

TYPE OF SERVICES	Phase I Environmental Site Assessment
LOCATION	Seven Guadalupe Gardens Parcels San Jose, California
CLIENT	David J. Powers & Associates
PROJECT NUMBER	118-147-1
DATE	February 14, 2023

ENVIRONMENTAL

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Location	Seven Guadalupe Gardens Parcels San Jose, California
Client	David J. Powers & Associates
Client Address	1871 The Alameda, Suite 200 San José, California 95126
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Table of Contents

SECTION 1: INTRODUCTION	1
1.1 PURPOSE.....	1
1.2 PROJECT BACKGROUND	1
1.3 SCOPE OF WORK.....	2
1.4 ASSUMPTIONS	2
1.5 ENVIRONMENTAL PROFESSIONAL	3
SECTION 2: SITE DESCRIPTION	3
2.1 LOCATION AND OWNERSHIP	3
2.2 CURRENT/PROPOSED USE OF THE SITE.....	3
2.3 SITE SETTING AND ADJOINING PROPERTY USE	4
SECTION 3: USER PROVIDED INFORMATION	4
3.1 ENVIRONMENTAL LIENS OR ACTIVITY AND USE LIMITATIONS	4
3.2 SPECIALIZED KNOWLEDGE AND COMMONLY KNOWN OR REASONABLY ASCERTAINABLE INFORMATION.....	5
3.3 DOCUMENTS PROVIDED BY DAVID J. POWERS & ASSOCIATES.....	5
SECTION 4: RECORDS REVIEW	6
4.1 STANDARD ENVIRONMENTAL RECORD SOURCES.....	6
4.1.1 On-Site Database Listings.....	7
4.1.2 Adjoining Property Database Listings and Nearby Spill Incidents	7
4.1.3 Further Review of Database Listings	7
4.2 ADDITIONAL ENVIRONMENTAL RECORD SOURCES.....	8
4.2.1 City and County Agency File Review	8
4.2.2 Geologic Energy Management Division Maps	9
SECTION 5: PHYSICAL SETTING	9
5.1 RECENT USGS TOPOGRAPHIC MAP	9
5.2 HYDROGEOLOGY	9
SECTION 6: HISTORICAL USE INFORMATION	10
6.1 HISTORICAL SUMMARY	10
6.1.1 City Directory Review.....	11
SECTION 7: SITE RECONNAISSANCE	12
7.1 METHODOLOGY AND LIMITING CONDITIONS.....	12
7.2 OBSERVATIONS.....	12
7.2.1 Site Photographs	13
SECTION 8: ENVIRONMENTAL QUESTIONNAIRE AND INTERVIEWS	15
8.1 ENVIRONMENTAL QUESTIONNAIRE / CURRENT OWNER INTERVIEW.....	15
8.2 CURRENT OCCUPANT INTERVIEW	15
8.3 INTERVIEWS WITH PREVIOUS OWNERS AND OCCUPANTS	15
8.4 INTERVIEWS WITH STATE AND/OR LOCAL GOVERNMENT OFFICIALS.....	15
SECTION 9: FINDINGS, OPINIONS, AND CONCLUSIONS (WITH RECOMMENDATIONS)	15
9.1 HISTORICAL SITE USAGE	15
9.2 CHEMICAL STORAGE AND USE	16
9.3 AGRICULTURAL USE, LEAD CONTAINING PAINT, AND TERMITICIDES.....	16
9.4 POTENTIAL ENVIRONMENTAL CONCERNS WITHIN THE SITE VICINITY.....	17
9.5 IMPORTED SOIL	17
9.6 DATA GAPS	17
9.7 DATA FAILURES	18

9.8 RECOGNIZED ENVIRONMENTAL CONDITIONS 18
SECTION 10: LIMITATIONS 19
10.1 REPORT VIABILITY 19

FIGURE 1 – VICINITY MAP

FIGURE 2 – SITE PLAN

APPENDIX A – DATABASE SEARCH REPORTS

APPENDIX B – HISTORIC AERIAL PHOTOGRAPHS AND MAPS

APPENDIX C – LOCAL STREET DIRECTORY SEARCH RESULTS

APPENDIX D – QUESTIONNAIRE AND PRIOR REPORTS

Type of Services
Location

Phase I Environmental Site Assessment
Seven Guadalupe Gardens Parcels
San José, California

SECTION 1: INTRODUCTION

This report presents the results of the Phase I Environmental Site Assessment (ESA) performed at seven parcels located within the Guadalupe Gardens area in San José, California (Site) as shown on Figures 1 and 2. This work was performed for David J. Powers & Associates in accordance with our November 7, 2022 agreement (Agreement).

1.1 PURPOSE

The scope of work presented in the Agreement was prepared in general accordance with ASTM E1527-21 titled, “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process” (ASTM Standard). The ASTM Standard is in general compliance with the Environmental Protection Agency (EPA) rule titled, “Standards and Practices for All Appropriate Inquiries; Final Rule” (AAI Rule, 40 CFR Part 312). The purpose of this Phase I ESA is to strive to identify, to the extent feasible pursuant to the scope of work presented in the Agreement, Recognized Environmental Conditions at the Site.

As defined by ASTM E1527-21, the term Recognized Environmental Condition means 1) the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment; 2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or 3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment. A de minimis condition¹ is not a recognized environmental condition.

Cornerstone Earth Group, Inc. (Cornerstone) performed this Phase I ESA to support David J. Powers & Associates in evaluation of Recognized Environmental Conditions at the Site. This Phase I ESA is intended to reduce, but not eliminate, uncertainty regarding the potential for Recognized Environmental Conditions at the Site.

1.2 PROJECT BACKGROUND

The project proposes to change the Envision San José 2040 General Plan Land Use Designation on seven City-owned parcels in the Guadalupe Gardens from Open Space Parks Habitat to Combined Industrial Commercial. Guadalupe Gardens consists of a 120-acre area

¹ A de minimis condition is defined by the ASTM Standard as a condition related to a release that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

located immediately south of the Norman Y. Mineta San José International Airport (SJC). The Project would also rezone the seven parcels to Planned Development. With the new General Plan Land Use Designation and rezoning in place, the city of San José (City) intends to market the seven parcels for development that is consistent with the underlying purpose of the parcels for aviation related objectives. The City would retain ownership of the land and would lease the parcels to developers. Revenues would be used to support aviation services at SJC.

1.3 SCOPE OF WORK

As presented in our Agreement, the scope of work performed for this Phase I ESA included the following:

- A reconnaissance of the Site to note readily observable indications of significant releases of hazardous materials to structures, soil, soil vapor or groundwater.
- Drive-by observation of adjoining properties to note readily apparent activities involving hazardous materials that have or could significantly impact the Site.
- Acquisition and review of a regulatory agency database report of public records for the general area of the Site to evaluate potential impacts to the Site from reported contamination incidents on-Site or at nearby facilities.
- Review of readily available information on file at selected governmental agencies to help evaluate past and current Site use and hazardous materials management practices.
- Historical research including review of readily available maps and aerial photographs to help evaluate past and current Site uses.
- Interviews with persons reportedly knowledgeable of current and/or prior Site uses, including the current Site owner and occupant(s).
- Preparation of a written report summarizing our findings and recommendations.

The limitations for the Phase I ESA are presented in Section 10.

1.4 ASSUMPTIONS

In preparing this Phase I ESA, Cornerstone can neither warrant nor guarantee that records obtained from or prepared by other parties, such as, but not limited to, regulatory agency records, interview responses, maps, related documents, and environmental reports prepared by others are accurate or complete. Cornerstone relied on the information obtained during this study unless we had actual knowledge that the information was incorrect or unless it was obvious that the information was incorrect based on other information obtained. We also assumed that the boundaries of the Site, based on information provided by David J. Powers & Associates, are as shown on Figure 2. We have not independently verified the accuracy or completeness of any data received.

1.5 ENVIRONMENTAL PROFESSIONAL

This Phase I ESA was performed by Stason I. Foster, P.E. and Ron L. Helm, C.E.G. We declare that, to our professional knowledge and belief, we meet the definition of Environmental Professional as defined in § 312.10 of 40 C.F.R. Part 312. We have the specific qualifications based on education, training and experience to assess a property of the nature, history and setting of the subject property. We have developed and performed the All Appropriate Inquiries in general conformance with the standards and practices set forth in 40 CFR Part 312.

SECTION 2: SITE DESCRIPTION

This section describes the Site as of the date of this Phase I ESA. The location of the Site is shown on Figures 1 and 2. Tables 1 through 3 summarize general characteristics of the Site and adjoining properties. The Site is described in more detail in Section 7, based on our on-Site observations.

2.1 LOCATION AND OWNERSHIP

Table 1 describes the physical location, and ownership of the Site, based on information provided by David J. Powers & Associates.

Table 1. Location and Ownership

Parcel ID	Assessor's Parcel No. (APN)	Approximate Lot Size*	Identified Commercial Addresses**	Owner
1	259-02-130	3.11	No identified commercial addresses	City of San José
2	259-02-131	3.38	No identified commercial addresses	
3	259-08-072	0.07	No identified commercial addresses	
4	259-08-101 (western portion only)	0.18	No identified commercial addresses	
5	259-08-102	3.38	485 Asbury Street and 490 <i>Emory Street</i>	
6	230-38-076	0.36	<i>335 West Hedding Street</i>	
7	230-38-092	0.37	<i>910 Spring Street</i>	

* Acreage reflects the portion of the parcel that would be subject to the general plan amendment and rezoning. For each of the five parcels located along Coleman Avenue, the acreage shown takes into account: 1) the City's planned widening of Coleman Avenue to six lanes, which will require a strip of additional right-of-way along the east side of Coleman Avenue approximately 50 feet in width; and 2) the City's planned relinquishment of right-of-way from portions of University Avenue, Walnut Street, and Emory Street.

** Historical addresses are *italicized* and include only those addresses that were identified as having been occupied by past commercial businesses based on our review of historical Sanborn fire insurance maps and city directories.

2.2 CURRENT/PROPOSED USE OF THE SITE

The current and proposed uses of the Site are summarized in Table 2.

Table 2. Current and Proposed Uses

Current Use	A portion of Parcel 5 (485 Asbury Street) is used as a corporation yard with two modular office buildings by the City of San José Parks, Recreation and Neighborhood Services Department. The remainder of the Site consists of undeveloped land.
Proposed Use	Commercial development.

2.3 SITE SETTING AND ADJOINING PROPERTY USE

Land use in the general Site vicinity appears to be a mix of residential and commercial properties, along with undeveloped land. During the Site visit, adjoining properties were observed from the Site and from adjacent public thoroughfares. Based on our Site vicinity reconnaissance, adjoining property uses are depicted on Figure 2. Although several occupants of adjoining properties likely use and store hazardous materials (e.g., automobile repair businesses, Master Metal Products, 76 gasoline station, etc.), which is common in commercial/industrial areas, no chemical storage immediately adjacent to the Site boundaries was apparent, and no evidence of spills or other conditions on the adjoining properties were observed that are considered indicative of Recognized Environmental Conditions at the Site.

SECTION 3: USER PROVIDED INFORMATION

The ASTM standard defines the User as the party seeking to use a Phase I ESA to evaluate the presence of Recognized Environmental Conditions associated with a property. For the purpose of this Phase I ESA, the User is David J. Powers & Associates. The “All Appropriate Inquiries” Final Rule (40 CFR Part 312) requires specific tasks be performed by or on behalf of the party seeking to qualify for Landowner Liability Protection under CERCLA (i.e., the User).

Per the ASTM standard, if the User has information that is material to Recognized Environmental Conditions in connection with the Site, such information should be provided to the Environmental Professional. This information includes: 1) specialized knowledge or experience of the User, 2) commonly known or reasonably ascertainable information within the local community, and 3) knowledge that the purchase price of the Site is lower than the fair market value due to contamination. A search of title records for environmental liens and activity and use limitations also is required.

3.1 ENVIRONMENTAL LIENS OR ACTIVITY AND USE LIMITATIONS

An environmental lien is a financial instrument that may be used to recover past environmental cleanup costs. Activity and use limitations (AULs) include other environmental encumbrances, such as institutional and engineering controls. Institutional controls (ICs) are legal or regulatory restrictions on a property’s use, while engineering controls (ECs) are physical mechanisms that restrict property access or use.

The regulatory agency database report described in Section 4.1 did not identify the Site as being in 1) US EPA databases that list properties subject to land use restrictions (i.e., engineering and institutional controls) or Federal Superfund Liens or 2) lists maintained by the California Department of Toxic Substances Control (DTSC) of properties that are subject to AULs or environmental liens where the DTSC is a lien holder.

ASTM E1527-21 categorizes the requirement to conduct a search for Environmental Liens and AULs as a User responsibility. A search of land title records for environmental liens and AULs was not within the scope of the current Phase I ESA and the User did not provide such search results to Cornerstone.

3.2 SPECIALIZED KNOWLEDGE AND COMMONLY KNOWN OR REASONABLY ASCERTAINABLE INFORMATION

Based on information provided by or discussions with David J. Powers & Associates, we understand that David J. Powers & Associates does not have specialized knowledge or experience, commonly known or reasonably ascertainable information regarding the Site, or other information that is material to Recognized Environmental Conditions, except for the information contained in the provided documents described in Section 3.3.

3.3 DOCUMENTS PROVIDED BY DAVID J. POWERS & ASSOCIATES

To help evaluate the presence of Recognized Environmental Conditions at the Site, Cornerstone reviewed and relied upon the documents listed in Table 3; we understand that these documents were provided to David J. Powers & Associates by the City. Please note that Cornerstone cannot be liable for the accuracy of the information presented in these documents. ASTM E1527-21 does not require the Environmental Professional to verify independently the information provided; the Environmental Professional may rely on the information unless they have actual knowledge that certain information is incorrect. A summary of the provided documents is presented below; please refer to the original reports for complete details (Appendix D).

Table 3. Documents Provided by David J. Powers & Associates

Date	Author	Title
February 14, 2022a	Haley & Aldrich, Inc. (H&A)	Draft Phase I Environmental Site Assessment, Guadalupe Gardens, 47-Acre Property, San Jose, California
July 19, 2022b	Haley & Aldrich, Inc.	Limited Environmental Soil Investigation Report, Guadalupe Gardens, San Jose, California

Based on the information reviewed, the prior Phase I ESA (H&A, 2022a) was performed for 47 acres comprised of 11 parcels bound to the northwest by West Hedding Street, to the northeast by an access road adjacent to Guadalupe River and Irene Street, to the southeast by Asbury Street, and to the southwest by Coleman Avenue. The area studied included on-Site Parcels 1, 2 and 5.

H&A indicated that the 47-acre study area historically was a residential neighborhood developed with single-family homes, apartment buildings and small businesses from the 1940s until the 1980s. Prior to the residential neighborhood, the property was agricultural land with farmhouses since at least 1889. At the time of the prior Phase I ESA, the subject property reportedly was undeveloped land with portions occupied by an indigent population.

H&A indicated that a gasoline station previously was located at 404 West Hedding Street in the 1960s and possibly the 1970s. The reported former gasoline station was located off-Site, approximately 100 feet south of Parcel 7 (see Figure 2C).

Laundry businesses (411 Asbury Street and 752 and 754 Spring Street) were located at the intersection of Spring Street and Asbury Street in the 1950s and 1960s and potentially the 1970s. The reported former laundry businesses were located off-Site approximately 400 to 500 feet northeast of Parcel 5.

H&A noted that pesticides and/or herbicides were likely applied to the property when the land was being used for agricultural purposes and that “trace amounts” of these chemicals may still be present in soil. H&A also indicated that there is a potential for lead and/or asbestos to have impacted surficial soil resulting from structures that were previously located on the property.

Portions of the 47-acre property reportedly were occupied by an indigent encampment that included recreational vehicles, abandoned vehicles, tents, and makeshift housing. The encampment reportedly had petroleum-powered electric generators, propane tanks, small containers of petroleum products (*i.e.*, motor oil, WD-40), and household trash and debris.

H&A recommended soil sampling to evaluate potential impacted from past agriculture uses and prior structures (*i.e.*, analyses for pesticides, herbicides, metals [including lead] and asbestos). Soil sampling at locations of the former gasoline station and laundry businesses also was recommended.

In May 2022, H&A collected soil samples from the southwestern portion of the area studied during the Phase I ESA. The sampling included analyses of three 4-point composite soil samples² collected from on-Site Parcels 1, 2 and 5. The on-Site composite soil samples were collected from a depth interval of approximately ½ to 1 foot and analyzed for organochlorine pesticides, metals, petroleum hydrocarbons and polychlorinated biphenyls (PCBs). These analyses did not identify contaminants at concentrations exceeding the Water Board’s residential or commercial environmental screening levels (ESLs³) or typical background concentrations for metals.

SECTION 4: RECORDS REVIEW

4.1 STANDARD ENVIRONMENTAL RECORD SOURCES

Cornerstone conducted a review of federal, state and local regulatory agency database records provided by Environmental Data Resources (EDR) to evaluate the likelihood of contamination incidents at and near the Site. The database sources and the search distances are in general accordance with the requirements of ASTM E1527-21. A list of the database sources reviewed, a description of the sources, and a radius map showing the location of reported facilities relative to the project Site are attached in Appendix A.

² A composite soil sample is a sample composed of several smaller subsamples that are physically mixed to create a single homogenous sample. Composite soil sampling can produce an estimate of the mean, with fewer analyses and lower cost compared to discrete sampling. Composite sampling yields a reduced amount of information on variability, and information on spatial trends can be masked and diluted.

³ Environmental Screening Levels (ESLs) established by the Water Board (January 2019) are used to screen sites for potential human health concerns where releases of chemicals have occurred. These screening levels are risk-based concentrations derived from standardized equations combining exposure information assumptions with toxicity data. Under most circumstances, the presence of a chemical at concentrations below the corresponding screening level can be assumed not to pose a significant health risk.

The purpose of the records review was to obtain reasonably available information to help identify Recognized Environmental Conditions. Accuracy and completeness of record information varies among information sources, including government sources. Record information is often inaccurate or incomplete. The Environmental Professional is not obligated to identify mistakes or insufficiencies or review every possible record that might exist with respect to the Site. The customary practice is to review information from standard sources that is reasonably ascertainable within reasonable time and cost constraints.

4.1.1 On-Site Database Listings

Johnson's Union Service Station was identified at 335 West Hedding Street (*i.e.*, Parcel 6) in EDR's database of former automotive related businesses. The database listing indicates that Johnson's Union Service Station was an occupant in 1966 and 1970.

4.1.2 Adjoining Property Database Listings and Nearby Spill Incidents

Multiple businesses on adjoining properties, mainly along Coleman Avenue, were identified on regulatory agency databases. Most database listings for these adjoining properties relate to regulatory filings associated with hazardous material use/storage, and generation or disposal of hazardous wastes. Such listings are common for commercial facilities in urban settings and are not indicative of hazardous material releases. A few adjoining and nearby properties were identified on databases indicative of spill incidents, such as the leaking underground storage tank (LUST) database and the Water Board's Cleanup Program Site (CPS) database; these database listings are summarized in Table 4.

Table 4. Adjoining and Nearby Property Database Listings for Reported Spill Incidents

Facility Name and Address	Approximate Distance and Direction from Site	Database Listings/Comments
Williams Manufacturing 560-595 Emory Street	275 feet southwest of Parcel 1	Listed as an open case on the CPS database.
Regal #422 / Exxon (Currently 76) 890 Coleman, Avenue	Adjacent to the west of Parcel 2	Listed as a closed case on the LUST database.
Chevron (Currently AJ Professional Detailing) 702 Coleman Avenue	Adjacent to the southeast of Parcel 4	Listed as a closed case on the LUST database.
Maida Specialty Co. (Currently Brother's Body Shop), 715 Coleman Ave.	Adjacent to the southwest of Parcel 4 (across Coleman Avenue)	Listed as an open case on the LUST database.
Construction Union Local 270 509 Emory Street	150 feet south of Parcel 1 (across Coleman Avenue)	Listed as a closed case on the LUST database.

4.1.3 Further Review of Database Listings

To obtain additional information regarding LUST and CPS cases listed in Table 4, a cursory review of readily available documents obtained from the state Geotracker (<http://geotracker.waterboards.ca.gov>) database was performed. Geotracker is a database and geographic information system (GIS) that provides online access to environmental data. It tracks regulatory data about leaking underground storage tank (LUST), Department of Defense,

Site Cleanup Program and Landfill sites. Brief summaries of the spill incidents are presented below.

4.1.3.1 Williams Manufacturing, 560-595 Emory Street

Daniel F. Williams Company, Inc. (DFW) operated a metal stamping business between 1942 and 2003 at 560-595 Emory Street. Since 2007, multiple studies have been completed to evaluate soil, soil vapor and groundwater quality. Volatile organic compounds (VOCs), predominantly trichloroethylene (TCE) have been detected at elevated concentrations at the DFW property. VOCs also have migrated in soil vapor and groundwater and impacted down-gradient properties, predominantly located to the northwest of the DFW facility. The lateral extent of VOCs in soil vapor and groundwater, however, does not appear to have been fully defined to the north and northeast (*i.e.*, towards on-Site Parcels 1 and 2).

4.1.3.2 Regal #422 / Exxon, 890 Coleman, Avenue

In 1985, USTs containing gasoline, diesel and waste oil were removed from the 890 Coleman Avenue property. Three additional gasoline USTs were removed in 1997. Since the 1980s, multiple investigations have been completed to evaluate the extent of petroleum hydrocarbon impacts to soil, soil vapor and groundwater. Up to 19.7 inches of floating product were identified on groundwater. Remedial measures have included the excavation of impacted soil, free product recovery, and the operation of groundwater and soil vapor extraction systems. The associated LUST case subsequently was closed by the Santa Clara County Department of Environmental Health (DEH) in 2004; however, residual petroleum hydrocarbon concentrations were noted to remain at the 890 Coleman Avenue property, which currently is operating as a 76 gasoline station. Based on the available data, it appears possible that residual petroleum hydrocarbon concentrations in soil, soil vapor and/or groundwater could extend on-Site, onto portions of Parcel 2 that border the 890 Coleman Avenue property.

4.1.3.3 Chevron, Maida Specialty Co. and Construction Union Local 270

Based on the information reviewed pertaining to the LUST cases associated with Chevron, Maida Specialty Co. and Construction Union Local 270 (as listed in Table 4), reported releases from these properties do not appear likely to have impacted soil, soil vapor or groundwater at the Site. The Chevron and Construction Union Local 270 LUST cases were closed by the overseeing regulatory agencies in 2017 and 1995, respectively. With regards to the Maida Specialty Co. LUST case, the DEH indicated in an April 2021 letter that conditions at the property appear to satisfy the low-threat case closure policy provisions and that the DEH is reviewing the case for closure.

4.2 ADDITIONAL ENVIRONMENTAL RECORD SOURCES

The following additional sources of readily ascertainable public information for the Site also were reviewed during this Phase I ESA.

4.2.1 City and County Agency File Review

Cornerstone requested available files pertaining to the Site at the following public agencies: the San Jose Building Department, San Jose Fire Department and the Santa Clara County Department of Environmental Health (DEH). The DEH and Fire Department had no files

pertaining to the Site. The information reviewed at the Building Department (BD) pertaining to prior on-Site commercial businesses is summarized in Table 5.

Table 5. File Review Information

Agency Name	Date	Occupant	Remarks
335 West Hedding Street (Parcel 6)			
BD	1962	Union Oil Service Station	Building permit for a new service station.
BD	1974	Not identified	Building permit for demolition. A note on the permit stated " <i>Fire Prevention Permit No. 4202 (fuel tanks).</i> "
BD	1974	Union Oil Service Station	Plumbing permit to plug sewer associated with demolition work.
485 Asbury Street (Parcel 5)			
BD	2003	City of San Jose	Letter noting the assignment of the 485 Asbury Street address for the area currently occupied by the City of San Jose Parks, Recreation and Neighborhood Services Department.
490 Emory Street (Parcel 5)			
BD	1951	Lawn mower repair shop	Building permit to add to a 1-story lawn mower repair shop.

4.2.2 Geologic Energy Management Division Maps

To evaluate the presence of oil or gas wells on-Site and in the immediate Site vicinity, maps available on-line at the California Department of Conservation, Geologic Energy Management Division (CalGEM) website were reviewed. Review of the available map for the Site area did not show oil or gas wells on-Site or on the adjacent properties.

SECTION 5: PHYSICAL SETTING

We reviewed readily available geologic and hydrogeologic information to evaluate the likelihood that chemicals of concern released on a nearby property could pose a significant threat to the Site and/or its intended use.

5.1 RECENT USGS TOPOGRAPHIC MAP

A 2018 USGS 7.5-minute topographic map was reviewed to evaluate the physical setting of the Site. The Site’s elevation ranges from approximately 60 to 70 feet above mean sea level; topography in the vicinity of the Site slopes downward gently to the northeast towards the Guadalupe River.

5.2 HYDROGEOLOGY

Based on information presented in the California Geotracker database pertaining to nearby properties, groundwater beneath the Site is likely present at depths of approximately 5 to 15 feet. Groundwater likely flows toward the northeast; northerly and northwesterly flow directions also have been reported near the Site.

SECTION 6: HISTORICAL USE INFORMATION

The objective of the review of historical use information is to develop a history of the previous uses of the Site and adjoining properties to help identify the likelihood of past uses having led to Recognized Environmental Conditions at the Site. The ASTM standard requires the identification of all obvious uses of the Site from the present back to the Site’s first developed use, or back to 1940, whichever is earlier, using reasonably ascertainable standard historical sources. The identification of obvious uses of adjoining properties also is required.

6.1 HISTORICAL SUMMARY

The historical sources reviewed are summarized below. The results of our review of these sources are summarized in Table 6.

- **Historical Aerial Photographs:** We reviewed aerial photographs dated between 1939 and 2020 obtained from EDR of Shelton, Connecticut; copies of aerial photographs reviewed are presented in Appendix B.
- **Historical Topographic Maps:** We reviewed USGS 15-minute and 7.5-minute historic topographic maps dated 1889, 1897, 1899, 1953, 1961, 1968, 1973, 1980, 2012, 2015 and 2018; copies of historic topographic maps reviewed are presented in Appendix B.
- **Historical Fire Insurance Maps:** We reviewed Sanborn fire insurance maps dated 1915, 1950, 1956 and 1966 obtained from EDR; copies of Sanborn maps are presented in Appendix B.

Table 6. Summary of Historical Source Information

Date	Source	Comments
1915	Sanborn map*	<p>Site: A few widely spaced dwellings and associated outbuildings are depicted on Parcels 1 and 5. No structures are depicted on the other Site parcels.</p> <p>Adjoining Properties: Except for a few dwellings, no structures are depicted on adjoining parcels.</p>
1950, 1956 and 1966	Sanborn maps*	<p>Site: Multiple dwellings and associated outbuildings are depicted on Parcels 1, 2 and 5; several additional residences and apartment buildings were added by 1956 and others were added by 1966. In 1950, a pump repair and machine shop also is shown on Parcel 5 at 490 Emory Street; this structure is depicted as an unidentified store by 1956. By 1950, a commercial building occupied by an unidentified store is shown on Parcel 7. Parcels 3 and 4 are shown to have been developed with apartment buildings by 1956.</p> <p>Adjoining Properties: Dwellings are depicted on most adjoining parcels, along with several commercial buildings (e.g., machine shops) along Coleman Avenue and Master Metal Products at 495 Emory Street. A machine shop, a warehouse and a cabinet shop also are depicted along Asbury Street, adjoining Parcel 3. By 1966, gasoline stations are depicted at 404 West Hedding to the south of Parcel 7 and at 890 Coleman Avenue to the west of Parcel 2.</p>

Date	Source	Comments
1939 to 2020	Aerial photographs	Based on the aerial photographs, prior development of the Site and adjoining parcels appears generally similar to that depicted on the Sanborn maps discussed above. Also, Parcel 6 is shown to have been developed by 1968 with what appears to have been a gasoline station. The gasoline station was removed by 1982. Additionally, Parcels 6 and 7 are shown to have historically been used for agricultural purposes (row crops). Similarly, on the 1939 aerial photograph, what appear to be remnant orchard trees are shown on portions of most of the other Site parcels, indicative of prior agricultural use.
1889, 1897 and 1899	Topographic maps	A few widely spaced small structures typical of residences are depicted on some of the Site parcels, as well as on some of the adjoining parcels.
1953 to 2018	Topographic maps	The Site and adjoining parcels are shown within the urban developed area of San Jose. No specific details are depicted, except College Park School is shown northwest of Parcel 2 until at least 1980.

* Note that Parcel 6 was not within the coverage area of available Sanborn maps.

6.1.1 City Directory Review

To obtain additional information regarding past uses of the Site and adjoining properties, business directories including city, cross reference and telephone directories were reviewed, if available, at approximately five-year intervals for the years spanning 1922 through 2017. Many of the prior Site occupants were identified as individuals, suggesting residential use; a summary of the city directory listings for prior commercial occupants of the Site is presented in Table 7.

Table 7. On-Site City Directory Listings (Prior On-Site Commercial Occupants)

Date	Occupant
490 Emory Street (Parcel 5)	
1945 and 1950	Hanford Eldh, repair shop
1955 to 1966	Hanford Eldh Company, garden equipment
1970	Hanford Eldh, lawn mower repair
1975	A-1 Lawn Mower Repair
335 West Hedding Street (Parcel 6)	
1966 and 1970	Johnson's Union Service
910 Sprint Street (Parcel 7)	
1950	San Jose Consumers Cooperative Inc., grocery store
1955 to 1975	Thrifty Market, grocery store

Based on the directories researched, adjoining properties appear to have historically been occupied by residences, as well as multiple commercial businesses. The listed businesses at adjoining parcels include automotive repair and detailing shops, a printing business, gasoline stations, machine and metal fabrication shops, a livestock sprayer manufacturer, a furniture refinishing business, construction related businesses and various retail businesses, among others.

SECTION 7: SITE RECONNAISSANCE

We performed a Site reconnaissance to evaluate current Site conditions and to attempt to identify Site Recognized Environmental Conditions. The results of the reconnaissance are discussed below. Additional Site observations are summarized in Table 8. Photographs of the Site are presented in Section 7.2.1.

7.1 METHODOLOGY AND LIMITING CONDITIONS

To observe current Site conditions (readily observable environmental conditions indicative of a significant release of hazardous materials), Cornerstone staff Stason I. Foster, P.E. visited the Site on January 27, 2023. The Site reconnaissance was conducted by walking representative areas of the Site, including the interiors of the on-Site structures and the periphery of the structures. The Site also was observed from adjacent public thoroughfares. Cornerstone staff only observed those areas that were reasonably accessible, safe, and did not require movement of equipment, materials or other objects.

7.2 OBSERVATIONS

At the time of our visit, the Site was observed to consist mainly of undeveloped land, portions of which were covered by tall grass and weeds. A small homeless encampment was observed on Parcel 7. A portion of Parcel 5 was developed with two modular office buildings and a paved parking lot that were used as a corporation yard by the City of San Jose Parks, Recreation and Neighborhood Services Department. Several metal shipping/storage containers were present that were used for storage of groundskeeping equipment. Safety cans of gasoline for groundskeeping equipment, along with several 1-gallon containers of herbicides were stored within metal flammable materials storage cabinets. Skid mounted herbicide application equipment was stored on exterior asphalt pavements. The equipment consisted of two storage tanks with capacities of 50 and 100 gallons, along with connected gasoline powered pumps and spray hose reels. No evidence of chemical spills was observed at the Site.

Table 8. Summary of Readily Observable Site Features

General Observation	Comments
Aboveground Storage Tanks	Observed as described above
Agricultural Wells	Not Observed
Air Emission Control Systems	Not Observed
Boilers	Not Observed
Burning Areas (waste burn pits or ash disposal areas)	Not Observed
Chemical Mixing Areas	Not Observed
Chemical Storage Areas	Observed as described above
Drainage Ditches	Not Observed
Drums, Totes, and Intermediate Bulk Containers	Not Observed
Elevators	Not Observed
Emergency Generators	Not Observed
Equipment Maintenance Areas	Not Observed
Fill Placement (<i>i.e.</i> , fill used to build up the site elevations)	Not Observed
Groundwater Monitoring Wells	Not Observed

Table 8. Summary of Readily Observable Site Features

General Observation	Comments
Hoods and Ducting (associated with chemical use)	Not Observed
Hydraulic Vehicle or Equipment Lifts	Not Observed
Incinerators	Not Observed
Petroleum Pipelines or Wells	Not Observed
Pits, Ponds, or Lagoons.	Not Observed
Railroad Lines	Not Observed
Row Crops or Orchards	Not Observed
Septic Systems or Cesspools	Not Observed
Solid Waste Disposal Areas (other than municipal trash containers)	Not Observed
Stained Soil or Pavement	Not Observed
Stains or Corrosion on Floors, Walls, or Ceilings	Not Observed
Standing Surface Water or Pools	Not Observed
Stockpiles of Soil or Debris	Not Observed
Stressed Vegetation (unrelated to the lack of water)	Not Observed
Strong, Pungent, or Noxious Odors	Not Observed
Sumps, Clarifiers, Oil-Water Separators, or similar structures	Not Observed
Transformers	Not Observed
Underground Storage Tanks	Not Observed
Unidentified Substance Containers	Not Observed
Vehicle Maintenance Areas	Not Observed
Vehicle Wash Areas	Not Observed
Wastewater Neutralization Systems	Not Observed

The comment "Not Observed" does not warrant that these features are not present on-Site; it only indicates that these features were not readily observed during the Site visit.

7.2.1 Site Photographs



Photograph 1. View of Parcel 1 looking south.



Photograph 2. View of Parcel 2 looking north.



Photograph 3. View of Parcels 3 and 4 looking northeast.



Photograph 4. Corporation yard area on Parcel 5 looking northwest.



Photograph 5. Flammable material storage cabinets at corporation yard (Parcel 5).



Photograph 6. Herbicide application equipment at corporation yard (Parcel 5).



Photograph 7. View of Parcel 6 looking north.



Photograph 8. View of Parcel 7 looking north.

SECTION 8: ENVIRONMENTAL QUESTIONNAIRE AND INTERVIEWS

8.1 ENVIRONMENTAL QUESTIONNAIRE / CURRENT OWNER INTERVIEW

To help obtain information on current and historical Site use and use/storage of hazardous materials on-Site, we provided an environmental questionnaire for completion by the Site owner (City). The City additionally provided the prior reports summarized in Section 3.3. The completed questionnaire and the prior reports are attached in Appendix D. The information provided by the City on the questionnaire appears generally consistent with our on-Site observations and information contained in the prior reports.

8.2 CURRENT OCCUPANT INTERVIEW

During the Site visit, Mr. Eddie Moreno, Parks Facility Supervisor with the City of San José, Parks, Recreation and Neighborhood Services Department (the only Site occupant) was interviewed regarding his knowledge of the Site. Mr. Moreno provided access to the corporation yard area and indicated that he was not aware of spills or other environmental concerns pertaining to the area occupied by the corporation yard.

8.3 INTERVIEWS WITH PREVIOUS OWNERS AND OCCUPANTS

Contact information for previous Site owners and occupants was not provided to us. Therefore, interviews with previous Site owners and occupants could not be performed.

8.4 INTERVIEWS WITH STATE AND/OR LOCAL GOVERNMENT OFFICIALS

Per the ASTM Standard, a reasonable attempt should be made to interview at least one staff member of any one of the following types of state and/or local government agencies: fire department, health department, building department, or other agency having jurisdiction over hazardous waste disposal or other environmental matters in the area.

The San José Building Department, San José Fire Department, and the Santa Clara County DEH were contacted during this study. The DEH is the Certified Unified Program Agency (CUPA) responsible for implementing California's Unified Hazardous Waste and Hazardous Materials Management regulatory program for properties within San José. Files pertaining to the Site were requested from each of these agencies; a summary of the information obtained was discussed in Section 4.2.1.

SECTION 9: FINDINGS, OPINIONS, AND CONCLUSIONS (WITH RECOMMENDATIONS)

Cornerstone performed this Phase I ESA in general conformance with ASTM E1527-21 to support David J. Powers & Associates in evaluation of Recognized Environmental Conditions. Our findings, opinions and conclusions are summarized below.

9.1 HISTORICAL SITE USAGE

Based on the information obtained during this study, the Site historically appears to have been used for agricultural purposes. What appear to have been a few widely spaced residences were present on portions of the Site by the late 1800s. A greater density of residences were

constructed on Parcels 1 and 5 by the late 1930s. By the 1960s, Parcels 1, 2, 3, 4 and 5 were generally fully developed with multiple residences, duplexes and apartment buildings. The only commercial development on these parcels appears to have been a garden equipment store and lawn mower repair business that operated at 490 Emory Street (on a portion of Parcel 5).

Parcel 6 was developed with a gasoline station in 1962. The station was demolished in 1974 and Parcel 6 has subsequently remained as undeveloped land. Parcel 7 was developed by 1948 with a grocery store. The store appears to have been demolished during the late 1970s or early 1980s.

During the 1970s and 1980s, all of the prior structures on Parcels 1 through 5 also were removed and these parcels have subsequently remained as undeveloped land, except for a portion of Parcel 5 that currently is used as a corporation yard by the City of San José, Parks, Recreation and Neighborhood Services Department. Portions of the parcels also have been occupied by homeless encampments.

9.2 CHEMICAL STORAGE AND USE

No significant quantities of hazardous materials currently appear to be used or stored on-Site except for gasoline stored in safety cans at the corporation yard on Parcel 5 for groundskeeping equipment, along with several 1-gallon containers of herbicides. No evidence of chemical spills was readily observed at the Site.

Motor vehicle fuels likely were stored in USTs at the former on-Site gasoline station on Parcel 6. A 1974 building permit for demolition of the gasoline station was identified during this study and a note on the permit stated, "*Fire Prevention Permit No. 4202 (fuel tanks).*" The note suggests that USTs may have been removed under Fire Department oversight; however, no further documentation was identified. We recommend that a geophysical survey of Parcel 6 be conducted to provide a higher degree of confidence that all prior USTs and their associated pipelines have been removed. Soil and groundwater sampling also should be conducted to evaluate if prior gasoline station activities have impacted the parcel.

9.3 AGRICULTURAL USE, LEAD CONTAINING PAINT, AND TERMITICIDES

The Site was used for agricultural purposes for several decades. Pesticides may have been applied to crops in the normal course of farming operations. Residual pesticide concentrations may remain in on-Site soil. If elevated concentrations of agricultural chemicals are present, mitigation or soil management measures may be required during construction/earthwork activities.

In 1978, the Consumer Product Safety Commission banned lead-containing paints and coatings sold for consumer use. Soil adjacent to structures that were painted with lead-containing paint can become impacted with lead as a result of the weathering and/or peeling of painted surfaces. Soil near wood framed structures also can be impacted by pesticides historically used to control termites. Lead and/or pesticides often are identified in soil near old residences, such as those historically located on-Site.

In May 2022, H&A collected three 4-point composite soil samples collected from on-Site Parcels 1, 2 and 5. The composite samples were analyzed for organochlorine pesticides, metals, petroleum hydrocarbons and PCBs. These analyses did not identify contaminants at

concentrations exceeding the Water Board's residential or commercial ESLs or typical background concentrations for metals. These findings suggest that shallow soil on Parcels 1, 2 and 5 has not been significantly impacted by past agricultural activities, or by lead or termiticides associated with prior structures. To better understand the distribution of background concentrations and to aid in identifying possible localized areas of elevated concentrations, if present, we recommend collecting a greater number of discrete soil samples for laboratory analyses if a higher degree of certainty is desired.

Note that the prior study by H&A did not include the collection of soil samples from Parcels 3, 4, 6 or 7. We recommend that shallow soil on these parcels be evaluate for the possible presence of organochlorine pesticides, along with associated metals (lead and arsenic).

9.4 POTENTIAL ENVIRONMENTAL CONCERNS WITHIN THE SITE VICINITY

The off-Site 890 Coleman Avenue property, currently occupied by a 76 gasoline station, is a closed LUST case and borders the western portion of Parcel 2. After many years of remedial activities and associated studies, the LUST case was closed by the DEH in 2004; however, residual petroleum hydrocarbon concentrations were noted to remain at the 890 Coleman Avenue. Based on the available data, it appears possible that residual petroleum hydrocarbon concentrations in soil, soil vapor and/or groundwater could extend on-Site, onto portions of Parcel 2 that border the 890 Coleman Avenue property. Prior to future development of Parcel 2, we recommend that potential impacts from the adjoining gasoline station be evaluated by groundwater and soil vapor sampling and laboratory analyses.

The former DFW property, located approximately 275 feet southwest of Parcel 1 at 560-595 Emory Street, is an open case on the CPS database. VOCs, predominantly TCE, have been detected at elevated concentrations at the DFW property. VOCs also have migrated in soil vapor and groundwater and impacted down-gradient properties, predominantly located to the northwest of the DFW facility. The lateral extent of VOCs in soil vapor and groundwater, however, does not appear to have been fully defined to the north and northeast (*i.e.*, towards on-Site Parcels 1 and 2). Although a northwesterly groundwater flow direction was reported at the DFW property, a northeasterly flow direction (*i.e.*, towards the Site) appears to be more predominant in the Site vicinity based on information pertaining to other nearby properties. We recommend that groundwater and soil vapor sampling be conducted to evaluate if VOCs originating from the DFW property have migrated to the Site.

9.5 IMPORTED SOIL

If the planned development will require importing soil for Site grading, we recommend documenting the source and quality of imported soil. The DTSC's October 2001 Clean Fill Advisory provides useful guidance on evaluating imported fill.

9.6 DATA GAPS

ASTM Standard E1527-21 requires the Environmental Professional to comment on significant data gaps that affect our ability to identify Recognized Environmental Conditions. A data gap is a lack of or inability to obtain information required by the ASTM Standard despite good faith efforts by the Environmental Professional to gather such information. A data gap by itself is not inherently significant; it only becomes significant if it raises reasonable concerns. No significant data gaps were identified during this Phase I ESA.

9.7 DATA FAILURES

As described by ASTM Standard E1527-21, a data failure occurs when all of the standard historical sources that are reasonably ascertainable and likely to be useful have been reviewed and yet the historical research objectives have not been met. Data failures are not uncommon when attempting to identify the use of a Site at five-year intervals back to the first use or to 1940 (whichever is earlier). The ASTM Standard requires the Environmental Professional to comment on the significance of data failures and whether the data failure affects our ability to identify Recognized Environmental Conditions. A data failure by itself is not inherently significant; it only becomes significant if it raises reasonable concerns. No significant data failures were identified during this Phase I ESA.

9.8 RECOGNIZED ENVIRONMENTAL CONDITIONS

Cornerstone has performed a Phase I ESA in general conformance with the scope and limitations of ASTM E1527-21 of Seven Guadalupe Gardens Parcels, San Jose, California. This assessment identified the following Recognized Environmental Conditions⁴.

- Parcel 6 was occupied by a gasoline station between approximately 1962 and 1974. There is potential that former fuel storage activities may have impacted the Site.
- The Site historically was used for agricultural purposes. There is a potential that residual pesticides could remain in Site soil. If present, this soil may require appropriate management. In 2022, limited composite soil sampling was completed at Parcels 1, 2 and 5; no sampling was completed at the remaining Site parcels.
- Soil adjacent to structures that are painted with lead-containing paint can become impacted with lead as a result of the weathering and/or peeling of painted surfaces. Soil near wood framed structures also can be impacted by pesticides historically used to control termites. There is a potential that residual lead and pesticide concentrations could remain in on-Site soil resulting from prior on-Site structures. In 2022, limited composite soil sampling was completed at Parcels 1, 2 and 5; however, it's unclear if these samples were collected near prior on-Site structures. No sampling was completed at the remaining Site parcels.
- There is a potential that residual contaminants may have impacted the Site that originated from off-Site releases at the adjoining 890 Coleman Avenue property and from the nearby DFW property at 560-595 Emory Street.

This assessment did not identify any Controlled Recognized Environmental Conditions⁵ or Historical Recognized Environmental Conditions⁶ associated with the Site.

⁴ Recognized Environmental Condition means 1) the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment; 2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or 3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment.

⁵ A Recognized Environmental Condition that has been addressed to the satisfaction of the applicable regulatory agency with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

⁶ A previous release of hazardous substances or petroleum products affecting the Site that has been addressed to the satisfaction of the applicable regulatory agency and meeting unrestricted use criteria established by the applicable regulatory agency without subjecting the Site to any controls.

SECTION 10: LIMITATIONS

Cornerstone performed this Phase I ESA to support David J. Powers & Associates in evaluation of Recognized Environmental Conditions associated with the Site. David J. Powers & Associates understands that no Phase I ESA can wholly eliminate uncertainty regarding the potential for Recognized Environmental Conditions to be present at the Site. This Phase I ESA is intended to reduce, but not eliminate, uncertainty regarding the potential for Recognized Environmental Conditions. David J. Powers & Associates understands that the extent of information obtained is based on the reasonable limits of time and budgetary constraints.

Findings, opinions, conclusions and recommendations presented in this report are based on readily available information, conditions readily observed at the time of the Site visit, and/or information readily identified by the interviews and/or the records review process. Phase I ESAs are inherently limited because findings are developed based on information obtained from a non-intrusive Site evaluation. Cornerstone does not accept liability for deficiencies, errors, or misstatements that have resulted from inaccuracies in the publicly available information or from interviews of persons knowledgeable of Site use. In addition, publicly available information and field observations often cannot affirm the presence of Recognized Environmental Conditions; there is a possibility that such conditions exist. If a greater degree of confidence is desired, soil, groundwater, soil vapor and/or air samples should be collected by Cornerstone and analyzed by a state-certified laboratory to establish a more reliable assessment of environmental conditions.

Cornerstone acquired an environmental database of selected publicly available information for the general area of the Site. Cornerstone cannot verify the accuracy or completeness of the database report, nor is Cornerstone obligated to identify mistakes or insufficiencies in the information provided (ASTM E1527-21, Section 8.1.3). Due to inadequate address information, the environmental database may have mapped several facilities inaccurately or could not map the facilities. Releases from these facilities, if nearby, could impact the Site.

David J. Powers & Associates may have provided Cornerstone environmental documents prepared by others. David J. Powers & Associates understands that Cornerstone reviewed and relied on the information presented in these reports and cannot be responsible for their accuracy.

This report, an instrument of professional service, was prepared for the sole use of David J. Powers & Associates and may not be reproduced or distributed without written authorization from Cornerstone. Cornerstone makes no warranty, expressed or implied, except that our services have been performed in accordance with the environmental principles generally accepted at this time and location.

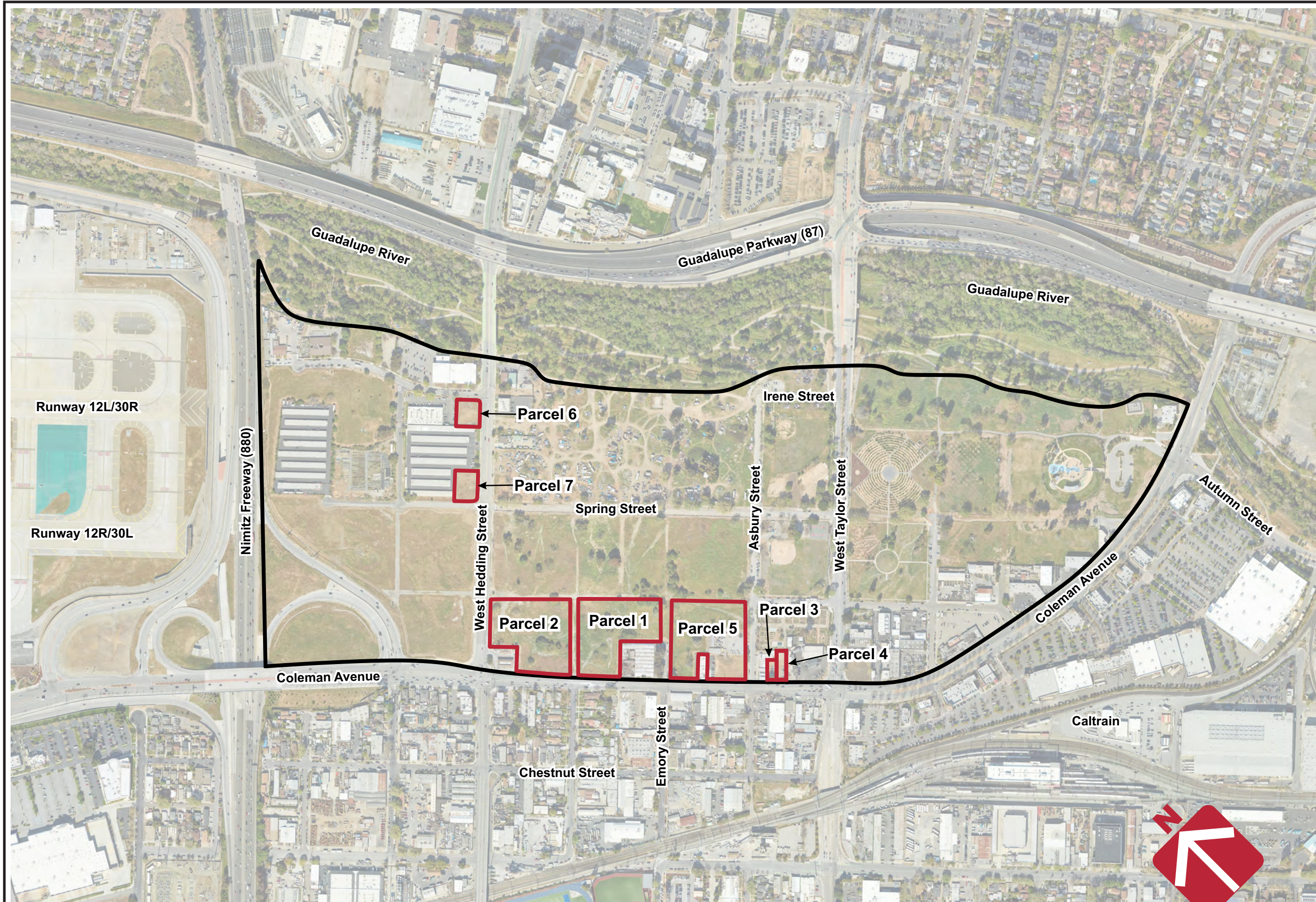
10.1 REPORT VIABILITY

Per ASTM E1527-21 and 40 CFR Part 312, a Phase I Environmental Site Assessment report is presumed to be viable when it is conducted within one year prior to the date of acquisition of the subject property (or, for transactions not involving an acquisition such as a lease or refinance, the date of the intended transaction), provided that the following components of the inquiries were conducted or updated within 180 days prior to the date of purchase or the date of the intended transaction:

Task

Date Completed

Interview with current owner (owner questionnaire)	January 31, 2023
Interview with current occupant	January 27, 2023
Review of standard government environmental record sources	December 22, 2022
Visual observation of the Site and of adjoining properties	January 27, 2023
Declaration by the Environmental Professional	February 14, 2023
Searches for recorded environmental cleanup liens	User responsibility



Base by Google Earth, dated 03/10/2022

Legend

- Approximate Site Boundary
- Approximate Boundary of Guadalupe Gardens

0 500 1,000
 APPROXIMATE SCALE (FEET)



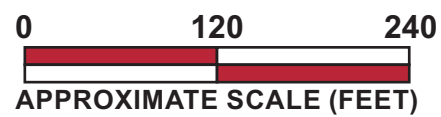
Project Number	118-147-1
Figure Number	Figure 1
Date	January 2023
Drawn By	RRN

Vicinity Map
 Seven Guadalupe Gardens Parcels
 San Jose, CA





Base by Google Earth, dated 03/10/2022



Project Number	118-147-1
Figure Number	Figure 2A
Date	January 2023
Drawn By	RRN

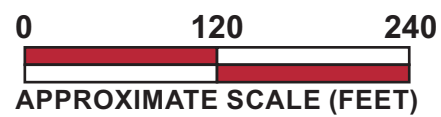
Site Plan - Parcels 1 and 2

Seven Guadalupe Gardens Parcels
San Jose, CA





Base by Google Earth, dated 03/10/2022



Project Number	118-147-1
Figure Number	Figure 2B
Date	January 2023
Drawn By	RRN

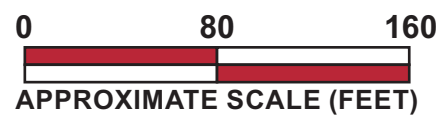
Site Plan - Parcels 3, 4, and 5

Seven Guadalupe Gardens Parcels
San Jose, CA





Base by Google Earth, dated 03/10/2022



Project Number	118-147-1
Figure Number	Figure 2C
Date	January 2023
Drawn By	RRN

Site Plan - Parcels 6 and 7
Seven Guadalupe Gardens Parcels
San Jose, CA



APPENDIX A – DATABASE SEARCH REPORT

APPENDIX B – HISTORIC AERIAL PHOTOGRAPHS AND MAPS

APPENDIX C – LOCAL STREET DIRECTORY SEARCH RESULTS

APPENDIX D – QUESTIONNAIRE AND PRIOR REPORTS