

RECOMMENDED FINDINGS

Use Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element - Goal LT-7: Diverse Housing Opportunities

Ensure the availability of ownership and rental housing options with a variety of dwelling types, sizes, and densities that contribute positively to the surrounding area and the health of the community.

Housing Element - Policy H-3.7 Condominium Conversions.

Regulate the conversion of rental apartments to condominium ownership, and only permit conversions when the citywide vacancy rate for rental units warrants, and a benefit to the overall housing supply can be shown.

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale. **[Finding Met]**

The project meets the required development standards and is consistent with the City's Single Family Home Design Techniques. The conversion of the duplex into condominium provides home ownership opportunity, and further enhances the residential character of the neighborhood. Additionally, the Housing Element requires a minimum 3% vacancy threshold, which the city currently exceeds.

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 complies with most of the development standards for the R-2 Zoning District, with the exception of the corner vision triangle, which renders it legally nonconforming. The project does not exacerbate the existing situation and will bring the nonconforming fence into compliance.

No new additions to the existing structure are proposed. The project involves only the reconfiguration of the current layout to add one bedroom to each unit, along with exterior upgrades.

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. **[Finding Not Met]**

The proposed map is consistent with the General Plan, specifically General Plan Policy LT-7 that supports the availability of ownership and rental housing options with a variety of dwelling types, sizes, and densities that contribute positively to the surrounding area and the health of the community. Additionally, this parcel is not located in an adopted specific plan area.

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

The proposed Tentative Parcel Map project would not result in changes to the site layout or building size because it consists of subdividing an existing residential building into two condominiums 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 duplex building into two condominiums with a common lot and does not include a change of use nor would it 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]**

As mentioned above, the proposed map would subdivide an existing residential building and does not include a change of use, nor would it alter the site layout or building size. No new additions to the existing structure are proposed. The project involves only the reconfiguration of the current layout to add one bedroom to each unit, along with exterior upgrades.

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]**

The proposed Tentative Parcel Map would subdivide an existing residential building into two condominiums with a common lot. The design of the project does not include a change of use nor would it alter the site layout or building size; therefore, the project would

not result in substantial environmental damage, nor would it result in substantially and avoidably injurious to 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. **[Finding Not Met]**

The proposed Tentative Parcel Map project would not result in changes to the site layout or building size because it consists of subdividing an existing residential building into two condominiums with a common lot. The existing building is slightly in the corner vision triangle, which renders it legally nonconforming. The project does not exacerbate the existing situation and will bring the nonconforming fence to comply with safety requirements for motorist and pedestrian at the E Iowa and Flora Vista Avenues.

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. **[Finding Not Met]**

This project requires a street dedication of 20.5 feet in width, measured from the centerline, in the form of an easement. The future right-of-way line is located 6.5 feet from the face of the curb along Flora Vista Avenue. Additionally, a 2-foot-wide sidewalk dedication, also in the form of an easement, is required. The existing right-of-way line along East Iowa Avenue will remain unchanged and is dimensioned 9 feet from the face of the curb. An additional sidewalk easement dedication may be necessary at the intersection to accommodate the existing curb ramp. These required easements will be documented in the Final Map and will not result in any physical changes to the site. Therefore, the Tentative Parcel Map will not conflict with existing easements.

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. **[Finding Not Met]**

The proposed subdivision is consistent with the Subdivision Map Act and the Sunnyvale Municipal Code in that the subdivision would create two legal condominium units bounded by the footprint of the existing duplex building.