

RECOMMENDED FINDINGS

Adoption of Negative Declaration

The Planning Commission hereby makes the following findings:

1. The Planning Commission has independently reviewed the programmatic Final Environmental Impact Report for the Downtown Specific Plan, State Clearinghouse #2018052020, certified on August 11, 2020 ("Program EIR").
2. The Downtown Specific Plan ("DSP") anticipated the construction of this project including a seven story (111 feet max), mixed use building with approximately 417,969 square feet of office space and 50,892 square feet of commercial space at 200 W. Washington Avenue (former Macy's building site).
3. In addition to serving as the environmental document for the approval of the DSP, the Program EIR was intended by the City to serve as the basis for compliance with CEQA for future discretionary actions to implement the DSP, 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 DSP and more specifically, for the proposed project. In addition, the Program EIR identified significant and unavoidable impacts with regard to cultural and historic resources, noise, utilities, and traffic operations.
5. On August 11, 2020, 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 DSP.
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 October 12, 2020, the Planning Commission finds that the proposed Project is consistent with the DSP.

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 DSP and no substantial changes have occurred with respect to the circumstances under which the Project is to be undertaken consistent with the DSP, 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 DSP, 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

The Downtown Specific Plan Goals and Policies that relate to this project are:

Goal A-1: A Mixed-Use Center - *Establish the Downtown as a cultural, retail, economic, and entertainment center of the community, complemented by employment, housing, and transit opportunities.*

Policy A-1.1 Encourage a broad mix and scale of uses throughout the Downtown when consistent with the district character.

Policy A-1.3 Promote opportunities for small independent businesses and merchants by creating sites for independent retail and entertainment venues.

Policy A-1.5 Create vibrant public spaces for community gathering to encourage social interaction and a stronger sense of community.

Policy A-1.6 Increase programming of community and cultural events to provide more reasons to enjoy the Downtown.

Policy A-1.7 Support local restaurant and retail businesses in the Downtown by discouraging private employee cafeterias and other on-site retail, medical, and personal services.

Policy A-1.8 Where appropriate, allow for additional development beyond the base allowable development in exchange for amenities that benefit the community.

Goal B-1: A Distinct Downtown for Sunnyvale - *Develop land uses in an attractive and cohesive physical form that clearly identifies Sunnyvale's Downtown.*

Policy B-1.1 Promote sustainable building design and infrastructure as a model for other districts in the City.

Policy B-1.3 Minimize construction impact on businesses and residents in the Downtown.

Policy B-1.4 Encourage high quality design and development, while allowing for creativity and flexibility within the Downtown Sunnyvale Specific Plan Area.

Goal B-2: Preservation of Existing Neighborhood Character - *Protect and enhance the community character of existing neighborhoods, preserving distinctive features.*

Policy B-2.3 Encourage intensification of the Downtown Core while maintaining and enhancing the character of the lower density neighborhoods surrounding the Downtown.

Goal B-3: A Pedestrian-Oriented Environment - *Expand the pedestrian-oriented character of the Downtown with enhanced access to parks, open space, plazas, and community and other public realm amenities.*

Policy B-3.3 Improve the quality of key vehicular and pedestrian linkages that function as important feeders into the Downtown.

Policy B-3.4 Continue to encourage landscape, streetscape, and façade improvements for all streets throughout the Downtown.

Policy B-3.5 Improve the character of local streets with shade trees, wide sidewalks, and public amenities, such as public seating, shade, and “smart city infrastructure” (i.e. wi-fi, charging stations, etc.) that support the land uses and functions of the street, where appropriate.

Policy B-3.6 Create attractive, high-quality outdoor gathering spaces and pedestrian-oriented amenities that are vibrant, safe, and accessible and contribute to fostering a strong sense of community.

Policy B-3.7 Create well-activated ground floor street frontages by providing direct access to buildings from adjacent pedestrian paths and sidewalks.

Goal C-1: A Balanced Transportation System - *Promote a balanced transportation system to meet the needs of alternative methods of travel.*

Policy C-1.1 Encourage strong pedestrian, bicycle, and alternate methods of transportation linkages throughout the Downtown.

Policy C-1.2 Promote the use of transit by intensifying land use and activities near transit cores.

Policy C-1.3 As development occurs, require shared use easements for parking in the Downtown to minimize the amount of land devoted for parking areas and manage parking so it does

not dominate mode choice decisions or the built environment.

Policy C-1.4 Provide adequate access to parking in the Downtown while promoting trip reduction through parking management practices.

Policy C-1.5 Follow the VTA standards for bicycle parking.

Policy C-1.6 Encourage and promote flexibility in land use and streetscape standards to accommodate new and emerging transportation technologies, including options for ridesharing pick-up and drop-off.

Policy C-1.7 Require new non-residential developments and multifamily residential developments of 10 or more units to implement a transportation demand management (TDM) program to reduce the impact of single-occupancy automobile trips. Encourage existing employers to participate in TDM programs.

Policy C-1.9 Encourage ample public and private bicycle parking facilities.

1. The proposed use attains the objectives and purposes of the Downtown Specific Plan of the City of Sunnyvale as the project is a seven-story mixed use building providing additional employment opportunities and residential units in the downtown and the project accesses increased height and floor area through a Community Benefit contribution. The proposed building will comply with the City's Green Building requirements. The exterior materials are high quality and the architecture provides an anchor to the center of downtown and reestablishes the downtown grid through the extension of S. Frances Street. The proposed project intensifies an underutilized parcel and provides improvements to the streetscape and pedestrian realm through improved sidewalks, added street trees, and street furniture. Lastly, the project site is located within walking distance to Caltrain and it includes locked bike storage facilities for future employees.
2. The proposed use 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 as the proposed project has been designed to the requirements of the updated Downtown Specific Plan including new streetscape improvements around the site, completing the public realm on this block and the extension of S. Frances Street. Additionally, the project has been designed to comply with the new adopted design guidelines found in Chapter 6 of the Downtown Specific Plan. The following table indicates the applicable design guidelines and if they are met or not and comments when needed to explain.

DOWNTOWN SPECIFIC PLAN DESIGN GUIDELINES (CHAPTER 6)				
	SECTION	GUIDELINE	FINDING MET	COMMENT
General Design Guidelines				
1.	Site Layout and Design	GG-A.1 Active building frontages should be created along the edges of Downtown parks, The Loop, and pedestrian priority streets, to activate these outdoor spaces and increase their security. Active building frontages include: <ul style="list-style-type: none"> a. Mixed-use buildings with ground level commercial spaces, office lobbies, and/or residential entrances and residential amenity spaces; along with private usable open spaces at the upper levels; b. Primary façade of entertainment uses, such as a movie theater; c. Attached residential units, such as townhouses or live and work units, that are served by rear access drives; and d. Other uses and configurations that achieve the goal and intent of activating these edges. 	Yes	Ground floor provides ground floor commercial uses on Murphy Avenue, Washington, Frances and Taaffe.
2.		GG-A.2 Along the pedestrian priority ways, shown in Figure 6-1, at least 75% of the building frontage should include active ground floor uses (as defined in Guideline A-1) that allow for maximum visual interaction with the pedestrian zone.	Yes	Minor portion of the Murphy façade is dedicated to mechanical at 2% of frontage.
3.		GG-A.3 Where uses are located adjacent to public space, ground floor commercial uses must be physically and visually oriented towards the public space or plaza. Refer to Section 6.3 for guidelines related to ground floor retail uses.	Yes	The ground floor is generally commercial space except for the south façade which is primarily service area.
4.	Building Organization and Massing	GG-B.1 For buildings occupying an entire block greater than 300 feet, building massing and architecture should be varied every one-third of the block, to avoid the appearance of a monolithic structure.	Yes	All frontages are less than 300 feet in length.
5.		GG-B.2 Mid-rise and high-rise buildings should be organized with a base, middle, and top as a fundamental design approach. <ul style="list-style-type: none"> a. The building base should be differentiated with projections and setbacks and enriched with finer grain design detail and decorative elements, such as awnings, canopies, arcades, entries, window treatments, planter boxes, etc., to support a more pedestrian-oriented scale along the street. 	Yes	The building includes a defined two-story base with 28 foot bays defined by beveled concrete elements. The upper floors are defined by two-story elements with floor to ceiling glazing and vertical terra cotta elements which provide changes in thickness in each upper level. The upper floor

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		<p>b. The middle and top portions of the building, including the upper floors above the building base should be set back from the back of the sidewalk and articulated to create a regular rhythm and sense of pedestrian-scaled enclosure to the public realm. Smaller sites and sites with shallow depths may propose alternative design approaches to provide architectural interest through quality exterior materials and architectural features.</p> <p>c. A building column grid system of 30 foot on center is commonly used for new mid-rise and high-rise buildings in the Downtown and should be referenced in the design of new buildings, to establish a consistent façade rhythm and pattern for commercial storefront widths along the street.</p>		also include additional setbacks and terraces which will include landscaping and will provide open space for the future office tenants.
6.		GG-B.3 New development which is adjacent to or across the street from lower scale neighborhoods and historic districts should give special attention to scale and massing, to prevent significantly altering the existing neighborhood character. The height and massing of new development should be generally similar in scale to the adjacent district and step up to the maximum allowed building height, as suggested in Figure 6-2. Refer to Section 6.4 for guidelines on design transitions in the Commercial Core district adjacent to lower-scaled neighborhoods.	Yes	The proposed Building B is across from Historic Murphy Avenue and has complied with the alternative guideline by providing 20 foot sidewalks and a two-story open plaza at the northeast corner.
7.		GG-B.4 Building massing and form should preserve the view corridor and line of sight to significant civic, cultural, or natural landmarks from high pedestrian use streets by matching the setback of existing buildings along the street. These landmarks include, but are not limited to, historic Murphy Ave, the existing redwood trees in Redwood Square, and the primary entry and marquee for the theater on McKinley Avenue. Refer to Figure 6-3, below, which illustrates an example.	Yes	The proposed development is extending S. Frances Street through the site to provide a line of site from Redwood Square to the CalTrain Station and enhances the downtown street grid.
8.	Façade Articulation and Variation	<p>GG-B.5 Articulation of the building on the ground and upper floors is a priority, to avoid the appearance of a monolithic structure.</p> <p>a. Continuous flat facades should be avoided and instead facades should be articulated through use of setbacks,</p>	Yes	The ground floor is generally broken up into 28-foot bays which are defined by beveled precast concrete with a 2-foot recess to the storefront glazing. This

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		<p>recessed windows, awnings, balconies, bay windows, and breaks in the horizontal and vertical planes.</p> <p>b. Commercial building facades should be articulated at least every 60 feet, to be more similar in scale to traditional commercial storefront patterns, such as the Murphy Station Landmark District, consisting of lots that are more typically 25 feet and 50 feet in width.</p> <p>c. Articulation of residential buildings should be smaller, at 40-50 feet, to better respond to historic lot sizes and patterns that are in the neighborhoods surrounding the Commercial Core district.</p>		is more in line with the spacing found on Murphy Avenue.
9.		<p>GG-B.6 A well-defined street edge is encouraged, especially within the Commercial Core and North of Washington districts. Ground floor facades should address the street and define the public-realm edge by placing buildings along a build-to line behind the required sidewalk width (as defined in Section 7.5), to create a consistent but articulated setback along the street.</p> <p>a. A minimum ground floor setback of at least 30 inches from the back of sidewalks is encouraged every 100 feet or less. Setbacks should be designed to activate the street with opportunities for window shopping, landscaping, outdoor dining, seating, covered walkways or overhangs, and other pedestrian amenities.</p> <p>b. Alternatively, the entire building or ground floor facade is encouraged to be further set back from the build-to-line to provide additional public space on the street.</p> <p>c. The height of the ground floor should be a minimum of 18 feet from floor to floor and designed with transparent storefronts that allow full visibility into retail or common area spaces.</p> <p>d. Where residential is proposed, the first floor of residential units should transition from the public realm with raised stoops, steps, or other transitional elements.</p> <p>e. Refer to Section 6.3 D for the design of ground floor retail uses within mixed-use buildings.</p>	Yes	<p>The building establishes a build-to-line, generally at 20 feet from the curb. The build-to-line is further articulated with architectural ground floor bays and awnings that provide small alcoves and shading along the frontages. The build-to-line also allows for outdoor dining and active spaces along the Pedestrian Loop. The ground floor is predominately commercial uses with an 18-foot plate height and storefront glazing that provides lighting into the spaces.</p>

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10.		GG-B.7 Buildings used as focal points at a street corner should include special corner treatments, such as increased transparencies, pronounced entry features, wrap-around balconies or fenestrations, changes in materials, and/or increased height with accent roof elements.	Yes	The main corner located at S. Murphy Avenue and W. Washington Avenue provides a focal point. Upper floor edges are defined with additional setbacks and terraces.
11.		GG-B.8 Special corner entry treatment such as angled corner entries, as well as recessed mid-block entries with a forecourt, are acceptable, to create an interesting pedestrian environment.	Yes	See above.
12.		GG-B.9 Direct entrances to street-level residential units are encouraged for residential buildings to create a lively streetscape, where appropriate.	Not Applicable	
13.	Building Tops and Roofs	GG-B.10 Variable heights and roof forms should be used to break up the building mass along a block. A uniform block of buildings built to the maximum height limit should be avoided.	Yes	The building provides various setbacks and terraces at the upper floors to break up the mass of the buildings.
14.		GG-B.11 Roof treatments, such as cornices and overhangs, are encouraged to define building tops. Parapets without architectural detailing are not allowed.	Yes	The building includes uses parapets for the roof treatment. The parapets provide definition through the width and depth of the reveal. A cornice treatment would be out of place with the proposed design.
15.		GG-B.12 Minimize the appearance of exterior roof drains.	Yes	
16.	Architectural Character and Details	GG-C.1 New buildings within Downtown Sunnyvale may be more contemporary in style. Buildings adjacent to a historic building or district should consider ways to respond to the historic context and increase compatibility. Literal replication or mimicry of past architectural styles should be avoided.	Yes	Sheet A2.03 provides an illustration of how Building B has used horizontal reference points from Murphy Avenue, including the existing transom windows on S. Murphy Avenue that align with the proposed awnings on the new building and the finished floor of the existing second floors aligns with the underside of the new plaza cover. The Downtown Specific Plan Design Guidelines

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				includes guidelines for new development in proximity to S. Murphy Avenue. The project complies with the alternative guideline by providing a 20 foot wide sidewalk and a 5 foot setback at the second floor level. Building B also includes the plaza at the corner of S. Murphy and W. Washington Avenues. The plaza provides a two-story volume which provides a transition from S. Murphy Avenue to the upper floors of Building B.
17.		GG-C.2 Building bases should be strongly defined with architectural features such as a stringcourse, a continuous horizontal band along the length of the building façade, step backs, or changes in materials and color. The base should be expressed with façade treatments and detailing that are scaled to pedestrians. Blank facades should be avoided, especially along The Loop and pedestrian priority ways.	Yes	Use of change of materials, smaller 28-foot components, heavier weighted materials and metal awnings provide a clear delineation of the ground floor.
18.		GG-C.3 Awnings, canopies, and shade structures should be provided along the street level to create more pedestrian-scaled enclosures at the sidewalk and accommodate signs, graphics, and lighting.	Yes	These elements are noted on the landscape plan and would subject to further review through an MPP. Other elements such as tables with umbrellas or additional landscape planters can also achieve this goal.
19.		GG-C.4 Design ground level commercial uses within a building with multiple bays that accommodate multi-tenant occupancy or help to articulate the storefront of a larger single tenant.	Yes	The 28-foot bays can accommodate multiple uses or a single tenant.
20.	Windows	GG-C.5 Where new development is planned near existing residential development, new windows and outdoor spaces should be carefully designed to respect the privacy of adjacent and nearby neighbors by limiting direct views into the windows of other residential units.	Yes	Proposed outdoor spaces located across from existing residential have been located at the lowest office level to help with privacy. Upper terraces on S. Taaffe

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				Street are located further to the south and align more with the parking structure. The other terraces are not located across from residential uses.
21.		GG-C.6 Window design should contribute to and complement the architectural character and style of the building. Its materials, and features, such as the trims and sills, should be of high quality and include some depth to cast shadows and articulate the building.	Yes	
22.		GG-C.7 Windows and mullions are encouraged for residential building applications to form composed patterns of fenestration to complement a building's massing and to provide scale and rhythm. Mullion-less, monolithic glazing may be used in special applications (such as retail shop fronts or office lobbies) as an accent to the overall design but shall not be used as an overall design theme.	Not Applicable	
23.		GG-C.8 The use of transparent glass is required. a. To provide visibility into active spaces, fenestration should, at a minimum, provide visibility from three feet above the sidewalk to the clear ceiling height, as addressed in Guideline GG-B.5 above. b. Clerestory glass above a building canopy or awning is encouraged consistent with traditional commercial development patterns in Downtown. c. Tinted glass; fritted glass; and decorative glass may be used to augment other decorative elements of the building on the upper floors.	Yes	The ground floor is comprised of clear floor to ceiling glazing. A condition of approval has been included requiring a dropped ceiling at least 3-4 feet from the transom window face.
24.		GG-C.9 Additional protection to reduce solar gain shall be enhanced by building design utilizing recesses and shading devices, especially for the south and west facing facades of the building.	Yes	The building will need to be consistent with Title 24 requirements which address solar gain.
25.		GG-C.10 Reflective glass is not permitted, except in minor decorative applications.	Yes	None proposed.
26.		GG-C.11 Development projects shall comply with the City-adopted Bird Safe Design Guidelines.	Yes	As conditioned and designed.
27.	Building Materials	GG-C.12 Use of durable, high quality materials on building exteriors is required.	Yes	The materials provide interest and texture on the façade.

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		Refer to Table 6-1 for the list of preferred and discouraged building materials.		
28.	Color	GG-C.13 A variety of colors are encouraged, selected to enhance natural material choices such as stone, wood, and natural metals, and quality architectural materials such as precast concrete, brick masonry, and barrel tile.	Yes	The color palate includes warmer colors on the upper floors. The project has been conditioned to use warmer colors and/or terra cotta on the ground floor
29.		GG-C.14 Proposed building colors should be compatible with one another, as well as with that of the adjacent historic buildings, where applicable	Yes	The proposed colors have been conditioned to better complement the upper floors.
30.		GG-C.15 Use colors to differentiate residential units. Use colors with a very high degree of light reflectance sparingly to control glare. Use darker and more intense colors at the building base.	Not Applicable	
31.	Parking Structure Location and Access	GG-D.1 Within a parking structure, parking intended for commercial retail and service uses and visitors to the Downtown should be located primarily on the ground floor. Parking for residents and office employees should be located either below grade or on upper floors.	Yes	The project is using a two level underground parking structure and the adjacent "Orange" parking structure.
32.		GG-D.2 Vehicular entries to parking garages should be away from pedestrian priority ways, to the maximum extent possible, to reduce pedestrian and vehicle conflicts.	Yes	Located on the proposed new east west street between Taaffe and Murphy.
33.		GG-D.3 Driveways into parking garages should not exceed a width of 30 feet and should be separated by a minimum distance of 10 feet.	Yes	Driveways into the garages are less than 30 feet. However, some curb cuts may total more than 30 feet as they provide access into loading areas and solid waste areas.
34.		GG-D.4 Avoid accessing parking garages and large surface parking lots directly from Mathilda, Murphy, Sunnyvale, and Evelyn Avenues, Driveways internal to the block may be used for access into the parking garage from these streets	Yes	
	Design of Parking Structures / Parking Lots	GG-D.5 – GG-D.16	Not Applicable	The proposed parking is in an underground structure.
35.	Open Space and Landscaping	GG-F.1 Major plazas are encouraged to incorporate flexible areas with a variety of landscaping that can accommodate large crowd gathering events, such as outdoor	Yes	The project includes the extension of S. Frances Street which includes a larger pedestrian realm

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		concerts and performances, and provide areas of shade and seating.		and the ability to close the street to vehicular traffic in the evenings and weekends. The project also includes the outdoor plaza on the northeast corner of the site.
36.		GG-F.2 In courtyards and exterior gathering spaces, public art, water elements, and/or outdoor seating should be incorporated into the design to provide additional interest and relaxing sounds at key pedestrian locations. These features should be in scale with the size of the gathering space.	Yes	The proposed S. Frances extension and the plaza would include seating and landscaping elements to soften the feel of the areas.
37.		GG-F.3 Comply with Municipal Code requirements for tree preservation. Healthy significantly sized trees shall be preserved and incorporated into the design of plazas and common open space areas unless the standards and criteria for removal are met.	Yes	Tree protection required for the five remaining trees.
38.		GG-F.4 Public gathering areas are encouraged to include well-designed seating options such as benches, seat walls, planter ledges, moveable chairs, and seating steps that complement existing plaza space in the Downtown. Seating and gathering areas should have a mixture of shaded and unshaded areas to increase usability in various weather conditions.	Yes	As noted above, the extension of S. Frances and the plaza would include these types of elements.
39.		GG-F.5 Special paving materials, such as pavers, precast concrete, stone, tile, or other accent materials are encouraged at focal points and highly visible areas outside of the required public sidewalk.	Yes	The DSP standard sidewalk details will be used for the perimeter sidewalks. The extension of S. Frances would include concrete pavers as this area would be a focal point.
40.		GG-F.6 Sustainable design features that are associated with utilizing renewable energy, reducing the heat island effect, and adopting low impact development (LID) stormwater strategies are highly encouraged	Yes	The project will comply with the City's Green Building requirements.
41.		GG-F.7 Use of appropriate native vegetation and water conserving plant material of varying textures and colors is highly encouraged. Plant material should conform to water efficient landscaping requirements in Title 19 (Zoning).	Yes	This will be incorporated as feasible depending on planter size.

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42.		GG-F.8 All areas of plazas should be visible from surrounding building entrances, residential units or non-residential spaces, or other frequently occupied indoor/ outdoor spaces to maximize natural surveillance.	Yes	See plans.
43.		GG-F.9 Adequate lighting in plazas should be included for evening/nighttime uses and security and should be integrated as design features, to provide ambient lighting. Path lighting may be used to highlight main pedestrian circulation. Pole lighting should be placed adequately and equipped with necessary cut-off fixtures, to prevent light pollution and glare to the adjacent properties.	Yes	
44.	Usable Open Space	GG-F.12 Usable open space should be well landscaped to enhance the aesthetics of individual developments.	Yes	Usable open space is not required. However, various open areas around the site include landscaping to enhance these areas.
45.		GG-F.13 Residential common areas may be provided in a variety of formats, including courtyards, roof gardens, play areas, and outdoor kitchens. Common areas that have direct access from the public streets may establish access restrictions.	Not Applicable	
46.		GG-F.14 Common areas, located at upper-level floors for use by building residents and visitors, may qualify as usable open space.	Not Applicable	
47.		GG-F.15 Podium or rooftop patios and gardens with usable open spaces are highly encouraged.	Yes	The proposed buildings include terraces and various levels.
48.		GG-F.16 At the street level, residential developments should provide a transition zone between the public realm and the private realm through use of open space and landscaping. The transition space may utilize a combination of planting beds, steps, varying paving materials, trellises, arcades, and low hedges or fencing.	Not Applicable	

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49.	Plant Palette and Landscape Materials	GG-F.18 Maintain a recommended street tree list for the Downtown Specific Plan Area.	Not Applicable	
50.		GG-F.19 The use of native and drought-tolerant trees is encouraged.	Yes	
51.		GG-F.20 Table 6-2 lists preferred and discouraged non-plant materials for use in landscaped and outdoor spaces	Yes	
52.	Streetscape Elements	GG-G.1 Unifying elements along The Loop should be considered to highlight this route, including street trees or plants, wayfinding signage, and/or paving materials.	Yes	The pedestrian sidewalk areas shall be consistent with the DSP standards for sidewalk treatments, plantings, lighting and furniture.
53.		GG-G.2 Key pedestrian crossings along pedestrian priority ways should be highlighted with color or special, durable paving, such as enhanced concrete.	Yes	Pedestrian crossings on Murphy Avenue and Frances Street will be treated in a similar manner as Murphy and Washington.
54.		GG-G.3 Encourage intersection bulb-outs to reduce the crossing distance for pedestrians.	Yes	
55.		GG-G.4 Consider “scramble crosswalks” or other innovative pedestrian crossings where appropriate.	Not Applicable	
56.		GG-G.5 Where there is no on-street parking, use landscape elements such as street trees, small bollards, raised planters, or other similar devices to provide protection for pedestrians from moving vehicles.	Yes	
57.		GG-G.6 Safe passenger pick-up/drop-off zones should be planned and incorporated near commercial and residential developments. These zones may be pull out spaces where there is adequate street right-of-way, public easement, and/or may be provided on private property, as addressed in Chapter 7.	Yes	There is an area proposed on Washington Avenue and the Frances Extension where pick-up and drop off can occur.
58.		GG-G.7 Street trees should be planted at an average of every 25 to 30 feet on center, when possible; 25 feet is preferred along pedestrian-oriented streets. Tree grates should be used in the Downtown	Yes	Generally, 25 feet apart. Plantings on new street will more varied due driveway, loading and solid waste access on the north façade.

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		Core for the street trees, to prevent compaction of soils in root zones.		
59.		GG-G.8 Permeable paving materials or planters that allow for stormwater capture are highly encouraged and should be used whenever possible to minimize the volume and/or rate of stormwater run-off.	Yes	The project is complying with the City's stormwater management requirements.
60.	Street Types	GG-G.11 Local Commercial Streets distribute traffic at the district level. Identified pedestrian priority ways serve to provide critical pedestrian connectivity among various destinations, while limiting vehicular driveways and access into individual parcels.	Not Applicable	
61.	Streetscape Furnishings	GG-G.14 Streetscape furnishings such as benches, planters, bike racks, trash receptacles, bollards, and tree grates should be selected from a coordinated palette and be compatible and well-integrated with the surrounding built environment within the Downtown.	Yes	Street furniture and lighting will be consistent with the DSP standards.
62.		GG-G.15 Streetscape furnishings should be used to reinforce the character and identity of a block or street. If desired, they may be used as a unifying element to tie together a larger district or corridor. Street furnishings should be functional while improving the pedestrian comfort, security, and safety of the Downtown.	Yes	
63.		GG-G.16 Street furniture, such as benches and seating areas, should be provided throughout The Loop and pedestrian priority ways, as well as in all plazas within the Downtown to provide pedestrians a place to sit and relax.	Yes	As noted above.
64.		GG-G.17 Seating options should be composed of durable materials that can be easily maintained.	Yes	As noted above.
65.		GG-G.18 Both fixed and movable outdoor seating should be included in plazas, allowing for privacy as well as group interaction, for additional flexibility of use.	Yes	
66.		GG-G.19 Seats with a back are encouraged where feasible.	Yes	These will be consistent with the DSP standards and benches located on

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				the planters around the site.
67.		GG-G.20 Defensive design elements such as uncomfortable seating and similar obstacles to discourage public use, are discouraged in the public spaces.	Yes	
68.	Street Lighting	GG-G.21 Street lighting should be compatible in style and aesthetics with the street furnishings in the surrounding environment.	Yes	
69.		GG-G.22 Sufficient lighting should be provided to ensure safe pedestrian movement along The Loop and pedestrian priority ways during low light periods.	Yes	
70.		GG-G.23 Low brightness lighting fixtures utilizing warm, color-corrected light sources with appropriate beam cut-off are encouraged to minimize uncontrolled nighttime light and glare.	Yes	
71.	Service Facilities and Mechanical Equipment	GG-H.1 Locate service areas and drives away from public streets and nearby residential uses. Place service facilities in the least visible areas. The Loop or pedestrian priority ways should be avoided for any street level service facilities or mechanical equipment.	Yes	All located on the proposed new east-west street.
72.		GG-H.2 Fully screen all service facilities from the public street and adjoining properties with walls, fences, and/or landscaping treatments.	Yes	
73.		GG-H.3 Integrate screening for rooftop mechanical equipment into the building massing, using quality materials compatible with exterior building façade materials. Arrange screening into a compact cluster to the extent possible rather than several small individual screening structures. If multiple screening structures are required, integrate them into the building massing. Roof access ladders shall not be located on the exterior of a building.	Yes	Rooftop mechanical equipment has been located and centered on the top floors. Screening has been designed to complement the architecture of the building.
Building Type-Specific Design Guidelines				
74.	Office	BT-C.1 Facade design should include high quality exterior materials, windows, sun control devices and other design elements	Yes	The upper floors of the proposed building include high quality

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		to produce a well-articulated building. Techniques to create high quality exteriors include changes in materials and/or color, variations in the vertical planes, and incorporation of upper level outdoor common areas should be used to avoid a monolithic and sterile appearance.		materials that provide variation in the verticality of the facades. Additionally, the various levels include terraces to provide additional interest in the facades of the upper floors.
75.		BT-C.2 Additional articulation and transparency should be provided on the ground floor and at corners for a visually inviting pedestrian experience.	Not Applicable	
76.		BT-C.3 Windows should be well proportioned. Glazing should provide a high degree of light transmittance and prevent glare.	Yes	The proposed glazing for the upper floors is proportioned in two story elements with vertical breaks and the glazing been
77.		BT-C.4 Main entrances for the public, staff, and visitors should be clearly identifiable. Within the Commercial Core and North of Washington Districts, building entries should be located along The Loop, pedestrian priority ways, or a primary pedestrian frontage, such as a plaza or other public street and lead directly to the main lobby space.	Yes	Entries into the offices are located on the S. Frances extension.
78.		BT-C.5 The lobby should be inviting, well-lit, secure, and clearly visible from the street, both day and night.	Yes	
79.		BT-C.6 Indoor atriums, outdoor plazas and public amenity areas should be incorporated into building frontages for employee and visitor uses.	Yes	Outdoor plaza areas on Frances and the northeast corner of the site will be available to the public.
80.		BT-C.7 Public art is encouraged in the design of atriums, plazas, and public amenity areas.	Yes	The applicant is working with the City on art locations within Block 18.
81.		BT-C.8 Roofs should be designed with usable rooftop gardens and/or light-colored roofing, to help reduce heating and cooling loads, address 'urban heat island' effects, and provide workers a significant private outdoor amenity area.	Yes	While the upper roof is mechanical screening the lower roofs are broken up with varied terraces.

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82.		BT-C.9 Parking should be accessed from alleys, away from pedestrian priority ways, when possible.	Yes	Access from proposed new street.
83.	Ground Floor Retail within Mixed-Use Buildings	BT-D.1 Ground floor retail and similar commercial uses should help define the public realm by placing the base of the building at the build-to-line (at the back of the sidewalk), with additional setbacks and recesses to support public activity on the street. a. As addressed in Section 6.2 B.1, ground floor setbacks and setbacks of partial or full portions of a building from the build-to-line are encouraged, to enhance and support the activities in the public realm. b. Setbacks and recesses should be a minimum of 30 inches deep to support landscaping and seating areas. c. A minimum 10-foot setback is recommended for café seating and outdoor dining activities, although a width of 15 feet is preferred.	Yes	See responses to General Design Guidelines, Building Form and Articulation above.
84.		BT-D.2 Where outdoor dining areas are provided, dining activities shall not encroach into a minimum clear width of 5 feet for pedestrian access, at any given point along the pedestrian zone (defined in Section 7.5.1) for compliance with the American with Disabilities Act.	Yes	Any proposed outdoor dining areas shall maintain a minimum of 5 feet.
85.		BT-D.3 A strong physical and visual connection should be maintained with the streets or open space through entrances, open (transparent) storefronts, and outdoor seating. See Section 6.2 C.4 for additional guidelines.	Yes	As noted above the ground floor is comprised of storefront glazing and utility areas have been minimized.
86.		BT-D.4 A fine-grain rhythm should be created at the pedestrian level, using store windows, awnings, and columns.	Yes	
87.		BT-D.5 For larger tenants, retail entrances, displays, and special design features, such as recessed entry treatments should be located at the corner of the blocks.	Not Applicable	
88.		BT-D.6 Commercial storefront entrances should be easily identifiable and distinguishable from residential and office entrances. Recessed doorways, awnings, transparencies, changes in color or	Yes	The ground floor storefronts have been defined through exterior materials and changes in planes.

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		materials are encouraged to identify and enhance entrances.		
89.		BT-D.7 Storefronts, windows, and entry doors should be recessed at least six inches from the adjacent wall surface to create architectural relief, definition, and shadow.	Yes	Storefront glazing is setback 2 feet from column supports with metal awnings located approximately 11 feet above grade.
Commercial Core District Design Guidelines				
90.	Site Layout and Design	CC-A.1 Blocks measuring more than 400 feet in length should be divided with mid-block connections that provide pedestrian only access or shared access for vehicles, bicycles, and pedestrians.	Yes	The existing parcel is over 400 feet wide along Washington Avenue. The proposed Tentative Map will break the block into smaller frontages, slightly less than 300 feet.
91.	Architecture and Massing	CC-B.1 New buildings in the Downtown should be visually interesting and incorporate diverse materials and forms to maintain visual appeal and attraction.	Yes	See responses above.
92.		CC-B.2 Along Mathilda and Sunnyvale Avenues, building facades that occupy an entire block greater than 300 feet shall vary every one-third of the block and include a change in the architectural design elements (e.g., form, plane, texture, and colors), to ensure architectural interest.	Not Applicable	
93.		CC-B.3 Design of ground floor retail and commercial storefronts shall address the specific guidelines in Section 6.3 A.	Yes	See response above.
94.		CC-B.4 New mid-rise and high-rise residential developments shall be subject to the specific guidelines in Section 6.3 B.	Not Applicable	
95.		CC-B.5 New office developments shall be subject to the specific guidelines in Section 6.3 C.	Yes	See responses above.
96.	Adjacent to Lower Scale Districts and Neighborhoods	CC-C.3 New larger scale development that is located across the street from lower scaled districts, shall be designed to respect the scale of adjacent land uses through: a. Providing lower heights at the street level or defining a building base with a maximum height limit of 40 feet adjacent to residential development, and 50 feet	Yes	See response to BT-B.2.

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		<p>adjacent to commercial or mixed-use development.</p> <p>b. Above the building base on the street, upper stories of the building must be set back, the greater of: 1) a distance equal to the height of the proposed building, measured from the build-to-line on the opposite side of the street (similar to Figure 6-7) or 2) a minimum of 15-feet from the build-to-line as shown in Figure 6-6 A.</p> <p>c. As an alternative to Guideline CC-C.3 b. above, buildings shall be set back in part or in whole to create an average sidewalk width of 20 feet (provided the minimum sidewalk width is 11 feet) and shall include a minimum setback of 5 feet above the building base as shown in Figure 6-6 B.</p> <p>d. Additionally, for high-rise buildings that are permitted through community benefits, upper floors above 100 feet should be reduced in scale by 10% from the floor below where this transition occurs.</p>		
97.		CC-C.4 On Mathilda Avenue, upper floors of buildings are not required to be set back and should provide articulation at the building base to support a more pedestrian-friendly scale on the street.	Not Applicable	
98.	CC-D. Parking	CC-D.1 On-site parking for new developments should be provided below grade or behind active uses.	Yes	
99.		CC-D.2 Within a parking structure, parking intended for commercial retail and service uses and visitors to the Downtown should be located on the ground floor. Parking for residents and office employees should be located either below grade or on upper floors.	Yes	Parking is located in an underground garage which will be used by office tenants during the day and available for the public in the evenings and weekends.
100.		CC-D.3 Parking structure facades should be compatible with the principal building and use a similar color and composition or be screened using artistic or ornamental screens or "green" walls.	Not Applicable	Parking is underground.
101.		CC-D.4 Parking structure facades should be located on local streets, with a minimal	Not Applicable	Parking is underground.

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		amount of access on Boulevards and Avenues.		
102.		CC-D.5 The ground floor of a parking structure shall include active uses and/or decorative elements to maintain the quality of the pedestrian realm.	Not Applicable	Parking is underground.
103.		CC-D.6 The ground floor should be designed to shield direct view of parked cars through use of decorative grilles, landscaping, or low walls.	Not Applicable	Parking is underground.
104.		CC-D.7 Upper floors of parking structures shall use fine-detail cladding materials and include decorative elements.	Not Applicable	Parking is underground.
105.		CC-D.8 Given the tighter constraints Downtown, parking garage ramps may be steeper than the city's Parking Structure Design Guidelines, subject to City review for pedestrian and vehicle safety.	Yes	Parking ramps provide a 16% slope where the Parking Structure Design Guidelines recommend a 12% slope. The proposed slope of 16% has been evaluated by the City's Traffic Division and the slope is within typical parameters.
106.	Parks and Plazas	CC-E.1 The Heritage Trees north of McKinley Avenue should be preserved and incorporated into Redwood Square.	Not Applicable	
107.		CC-E.2 Redwood Square should incorporate flexible areas with a variety of landscaping that can accommodate large crowd gathering events, such as outdoor concerts and performances and provide areas of shade and seating.	Not Applicable	.
108.		CC-E.3 Smaller outdoor plazas should be provided around the corners immediately south of the Murphy Station Heritage Landmark District as a transition from the historic buildings to newer higher density/intensity developments south of Washington Avenue.	Yes	See Plans.

Tentative Map

In order to approve the Tentative Map, the proposed subdivision must be consistent with the general plan. Staff finds that the Tentative Map is in conformance with the General Plan. However, if any of the following findings can be made, the Tentative Map shall be denied. Staff was not able to make any of the following findings and recommends approval of the Tentative Map.

1. That the subdivision is not consistent with the General Plan.
2. That the design or improvement of the proposed subdivision is not consistent with the General Plan.
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 is 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 findings (B.1-8) and recommends approval of the Tentative Map.