

## RECOMMENDED FINDINGS

### Use Permit

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Goals and Policies that relate to this project are:

**Land Use and Transportation Element - POLICY LT-12.3 – Support a variety of land and building ownership forms, including business condominiums, planned developments and more tradition single-owner developments.**

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project [Finding met].

The proposed map is consistent with the General Plan Policy LT-12.3 that encourage variety of land and building ownership forms. The project provides opportunities for the tenant and/or new business to have individual building ownership.

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 [Finding met].

The proposed project does not include a change of use or new construction and complies with the R-2 Development standards. Although the development existed prior to the parking lot shading requirements, the project would be improving the legal, nonconformity by adding new parking lot trees that result in 12% parking lot shading. The project includes site improvements that upgrade accessibility and beautify the site. As proposed, the project will not be detrimental or injurious to property, improvements, public health, safety and general welfare.

To ensure that the exterior of the building and its grounds are properly maintained and will not impair adjacent properties, the Project would include a commercial owners association with covenants, conditions and restrictions (CC&Rs) that appropriately proportion maintenance costs for common areas.

## **Tentative Map**

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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. [Finding Not Met]

The proposed map is consistent with General Plan Policy LT-12.3 that supports the different type of land and building ownership.

2. That the design or improvement of the proposed subdivision is not consistent with the General Plan. [Finding Not Met]

The proposed Tentative Map project would not result in changes to the site layout or building size because it consists of subdividing an office complex into five condominium units with a common lot.

3. That the site is not physically suitable for the proposed type of development. [Finding Not Met]

The Tentative Parcel Map would subdivide an existing dental office complex into five condominium units with a common lot and does not include a change of use or alter the site layout or building size. Therefore, the site is physically suitable for the proposed type of development.

4. That the site is not physically suitable for the proposed density of development. [Finding Not Met]

The project does not result in a change of use or alter the site layout or building size. The Tentative Map will not impact the density, use, circulation, or other development standards. As the proposed, the project will improve the site with upgrades to the parking lot, site landscaping, and building façade.

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. [Finding Not Met]

6.

The proposed Tentative Parcel Map would subdivide an existing dental office complex into five condominium units with a common lot. The project does not include a change of use or the site layout or building size. Therefore, the project would not result in substantial environmental damage or result in negative impact to fish or wildlife or their habitat.

7. That the design of the subdivision or type of improvements is likely to cause serious public health problems. [Finding Not Met]

The proposed Tentative Parcel Map would subdivide an existing dental office complex into five condominium units with a common lot. The project does not include a change of use or the site layout or building size. Therefore, the project will not result or likely to cause public health problems.

8. 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. [Finding Not Met]

The project is subject to off-site improvements that includes a new 10' wide public sidewalk along Remington Drive, upgrading existing sewer laterals to 6 inches if they are currently less than 6 inches in diameter, and slurry seal the roadway along the Remington and Tilton Street frontages.

The project will be subject to a 11-foot wide by 45-foot street easement dedication for the future Remington roadway improvements which consist of the widening of W. Remington Drive to accommodate one eastbound left turn lane and two eastbound through lanes. A separate 3-foot wide street easement dedication will be required along the Sunnyvale Saratoga Road.

These required easements and improvements will be documented in the Final Map and Conditions of Approval and will not conflict with existing easements or improvements.

9. 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. [Finding Not Met]

The proposed subdivision is consistent with the Subdivision Map Act and the Sunnyvale Municipal Code in that the subdivision would result in five office condominium units and one common area lot and does not result in a nonconformity with development standards.