

ATTACHMENT 8

Special Development Permit 2016-7290 Amended Final Conditions of Approval Findings for Approval May 23, 2016

SPECIAL DEVELOPMENT PERMIT to amend the Final Conditions of Approval for the Sunnyvale Town Center project, including: allowing rental housing units with a ground floor leasing office; allowing temporary parking lot and landscaping improvements at Redwood Square; adding allowable ground floor uses; clarifying the expiration of Special Development Permit design approvals; and updating conditions of approval to meet current City policies and standards pertaining to, but not limited to, public improvements, green building and affordable housing.

FINDINGS FOR APPROVAL

Pursuant to Sunnyvale Municipal Code (SMC) Section 19.90.050 pertaining to findings for approval of a Special Development Permit (SDP), the Planning Commission finds that SDP 2016-7290 that amends the Final Conditions of Approval for the Sunnyvale Town Center Project is desirable for the public interest and herein makes the following findings for approval of the SDP:

- (a) **The SDP amendments attain the objectives and purposes of the general plan, specific plan, precise plan, or other specialized plan of the city of Sunnyvale.**

Comment: The SDP amendments to the Final Conditions of Approval are consistent with policies in the General Plan and Downtown Specific Plan (DSP) that promote a mixed use district in the downtown with a combination of more intensive office, residential, entertainment and regional and citywide retail uses. The amendments do not change the amount, composition or location of previously approved uses within the project and will continue to implement the City's policies for Block 18 of the DSP. The updated and amended conditions of approval will facilitate the completion of the project consistent with City policies. Additional conditions of approval have been added to meet the City's sustainability requirements, such as green building standards and Climate Action Plan compliance. Further, with the allowance for both rental and for-sale housing within the project, the applicant/developer has agreed to execute an Affordable Housing Developer Agreement to incorporate below market rate (BMR) rental units in residential structures that will be completed as apartments. This amendment is consistent with policies in the City's Housing Element and Downtown Specific Plan that promote integrating affordable housing into market-rate residential projects and particularly in the downtown area.

- (b) **The SDP amendments ensure that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties.**

Comment: The amendments do not change the previously approved architectural design of the structures within the project, and the project with amendments will continue to enhance the pedestrian character of the downtown area. The amendments do not substantially alter the allowed uses for the project that would materially affect adjacent properties. The additionally allowed ground floor uses (rental leasing office and fitness center/recreation facility) are subject to further discretionary review to ensure compatibility with adjacent uses and compliance with storefront design criteria for street level uses. Additional conditions will promote orderly and sustainable development by requiring compliance with current City standards pertaining to green building, greenhouse gas emissions and dust control. Further, approving temporary landscaping and parking lot improvements in Redwood Square (Block 3) will allow this central space to be accessible to the general public at an earlier phase of the project. The temporary parking will also provide additional convenient parking for downtown patrons.