



Regina Alcomendras  
Santa Clara County  
Clerk-Recorder  
(408) 299-5688  
<https://www.clerkrecorder.org>

Receipt: 24-131365

| Product        | Name                 | Extended         |
|----------------|----------------------|------------------|
| CEQA           | ENVIRONMENTAL FILING | \$50.00          |
|                | # Pages              | 8                |
|                | Document #           | ENV25243         |
|                | Document Info:       | CITY OF SAN JOSE |
|                | Filing Type          | 0                |
| <b>Total</b>   |                      | \$50.00          |
| Tender (Check) |                      | \$50.00          |
| Check #        | 1548871              |                  |
| Paid By        | IAN HALKER           |                  |

**Santa Clara County Recorder - Official Records**

110 West Tasman Drive, San Jose, CA 95134  
408-299-5688

**VitalChek Receipt - Phone Order (Card Keyed-In)**  
**Cardholder Copy**

**Order Date/Time:** 8/20/2024 09:25 AM PDT  
**Confirmation Number:** 186821518  
**Payment Applied towards:** Clerk Payment  
**Card Holder:** IAN HALKER

**Transaction Type:** Purchase  
**Approval Code:** 09130D  
**Transaction Ref #:** 187574124  
**Payment Method:** VI(1670)

**Bill To**  
IAN HALKER  
United States of America

|                                                                                     |              |
|-------------------------------------------------------------------------------------|--------------|
| Authorization:                                                                      | Paid in Full |
| Agency Amount:                                                                      | \$50.00      |
| Other Agency Amount:                                                                | \$0.00       |
| LN Service Fee:                                                                     | \$2.50       |
| Total Amount(USD):                                                                  | \$52.50      |
| Refund Policy: Please contact the agency listed on the receipt to request a refund. |              |

PLEASE KEEP FOR REFERENCE



SANTA CLARA COUNTY CLERK  
CEQA FILING COVER SHEET

Santa Clara County - Clerk-Recorder Office  
State of California

**File Number: ENV25243**

ENVIRONMENTAL FILING

No. of Pages: 8

Total Fees: \$50.00

File Date: 08/20/2024

Expires: 09/19/2024

**REGINA ALCOMENDRAS, Clerk-Recorder**

By: Corinne Vasquez, Deputy Clerk-Recorder

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Check Document being Filed:

- ☐ Environmental Impact Report (EIR)
- ☐ Filing Fee (new project)
- ☐ Previously Paid F&W (must attach F&W receipt and project titles must match)
- ☐ No Effect Determination (F&W letter must be attached)
- ☒ Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- ☐ Filing Fee (new project)
- ☒ Previously Paid F&W (must attach F&W receipt and project titles must match)
- ☐ No Effect Determination (F&W letter must be attached)
- ☐ Notice of Exemption (NOE)
- ☐ Other (Please fill in type):

1. LEAD AGENCY: City of San José
2. LEAD AGENCY EMAIL: nhu.nguyen@sanjoseca.gov
3. PROJECT TITLE: 865 Embedded Way Industrial Project
4. APPLICANT NAME: Oppidan Investment Company PHONE: (612) 803-8377
5. APPLICANT EMAIL: ianh@oppidan.com
6. APPLICANT ADDRESS: 1100 Lincoln Avenue, Suite 382, San Jose, CA 95125
7. PROJECT APPLICANT IS A: ☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity
8. NOTICE TO BE POSTED FOR 30 DAYS.

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.



State of California - Department of Fish and Wildlife  
**2024 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

RECEIPT NUMBER:  
ENV25243  
STATE CLEARINGHOUSE NUMBER (If applicable)

**SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.**

|                                              |                                               |                    |
|----------------------------------------------|-----------------------------------------------|--------------------|
| LEAD AGENCY<br>CITY OF SAN JOSE              | LEAD AGENCY EMAIL<br>NHU.NGUYEN@SANJOSECA.GOV | DATE<br>08/20/2024 |
| COUNTY/STATE AGENCY OF FILING<br>SANTA CLARA | DOCUMENT NUMBER                               |                    |

PROJECT TITLE  
865 EMBEDDED WAY INDUSTRIAL PROJECT

|                                                             |                                             |                                |
|-------------------------------------------------------------|---------------------------------------------|--------------------------------|
| PROJECT APPLICANT NAME<br>OPPIDAN INVESTMENT COMPANY        | PROJECT APPLICANT EMAIL<br>IANH@OPPIDAN.COM | PHONE NUMBER<br>(612) 803-8377 |
| PROJECT APPLICANT ADDRESS<br>1100 LINCOLN AVENUE, SUITE 382 | CITY<br>SAN JOSE                            | STATE<br>CA                    |
|                                                             |                                             | ZIP CODE<br>95125              |

**PROJECT APPLICANT** (Check appropriate box)

☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity

**CHECK APPLICABLE FEES:**

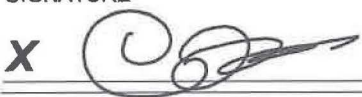
|                                                                                                     |            |          |
|-----------------------------------------------------------------------------------------------------|------------|----------|
| <input type="checkbox"/> Environmental Impact Report (EIR)                                          | \$4,051.25 | \$ _____ |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)                                   | \$2,916.75 | \$ _____ |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,377.25 | \$ _____ |

☒ Exempt from fee  
☐ Notice of Exemption (attach)  
☒ CDFW No Effect Determination (attach)  
☐ Fee previously paid (attach previously issued cash receipt copy)

|                                                                                                             |          |                  |
|-------------------------------------------------------------------------------------------------------------|----------|------------------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ _____         |
| <input checked="" type="checkbox"/> County documentary handling fee                                         |          | \$ _____ \$50.00 |
| <input type="checkbox"/> Other                                                                              |          | \$ _____         |

**PAYMENT METHOD:**

☐ Cash ☒ Credit ☐ Check ☐ Other **TOTAL RECEIVED** \$ \_\_\_\_\_ \$50.00

|                                                                                                 |                                                                                          |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| SIGNATURE<br> | AGENCY OF FILING PRINTED NAME AND TITLE<br>Corinne Vasquez, Deputy County Clerk-Recorder |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|

**File No:** H20-026, ER22-113

- ☒ County Clerk-Recorder  
County of Santa Clara  
110 West Tasman Drive, San Jose, CA 95134
- ☒ Office of Planning and Research  
State of California  
P.O. Box 3044, Sacramento, CA, 95812

**NOTICE OF DETERMINATION  
FOR A MITIGATED NEGATIVE DECLARATION  
(865 Embedded Way Industrial Project)**

**Lead Agency:** City of San José, Department of Planning, Building and Code Enforcement (PBCE)

**Project Applicant:** Oppidan Investment Company (Attn: Ian Halker), 1100 Lincoln Avenue, Suite 382, San Jose, CA 95125; (612) 803-8377

**Project Title:** 865 Embedded Way Industrial Project, File Nos. H22-022, ER22-113

**Project Description:** The project consists of a Site Development Permit (File No. H22-022) to allow the construction of a one-story 121,400 square foot industrial/manufacturing warehouse on a vacant 10.17-acre project site. The project would include a connection to an existing 26-foot-wide drive aisle that extends from the eastern Embedded Way driveway through the adjacent eastern industrial property (875 Embedded Way) and currently terminates at the southeastern boundary of the project site. A total of 300 parking spaces would be provided in the surface parking lot surrounding the proposed building. The project would include the removal of 11 trees on-site, 2 of which are ordinance-size.

**Location:** The project site is located at 865 Embedded Way in San José, California.

**Assessor's Parcel No:** 679-01-020

**Council District:** 2

The City has performed environmental review on this project. Environmental review examines the nature and extent of any adverse effects on the environment that could occur if a project is approved and implemented. Based on the review, the City has prepared a Mitigated Negative Declaration for this project. A Mitigated Negative Declaration is a statement by the City that the project will not have a significant effect on the environment if protective measures (mitigation measures) are included in the project.

This is to advise that on **August 13, 2024**, the City Council of San José denied the appeal of the environmental determination for the above-described project, upheld and approved the PBCE

Director's reliance on the 865 Embedded Way Industrial Project Mitigated Negative Declaration, and made the following determinations regarding the project:

1. The City Council has independently reviewed and analyzed the Initial Study supporting a Mitigated Negative Declaration for the 865 Embedded Way Industrial Project, and related administrative record related to Site Development Permit No. H22-022; and
2. The Mitigated Negative Declaration for the 865 Embedded Way Industrial Project was prepared and completed in full compliance with the California Environmental Quality Act of 1970 (CEQA), as amended, together with State and local implementation guidelines; and
3. Reliance on the Mitigated Negative Declaration for the 865 Embedded Way Industrial Project reflects the independent judgment and analysis of the City of San José, as the lead agency for the Project; and
4. The Project would not have a significant impact on the environment.
5. Mitigation measures were made a condition of the approval of the Project.
6. A Mitigation Monitoring and Reporting Program was adopted for this Project.
7. Findings were made and adopted for this Project pursuant to the provisions of CEQA.

The Initial Study, Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, and record of Project approval may be examined at the City of San José, Department of Planning, Building and Code Enforcement, 200 East Santa Clara Street, 3<sup>rd</sup> Floor Tower, San José CA 95113-1905.

This notice is in compliance with Section 21152 of the Public Resources Code.

Christopher Burton, Director  
Planning, Building and Code Enforcement

Date:

8/14/24



Deputy

Environmental Project Manager: Nhu Nguyen



SANTA CLARA COUNTY CLERK  
CEQA FILING COVER SHEET

Santa Clara County - Clerk-Recorder Office  
State of California

**File Number: ENV25089**

ENVIRONMENTAL FILING

No. of Pages: 3

Total Fees: \$2966.75

File Date: 05/03/2024

Expires: 06/02/2024

**REGINA ALCOMENDRAS, Clerk-Recorder**

By: Mike Louie, Deputy Clerk-Recorder

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

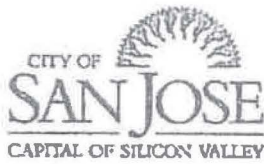
TYPE OR PRINT CLEARLY

Check Document being Filed:

- ☐ Environmental Impact Report (EIR)
- ☐ Filing Fee (new project)
- ☐ Previously Paid F&W (must attach F&W receipt and project titles must match)
- ☐ No Effect Determination (F&W letter must be attached)
- ☒ Mitigated Negative Declaration (MND) or Negative Declaration (ND)
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- ☐ Notice of Exemption (NOE)
- ☐ Other (Please fill in type):

1. LEAD AGENCY: City of San José
2. LEAD AGENCY EMAIL: nhu.nguyen@sanjoseca.gov
3. PROJECT TITLE: 865 Embedded Way Industrial Project
4. APPLICANT NAME: Oppidan Investment Company PHONE: (612) 803-8377
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8. NOTICE TO BE POSTED FOR 30 DAYS.

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.



- ☒ County Clerk-Recorder  
County of Santa Clara  
110 West Tasman Drive, San Jose, CA 95134
- ☒ Office of Planning and Research  
State of California  
P.O. Box 3044, Sacramento, CA, 95812

**NOTICE OF DETERMINATION  
FOR A MITIGATED NEGATIVE DECLARATION  
(865 Embedded Way Industrial Project)**

**Lead Agency:** City of San José, Department of Planning, Building and Code Enforcement

**Project Applicant:** Oppidan Investment Company (Attn: Ian Halker), 1100 Lincoln Avenue, Suite 382, San Jose, CA 95125; (612) 803-8377

**Project Title:** 865 Embedded Way Industrial Project, File Nos. H22-022, ER22-113

**Project Description:** The project consists of a Site Development Permit (File No. H22-022) to allow the construction of a one-story 121,400 square foot industrial/manufacturing warehouse on a vacant 10.17-acre project site. The project would include a connection to an existing 26-foot-wide drive aisle that extends from the eastern Embedded Way driveway through the adjacent eastern industrial property (875 Embedded Way) and currently terminates at the southeastern boundary of the project site. A total of 300 parking spaces would be provided in the surface parking lot surrounding the proposed building. The project would include the removal of 11 trees on-site, 2 of which are ordinance-size.

**Location:** The project site is located at 865 Embedded Way in San José, California.

**Assessor's Parcel No:** 679-01-020

**Council District:** 2

The City has performed environmental review on this project. Environmental review examines the nature and extent of any adverse effects on the environment that could occur if a project is approved and implemented. Based on the review, the City has prepared a Mitigated Negative Declaration for this project. A Mitigated Negative Declaration is a statement by the City that the project will not have a significant effect on the environment if protective measures (mitigation measures) are included in the project.

This is to advise that the Director of Planning, Building, and Code Enforcement of the City of San José approved the above-described project on **May 1, 2024**, and made the following determinations regarding the Project:

1. An Initial Study/Mitigated Negative Declaration was prepared and completed for this project pursuant to and in compliance with the provisions of CEQA.
2. The Director of Planning, Building, and Code Enforcement has independently reviewed and analyzed the Initial Study/Mitigated Declaration and other information in the record and has considered the information contained therein, prior to acting upon or approving the Project.
3. The Initial Study/Mitigated Declaration represents the independent judgment and analysis of the City of San José, as lead agency for the Project.
4. The Project would not have a significant impact on the environment.
5. Mitigation measures were made a condition of the approval of the Project.
6. A Mitigation Monitoring and Reporting Program was adopted for this Project.
7. Findings were made and adopted for this Project pursuant to the provisions of CEQA.

The Initial Study, Mitigated Declaration, Mitigation Monitoring and Reporting Program (MMRP), and record of Project approval may be examined at the City of San José, Department of Planning, Building and Code Enforcement, 200 East Santa Clara Street, 3<sup>rd</sup> Floor Tower, San José CA 95113-1905.

This notice is in compliance with Section 21152 of the Public Resources Code.

Christopher Burton, Director  
Planning, Building and Code Enforcement

Date: 5/2/24

  
Deputy

Environmental Project Manager: Nhu Nguyen



**Regina Alcomendras**  
**Santa Clara County**  
**Clerk-Recorder**  
(408) 299-5688  
<https://www.clerkrecorder.org>

**Receipt: 24-66032**

| <b>Product</b>        | <b>Name</b>          | <b>Extended</b>  |
|-----------------------|----------------------|------------------|
| CEQA                  | ENVIRONMENTAL FILING | \$2,966.75       |
|                       | # Pages              | 3                |
|                       | Document #           | ENV25089         |
|                       | Document Info:       | CITY OF SAN JOSE |
|                       | Filing Type          | N                |
| <b>Total</b>          |                      | \$2,966.75       |
| <b>Tender (Check)</b> |                      | \$2,966.75       |
| Check #               | 1494569              |                  |
| Paid By               | CITY OF SAN JOSE     |                  |

PLEASE KEEP FOR REFERENCE

1



State of California - Department of Fish and Wildlife  
**2024 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

RECEIPT NUMBER:  
ENV25089  
STATE CLEARINGHOUSE NUMBER (If applicable)

**SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.**

|                                 |                                               |                    |
|---------------------------------|-----------------------------------------------|--------------------|
| LEAD AGENCY<br>CITY OF SAN JOSE | LEAD AGENCY EMAIL<br>NHU.NGUYEN@SANJOSECA.GOV | DATE<br>05/03/2024 |
| COUNTY/STATE AGENCY OF FILING   |                                               | DOCUMENT NUMBER    |

PROJECT TITLE

865 EMBEDDED WAY INDUSTRIAL PROJECT

|                                                             |                                             |                                |
|-------------------------------------------------------------|---------------------------------------------|--------------------------------|
| PROJECT APPLICANT NAME<br>OPPIDAN INVESTMENT COMPANY        | PROJECT APPLICANT EMAIL<br>IANH@OPPIDAN.COM | PHONE NUMBER<br>(612) 803-8377 |
| PROJECT APPLICANT ADDRESS<br>1100 LINCOLN AVENUE, SUITE 382 | CITY<br>SAN JOSE                            | STATE<br>CA                    |
|                                                             |                                             | ZIP CODE<br>95125              |

**PROJECT APPLICANT** (Check appropriate box)

☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity

**CHECK APPLICABLE FEES:**

|                                                                                                     |            |    |            |
|-----------------------------------------------------------------------------------------------------|------------|----|------------|
| <input type="checkbox"/> Environmental Impact Report (EIR)                                          | \$4,051.25 | \$ |            |
| <input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)                        | \$2,916.75 | \$ | \$2,916.75 |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,377.25 | \$ |            |

☐ Exempt from fee

☐ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

|                                                                                                             |          |    |         |
|-------------------------------------------------------------------------------------------------------------|----------|----|---------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ |         |
| <input checked="" type="checkbox"/> County documentary handling fee                                         |          | \$ | \$50.00 |
| <input type="checkbox"/> Other                                                                              |          | \$ |         |

**PAYMENT METHOD:**

☐ Cash ☐ Credit ☒ Check ☐ Other

**TOTAL RECEIVED** \$ \$2,966.75

SIGNATURE

X *Mike Louie*

AGENCY OF FILING PRINTED NAME AND TITLE

Mike Louie, Deputy County Clerk-Recorder