

DRAFT 11/10/16 *lum*

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE AMENDING THE PRECISE ZONING
PLAN, ZONING DISTRICTS MAP, TO REZONE CERTAIN
PROPERTY LOCATED AT 895 EAST FREMONT AVE. (APN
NUMBER 211-25-033) FROM NEIGHBORHOOD
BUSINESS/EL CAMINO REAL PRECISE PLAN (C-1/ECR)
TO MEDIUM DENSITY RESIDENTIAL/EL CAMINO REAL
PRECISE PLAN (R-3/ECR)**

THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS
FOLLOWS:

SECTION 1. AMENDMENT OF PRECISE ZONING PLAN. The Precise Zoning Plan, Zoning Districts Map, City of Sunnyvale (Section 19.16.050 of the Sunnyvale Municipal Code) hereby is amended to re-zone the property at 895 E. Fremont Ave. (Assessor Parcel Number 211-25-033) from C-1/ECR (Neighborhood Business/El Camino Real Precise Plan) Zoning District to R-3/ECR (Medium Density Residential/El Camino Real Precise Plan). The location of the properties is set forth on the scale drawing attached as Exhibit "A."

SECTION 2. CEQA. The environmental effects of the proposed amendment to the Precise Zoning Plan and Zoning District Map were analyzed in the Butcher's Corner Apartments Project Environmental Impact Report (the "EIR"), SCH #2015032085. The City Council reviewed the EIR and found that it reflects the independent judgment of the City Council and its staff, and is an adequate and extensive assessment of the environmental impacts of the proposed amendment. The City Council certified the EIR as having been prepared in compliance with the requirements of the California Environmental Quality Act ("CEQA"), made necessary findings, adopted a statement of overriding considerations related to certain traffic impacts, and adopted a Mitigation Monitoring and Reporting Program (Resolution No. ____). The City Council incorporates by this reference the findings contained in the EIR as to the environmental effects of the proposed amendment, together with the additional findings contained in this Resolution.

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 4. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on _____, and
adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held
on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

City Clerk
Date of Attestation: _____

Mayor

(SEAL)

APPROVED AS TO FORM:

City Attorney

