

RECOMMENDED FINDINGS

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

In order to adopt the Mitigated Negative Declaration, the City Council must make the following findings per CEQA Guidelines Section 15074:

1. The Mitigated Negative Declaration was prepared and circulated for public review in accordance with the requirements of the California Environmental Quality Act.

2. The City Council has read and considered the Mitigated Negative Declaration and finds on the basis of the whole record before it, including the Initial Study and any comments received, that there is no substantial evidence that the proposed General Plan Amendment and Rezoning will have a significant effect on the environment.

3. The Mitigated Negative Declaration reflects the City Council's independent judgment and analysis.

4. The mitigation measures listed in the Mitigated Negative Declaration will be incorporated as conditions of approval of the future development project, including a program for reporting and monitoring the measures required to mitigate or avoid significant environmental effects.

5. 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 W. Olive Ave., Sunnyvale, CA 94086.

GENERAL PLAN AMENDMENT AND REZONING

1. The amendment to the general plan and zoning designation, as proposed, is deemed to be in the public interest. (*Finding Met*)

The land uses adjacent to 1313 South Wolfe Road are high-density condos to the west, medium-density apartments to the south and commercial auto service (fueling station/convenience store) to the north. The proposed amendment to the General Plan land use designation from Commercial to Medium Density Residential (15-24 du/ac) and rezoning from C-1/PD to R-3/MU for 1313 South Wolfe Road (309-10-026) and R-3/PD for 1313 South Wolfe Road (309-10-027) would provide a contiguous Medium Density Residential General Plan and nearly identical R-3 zoning designation with the apartments to the south. No changes are proposed to the existing commercial auto service at 898 East Fremont Avenue.

The property owner of 1313 South Wolfe Road has not been successful in redeveloping or leasing these sites, and 1313 South Wolfe Road (309-10-026) has been vacant for decades. Staff finds that conversion of commercial to residential on these sites would not be detrimental to General Plan goals for a healthy and diverse economy because the loss of existing commercial use would be replaced by the commercial component

required by the proposed mixed-use combining district. The sites are physically suitable for residential use and medium density residential will be compatible with the neighborhood. The sites are also located close to transit and neighborhood services. Moreover, the proposed General Plan and Zoning designations would allow for a more cohesive long term development plan for the block.