

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE AMENDING THE GENERAL PLAN
DESIGNATION FOR THE SUNNYTREES HOA LOCATED
ON AZURE STREET, BRAHMS WAY AND CEZANNE
DRIVE FROM RESIDENTIAL HIGH DENSITY TO
RESIDENTIAL LOW-MEDIUM DENSITY**

WHEREAS, the Sunnytrees HOA located at 821-836 Azure St. (APNs: 211-41-013 through 211-41-032), 103-180 Brahms Way (APNs: 211-41-001 through 211-41-059), and 817-827 Cezanne Dr. (APNs: 211-41-050 through 211-41-055) is a low-medium density residential development surrounded by commercial properties to the north and east, high density residential to the southeast, low density single-family homes to the south, and Sunnyvale-Saratoga Road to the west; and

WHEREAS, the Sunnytrees HOA is currently designated Residential High Density in the General Plan, which is inconsistent with the density of the existing low-medium density development; and

WHEREAS, the applicant has proposed to change the land use designation for the Sunnytrees HOA from Residential High Density to Residential Low-Medium Density; and

WHEREAS, the proposed designation is consistent with the subject property land use and adjacent property development and designation; and

WHEREAS, a Mitigated Negative Declaration was prepared for the modification of the general plan designation for the Sunnytrees HOA pursuant to Public Resources Code section 15070 and CEQA Guideline 15164, which evaluated the impacts of this project on the environment; and

WHEREAS, the Planning Commission considered the proposed amendment at a duly noticed hearing held on _____, 2016, and has recommended approval of the amendment affecting the Sunnytrees HOA; and

WHEREAS, the City Council held a public hearing on _____, 2016, and considered the reports and documents on the proposed amendments presented by City staff, the Planning Commission's recommendation, and the written and oral comments presented at the public hearing.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. MODIFICATION OF LAND USE DESIGNATION. The City Council finds and determines that the General Plan amendments constitute a suitable and logical change in the plan for the physical development of the City of Sunnyvale, and it is in the public interest to approve the modifications from Residential High Density to Residential Low-Medium Density for the Sunnyside HOA located at 821-836 Azure St. (APNs: 211-41-013 through 211-41-032), 103-180 Brahms Way (APNs: 211-41-001 through 211-41-059), and 817-827 Cezanne Dr. (APNs: 211-41-050 through 211-41-055).
2. CEQA- MITIGATED NEGATIVE DECLARATION. The City Council hereby finds that the Mitigated Negative Declaration prepared for this ordinance has been completed in compliance with the requirements of the California Environmental Quality Act (CEQA) and reflects the independent judgment of the City Council, and finds on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence that project will have a significant effect on the environment. The mitigation measures listed in the Mitigated Negative Declaration have been incorporated as conditions of approval of the Project, including a program for reporting and monitoring the measures required to mitigate or avoid significant environmental effects. The Director of Community Development may file a Notice of Determination with the County Clerk pursuant to CEQA guidelines. Any future project that may benefit from these changes will still need to undergo its own environmental review, if required by CEQA, and potential impacts may be determined at that time.

Adopted by the City Council at a regular meeting held on _____, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney



**City of Sunnyvale
General Plan Land Use Map**

**838 Azure Street
Sunnytrees HOA**

