

RECOMMENDED FINDINGS

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR PROJECTS CONSISTENT WITH THE LAWRENCE STATION AREA PLAN (LSAP) ENVIRONMENTAL IMPACT REPORT (EIR)

The Planning Commission hereby makes the following findings:

1. The Planning Commission has independently reviewed the programmatic Final Environmental Impact Report for the Lawrence Station Area Plan, State Clearinghouse #2013082030, certified on December 6, 2016 ("Program EIR").
2. The Lawrence Station Area Plan ("LSAP") anticipates construction of an additional 1.2 million square feet of office and R&D, 16,600 square feet of retail, and 2,323 residential units within the 319-acre LSAP neighborhood through 2035.
3. In addition to serving as the environmental document for the approval of the LSAP, the Program EIR was intended by the City to serve as the basis for compliance with CEQA for future discretionary actions to implement the LSAP, in accordance with Public Resources Code Section 21094 and Section 15168 of the CEQA Guidelines.
4. The Program EIR identified measures to mitigate, to the extent feasible, the significant adverse project and cumulative impacts associated with the buildout anticipated by the LSAP. In addition, the Program EIR identified significant and unavoidable impacts with regard to construction air quality, cumulative air quality and traffic operations.
5. On December 6, 2016, the City Council made Findings, adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, certified the Program EIR and adopted the LSAP.
6. The City has analyzed the proposed Project pursuant to Public Resources Code Section 21094(c) and Section 15168(c)(2) and (4) of the CEQA Guidelines to determine if the Project may cause significant effects on the environment that were not examined in the Program EIR and whether the Project is within the scope of the Program EIR.
7. The Planning Commission finds that the Project will not result in environmental effects that were not adequately examined in Program EIR. As demonstrated by the City's analysis of the Project, the Project will incrementally contribute to, but

will not increase the severity of, significant environmental impacts previously identified in the Program EIR.

8. For the reasons discussed in Section ENVIRONMENTAL REVIEW of the PLANNING COMMISSION Staff Report for the proposed Project dated February 11, 2019, the Planning Commission finds that the proposed Project is consistent with the LSAP.
9. In accordance with Public Resources Code Section 21094(b) and Section 15168(c)(2) and (4) of the CEQA Guidelines, none of the conditions or circumstances that would require preparation of subsequent or supplemental environmental review pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162 exists in connection with the Project:
 - a) The Project does not include any substantial changes in the LSAP and no substantial changes have occurred with respect to the circumstances under which the Project is to be undertaken consistent with the LSAP, so the Program EIR does not require any revisions due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
 - b) No new information of substantial importance, which was not known and could not have been known at the time that the Program EIR was certified as complete, shows that the Project would cause new or substantially more severe significant environmental impacts as compared against the impacts disclosed in the Program EIR, that mitigation measures or alternatives found infeasible in the Program EIR would, in fact be feasible, or that different mitigation measures or alternatives from those analyzed in the Program EIR would substantially reduce one or more significant environmental impacts found in the Program EIR.
10. All significant effects on the environment due to the implementation of the Project have been eliminated or substantially lessened where feasible through the Program EIR mitigation measures adopted in connection with the City Council's approval of the Program EIR. All Program EIR mitigation measures applicable to the Project are hereby made a condition of the Project's approval.
11. In accordance with Public Resources Code Section 21094(d), the Planning Commission finds that any significant and unavoidable impacts of the Project with regard to construction air quality, cumulative air quality and traffic operation are outweighed by overriding considerations as set forth in the Program EIR and in the Findings adopted by the City Council in connection with the approval of the Program EIR, as incorporated by reference and reaffirmed herein.

12. Based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, the Planning Commission, exercising its independent judgment and analysis, finds that the Project is consistent with the LSAP, falls within the environmental parameters analyzed in the Program EIR, and would not result in any new significant environmental effects or a substantial increase in the severity of any previously identified effects beyond those disclosed and analyzed in the Program EIR, nor would new mitigation be required for the Project.
13. The Department of Community Development, Planning Division, is the custodian of the records of the proceedings on which this decision is based. The records are located at Sunnyvale City Hall, 456 West Olive Ave., Sunnyvale, CA 94086.

SPECIAL DEVELOPMENT PERMIT

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

Required Findings:

1. The proposed project attains the objectives and purposes of the General Plan and Lawrence Station Area Plan (LSAP) of the City of Sunnyvale. *(Finding met).*
Key goals, objectives, and policies from the General Plan and LSAP are listed below:

General Plan Land Use and Transportation Element

Regional Participation

Policy LT-1.2: Minimize regional sprawl by endorsing strategically placed development density in Sunnyvale and by utilizing a regional approach to providing and preserving open space for the broader community.

Policy LT-1.2a: Promote transit-oriented and mixed-use development near transit centers such as Lawrence Station...

Bordering Cities

Policy LT-1.4: Coordinate with adjacent cities on local land use and transportation planning.

Effective Integration of Transportation and Land Use Planning

Policy LT-3.1: Use land use planning, including mixed and higher-intensity uses, to support alternatives to the single-occupant automobile such as walking and bicycling and to attract and support high investment transit such as light rail, buses, and commuter rail.

Protected, Maintained, and Enhanced Residential Neighborhoods

Policy LT-6.2: Limit the intrusion of incompatible uses and inappropriate development in and near residential neighborhoods, but allow transition areas at the edges of neighborhoods.

Policy LT-6.2a: Where appropriate, use higher-density residential and higher-intensity uses as buffers between neighborhood commercial centers and transportation and rail corridors.

Diverse Housing Opportunities

Policy LT-7.2: Determine the appropriate residential density for a site by evaluating the site planning opportunities and proximity of services (such as transportation, open space, jobs, and supporting commercial and public uses).

Policy LT-7.3: Encourage the development of housing options with the goal that the majority of housing is owner-occupied.

Policy LT-7.5: Consider the impacts of all land use decisions on housing affordability and on the housing needs of special needs groups in Sunnyvale.

Adequate and Balanced Recreation Facilities

Policy LT-9.18: Improve accessibility to parks and open space by removing barriers.

Supportive Economic Development Environment

Policy LT-11.4: Participate in regional efforts to respond to transportation and housing problems caused by economic growth in order to improve the quality of life and create a better environment for businesses to flourish.

Policy LT-11.4a: Support land use policies to achieve a healthy relationship between the creation of new jobs and housing.

Healthy City

Policy LT-8.4: Promote compact, mixed-use, and transit-oriented development in appropriate neighborhoods to provide opportunities for walking and biking as an alternative to auto trips.

Special and Unique Land Uses to Create a Diverse and Complete Community

Policy LT-14.2: Support the Lawrence Station Area Plan, and update it as needed to keep up with evolving values and new challenges in the community.

Policy LT-14.5: Use the Industrial-to-Residential (ITR) combining district to help meet the community's housing needs for all ages and economic sectors and balance its use with maintaining a healthy economy and employment base. ITR areas include the Lawrence Station Area.

Policy LT-14.5b: During the transition from industrial to residential uses, anticipate and monitor compatibility issues between residential and industrial uses. Identify appropriate lead departments and monitoring strategies for each compatibility issue.

Goal LT-14.8: Ensure that development projects provide appropriate improvements or resources to meet the City's future infrastructure and facility needs, and provide development incentives that result in community benefits and enhance the quality of life for residents and workers.

Goal LT-14.8b: Establish zoning incentives, density bonuses, or other land use tools where higher development potential may be allowed based on contributions toward desired community benefits.

General Plan Housing Element

Policy HE-1.1: Encourage diversity in the type, size, price and tenure of residential development in Sunnyvale, including single-family homes, townhomes, apartments, mixed-use housing, transit-oriented development and live-work housing.

Policy HE-4.1: Provide site opportunities for development of housing that responds to diverse community needs in terms of density, tenure type, location and cost.

Policy HE-4.2: Continue to direct new residential development into specific plan areas, near transit, and close to employment and activity centers.

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).

Policy HE-6.1: Continue efforts to balance the need for additional housing with other community values, including preserving the character of established neighborhoods, high quality design, and promoting a sense of identity in each neighborhood.

Lawrence Station Area Plan

Goal LU-G11: Respect the scale and character of the existing residential uses.

Policy LU-P1: Buffer/transition new development located adjacent to existing residential neighborhoods through site planning, land use, and design strategies.

Goal H-G1: Provide sufficient housing in the Plan area to support an increase rail transit ridership.

Goal H-G2: Provide a range of housing types in the station area to provide for all income groups and lifestyles.

Goal H-G3: Encourage and support development of affordable housing in the Plan area.

Policy H-P1: Encourage a diverse mix of housing types, including ownership, rental, affordable and housing for seniors.

Goal OSG-1: Establish a system of parks and public spaces connected by green corridors and linear parks that serve and connect both new residential development and new non-residential development.

Goal OSG-2: Provide open space within a five-to-ten minute walk of all residents and employees.

Goal D-G2: Target minimum development of at least 2,000 new housing units and 5,960 jobs within the Sunnyvale portion of the Plan by the horizon year of 2035 in order to support a critical mass of retail services in the area and support existing and improved transit infrastructure.

Goal CF-G3: Create a street and block framework that provides a variety of vehicular access options and is scaled to pedestrians.

Policy CF-P1: In the residential areas south of the Caltrain tracks, retain the existing framework of streets and blocks. Improve street connections to the residential areas south of the Caltrain tracks to provide safer street crossings and minor access improvements for pedestrians, bicycles and transit users.

Policy CF-P2: Prioritize the provision of improved north-south access for all modes of travel between the northern and the southern portions of the Plan area.

Policy P-P2: Provide two new Caltrain track crossings for pedestrians and bicyclists: one at the Calabazas Creek Trail (per study by the City of Santa Clara); the other west of Lawrence Expressway aligning with and connecting to the Loop near the western end of Sonora Court.

Policy P-P10: For new sidewalks in areas of increased pedestrian activity and along all primary pedestrian corridors, provide a minimum sidewalk width of 15 feet inclusive of a minimum paved pedestrian travel zone of six feet.

Policy B-P1: Require property development to provide Class I and Class II bicycle facilities to fill in the gaps in the existing and planned bicycle network.

Policy B-P2: Provide direct Class I and Class II bicycle connections to the future Calabazas Creek Trail from The Loop.

Goal U-G5: Avoid flooding of new development by requiring flood prevention measures for those developments located in the flood zone.

Policy U-P5: Require all proposed habitable structures' finished floors to have at least 0.5-feet freeboard to the 1% Flood Elevation.

Policy U-P11: A regional study and Conditional Letter of Map Revision by Fill (CLOMR-F) shall be submitted and approved by FEMA for each development.

Goal BSP-G1: As properties redevelop incrementally, establish a publicly-accessible framework of streets and blocks scaled to pedestrian and bicycle users and accessible to all modes of travel.

Goal BSP-UDG3: To the extent feasible, add publicly-accessible pathways in existing development areas where street connectivity is limited.

Goal BSP-UDG6: In instances where creating a new public street is not immediately feasible, reserve space for future implementation and provide an initial pedestrian/bicycle path.

Goal SP-UDG2: For the San Ysidro Way Extension (retail street) and the retail area on Willow Street (south of the station), locate the primary building façade at the street right-of-way/property line (0 feet setback). As shown in Figure 6.1, exceptions to this rule are allowed and encouraged to emphasize the retail zone and widen the sidewalk as follows:

- Up to 10 feet maximum setback from the property line.
- Contiguous with the sidewalk grade and accessible to the public.
- Upper levels of the building may extend over the setback area to create arcades and overhangs

Goal SP-UDG4: Up to 15 percent of the horizontal length of the building façade may be stepped back beyond the setback. This allows entry courts, public plazas, and building articulation at the ground level, which must be publicly accessible.

Goal BH-UDG1: Restrict building heights in the following situations:

- Around parks and public open spaces to maintain a pedestrian scale and maximize daylight/sky exposure.
- Along pedestrian walkways and sidewalks to provide a comfortable pedestrian scale.
- Adjacent to existing residential neighborhoods, stepping down to two or three stories to provide a transition in scale.

Goal BH-UDG2: Place taller buildings or building elements at corner intersections to achieve greater visibility, scale relationships, and architectural massing and interest.

Goal BH-UDG4: Vary building heights within blocks and parcels in order to provide visual interest and variety and to avoid a blocky, uniform appearance.

Goal BMA-UDG2: The taller portion of a building (i.e., the tower) shall not occupy more than 25 percent of the length of a lot.

Goal BMA-UDG3: Accentuate major gateways in the Plan area with architectural modulation.

Goal BMA-UDG4: Reinforce street corners with changes in architectural massing and height.

Goal BO-G1: Activate the street and sidewalk by providing active ground floor uses, locating building entries and windows in appropriate locations, and providing pedestrian-scaled elements.

Goal BO-UDG1: Orient buildings to ensure that the primary façades and entrance areas of all buildings face the street, open space areas, or other pedestrian-oriented circulation areas.

Goal BO-UDG2: Place windows and storefronts at the street level and ground floor.

Goal BO-UDG3: Use clear, non-reflective glazing on all windows at street level.

Goal BO-UDG4: Emphasize building entries with small entry plazas, vertical massing, and architectural elements such as awnings, arcades, or porticos.

Goal BO-UDG5: Design entries so that they are clearly identifiable from the street.

Goal BO-UDG6: Provide a walkway leading from the street to the building entrance if the building is not located directly on a public sidewalk.

Goal BO-UDG7: Enhance building entries and the adjoining pedestrian realm with plazas and landscaping.

Goal BO-UDG9: On pedestrian retail streets and other designated retail areas, design the floor-to-ceiling height of the first floor to be greater than that of upper floors to accommodate ground-floor retail space. Generally, the height should be a minimum of 14 feet.

Goal BO-UDG10: Include features that add depth, shadow and architectural interest, such as balconies, recesses, cornices, bay windows, and step-backs at upper floors, consistent with the building's style and scaled for pedestrians.

Goal BO-UDG1 1: Limit blank walls along pedestrian-oriented streets and pathways to no greater than 30 linear feet without being interrupted by a window or entry.

Goal RB-G1: Ensure that residential buildings contribute activity to public streets and open spaces.

Goal RB-G2: Ensure that residential buildings provide privacy for residents.

Goal RB-UDG1: Provide entries to residential buildings that are accessed directly from the street or public open spaces.

Goal RB-UDG2: For residential development, design ground-floor units to have a direct relationship with the street and pedestrian realm.

Goal RB-UDG5: Use balconies, stoops, windows, and courtyards to provide architectural interest.

Goal RB-UDG6: Employ variation in scale and form for residential development, allowing for both pedestrian-scaled and larger-scaled massing.

Goal RB-UDG7: For residential development facing onto local residential streets or public open space, use lower-scale residential forms such as townhomes up to three stories in height at the street. Buildings should step back to add an additional story.

Goal MU-UDG1: Orient building entrances to the street and space no more than 50 feet apart.

Goal MU-UDG2: Clearly address the public realm by providing glazing on at least 70 percent of the ground floor retail façade facing the street or public space.

Goal MU-UDG3: Utilize architectural elements such as recesses, awnings, colonnades, and pronounced entrances.

Goal MU-UDG4: Where entries orient to parking areas, provide continuous sidewalks from the street directly to the doorway.

Goal BM-G2: Use building materials to define the functional levels of a building and its relationship to the public realm (particularly at the street level).

Goal BM-G3: Ensure that materials avoid excessive monumentality or a monolithic character.

Goal BM-G4: Ensure that materials fit with the character and context of the existing development.

Goal BM-G5: Prioritize sustainability as a key consideration.

Goal BM-UDG1: Use high-quality, durable architectural materials and finishes that provide a sense of permanence.

Goal BM-UDG2: Use materials that express their true properties; faux reproductions of stone, for example, are discouraged.

Goal BM-UDG3: Give preference to sustainable materials, buildings systems, and technologies.

Goal BM-UDG4: Use materials that improve building envelope performance through insulation values and thermal mass.

Goal BM-UDG5: Avoid highly reflective surfaces and materials that can cause heat or glare for pedestrians.

Goal BM-UDG6: Avoid dark materials that absorb heat and reduce solar reflectivity.

Goal BM-UDG7: Use glazing that is as clear and non-reflective as possible in order to provide transparency and visibility while meeting energy and daylighting performance requirements.

Goal BM-UDG9: Employ accent materials such as tile insets or natural stone at the ground level to add texture, color, and visual interest at the pedestrian level along all pedestrian corridors.

Goal BM-UDG10: Employ color to differentiate between building elements and to moderate the scale of buildings.

Goal OS-G1: Ensure that open space provided by new development is publicly accessible and attractive.

Goal OS-UDG5: The cross-section dimension of a plaza, courtyard, or mid-block pedestrian connection should be a minimum of 20 feet.

Goal OS-UDG6: Do not exceed a grade differential greater than four feet between an open space or plaza area and the adjacent sidewalk grade.

Goal OS-UDG8: For residential uses, provide private and semi-private open space

in accordance with the Sunnyvale Zoning Code.

Goal PK-UDG9: Provide a ratio of one tree per three (3) parking spaces on the perimeter of the lot and one tree per six (6) parking spaces on the interior of the lot. Ensure trees are equally spaced to maximize shade cover over the entire parking lot.

Goal PK-UDG10: Accommodate pedestrians and bicycle traffic with pedestrian-only pathways and bicycle facilities through parking areas. Shade these areas with trees and architectural elements such as trellises and awnings.

Goal PK-UDG11: Design parking structure access lanes to have the character of an attractive, well-landscaped small urban street.

Goal PK-UDG12: Locate parking structures away from primary pedestrian corridors.

Goal PK-UDG14: Create visual interest and reduce the mass of parking structures through the use of:

- Variation in the dimension and proportion of openings of the façade.
- Decorative screens, railings, and trellis elements of durable, high-quality materials.
- Materials and designs that are similar to surrounding buildings on site.
- Awnings, arcades, trellises, or porticos along street-facing façades and pedestrian connections.
- Provide parking access lanes and driveways at spacing along the street of not less than 100 feet.
- Where parking lanes or courts are visible from the street, planter beds with trees or potted plants should be located between garage doors.
- Create shared, unallocated parking spaces, such as carports, in order to maximize site area for new building development and open space.

Goal PK-UDG16: For lower density residential development, such as row houses or townhouses:

- Multiple at-grade garage doors, aligned in a row, shall not directly face the street.
- Arrange at-grade garages around well-landscaped parking lanes and/or parking courts leading to individual garages.

Goal PS-UDG1: Incorporate pedestrian access lanes, on a spacing similar to the townhouses across Aster, in order to provide convenient pedestrian movement through the subarea.

Goal PS-UDG2: Locate tallest buildings and highest densities along the train tracks, transitioning to lower scale buildings to the south and west, where they adjoin or face nearby apartments and townhouses.

Goal PS-UDG3: For buildings adjacent to the tracks, incorporate landscape and building design measures to mitigate the negative effects of noise and vibration from train operations.

Goal PS-UDG5: Concentrate small-scale retail uses, providing coffee, sandwiches or other services, at the eastern end of the subarea along Willow Avenue and around the expanded station plaza in order to serve residents as well as train passengers.

Goal PS-UDG6: Locate public open space to be directly visible and accessible from Aster Avenue as well as from the west boundary pedestrian/bicycle linkage.

Goal SR-G1: Protect and enhance the character and quality of the existing residential neighborhoods with an emphasis on pedestrian and bicycle enhancements and the provision of a new neighborhood- serving local park or open space.

Goal LRW-UDG3: Locate retail uses along Willow and Reed Avenues in conformance with General Site Planning Guidelines earlier in this chapter.

Goal ST-G3: Create a pedestrian environment of streets and pathways that is:

- Interesting, with appealing things to see, touch, hear and smell that makes one's time in the area a positive experience and encourages return visits.
- Attractive, with building and landscape improvements that create a beautiful setting in which people can walk, drive, shop, work, and live.
- Safe, allowing people to feel comfortable and secure, whether alone or in a group, during the day, evening and night.
- Successful, where walking becomes a primary means of local transportation, enhancing transit ridership and supporting a thriving neighborhood and retail climate.

Goal SW-UDG3: Use special paving materials, such as unit pavers made of brick, stone, or concrete, at special nodes, plaza areas and streets, within sidewalk extensions and other special pedestrian areas in order to differentiate them from the sidewalk and define a specific place.

Goal STP-UDG4: Use pedestrian-scaled, ornamental trees to define small-scaled pedestrian ways.

Goal SF-UDG2: Incorporate unique, specially-designed street furnishing elements to provide a unique character in special areas, such as gateways, nodes, pedestrian corridors and retail districts, and gathering places.

Goal SF-UDG5: Provide two trash receptacles at diagonally opposite corners of each intersection in areas with high pedestrian circulation.

Goal SF-UDG6: Provide trash receptacles with recycling options.

Goal SF-UDG3: Design and/or finish utility and service devices to either visually recede or, as appropriate, match other furnishing items.

Goal SF-UDG7: In retail areas, provide three bicycle racks on each side of the street in each block.

Goal SF-UDG8: Place bicycle racks in the curb zone such that locked bicycles do not obstruct the sidewalk pedestrian path of travel.

Goal SF-UDG12: Provide tree grates for all new or transplanted trees that are located in paved pedestrian areas in order to increase the usable sidewalk area and protect the tree's roots.

Goal OSW-UDG2: Include the following features in the planning and installation of the signage and wayfinding system:

- Direct pedestrians, bicyclists and motorists to major area destinations, especially Lawrence Station.
- Promote transit use by indicating the location of bus and shuttle stops and system routing.
- Facilitate efficient traffic flow by directing drivers to destinations such as important roadways and parking facilities.
- Select typography, graphics, form, illumination and mounting to be compatible with the design of area street furnishings.
- Avoid visual clutter through the creation of efficient and clear signage that does not require a large amount of repetition.
- Consolidate information on a single pole, whenever feasible.
- Design directional signage in a consistent manner throughout the Plan area, regardless of the street type or land use.
- Design signage and way finding system to be appropriately- scaled to the various modes and speeds of travel.

Goal ID-UDG1: Provide highly visible crosswalks on all intersections in accordance with City standards.

Goal PB-UDG5: Provide continuous pedestrian-scaled lighting on all pedestrian ways to ensure a feeling security.

Goal PB-UDG7: Plantings may be of a design that is either consistent with the palette of adjoining properties or of a design that delineates the pedestrian way.

Goal PB-UDG8: Ensure that plantings do not obscure visibility of the pedestrian way from surrounding properties and public spaces and do not interfere with emergency vehicle access.

Goal WS-G1: Design Willow Street to be safe and attractive for residents of the study area and those south of Reed who walk or ride to the station. Design Guidelines for Lawrence Expressway

Goal WS-UDG1: Provide continuous sidewalks on both sides of Willow Street, with a minimum 6-foot dimension.

Goal WS-UDG2: Provide improved pedestrian lighting to give a sense of safety along Willow Street.

Goal WS-UDG3: Improve signage to the station and expand to include signage on Reed and Monroe Avenues as well as Lawrence Expressway.

Goal WS-UDG4: Accommodate bicycles in the roadway. The narrow right of way suggests that a shared lane is necessary. Install bicycle notations and warning systems such as “sharrows” and “Share the Road” signs to indicate bicycles will be welcome.

The proposed project is consistent with the goals and objectives contained in the General Plan and LSAP by redeveloping the Calstone/Peninsula Building Materials site with a transit-oriented, mixed-use residential and retail development that respects the scale and character of existing residential uses. The high-density project contributes to the goal of increasing transit ridership by introducing a variety of ownership and rental housing types within close walking distance to the Lawrence Caltrain Station. The retail use will provide a convenience for residents and transit riders. The visual impacts of parking are minimized by containing most parking within enclosed structures. Direct pedestrian and bicycle access to the station is provided through pathways and roadways within the site, and with new public sidewalks and bicycle lanes in the public right-of-way will better connect to the existing residential area to the south of the site. The variety of landscaping and open spaces will significantly improve onsite aesthetics. The project will also preserve mature trees to the maximum extent possible. An irrevocable offer of dedication is provided onsite for a potential future north-south pedestrian/bicycle

connection across the railroad tracks. The publicly-accessible community open space will fill a void in a neighborhood underserved by park space.

The proposed land uses improve compatibility with the neighborhood, and the proposed building scale respects existing residential uses by stepping down in height. Although a deviation to the maximum height allowance is proposed, the height increase occurs closer to the railroad tracks and occurs mainly at building corners. There is also variation, relief, and visual interest in the proposed architectural design that utilizes thematic elements from the existing industrial use. The deviation for distances between townhome buildings occur internal to the site and do not impact the streetscape. Aside the deviations to maximum height and distances between townhome buildings, the project meets or exceeds all development standards, such as parking, setbacks, landscaping and usable open space. There are adequate environmental mitigation measures in place as part of the LSAP MMRP to reduce construction-related impacts to the neighborhood. There is also a requirement to properly address any contaminated soils and groundwater and noise attenuation for future residents.

2. The proposed project ensures 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. (*Finding met*).

The project site is located within the adopted LSAP which specifically permits mixed-use development onsite, including residential and retail uses. The proposed project will improve the character of the site, surrounding neighborhood, and community by providing housing options and a small retail space within walking distance to the Lawrence Caltrain Station; and beautifying existing industrial conditions with vast landscaping and open space, including a publicly-accessible community open space. The project has been designed to complement the adjacent neighborhood through high quality architecture and building materials with appropriate massing and scale. The requested deviations are reasonable and not anticipated to negatively affect adjacent properties. Potential environmental impacts can be mitigated to less than significant levels with the measures included in the LSAP MMRP. The traffic impact at Willow and Reed Avenue will be addressed by a required sign installation prohibiting left turns.

VESTING TENTATIVE MAP

Vesting Tentative Map: In order to approve the Vesting Tentative Map, the proposed subdivision must be consistent with the General Plan and Lawrence Station Area Plan (LSAP). Staff finds that the Vesting Tentative Map is in conformance with the General Plan and LSAP. However, if any of the following findings can be made, the Vesting Tentative Map shall be denied.

1. That the proposed map is not consistent with the General Plan and LSAP.
2. That the design or improvement of the proposed lot merger is not consistent with the General Plan and LSAP.
3. That the site is not physically suitable for the proposed type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.
8. That the map fails to meet or perform one or more requirements or conditions imposed by the "Subdivision Map Act" or by the Municipal Code.

Staff was not able to make any of the following findings and recommends approval of the Vesting Tentative Map.