REPORT TO MAYOR AND COUNCIL

NO: 13-167

Council Meeting: July 9, 2013

SUBJECT:	**2013-7313** - Discussion and Possible Action on appeals of a decision of the Planning Commission for related applications by Prometheus Real Estate Group (Applicant/Owner); **457-475 E. Evelyn Avenue** in DSP-23 (Downtown Specific Plan – Block 23) Zoning District (APNs: 209-04-053 & 054)
Motion:	**Special Development Permit** to allow the development of 117 apartments;
Motion:	**Vesting Tentative Parcel Map** for the merger of two lots.
Staff Contact:	Ryan Kuchenig, (408) 730-7431, rkuchenig@sunnyvale.ca.gov

REPORT IN BRIEF:

Existing Site Conditions	Two Multi-Tenant Commercial Buildings
Surrounding Land Uses	
North	Industrial (Northrup Grumman) across Railroad
South	Child Care & Multi-family Residential across E. Evelyn Ave.
East	Multi-Family Residential (Heritage Park Apartments)
West	Multi-Family Residential (Villa Del Sol Apartments)
Issues	Driveway Location, Noise
Environmental Status	A (Mitigated) Negative Declaration has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines.
Planning Commission Recommendation	Adopt the Mitigated Negative Declaration; and approve the Special Development Permit and Vesting Tentative Map with conditions.
Staff Recommendation	Grant the appeal and modifying the decision of the Planning Commission by adopting the Mitigated Negative Declaration; and approving the Special Development Permit and Vesting Tentative Map with a condition of approval to relocate the entry driveway.

PROJECT DESCRIPTION:

The proposed project includes demolition of two one-story multi-tenant commercial buildings and development of a new four-story residential building with 117 dwelling units.

- **Special Development Permit**

  The applicant has requested approval of a Special Development Permit (SDP) for site and architectural review. The SDP also is used to consider approval of preliminary landscaping and stormwater management plans. An SDP is the project review process for sites in Sunnyvale within the Downtown Specific Plan.

  The revised proposal for 117 units (10 one-bedroom, 68 two-bedroom, 39 three-bedroom) would meet the newly approved density for Block 23 with additional density requested through the City's Green Building incentive program and through state law for providing low income units. More discussion is included in the "Affordable Housing" section of this staff report.

  Deviations, or exceptions to code-required development standards can be considered through an SDP and do not require separate review through a Variance application. The applicant is requesting deviations from lot coverage and building height; through state law, by providing a certain percentage of very low income units, the project can be granted two concessions from development standards. Furthermore, as discussed in the "parking" section of this report, an alternative parking rate can be utilized for development with affordable housing, exclusive of those concessions.

  A related proposal (2013-7460), by the same developer, southwest of the project site, at 388 – 394 E. Evelyn Avenue was approved by the City Council on March 19th, 2013 for 67 apartment units.

- **Vesting Tentative Parcel Map**

  The Vesting Tentative Parcel Map is requested to allow for the lot merger of the two existing parcels. The purpose of the Tentative Map is to entitle the project shown on the site plans, by displaying the location of lot lines for buildings, streets (public or private), etc. The Vesting Tentative Map vests the developer's right to build the project for the life of the map. It also secures the approved project against future SMC changes by the City that might otherwise affect the project.

- **Appeal**

  The Planning Commission action was appealed by Councilmembers Moylan and Whittum on June 14, 2013. The appeals note that a project of this size should be reviewed by the City Council and that it is felt that the revised project does not adequately address density concerns through the applicant's modifications to the bedroom count. Additional concerns raised by councilmembers include the location of the main driveway and noise.

BACKGROUND:

The project site was considered for a 158-unit residential development by the Planning Commission and City Council in February and March of 2013 respectively. The Planning Commission recommended approval of the project with the reduction of two units (156) and other modifications that have since been incorporated into the Conditions of Approval. On March 19, 2013, the City Council referred the project back to Planning Commission for redesign. This action was taken because the City Council approved 36 units per acre for the newly created Block 23 the Downtown Specific Plan instead of the 48 units per acre that had been originally been requested. This action was taken as part of the separate General Plan Amendment and Rezoning proposal for the expanded Downtown Specific Plan (2012-7990).

File Number	Brief Description	Hearing/Decision	Date
2012-7990	General Plan Amendment & Rezoning to expand the Downtown Specific Plan	City Council / Approved with reduced density for Block 23	3/19/2013
2012-7462	Special Development Permit & Vesting Tentative Map for 158 apartment units	City Council / Referred back to the Planning Commission for redesign	3/19/2013
2011-7906	General Plan Initiation: consider amending the land use from Commercial General Business to Residential Very High Density	City Council/ Approved	4/24/2012

Planning Commission Public Hearing for the Revised Proposal

A Planning Commission Public Hearing was held for the revised proposal on June 10, 2013. The discussion of the project primarily related to the modifications to the bedrooms and density, as well as the location of the main driveway entrance. Five members of the public spoke at the hearing. Support for the project and concerns regarding the impact of headlights based on the

driveway location were noted. The project was approved unanimously (5-0) with no additional modifications to the Conditions of Approval.

Since the Planning Commission public hearing, the applicant has modified the driveway entrance 15 feet to the west, in an effort to reduce the impacts of headlights from traffic exiting the project site. As a result, the driveway location would no longer be located directly across from the existing Sterling Place townhouse development. Instead, the driveway would be positioned across a commercial use (daycare facility). The Traffic Division notes that this modification would not conflict with traffic flow with surrounding uses.

Outreach Meeting

The developer held an outreach meeting on September 19th, 2012 for the related proposals. Approximately 15 nearby residents and property owners attended the meeting. Concerns were raised regarding the proposed increased density, traffic and safety associated with the new development. Comments related to the architecture ranged from positive to concerns about whether the design was appropriate for the neighborhood. The developer met with individual residents from Sterling Place more recently to discuss the revised project.

Planning Commission Study Session

A Planning Commission Study Session was held for the two apartment projects (2012-7460 & 7462) on August 13, 2012. The discussion included policy issues related to the proposed land use and density in addition to specific site and architectural design of the two projects. Comments were provided regarding an appropriate density that took into account the available density bonuses through state law and green building incentives. Commissioners were generally supportive of the architectural design with specific recommendations regarding the design of this at 457-475 E. Evelyn Avenue.

Project Entrance

Residents of the Sterling Place townhome development, located directly across Evelyn Avenue from the project, stated that the proposed primary driveway location may result in headlights shining into certain units across the street as vehicles exit the site. A preference for an alternative location closer to Marshall Avenue was noted. Staff and the applicant evaluated alternative locations for the primary entrance/exit of the project site during the earlier design stages of the project review. In consultation with Public Works staff, a location at the eastern end of the site off Marshall Avenue was considered undesirable due to conflicts with the existing adjacent apartments. Marshall Avenue is considered the primary vehicular egress/ingress for residents of the Heritage Oaks apartment development. A driveway location towards the center of the proposed development was considered preferable for improved traffic circulation.

Since the City Council meeting, staff has further evaluated the location for the driveway at the western end of the site. Traffic Division staff note that this location does not line up well with the intersection at Bayview Avenue and that traffic flow into and from the site would be problematic and pose conflicts with left turning traffic at all four legs of the intersection

Since the appeal of the project, the applicant has agreed to redesign the driveway entrance location approximately 15 feet to the west. Upon consultation with the Traffic Division, this new location would not cause traffic flow conflicts with neighboring development. This alteration to the site plan is not noted in the provided plans, but is required to be implemented, per Condition of Approval BP-34. Due to this modification, staff is no longer recommending Condition of Approval BP-32, which had required the applicant to consult with the Sterling Place H.O.A. regarding landscaping or architectural treatment to mitigate the impact.

Pedestrian Sidewalk

The Planning Commission had previously added Condition of Approval EP-18 which requires that the applicant work with staff to evaluate a pedestrian crossing on Evelyn Avenue between Sunnyvale Avenue and Fair Oaks Avenue. The applicant is required to contribute a fair share of a crosswalk improvement if a crosswalk is identified by staff to be effective. Staff finds that the determination of whether a crosswalk is warranted cannot be made until project completion. Public Works staff will continue to monitor this issue to make a final determination.

Left Turn

A concern was raised at the previous City Council hearing regarding potential safety hazards due to a lack of left hand turn space for vehicles entering the site and conflicts with an existing commercial day care facility at the southeast corner of Bayview Avenue and Evelyn Avenue. As a result, it was recommended that a traffic queuing analysis be conducted to further analyze any potential conflicts with existing uses. A queuing study, conducted by TJKM Transportation Consultants (selected and managed by the City) is provided in Attachment K. The report concludes, as a result of the project, that no vehicle conflicts or spillover are expected for either the existing westbound left turn lane at Bayview Avenue or the proposed eastbound left turn lane at the proposed project driveway. Staff notes that the consultant's recommended 60 foot eastbound left turn lane is already an existing condition and does not require further modification to meet this recommendation. As stated above, the redesigned entrance location would also not conflict with left turn movement.

DISCUSSION

Architecture & Site Design

The applicant is proposing to maintain the same architectural design and footprint of the previously proposed project. Through modifications to the interior layout and floor plans (including number of bedrooms) of the units, the overall unit count was reduced. (See Architectural and Site Layout plans in Attachment F.)

The proposed architectural style can be described as modern contemporary with geometric building form. The architectural design of the proposed project is similar to buildings approved and under construction downtown, including those at the former Town and Country site. The immediate area includes a mix of traditional, Mediterranean and contemporary architectural styles.

The proposed design utilizes various horizontal and vertical forms to break up the massing of the building which extends parallel to a majority of the property. Projecting tower elements are incorporated at the corners of the building to better define entrance areas and to create more visually prominent locations from the street. The building utilizes a combination of façade materials that include stucco, wood, stone and metal. A varying use of smooth and corrugated finishes is proposed. The color palette consists of contrasting shades of beige, white and gray. The architectural plans are provided in Attachment F.

The Conditions of Approval from the previous development proposal have been incorporated for this modified project and revised as necessary to address the reduced number of units (See Attachment D).

Key Code Provisions and Guidelines

The proposed project complies with the applicable code requirements as set forth in the Sunnyvale Municipal Code. The following items are those in which the applicant is requesting a deviation from requirements of the code or have been identified for clarification. Through the state density bonus provisions the applicant is requesting two concessions: lot coverage and height.

- **Setbacks**

  No modifications have been made to the front setback since the previous public hearings for the project. The building facade is approximately 20 feet away from the front property line; however, front porch and stoops project closer to the front property line. The reduced setbacks provide for a more pedestrian oriented streetscape that matches the design of nearby projects along Evelyn Avenue and elsewhere downtown. The project maintains a 26-

foot setback to the rear property line which abuts the railroad. A 26-foot setback is also maintained on each side of the property. These areas are designed with a combination of landscaping and paved surface. A row of trees along the side and rear property lines provides additional visual buffer from neighboring properties and the railroad.

- **Building Height/Stories**

The peak of the proposed building would range from 36 to 60 feet at the tower elements. On average, the building height is approximately 48 feet with corner elements that reach approximately 60 feet in height. The neighboring Villa Del Sol apartments are approximately 48.5 feet tall and the adjacent Heritage Park Apartments are approximately 25-30 feet tall.

- **Parking**

The parking requirement for this project, per state law (projects with affordable units), is 224 spaces. If stacker spaces are counted, this application exceeds the requirement with 244 parking spaces in an underground parking garage. The parking includes: stacker spaces for residents, regular assigned spaces for residents, accessible spaces for residents, and regular and accessible spaces for guests (see Attachment A - Data Table for details). A pair of each of the 81 stacker spaces where a car lift is used (total of 162 spaces) would be assigned to particular units. The Sunnyvale Municipal Code does not count stacker spaces; therefore, the site would be deficient according to Code standards. The Planning Commission and City Council recently approved the use of stacker spaces in another downtown project. A study issue has been proposed for the City Council to consider new requirements for stacker and tandem parking spaces within residential developments. This study will be considered at a Council Study Issue workshop for ranking in late January – early February, 2014. (More details of proposed study CDD-14-01 can be found at studyissues.inSunyvale.com)

The site provides 50 Class I and 10 Class II bicycle spaces. These spaces are preliminarily located in the garage and at lobby entrances near the street frontage.

- **Landscaping and Tree Preservation**

The project meets code requirements for landscape and usable open space (private and total) required in the DSP. The proposed plans also indicate that private usable open space areas meet minimal required dimensions.

A tree inventory was prepared by a consulting arborist for the project. The site currently has 31 trees on site of which 21 are considered protected trees by code. The plans for this project indicate the removal of most of the trees with the exception of four trees located near the Evelyn Avenue frontage

with the exception of four trees located near the Evelyn Avenue frontage site. A condition of approval requires that all protected trees that are scheduled to be removed be replaced with a minimum of 36-inch box trees.

- **Easements and Utilities**

As part of this project, all utilities on the project site or along the project boundary are required to be undergrounded. The existing sidewalk will be modified to meet adopted standards for the newly created block of the DSP. Sidewalk easements will be created as necessary around the proposed loading areas for the site as noted on the site plan.

- **Sidewalk Improvements**

The existing sidewalk will be modified to eight feet for most of the street frontage along E. Evelyn Avenue. Existing trees along the property frontage will be saved where possible. No modifications are planned to the existing bike lane along E. Evelyn Avenue.

- **Trash and Recycling Access**

The applicant has modified the site layout since the Planning Commission and City Council hearings to incorporate the recommended changes of the duck-out locations along E. Evelyn Avenue for trash and recycling pick up service. Conditions of Approval require that final design details to the loading and service areas meet Department of Public Works standards.

- **Stormwater Management**

The applicant has submitted a preliminary stormwater management plan with the project application. The project qualifies as a "special project" through the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURP), as it is located within 1/3 mile of an existing transit hub (Sunnyvale Caltrain station), characterized as a non-auto related use, and has a minimum density of 25 dwelling units per acre. The stormwater treatment devices consist of a combination of low impact development (LID) based treatment, media filters and bio-treatment. A final Stormwater Management Plan is required to be submitted and certified by a third party consultant, prior to building permits, as noted in the Conditions of Approval.

- **Green Building Requirements**

All new multi-family residential projects are required to achieve a minimum 80 points. The preliminary plans for the project indicate that 110 points will be achieved. As part of the City's green building incentive program, a 5% density bonus can be granted. At the time of building permit review, and again at the time of final project inspection/occupancy a certified Green

Point Rater is required to provide a letter that states the project is designed to achieve the minimum points required.

- **Affordable Housing**

State law enables the project to be granted a density bonus if a certain percentage of the units are affordable to low to very low income households. The project is requesting the maximum 35% density bonus allowed under state law by dedicating 11% of the allowable number of units (based on a density of 36 dwelling units per acre) to very low income residents. This would result in nine very low income units. The 35% density bonus is based on the requested base density of 36 dwelling units per acre. The size, location, and price of the affordable units will be established in agreement with the City's Housing Officer.

Environmental Review

For this project, a Mitigated Negative Declaration has been prepared in compliance with the California Environmental Quality Act provisions and City Guidelines. An initial study has determined that the proposed project would not experience or create any significant environmental impacts with implementation of the recommended mitigation measures (see Attachment E, Initial Study). Environmental issues that required mitigation include interior noise, biological/tree preservation, historic and cultural resources and air quality.

When this project was initially proposed, it was the Transportation Division staff's finding that the project would not entitle significant new trip making at levels that would require a Transportation Impact Analysis (TIA). A TIA is required if more than 100 net new peak hour trips would be generated over current uses occupying the site. In response to community concerns, however, the applicant hired a transportation consultant, AECOM, to conduct a traffic analysis for the project. The applicant's voluntary study is provided in Attachment L. The traffic analysis was for the 67-unit project at Evelyn Avenue and Bayview Avenue and a 158-unit project on the subject site (which is now proposed as 117 units).

Staff Comments on Appeals

Councilmember Moylan appealed the project stating that "any project this size" should be reviewed by the City Council. Staff notes that the redesigned project meets the allowable density of Block 23 within the Downtown Specific Plan. Since no rezoning action is requested, the project would not be subject to review by the Council unless appealed. It was also further stated that the project was not scaled down from the previous proposal and that the "number of inhabitants and cars is virtually identical." Per state law, one bedroom units

require one parking space while two and three bedroom units require the same amount of parking (two spaces). Although, a higher percentage of two and three bedroom units are provided with the current proposal, more parking is provided per unit. Overall, a ratio of 2.09 parking spaces per unit is provided with the revised proposal while a total of 1.7 spaces per unit were provided for the previous proposal.

Councilmember Whittum notes concerns with the location of the main vehicular driveway and potential impacts caused by headlights exiting the project site. As stated earlier, an agreement has been made to redesign the site layout by positioning the driveway further to the west. This modification has been incorporated into the Conditions of Approval.

FISCAL IMPACT

The project is required to pay a Transportation Impact Fee (TIF) for each net new peak hour trip generated by the project. The estimated TIF for the proposed 117-unit residential townhouse project is $73,619.24. This fee includes a credit for the existing development.

All residential projects are required to pay a park in-lieu fee unless dedicated park land is provided as part of the project. In this case the required in-lieu fee is estimated to be $1,752,889.25 for 117 new apartment units. Credit is given for the nine affordable rental units that are to be provided. Fee will be recalculated based on the fee in place at the time of payment; the acreage basis for the fee will not change.

The project would also generate increased property tax revenue from the increase in the assessed land value, and new residents would generate new sales tax from retail expenditures in the city. This increase in revenue would offset the cost of new City services needed by these new residents.

PUBLIC CONTACT

The project received written comments from nearby residents as provided in Attachment F. The letters note concerns related to traffic and site design of the project. As noted previously, staff does not find that the proposed projects necessitate traffic mitigation measures.

Notice of Negative Declaration and Public Hearing	Staff Report	Agenda
• Published in the *Sun* newspaper • Posted on the site • 1,332 notices mailed to the property owners and residents within 300 ft. of the project site	• Posted on the City of Sunnyvale's Website • Provided at the Reference Section of the City of Sunnyvale's Public Library	• Posted on the City's official notice bulletin board • City of Sunnyvale's Website

CONCLUSION

Discussion: Staff finds that the proposed density through the provision of affordable housing and green building design can be supported with Conditions of Approval. The project meets downtown development standards and design guidelines. The project is compatible with adjacent properties and the transitioning neighborhood. Specific noise mitigation will be incorporated into the construction design of the project as required.

Findings and General Plan Goals: Staff was able to make the required Findings as demonstrated in Attachment C.

Conditions of Approval: Recommended Conditions of Approval are located in Attachment D.

ALTERNATIVES

1. Adopt the Mitigated Negative Declaration and approve the (Special Development Permit, and Vesting Tentative Map with attached conditions.

2. Adopt the Mitigated Negative Declaration and approve the (Special Development Permit, and Vesting Tentative Maps proposed with modified conditions.

3. Adopt the Mitigated Negative Declaration and deny the Special Development Permit and Vesting Tentative Map.

4. Do not adopt the Mitigated Negative Declaration and direct staff as to where additional environmental analysis is required.

RECOMMENDATION

Alternative 1 in accordance with the Findings in Attachment C and Conditions of Approval in Attachment D.

Reviewed by:

Hanson Hom
Director, Community Development
Prepared by: Ryan M. Kuchenig, Project Planner
Reviewed by: Trudi Ryan, Planning Officer

Approved by:

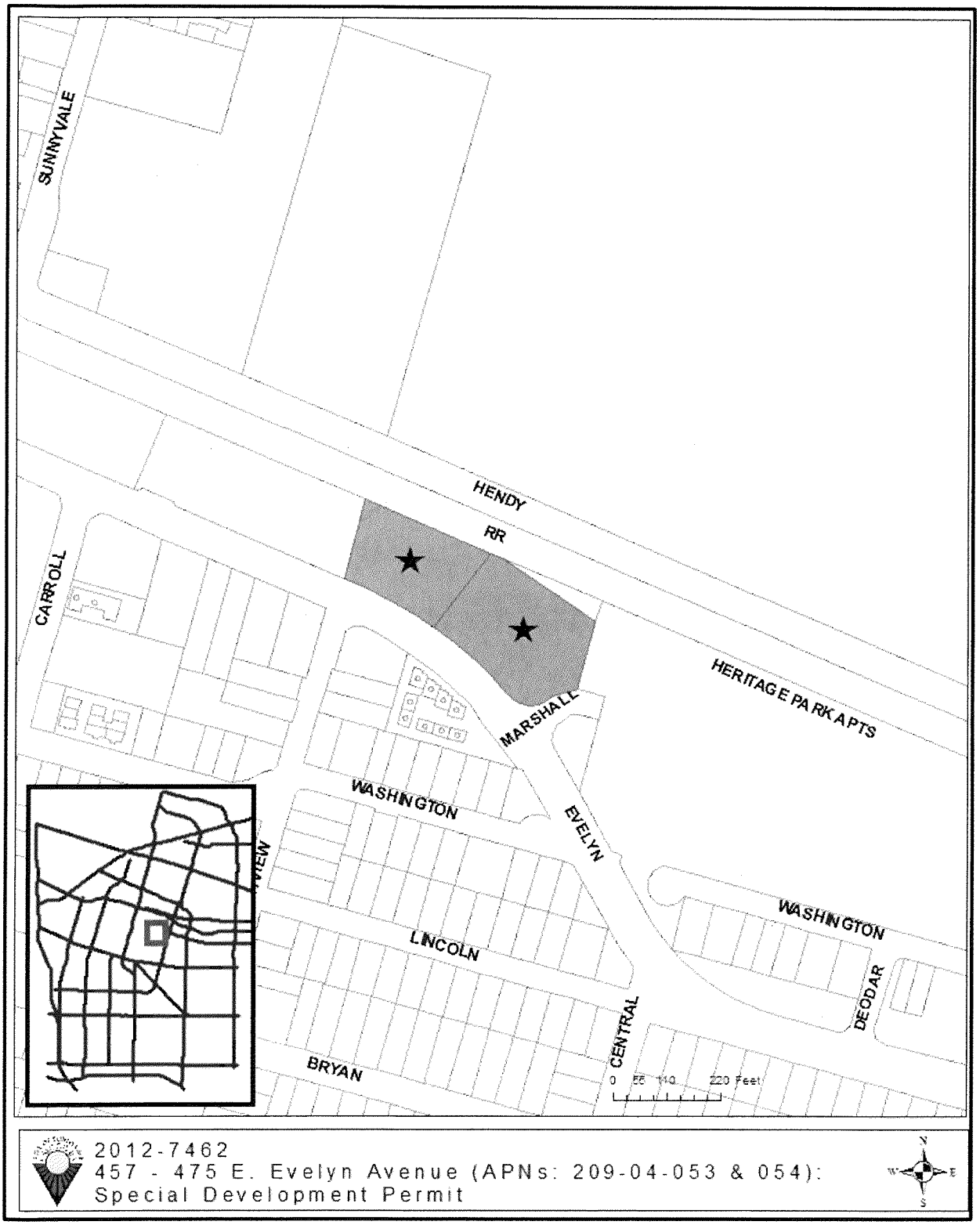
Gary M. Luebbers
City Manager

Attachments:

A. Vicinity Map
B. Data Table
C. Recommended Findings
D. Recommended Conditions of Approval
E. Mitigated Negative Declaration
F. Site and Architectural Plans
G. Letter from the Applicant
H. Letters from Other Interested Parties
I. Minutes from the Planning Commission Hearing for the Previous Proposal, Dated March 11, 2013
J. Minutes from the City Council Meeting for the Previous Proposal, Dated March 19, 2013
K. Traffic Queuing Analysis Conducted by TJKM Transportation Consultants
L. Voluntary Traffic Impact Analysis Provided by the Applicant
M. Minutes from the Planning Commission Hearing for the Current Proposal, Dated June 10, 2013
N. Balanced Growth Profile

Attachment A

VICINITY MAP



Attachment B

PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Downtown Specific Plan	Same	Downtown Specific Plan
Zoning District	DSP-23	Same	DSP-23
Combined Lot Size (s.f.)	100,623	Same	_____
Gross Floor Area (s.f.)	31,000	192,135	No max.
★ **Lot Coverage (%)**	31%	49.2%	45% max.
Floor Area Ratio (FAR)	31%	Approx. 192%	No max.
No. of Units	N/A	117	117 max. with use of State affordable housing and City green building density bonuses
Density (units/acre)	N/A	50 through green building & state law density bonus	36 max. Without use of density bonuses
Bedrooms/Unit	N/A	1, 2 & 3	N/A
Unit Sizes (s.f.)	N/A	774 – 1,482	N/A
Lockable Storage/Unit (cu. ft.)	N/A	300	300 min.
No. of Buildings On-Site	2	1	N/A
★ **Building Height (ft.)**	18 ft.	35 - 60 feet	50 per DSP and Rezoning
No. of Stories	1	4	per DSP and Rezoning
Setbacks (Each Story Facing Property)			
★ **Front**	56' 6"	20' (10'-15' to porch stoops)	18' per DSP and Rezoning
Left	24'	26'	6' per DSP and Rezoning
Right Side	25'	26'	6' per DSP and Rezoning
Rear	41' 10'	26'	20' per DSP and Rezoning

Landscaping (sq. ft.)			
Total Landscaping	unknown	35,042 (35%)	20% as per DSP min.
Total Usable Open Space/Unit	N/A	354 s.f.	133 s.f. min.
Private Open Space	N/A	50 s.f.	50 s.f. min.
Clubhouse (s.f.)	N/A	1,690 s.f.	450 s.f. min.
Frontage Width (ft.)	N/A	15 - 20 ft.	15 ft. min.
Parking			
★ **Total Spaces**	124	244*	224 min.
Resident Standard Spaces	118	57	Per SDP
Resident Accessible Spaces	6	5	Per ADA requirements
Stacker Spaces	N/A	81 + 81	Per SDP
Guest Standard Spaces	N/A	16	15 – 43 (total incl. accessible)
Accessible Spaces (Guest)	N/A	4	Per ADA requirements
Aisle Width (ft.)	26'	24'	24' min.
Bicycle Parking	0	60	50 Class I 10 Class II
Stormwater			
Impervious Surface Area (s.f.)	86,311	91,821	Requires stormwater remediation per SMC
Impervious Surface (%)	86%	91%	Requires stormwater remediation per SMC

★ Shaded items with a star indicate requested deviations from municipal code requirements. The applicant has identified the deviations to lot coverage and height as the two concessions allowed through the state density bonus law.

* Sunnyvale Municipal Code requirements do not currently contain provisions for parking through stacked design; therefore, the site technically would be deficient according to Code standards

Attachment C

RECOMMENDED FINDINGS

Special Development Permit

Goals and Policies that relate to this project are:

Downtown Specific Plan

DSP B.1.: Encourage mixed uses throughout downtown when consistent with the district character.

DSP B.2.: Encourage below-market-rate housing in all residential neighborhoods.

DSP B.4.: Continue to encourage landscape, streetscape and façade improvements for all streets throughout the downtown.

DSP C.3.: Promote the use of public transit by intensifying land use and activities near transit cores.

DSP D.3.: Encourage intensification of specified high density residential and commercial districts while maintaining the character and density of single family neighborhoods surrounding downtown.

General Plan - Land Use and Transportation

Goal LT-3: Appropriate Mix of Housing
Ensure ownership and rental housing options in terms of style, size and density that are appropriate and contribute positively to the surrounding area.

Policy LT-3.1: Provide land use categories for and maintenance of a variety of residential densities to offer existing and future residents of all income levels, age groups and special needs sufficient opportunities and choices for locating in the community.

Policy LT-3.4: Determine appropriate density for housing based on site planning opportunities and proximity to services.

GOAL LT-7.1: Support efforts to establish Sunnyvale's downtown area as a strong commercial center for the City.

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project meets most development standards and is in compliance with the Downtown Specific Plan. Specific incentives/concessions related to building height and lot coverage, as proposed, is enabled through provisions of state law SB 1818. Conditions of approval require that construction design incorporates specific noise attenuation to limit impacts to future residents.

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. The proposed high density residential development is compatible in density to nearby residential uses and is appropriately located in a pedestrian and transit oriented neighborhood. Street frontage improvements improve the site and allow for a better connection to development downtown. As conditioned, the project minimizes impacts on the surrounding properties and allows for a redevelopment that meets the intent of the Downtown Specific Plan.

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 (1-8) 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.