

# Notice of Exemption

## Appendix E

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk

County of: Santa Clara

70 West Hedding Street, E. Wing, 1st Floor

San Jose, California 95110

**From:** (Public Agency): City of San Jose

200 E. Santa Clara Street, 3rd FL

San José, CA 95113

(Address)

Project Title: 1500 Berger Drive GPA/Rezoning Project

Project Applicant: Loaves and Fishes Family Kitchen (Attn: Gisela Bushey)

Project Location - Specific:

APN: 237-04-024; approximately 340 north of intersection of Berger Dr. and Gish Rd.

Project Location - City: San Jose

Project Location - County: Santa Clara

Description of Nature, Purpose and Beneficiaries of Project:

General Plan Diagram Amendment and conforming rezoning to change designation from Heavy Industrial to Light Industrial with no change in Floor to Area Ratio (FAR) on an approximately .68-gross acre site.

Name of Public Agency Approving Project: City of San Jose

Name of Person or Agency Carrying Out Project: Loaves and Fishes Family Kitchen (Attn: Gisela Bushey)

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Section 15301 (Existing Facilities)
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

The proposed project is requesting a general plan amendment and conforming rezoning of the site from Heavy Industrial to Light Industrial with no change in FAR and minor alterations to the existing building and site and would result in negligible or no expansion of use.

Lead Agency

Contact Person: Shannon Hill

Area Code/Telephone/Extension: (408) 535-7872

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Shannon Hill Date: 2/15/2022 Title: Planner III

▪ Signed by Lead Agency      Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_