

## RECOMMENDED FINDINGS

### **Special Development Permit**

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In order to approve the Special Development Permit, the Planning Commission must be able to make all of the following findings:

#### **1. The proposed project attains the objectives and purposes of the General Plan. (*Finding met*)**

The proposed project is located within the City's Tasman Crossing Industrial to Residential (ITR) General Plan district, and is zoned R-4/PD (High Density Residential/Planned Development). Many properties within this ITR district have already transitioned to residential uses, including an east-adjacent, high-density condominium development. The project's location is within a pedestrian and transit-oriented neighborhood with walkable access to local commercial services, as well as close proximity to major employment centers. The project contributes towards the City's housing goals by proposing 65 affordable units and an onsite manager's residence. The project proposes to benefit from a green building density bonus and overall density bonus in accordance with City ordinance and State law.

The Citywide Design Guidelines have generally been met, and the requested concessions and deviations are reasonable and will not adversely impact neighboring properties. The project incorporates environmental mitigation measures that create an environment suitable for residential development in accordance with the General Plan. Compliance with applicable General Plan goals and policies are discussed below:

#### Housing

- *General Plan Goal LT-3: Ensure ownership and rental housing options in terms of style, size and density that are appropriate and contribute positively to the surrounding area.*
- *General Plan Goal HE-1: Assist in the provision of adequate housing to meet the diverse needs of Sunnyvale's households of all income levels.*
- *General Plan Policy HE-4.3: Require new development to build to at least 75 percent of the maximum zoning density, unless an exception is granted by the City Council.*

The proposed project increases housing diversity in the neighborhood by providing affordable rental housing that accommodates a range of income levels where ownership housing is the predominant housing option. The proposed density exceeds 75 percent of the maximum zoning density and includes a density bonus consistent with City ordinance and State law.

- *General Plan Policy HE-1.2: Facilitate the development of affordable housing through regulatory incentives and concessions, and/or financial assistance.*

- *General Plan Policy HE-1.7: Support collaborative partnerships with nonprofit organizations, affordable housing builders, and for-profit developers to gain greater access to various sources of affordable housing funds.*
- *General Plan Goal HE-3: Minimize the impact of governmental constraints on the maintenance, improvement and development of housing.*
- *General Plan Policy HE-3.3: Establish reduced parking standards for special needs housing, and housing in close proximity to public transit.*  
The proposed project includes deviations from the Sunnyvale Municipal Code as well as concessions under the State Density Bonus law that are similar to other recently-approved affordable housing projects in the City. The deviations are requested to accommodate the increased density onsite for affordable housing as well as to achieve State funding mandates to construct the project. The requested concessions and deviations are reasonable and will not adversely impact neighboring properties.

#### Industrial-to-Residential Transition

- *General Plan Policy LT-3.1d: Support the transition of Industrial to Residential (ITR) areas as opportunities to increase housing variety and stock.*
- *General Plan Policy HE-4.6: Provide expanded areas for higher density housing through the conversion of underutilized industrial areas to residential use, if the sites are fit for residential uses (i.e. no health hazards exist).*

The proposed project is consistent with the City's General Plan and Zoning Ordinance's industrial-to-residential transition designation for the project site. The project incorporates pedestrian and bicycle improvements on and off-site as specified in the Tasman/Fair Oaks Pedestrian and Bicycle Circulation Plan. The State Department of Toxic Substance Control (DTSC) has determined that no adverse health hazards exist, and the project is voluntarily installing vapor barriers as a precautionary measure.

#### Land Use-Transportation Balance

- *General Plan Policy LT-1.7a: Locate higher intensity land uses and developments so that they have easy access to transit services.*
- *General Plan Policy LT-1.9: Support flexible and appropriate alternative transportation modes and transportation system management measures that reduce reliance on the automobile and serve changing regional and Citywide land use and transportation needs.*
- *General Plan Policy LT-3.4a: Locate higher-density housing with easy access to transportation corridors, rail transit stations, bus transit corridor stops, commercial services and jobs.*
- *General Plan Policy LT-4.3b: Study the adequacy / deficiency of bicycle and pedestrian access and circulation within neighborhoods.*

- *General Plan Goal CC-2: Create an attractive street environment which will compliment private and public properties and be comfortable for residents and visitors.*

The project site has unobstructed access to the Fair Oaks VTA light rail station, as well as VTA bus service, which are located within 0.5 miles. The project site is also located within close proximity to major roadways, such as Fair Oaks Avenue and SR-237, as well as the Moffett Park major employment district to the north of SR-237. The proposed high-density project would support the use of transit and commercial services in the area.

The building siting is oriented along the street frontage on Persian Drive with a direct pathway from the building entrance to the public sidewalk. Pedestrian circulation routes are provided from the public sidewalk to the rear of the project for maximum ease of use. Surface parking is not visible from the street frontage, as it is located within the building or to the rear behind the building. Decorative paving is also proposed to highlight pedestrian circulation routes and soften vehicular surfaces. The project proposes to enhance the existing streetscape with a new sidewalk, landscaping, and lighting. There is an existing Class II bicycle lane along the project frontage that will continue to remain. Class II bicycle parking facilities are proposed along the street frontage and Class I facilities are proposed for residents within the building.

#### Neighborhood Compatibility

- *General Plan Goal LT-2: Preserve and enhance an attractive community, with a positive image and a sense of place that consists of distinctive neighborhoods, pockets of interest and human-scale development.*
- *General Plan Policy LT-2.1: Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow change consistent with reinforcing positive neighborhood values.*
- *General Plan Policy LT-2.2b: Encourage development of diversified building forms and intensities.*
- *General Plan Policy LT-4.1c: Use density to transition between land use and to buffer between sensitive uses and less compatible uses.*
- *General Plan Policy LT-4.2: Require new development to be compatible with the neighborhood, adjacent land uses and the transportation system.*
- *General Plan Policy LT-4.2b: Utilize adopted City design guidelines to achieve compatible architecture and scale for renovation and new development in Sunnyvale's neighborhoods.*
- *General Plan Policy LT-4.4a: Require infill development to complement the character of the residential neighborhood.*
- *General Plan Policy LT-4.4b: Site higher density residential development in areas to provide transitions between dissimilar neighborhoods and where impacts on adjacent land uses and the transportation system are minimal.*

The project incorporates sense of place improvements consistent with the Tasman/Fair Oaks Area Pedestrian and Bicycle Circulation Plan. The project is also required to pay sense of place fees to contribute to future improvements in the area.

The project is consistent with the Citywide Design Guidelines through orderly and pedestrian-oriented site design with concealment of required auto parking behind the building; building articulation and reduction of mass and bulk; streetscape enhancements; lush landscaping throughout the project site; and concealment of required solid waste and recycling enclosures and rooftop equipment. The project will enhance the overall image of the City and protect and preserve the existing character of the community.

#### Environmental

- *General Plan Policy HE-6.6: Encourage use of sustainable and green building design in new and existing housing.*  
The proposed project incorporates additional green building points in order to obtain an additional density bonus.
- *General Plan Policy SN-1.5: Promote a living and working environment safe from exposure to hazardous materials.*  
The DTSC has reviewed the applicant's environmental site assessment reports and supplemental risk evaluation and concluded that there would not be a significant risk to the residents of the project and no risk mitigation measures would be required. The applicant is voluntarily incorporating a vapor barrier mitigation system in certain areas of the project site as suggested by the DTSC.
- *General Policy SN-8.1: Enforce and supplement state laws regarding interior noise levels of residential units.*
- *General Plan Policy SN-8.9: Consider techniques which block the path of noise and insulate people from noise.*  
The project has been designed to buffer living units from noise impacts, primarily from SR-237. Additionally, the project includes noise mitigation measures as specified in the conditions of approval.
- *General Plan Policy EM-11.3: Require all new development to utilize site planning to protect citizens from unnecessary exposure to air pollutants.*  
The project has been designed to buffer living units from exposure to air pollutants, primarily from SR-237. Additionally, the project includes air filtration mitigation measures as specified in the conditions of approval.

**2. The proposed project ensures that the general appearance of the proposed structure, or the use to be made of the property, will not impair either the orderly development of, or the existing uses being made of, adjacent properties. (Finding met)**

The project site is located within an adopted Industrial-to-Residential transition area, where many properties have transitioned to residential uses. The proposed project will improve the character of the site, surrounding neighborhood, and community by providing affordable housing within close proximity of transit and a major employment area; and enhancing the existing site and streetscape conditions. The development has been designed to complement the adjacent neighborhood through high quality architecture and building materials with an appropriate site design, landscaping, and lighting. The building mass is located along the street frontage without any shading impacts. The building is situated to retain the existing emergency vehicle access easement. The requested deviations are reasonable and not anticipated to negatively affect adjacent properties. The deviations are also consistent with other affordable rental housing projects with similar densities. Potential environmental impacts can be mitigated to less than significant levels with the measures included in the conditions of approval.