

## Legislation Text

---

**File #:** 19-327, **Version:** 1

---

**SP18-016 - Conduct a Public Hearing on an Appeal of the Environmental Determination for a Special Use Permit for Real Property Located at 27 South First Street.**

(a) Conduct an Administrative Hearing to consider the Appeal of the Planning Director's reliance on the Addendum to the Downtown Strategy 2040 Environmental Impact Report (Addendum) in accordance with the California Environmental Quality Act (CEQA) for a Special Use Permit (File No. SP18-016) to allow the demolition of a one-story, 24,696 square-foot commercial building and development of a 22-story residential tower with up to 374 dwelling units and ground floor commercial uses on an approximately 0.6-acre site, in the Downtown Primary Commercial Zoning District located at 27 South First Street.

(b) Adopt a resolution denying the appeal and upholding the Planning Director's reliance on the Addendum, and finding that:

(1) The City Council has read and considered the Addendum for the 27 South First Street Mixed-Use Project and related administrative record related to Special Use Permit File No. SP18-016;

(2) The Addendum for the 27 South First Street Mixed-Use Project was prepared and completed in full compliance with the California Environmental Quality Act of 1970, as amended, together with State and local implementation guidelines; and

(3) Reliance on the Addendum for the 27 South First Street Mixed-Use Project reflects the independent judgment and analysis of the City of San José; and

(4) Preparation of an environmental impact report is not required because the following events did not occur as outlined in Section 21166 of the Public Resources Code: (i) Substantial changes are proposed in the project which will require major revisions of the environmental report, (ii) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report, or (iii) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

CEQA: Addendum to the Downtown Strategy 2040 Final Environmental Impact Report (Resolution No. 78942). Council District 3. (Planning, Building, and Code Enforcement)