



1590 Berryessa Road, San Jose, CA 95133—1003 • (408) 453—1110 Fax (408) 437—9011

Memorandum

DATE: January 9, 2025

TO: PBCE Director Chris Burton & Community and Economic Development Committee

FROM: Royce Suba - General Counsel, The Flea Market, Inc.

SUBJECT: PDC17-051-Quarterly Status Report of Construction Activities (10/1/24 -12/31/24)

This Report is submitted in conformance with "Additional Condition b." of PDC 17-051, which requires a summary of construction planning and permitting activities that may result in construction impacts to the existing Flea Market operations. The Report will specify whether any Flea Market vendors have been displaced, relocated, or terminated. This Report covers the period of October 1, 2024 to December 31, 2024:

PLANNING & PERMITTING FOR FUTURE DEVELOPMENT:

Planning Entitlements: The land owner withdrew Master Planned Development Permit (PD21-018) and a Tentative Map (T21-041). The land owner submitted an SB330 Preliminary Review – Builders Remedy application to revise the land uses and housing types within the Project. The land owner has now indicated they will no longer pursue Builders Remedy. The owner is working with the City to advance the process to form a Community Facilities District to fund and maintain public infrastructure within the future development. The purpose of this application was to create a financially feasible project and to plan the details and establish the layout of future public roadways, public parks site, creek trails setbacks, plazas sites and development blocks for a future development. This application in and of itself would not authorize the construction of any buildings or infrastructure. Future processes will need to be completed before any construction can occur.

Building Permits: Nothing filed. Nothing pending.

Grading: Nothing filed. Nothing pending.

Demolition: Nothing filed. Nothing pending.

Utilities & Roadways: Nothing filed. Nothing pending.

Soil Remediation: Nothing filed. Nothing pending.

EARLIEST DATE TO ISSUE 1-YEAR CLOSURE NOTIFICATION TO VENDORS:

July 1st, 2025

VENDOR STATUS:

Relocated: None.

Displaced: None.

Terminated: 1 vendor terminated for violation of Monthly License Agreement paragraphs 36, 37, and 52, or Daily License Agreement paragraph 20 and Addendum (Counterfeit Goods Prohibited).