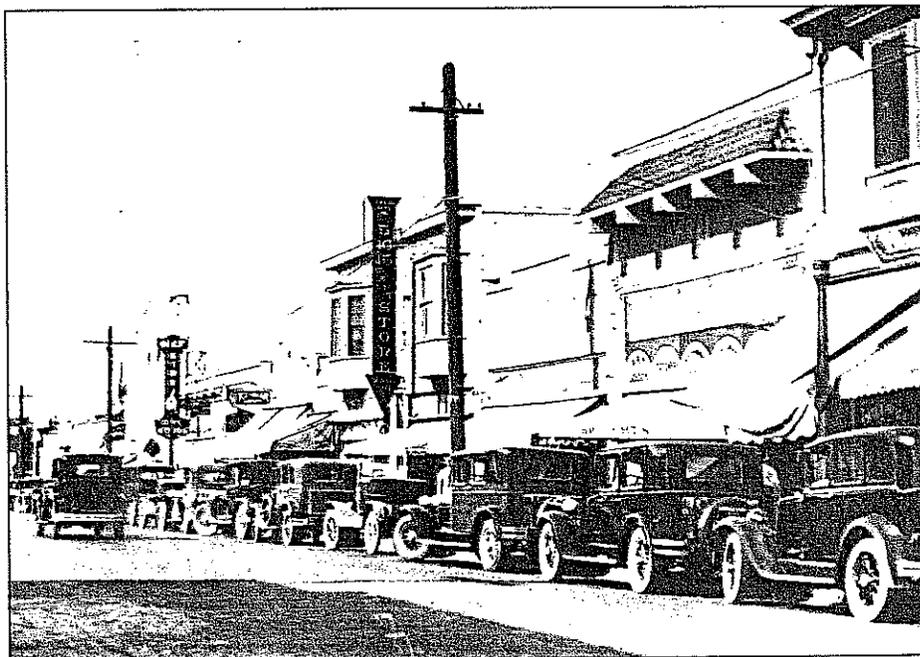


Figure 1. Looking southwest at east elevation, 3/1/10.

Figure 2. Looking north along South Murphy Avenue, ca. 1931. Braucht's Stationery is the second shop from right. *Courtesy Heritage Park Museum.*



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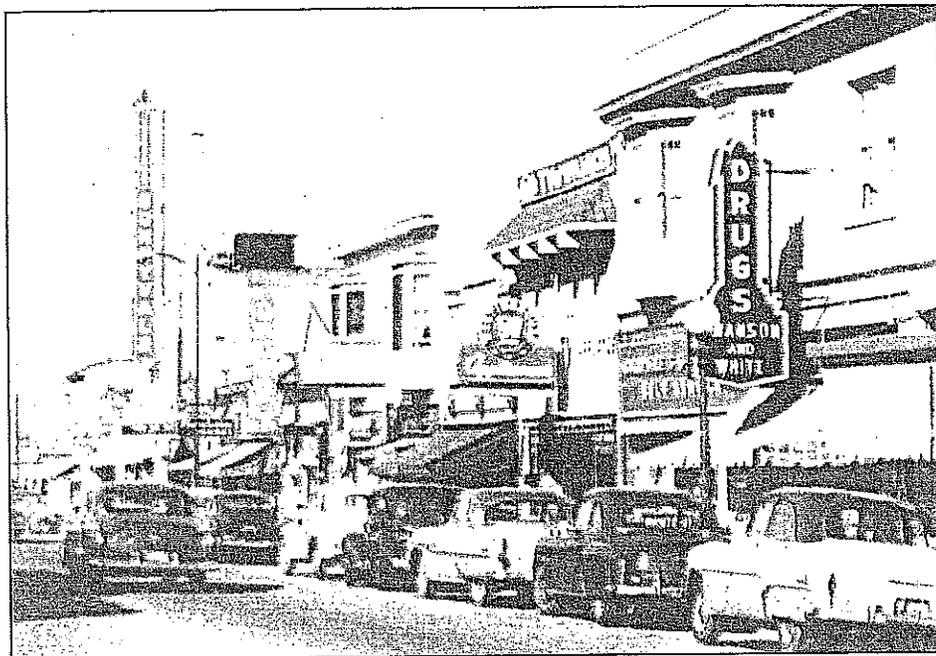


Figure 3. Looking north along South Murphy Avenue. Lindy's TV & Appliance is the third shop from right. *Courtesy Heritage Park Museum.*



PHOTOGRAPH OF THE STOREFRONT

ATTACHMENT 4

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