

Special Development Permit 2016-7290
Amended Final Conditions of Approval
Findings for Approval
(pertaining to Conditions G10.b, G10.d.4.e, A23.10 & BMR1 only)
June 21, 2016

SPECIAL DEVELOPMENT PERMIT to amend the Final Conditions of Approval for the Sunnyvale Town Center project to allow for rental housing units with a ground floor leasing office, and updating conditions of approval regarding providing affordable housing within the project.

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. 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 no changes to the number or

configuration of the housing units are proposed with the allowance for rental units. The additionally allowed ground floor use (rental leasing office) is subject to further discretionary review to ensure compatibility with adjacent uses and compliance with storefront design criteria for street level uses.