

## Legislation Text

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**File #: 22-1262, Version: 1**

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**Administrative Hearing on the Environmental Appeal of the Planning Director's Determination of Consistency with the 2000 Cisco Systems Site 6 Final Environmental Impact Report for the Second Harvest Foodbank Project (Planned Development Permit No. PD21-016). - TO BE HEARD AFTER ITEM 10.1(a)**

(a) Conduct an Administrative Hearing to consider the environmental appeal of the Planning Director's Determination of Consistency with the 2000 Cisco Systems Site 6 Final Environmental Impact Report for the Second Harvest Foodbank Project in accordance with the California Environmental Quality Act (CEQA) for a Planned Development Permit (File No. PD21-016), to allow the construction of an approximately 249,230-square foot warehouse/distribution office building and maintenance an existing previously approved Planned Development Permit, File No. PD13-012, on an approximately 10.47-gross acre site located at 4553 and 4653 North First Street.

(b) Adopt a resolution denying the environmental appeal and upholding the Planning Director's Determination of Consistency with the 2000 Cisco Systems Site 6 Final Environmental Impact Report in accordance with the California Environmental Quality Act, as amended and approval of the Planned Development Permit, and finding that:

(1) The City Council has independently reviewed and analyzed the Determination of Consistency with the 2000 Cisco Systems Site 6 Final Environmental Impact Report, the previously certified 2000 Cisco Systems Site 6 Final Environmental Impact Report, related Mitigation Monitoring and Report Program for the Project, other information in the record and has considered the information contained therein, prior to acting upon or denying the appeal and upholding the Planning Director's Determination of Consistency with the Cisco Systems Site 6 Final Environmental Impact Report and the Planned Development Permit File No. PD21-016;

(2) The Determination of Consistency with the Cisco Systems Site 6 Final Environmental Impact Report prepared for the Project has been completed in compliance with CEQA and is consistent with state and local guidelines implementing CEQA;

(3) The Determination of Consistency with the Cisco Systems Site 6 Final Environmental Impact Report represents the independent judgment and analysis of the City of San José, as the lead agency for the Project; and

(4) Preparation of a new environmental document is not required because the Determination of Consistency with the Cisco Systems Site 6 Final Environmental Impact Report thoroughly and adequately analyzed the project and the environmental appeal does not raise any new significant impacts that have not already been analyzed or addressed in the Determination of Consistency and the Cisco Systems Site 6 Final Environmental Impact Report in accordance with Public Resources Code (PRC) Section 21083 or CEQA Guidelines Sections 15162 and 15185.

CEQA: Determination of Consistency with the 2000 Cisco Systems Site 6 Final Environmental Impact Report (Resolution No. 69636). Council District 4. (Planning, Building and Code Enforcement)

**TO BE HEARD AFTER ITEM 10.1(a)**