



Legislation Details (With Text)

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**Title:** Reconsideration of the 237 Industrial Center Final Environmental Impact Report for a Conforming Rezoning, Special Use Permit and Development Exception for Real Property Located at 1657 Alviso-Milpitas Road.

**Sponsors:** City Council

**Indexes:**

**Code sections:**

**Attachments:** 1. Memorandum, 2. Attachment 1 LECEF - Reconsideration Application - 102617.pdf, 3. Attachment 2 Epinoza - Reconsideration Application - 102717.pdf, 4. Attachment 3 Planning Commission Agenda item 5a and associated documents.pdf, 5. Attachment 4 City Council Agenda item 17-094 and associated documents.pdf, 6. Attachment 5 Final Environmental Impact Report.pdf, 7. Attachment 6 City Council Resolution No. 78393.pdf, 8. Attachment 6b - City Council Resolution 78394.pdf, 9. Attachment 7 237 Industrial Center Construction Air Pollutant Emissions Analysis.pdf, 10. Calpine Letter

Date	Ver.	Action By	Action	Result
12/12/2017	1	City Council		

**Reconsideration of the 237 Industrial Center Final Environmental Impact Report for a Conforming Rezoning, Special Use Permit and Development Exception for Real Property Located at 1657 Alviso-Milpitas Road.**

(a) Conduct a hearing pursuant to San José Municipal Code Section 21.07.080 to reconsider the City Council’s certification of the 237 Industrial Center Final Environmental Impact Report adopted on October 24, 2017 (Resolution No. 78393) for Rezoning File No. C15-054 from the A(PD) Planned Development Zoning District to the LI Light Industrial Zoning District; Special Use Permit File No. SP16-053 to remove eight ordinance-size trees and 14 non-ordinance size trees, and allow 14 generators and the construction of six buildings for a data center use totaling approximately 376,519 square feet with on-and off-site improvements; and Development Exception File No. V17-004 to allow an exception to the off-street parking requirements on a 64.59-gross acre site located at 1657 Alviso-Milpitas Road.

(b) Adopt a resolution affirming (i) City Council Resolution No. 78393 certifying the 237 Industrial Center Final Environmental Impact Report adopted on October 24, 2017 (Resolution No. 78393) and (ii) City Council Resolution No. 78394 approving Special Use Permit File No. SP16-053 and Development Exception File No. V17-004, and finding that:

(1) The City Council has read and considered the 237 Industrial Center Final Environmental Impact Report and related administrative record in connection with Rezoning File No. C15-054, Special Use Permit File No. SP16-053, and Development Exception File No. V17-004;

(2) The 237 Industrial Center Final Environmental Impact Report, was prepared and completed in compliance with the California Environmental Quality Act of 1970, as amended, together with state and local implementation guidelines; and

(3) Certification of the 237 Industrial Center Final Environmental Impact Report for Rezoning File No. C15-054, Special Use Permit File No. SP16-053, and Development Exception File No. V17-004 reflects

the independent judgment and analysis of the City of San José.

(c) Final adoption of ORDINANCE NO. 30023 - An ordinance of the City of San José rezoning certain real property of approximately 64.59 acres situated northwest of State Route 237 and McCarthy Boulevard (1657 Alviso-Milpitas Road) from the A(PD) Planned Development Zoning District to the LI Light Industrial Zoning District.

CEQA: 237 Industrial Center Environmental Impact Report, Resolution No. 78393. (Planning, Building and Code Enforcement)

**C15-054, SP16-053 & V17-004** - Council District 4

**TO BE HEARD AFTER ITEM 10.6**