

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING, SUBJECT TO CONDITIONS, A VESTING TENTATIVE MAP TO SUBDIVIDE ONE LOT INTO 30 LOTS (25 BUILDABLE LOTS, 5 COMMON LOTS) ON AN APPROXIMATELY 2.71-GROSS-ACRE SITE, FOR THE DEVELOPMENT OF A SINGLE-FAMILY PROJECT CONSISTING OF UP TO 25 SINGLE-FAMILY RESIDENTIAL UNITS, SITUATED ON THE NORTH SIDE OF SIERRA ROAD APPROXIMATELY 190 FEET NORTHEASTERLY OF PIEDMONT ROAD (3315 SIERRA ROAD) (APN 595-10-067)

FILE NO. T24-033

WHEREAS, pursuant to the provisions of Chapter 19.12 of Title 19 of the San José Municipal Code, on September 5, 2024, an application (File No. T24-033) was filed by Robson Homes on behalf of the property owner Olivera Family Limited Partnership (“Subdivider”), to the City of San José (“City”) for a Vesting Tentative Map to subdivide one lot into 30 lots (25 buildable lots, five common lots) and to allow up to 25 single-family dwelling units, in association with the concurrent Planned Development Permit application (PD24-018) for the construction of 25-single-family residential units, on that certain real property situated in the R-1-8(PD) Planned Development Zoning District (File No. PDC23-008) located on north side of Sierra Road approximately 190 feet northeasterly of Piedmont Road (3315 Sierra Road, APN 595-10-067), San José, which real property is sometimes referred to herein as the “subject property”); and

WHEREAS, the subject property is all that real property more particularly described in Exhibit "A", entitled “Legal Description”, and Exhibit “B”, entitled “Plat Map,” which are attached hereto and made a part hereof by this reference as if fully set forth herein; and

WHEREAS, pursuant to and in accordance with Chapter 20.100 of Title 20 of the San José Municipal Code, the Planning Commission conducted a hearing on said concurrent applications on April 23, 2025, notice of which was duly given; and

WHEREAS, at said hearing, the Planning Commission gave all persons full opportunity to be heard and to present evidence and testimony respecting said matter; and

WHEREAS, at said hearing, the Planning Commission made a recommendation to the City Council respecting said matter based on the evidence and testimony; and

WHEREAS, pursuant to and in accordance with Chapter 20.100 of Title 20 of the San José Municipal Code, this City Council conducted a hearing on said application, notice of which was duly given; and

WHEREAS, at said hearing this City Council gave all persons full opportunity to be heard and to present evidence and testimony respecting said matter; and

WHEREAS, at said hearing this City Council received and considered the reports and recommendation of the City's Planning Commission and the City's Director of Planning, Building and Code Enforcement' and

WHEREAS, at said hearing, this City Council received in evidence a plan for the subject property entitled, "Vesting Tentative Tract Map 3315 Sierra Road", dated November 27, 2024, said plan is on file in the Department of Planning, Building and Code Enforcement and is available for inspection by anyone interested herein, and said plan is incorporated herein by this reference, the same as if it were fully set forth herein; and

WHEREAS, said public hearing before the City Council was conducted in all respects as required by the San José Municipal Code and the rules of this City Council; and

WHEREAS, this City Council has heard and considered the testimony presented to it at the public hearing, and has further considered written materials submitted on behalf of the Project applicant, City staff, and other interested parties;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

After considering evidence presented at the public hearing, the City Council finds that the following are the relevant facts and findings regarding this Project:

1. **Site Description and Surrounding Uses.** The subject approximately 2.71-gross-acre site is located on the north side of Sierra Road, approximately 190 feet east of Piedmont Road, and also has approximately 35 feet of frontage on Piedmont Road. The site is currently developed with four warehouse buildings, a single-family house, and four accessory structures. Adjacent uses include multifamily residential to the north, single-family residential to the east and south, and a fuel service station to the west.
2. **Project Description.** The Project consists of the redevelopment of the subject site with 25 single-family houses and two private streets. The Olivera Egg Ranch has operated on the site for approximately 50 years, primarily as a distribution center and retail front for the business. The site is currently developed with four warehouse/commercial buildings, one single-family residence, and four accessory buildings. The single-family house was constructed in 1935, while the warehouse and accessory buildings were built between the 1950s and the 1980s. A State Department of Parks and Recreation Primary Record prepared for the property by TreanorHL and dated September 19, 2022, found that neither the property nor the existing structures meet the significance criteria for listing on the local, state, or national registers for historical resources. All existing structures on the site will be demolished to facilitate the subject Project.

The Project will redevelop the site with 25 two-story and three-story single-family houses. Seventeen of the houses have attached garages, and eight have detached garages. Of the eight detached garages, five will have a second-story accessory dwelling unit. The houses are varied in design, reflecting contemporary interpretations of traditional residential architectural styles seen in San José, such as Craftsman, Mediterranean, and Monterey Colonial. The Project proposes 13 different floor plans. Each house will be required to provide two covered parking spaces in either an attached or detached garage. The development will be governed by a Homeowner's

Association (HOA), which will be responsible for the maintenance and upkeep of the private streets and common areas.

The Project site will be accessible from two 26-foot-wide driveways on Sierra Road (the area along the site's Piedmont Road frontage will be used for stormwater treatment), and each driveway will be connected to the private streets. Along the site's Sierra Road frontage, the Project will be required to construct a 10-foot-wide sidewalk, and a 10-foot-wide sidewalk with tree wells will also be required on the Piedmont Road frontage. In addition, the Project will require the construction of a 150-foot-long segment of buffered bike lane on Piedmont Road.

The Project includes the removal of 19 trees, including 11 ordinance-size trees and eight non-ordinance-size trees, resulting in a tree replacement requirement of 59 trees. To replace the trees that are removed, a total of four 15-gallon trees and 35 24-inch box trees (each equivalent to two 15-gallon trees) will be planted in common areas throughout the site. The site plan also includes two paseos to allow pedestrians to circulate on the site safely.

To facilitate the construction and associated public improvements, the Project includes an application for a Vesting Tentative Map to subdivide the existing parcel into 30 lots. Of the 30 new lots, 25 will be buildable lots with areas ranging from 2,111 square feet to 5,537 square feet, and five will be common area lots.

3. **General Plan Conformance.** The Project site has an Envision San José 2040 General Plan Land Use/Transportation Diagram designation of **Residential Neighborhood**.

The intent of the designation is to preserve the existing character of these neighborhoods and limit development to infill projects that closely conform to the prevailing neighborhood character as defined by density, lot size and shape, massing, and neighborhood form and pattern. Infill projects where 50% or more of the development on the same block (both sides of the street) is developed at a density greater than 8 DU/AC, new development can match the prevailing density. For any new project to exceed 8 DU/AC, it is necessary that: (1) other policies in this Plan are met, (2) applicable design guidelines are met, and (3) development does not exceed 16 DU/AC.

Analysis: A density calculation was conducted for the blocks of Sierra Road and Piedmont Road, where the subject site is located, showing an average density of approximately 16 DU/AC. With 25 single-family homes on approximately 2.71 gross acres, the density of the Planned Development Zoning District is 9.2 DU/AC, which is consistent with the General Plan land use designation.

As discussed later in this section, the project is consistent with General Plan Major Strategy 3, Focused Growth, and General Plan policies that encourage subdivisions that are compatible with the surrounding area, rezoning of property to align with the General Plan, accessory dwelling units, and the use of Planned Development zoning

districts to enable development of single-family homes at a density that is consistent with the neighborhood.

Piedmont Road/Sierra Road Urban Village

The subject site is within the Piedmont Road/Sierra Road Urban Village boundary, which does not have an adopted Urban Village Plan. Prior to the approval of an Urban Village Plan, the appropriate use and application of General Plan land use policies for the property is determined by the land use designation.

Analysis: As stated above, the Project is consistent with the property's Residential Neighborhood land use designation.

General Plan Strategy and Policies

The rezoning to R-1-8(PD) Planned Development Zoning and the associated Planned Development Permit and Vesting Tentative Map are consistent with the following Envision San José 2040 General Plan strategy and policies:

- Major Strategy #3 – Focused Growth: This strategy supports new growth in areas of San José that will enable achievement of City goals for economic growth, fiscal sustainability, and environmental stewardship. The Plan focuses new growth capacity in specifically identified Growth Areas.

Analysis: Major Strategy 3 encourages increased housing in growth areas, including urban villages such as the Piedmont Road/Sierra Road Urban Village, where the Project site is located. The Project will increase the number of dwelling units on the property from one to 30, including accessory dwelling units, consistent with the strategy.

- Policy LU-11.2: Support subdivisions of residential lots if the new lots reflect the established pattern of development in the immediate area, including lot sizes and street frontages. Discourage residential developments, such as courthomes or flag lots, that increase residential densities for an area or disrupt an established neighborhood pattern. Allow new development of a parcel, including one to be subdivided, to match the existing number of units on that parcel; design such subdivisions to be compatible with and, to the degree feasible, consistent with the form of the surrounding neighborhood pattern. Consider allowing secondary units (granny or in-law units) in lieu of creating flag lots, substandard lots, or parcels that disrupt an established neighborhood pattern.

Analysis: The density of the Project, approximately 9.2 DU/AC, is consistent with the maximum allowable density (16 DU/AC) for the Residential Neighborhood land use designation and the average residential density in the neighborhood. The 25 single-family houses, five of which will have ADUs, will be compatible with surrounding residential development, which consists of a mix of multifamily and single-family homes.

- Policy LU-11.8: Rezone Residential Neighborhood areas with existing nonconforming zoning designations to align with the Envision General Plan, taking existing uses into consideration. For areas where the Residential Neighborhood designation supports the development of single-family residences, a corresponding residential zoning designation that supports single-family use is appropriate.

Analysis: The Project site is currently in the A Agriculture Zoning District, which is not a conforming zoning district of the Residential Neighborhood land use designation. The Project will rezone the site to a Planned Development Zoning District with a base zone of R-1-8 Single-Family Residential. The base zoning district of R-1-8 is a conforming zoning district of the Residential Neighborhood land use designation.

- Policy H-1.1: Through the development of new housing and the preservation and rehabilitation of existing housing, facilitate the creation of economically, culturally, and demographically diverse and integrated communities.

Analysis: The Project will provide 25 new single-family homes and five accessory dwelling units, expanding opportunities for home ownership in the City, consistent with the policy.

- Policy H-2.5: Facilitate second units on single-family residential lots, in conformance with our City's Secondary Unit Ordinance, to take advantage of a potential source of affordable housing.

Analysis: Five of the single-family homes will include detached garages with second-story ADUs, which is consistent with the policy.

- Policy IP-8.5: Use the Planned Development zoning process to tailor such regulations as allowed uses, site intensities and development standards to a particular site for which, because of unique circumstances, a Planned Development zoning process will better conform to Envision General Plan goals and policies than may be practical through implementation of a conventional Zoning District. These development standards and other site design issues implement the design standards set forth in the *Envision General Plan* and design guidelines adopted by the City Council. The second phase of this process, the Planned Development permit, is a combined site/architectural permit and conditional use permit which implements the approved Planned Development zoning on the property.

Analysis: The Planned Development Zoning allows for specifically tailored development standards to facilitate projects that are consistent with the Residential Neighborhood land use designation. The development standards of the R-1-8(PD) Zoning District will enable smaller lot sizes and setbacks than otherwise allowed in the R-1-8 Zoning District, enabling the Project to achieve

a density of 9.2 DU/AC, which is compatible with the residential density of the surrounding neighborhood.

4. Zoning Conformance

- a. Land Use. The Project site is located within the A Agriculture Zoning District. The Project includes a Planned Development Rezoning to rezone the site to the R-1-8(PD) Planned Development Zoning District (File No. PDC23-008) to allow for the development of 25 single-family residences. Subject to the Development Standards, the newly created R-1-8(PD) Zoning District will allow for permitted, special, and conditional uses that conform with the R-1-8 Single-Family Residence Zoning District, as amended, including single-family use.
- b. Development Standards. The Project site is divided into two areas, Area A and Area B, each with their own development standards. Below is a comparison of the R-1-8 Single-Family Residence Zoning District and the Project's R-1-8(PD) Planned Development Zoning District development standards:

R-1-8(PD) Zoning District Development Standards: Area A

Development Standard	R-1-8 Requirement	R-1-8(PD) Requirement	Provided by Project
Height (maximum)	35 feet	35 feet	28 feet
Stories (maximum)	2.5	3	3
Lot size (minimum)	5,445 square feet	3,500 square feet (except common areas)	3,669 square feet
Setback, front yard (minimum)	20 feet	6 feet	8 feet
Setback, interior side yard (minimum)	5 feet	4 feet	4 feet
Setback, corner side yard (minimum)	12.5 feet	4 feet	10 feet 4 inches
Setback, rear yard (minimum)	20 feet	4 feet	5 feet

R-1-8(PD) Zoning District Development Standards: Area B

Development Standard	R-1-8 Requirement	Area B	Provided by Project
Height (maximum)	35 feet	35 feet	32 feet 2 inches
Stories (maximum)	2.5	3	3

Development Standard	R-1-8 Requirement	Area B	Provided by Project
Lot size (minimum)	5,445 square feet	2,000 square feet (except common areas)	2,111 square feet
Setback, front yard (minimum)	20 feet	2 feet (ground floor), 1 foot (second floor)	3 feet 4 inches
Setback, interior side yard (minimum)	5 feet	4 feet	4 feet
Setback, corner side yard (minimum)	12.5 feet	5 feet	8 feet
Setback, rear yard (minimum)	20 feet	3 feet	7 feet 7 inches

Analysis: The Project conforms with the required height, lot size, and setback standards pursuant to the General Development Plan of the Planned Development Zoning District. The reduced setbacks, compared to the standard R-1-8 Zoning District, would allow the Project to achieve a density consistent with the General Plan Land Use Designation of Residential Neighborhood, while maintaining consistency with the form and pattern of nearby residential neighborhoods.

- c. Parking. Pursuant to the General Development Plan, a minimum of two covered vehicle parking spaces per single-family house is required. Accessory dwelling units are not required to provide vehicle parking. The Project is consistent with the requirement.

Analysis: Each single-family house will include an attached or detached two-car garage, consistent with the requirement.

5. Environmental Review.

The City of San José, as the lead agency for the Project, prepared an Initial Study/Mitigated Negative Declaration (IS/MND) in compliance with CEQA. The 3315 Sierra Road Residential Project IS/MND was circulated for public review and comment for 21 days from May 22, 2024, through June 12, 2024. Comments were received from four public agencies and organizations. Comments received requested clarifying information be added to the IS/MND. No comments required substantive changes to any CEQA analysis.

City staff prepared a Response to Comments document and made it available to all commenters and posted it on the project's page in the City's Environmental Review

Documents website. The comments received on the IS/MND did not raise any new issues about the project's environmental impacts or provide information indicating the project would result in new environmental impacts or impacts substantially greater in severity than disclosed in the IS/MND. Minor revisions were added to the text of the IS/MND and are included in the Response to Comments document. The text revisions do not constitute a "substantial revision" pursuant to CEQA Guidelines Section 15073.5 and recirculation of the MND is not required.

The Initial Study concluded that the project would not result in any significant and unavoidable environmental impacts with implementation of identified mitigation measures. The MND includes impacts related to Biological Resources, Noise, Hazards and Hazardous Materials, and Transportation. The project includes a Mitigation Monitoring and Reporting Program to lessen the identified impacts to a less than significant level. Therefore, an EIR is not required, and an Initial Study/Mitigated Negative Declaration is the appropriate level of CEQA clearance for the project.

The entire IS/MND, Responses to Comments, and other related environmental documents are available on the Planning website at: <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/negative-declaration-initial-studies/3315-sierra-road-residential-project-pdc23-008>.

6. **City Council Policy 6-30: Public Outreach Policy for Pending Land Use Development Proposals.** Staff followed Council Policy 6-30: Public Outreach Policy in order to inform the public of the proposed project. An on-site sign has been posted on the project frontage since November 4, 2024. A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. Additionally, a notice of the public hearing was posted in a newspaper of record (San José Post Record) on April 1, 2025. The staff report is also posted on the City's website. Staff has also been available to respond to questions from the public.
7. **Vesting Tentative Map Findings:** In accordance with Section 66474 of the Government Code of the State of California, the City Council of the City of San José, in consideration of the proposed subdivision shown on the Vesting Tentative Map with the imposed conditions, shall deny approval of a Vesting Tentative Map, if it makes any of the following findings.
 1. That the proposed map is not consistent with applicable General and Specific Plans as specified in Section 65451.
 2. That the design or improvement of the proposed subdivision is not consistent with applicable General and Specific Plans.
 3. That the site is not physically suitable for the type of development.
 4. That the site is not physically suitable for the proposed density of development.

5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Analysis: Based on the review of the subdivision into 25 buildable lots and five common area lots, the Director of Planning, Building and Code Enforcement of the City of San José does not make any such findings to deny the project. As discussed in the General Plan Conformance section, the project is consistent with General Plan land use designation as well as strategies and policies related to Land Use and Housing. The General Plan land use designation of Residential Neighborhood allows the development of detached single-family houses. The project site is physically suitable for the single-family houses, and the residential density is consistent with the surrounding neighborhood. Furthermore, the project site does not contain historic resources, sensitive habitats, or wildlife. The project includes the construction of two private streets that would be accessible from Sierra Road. Additionally, as explained above, the project is consistent with the subject R-1-8(PD) Planned Development Zoning District.

- 8. Subdivision Ordinance Findings.** In accordance with San José Municipal Code Section 19.12.130, the Director of Planning, Building, and Code Enforcement may approve the Tentative Map if the City Council cannot make any of the findings for denial in Government Code Section 66474 and the City Council has reviewed and considered the information relating to compliance of the project with the California Environmental Quality Act and determines the environmental review to be adequate. Additionally, the City Council may approve the project if the City Council does not make any of the findings for denial in San José Municipal Code Section 19.12.220. Section 19.12.130 incorporates the findings for denial in Section 66474 of the Government Code specified in Findings Section 1 herein and also adds the additional requirement that the project obtain CEQA clearance.

Analysis: Based on the review of the subject subdivision, the Director of Planning, Building, and Code Enforcement does not make any such findings to deny the project. The map and the development's design are consistent with the San José Envision 2040 General Plan designation of Residential Neighborhood and the R-1-8(PD) Planned Development Zoning District (PDC23-008), as discussed above. The site is physically suitable for the subject development in that the residential density and FAR over the entire site are consistent with the land use designation.

In accordance with the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration (MND) has been prepared for the project. The MND identifies potential project impacts related to migratory bird nesting, hazardous materials and vapors, noise, and vehicle miles traveled (VMT), which can be reduced to less than significant with mitigation measures. The City of San José shall adopt a Mitigation Monitoring and Reporting Program to ensure compliance with the mitigation measures identified in the MND. The project site is currently developed with structures and does not provide a natural habitat for either fish or wildlife. The subdivision and subsequent improvements are not likely to cause serious public health problems.

In accordance with the findings set forth above, a Vesting Tentative Map to establish the conditions of approval by which the subject property may be subdivided by recordation of an approved final subdivision map for said purpose specified above and subject to each and all of the conditions hereinafter set forth is hereby **granted**. This City Council expressly declares that it would not have granted this Vesting Tentative Map except upon and subject to each and all of said conditions, each and all of which conditions shall run with the land and be binding upon the owner and all subsequent owners of the subject property, and all persons who use the subject property for the use conditionally permitted hereby.

APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. **Acceptance of Vesting Tentative Map.** Per Section 19.12.230 of the San José Municipal Code, should the Subdivider fail to file a timely and valid appeal of this Vesting Tentative Map within the applicable appeal period, such inaction by the Subdivider shall be deemed to constitute all of the following on behalf of the Subdivider:
 - a. Acceptance of the Vesting Tentative Map by the Subdivider; and
 - b. Agreement by the Subdivider to be bound by, to comply with, and to do all things required of or by the Subdivider pursuant to all of the terms, provisions, and conditions of this Permit or other approval and the provisions of Title 19 of the San José Municipal Code applicable to such Vesting Tentative Map.
2. **Map Expiration.** This Vesting Tentative Map shall automatically expire 30 months from and after the date of issuance hereof by the City Council of the City of San José, if within such time period, a Final Map has not been obtained, pursuant to and in accordance with the provisions of this Vesting Tentative Map. The date of issuance is the date this Vesting Tentative Map is approved by the City Council. However, the Director of Planning, Building, and Code Enforcement may approve a Vesting Tentative Map Extension to extend the validity of this Vesting Tentative Map in accordance with Title 19.
3. **Development Rights - Vesting on Approval of Vesting Tentative Map.**
 - a. Per San José Municipal Code Section 19.13.070, the approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards

described in Government Code Section 66474.2. However, if Section 66474.2 of the Government Code is repealed, the approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in effect at the time the vesting tentative map is approved or conditionally approved.

- b. Notwithstanding subsection 3.a., above, any permit, including a building permit, approval, extension, or entitlement may be made conditional or denied if any of the following are determined:
 - i. A failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both.
 - ii. The condition or denial is required to comply with state or federal law.
- c. The rights referred to herein shall expire if a final map is not approved prior to the expiration of the vesting tentative map as provided in Section 19.13.060. If the final map is approved, these rights shall last for the following periods of time:
 - i. An initial time period of one year. Where several final maps are recorded on various phases of a Project covered by a single vesting tentative map, this one-year initial time period shall begin for each phase when the final map for that phase is recorded. All of said final maps or lot maps must be recorded within the time period set forth in Section 19.13.060 or the vesting tentative map approval shall expire for those lots for which final maps or lot maps are not timely recorded.
 - ii. The initial time period set forth in 3.c.i. shall be automatically extended by any time used for processing a complete application for a grading permit if such processing exceeds thirty days from the date a complete application is filed.
 - iii. A Subdivider may apply to the Director of Planning, Building, and Code Enforcement for a one-year extension at any time before the initial time period set forth in 3.c.i expires. If the extension is denied, the subdivider may appeal that denial to the city council within fifteen (15) days.
 - iv. If the Subdivider submits a complete application for a building permit during the periods of time specified in 3.c.i. through 3.c.iii., above, the rights referred to herein shall continue until the expiration of that permit, or any extension of that permit.
- 4. **Conformance to Plans.** The development of the site and all associated development and improvements shall conform to the approved Tentative Map plans entitled, "Vesting Tentative Map 3315 Sierra Road", dated November 27, 2024, on file with the Department of Planning, Building and Code Enforcement, as may be amended and approved by the Director of Planning, Building, and Code Enforcement, and to the San José Building Code (San José Municipal Code, Title 24). The plans are referred to herein as the "approved plans" or the "Approved Plan Set".

5. **Conformance with Other Permits.** The subject Vesting Tentative Map conforms to and complies in all respects with the Planned Development Permit (File No. PD24-018) on which such Vesting Tentative Map is based. Approval of said Vesting Tentative Map shall automatically expire with respect to any portion of the lands covered by such Vesting Tentative Map on which a Final Map or Tract Map has not yet been recorded if, prior to recordation of a Final Map or Tract Map thereon, the Special Use Permit for such lands automatically expires or for any reason ceases to be operative.
6. **Compliance with Subdivision Ordinance.** The final map shall comply with all of the requirements for final maps in Chapter 19.16 of the San José Municipal Code and shall show and contain all of the data required by San José Municipal Code Section 19.16.110.
7. **Improvements.** Pursuant to the Subdivision Agreement (hereinafter referred to as "Agreement"), the Subdivider shall, before approval and recording of the Final Map, improve or agree to improve all land within the subdivision and all land outside, but appurtenant to, the Subdivision shown on the Vesting Tentative Map for public or private streets, alleys, pedestrian ways, and easements to the satisfaction of the Director of Public Works.
8. **Improvement Contract.** In the event Subdivider has not completed the improvements required for the proposed subdivision at the time the final map is presented for approval, Subdivider shall enter into an improvement contract pursuant to agreement with the City of San José, in accordance with Section 19.32.130 of the San José Municipal Code, and shall provide the bonds and insurance mentioned therein.
9. **Distribution Facilities.** The Subdivider shall, at no cost to the City, cause all new or replacement electricity distribution facilities (up to 40KV), telephone, community cable, and other distribution facilities located on the subject property to be placed underground.
10. **Public Use Easements.** The Subdivider shall dedicate on the final map for public use easements for public utilities, streets, pedestrian ways, sanitary sewers, drainage, flood control channels, water systems, and slope easements in and upon all areas within the subdivision shown on the Vesting Tentative Map for the subdivision to be devoted to such purposes.
11. **Demolition of Buildings on Property Line or within Setback.** The existing structures on the subject site that would otherwise be situated on a proposed property line or cause non-conformance to the required setbacks shall be demolished to the satisfaction of the Chief Building Official prior to the recordation of documents and maps that establish the proposed changes to the location of property lines. A Demolition Permit shall be obtained from the Building Division to demolish the subject structures.
12. **Conveyance of Easements.** Subdivider shall convey or cause to be conveyed to the City of San José, easements in and upon all areas as shown on the Vesting Tentative

Map outside the boundaries of, but appurtenant to, the subdivision. Should a separate instrument be required for the conveyance of the easement(s), it shall be recorded prior to the recordation of the Final Map. Such easements so conveyed shall be shown on the Final Map, together with reference to the Book and Page in the Official Recorder of Santa Clara County, where each instrument conveying such easements is recorded.

13. **Homeowner's Association.** Prior to the recordation of a Final Map, a Homeowner's Association shall be established for maintenance of all common areas, including but not limited to private streets, pedestrian walkways, easements, landscaping, and landscaping in the public right-of-way that is not already in a maintenance district. The Subdivider shall provide to the Homeowner's Association a copy of the Vesting Tentative Map Permit, the accompanying Plan Set, any approved Amendments or Adjustments to the Development Permit, and a complete set of approved building and all improvement plans within 30 days of completion.
14. **Final Map.** No Final Map or Tract Map shall be approved by City Council unless and until the appeal period for the development permit, City File No. PD24-018, has expired and all appeals have been exhausted.
15. **Multiple Final Maps.** Multiple Final Maps may be filed for this subdivision if each and all of the following conditions are met with each Final Map:
 - a. All fees associated with development and a part of this approval shall be apportioned and paid for each portion of this subdivision for which a Final Map is being filed, including but not limited to Parkland Dedication, undergrounding of utilities, drainage, area and sewer treatment plan.
 - b. All public streets on which each Final Map has frontage shall be improved or bonded to be improved to the satisfaction of the Director of Public Works.
 - c. All grading, drainage, and easements for drainage, adequate to protect each lot for which a Final Map is requested, and surrounding parcels which could be impacted by such design or lack of design, shall be guaranteed to the satisfaction of the Director of Public Works.
 - d. Any and all off-site improvements necessary for mitigation of impacts brought about by this project shall be apportioned to the degree possible to guarantee adequate mitigation for each area for which a Final Map is being filed, to the satisfaction of the Director of Public Works.
 - e. For Final Maps that are phased, where the phasing is not specified, the Subdivider is required to process a Permit Amendment to specify the phases and phased improvements. All improvements must be in conformance with the associated development permit, as may be amended.
16. **Sewage Treatment Demand.** Pursuant to Chapter 15.12 of Title 15 of the San José Municipal Code, acceptance of this Vesting Tentative Map by Subdivider shall constitute acknowledgement of receipt of notice by Subdivider that (1) no vested right to a Building

Permit shall accrue as the result of the granting of this Permit when and if the City Manager makes a determination that the cumulative sewage treatment demand of the San José - Santa Clara Regional Wastewater Facility represented by approved land uses in the area served by said Facility will cause the total sewage treatment demand to meet or exceed the capacity of San José - Santa Clara Regional Wastewater Facility to treat such sewage adequately and within the discharge standards imposed on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region; (2) substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approval authority; (3) issuance of a Building Permit to implement this Permit may be suspended, conditioned or denied where the City Manager makes a determination that such action is necessary to remain within the aggregate operational capacity of the sanitary sewer system available to the City of San José or to meet the discharge standards of the sanitary sewer system imposed on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region.

17. **Conformance with Municipal Code.** No part of this approval shall be construed to permit a violation of any part of the San José Municipal Code.
18. **Compliance with Local, State, and Federal Laws.** The subject use shall be conducted in full compliance with all local, and, state, and federal laws.
19. **Discretionary Review.** The City maintains the right of discretionary review of requests to alter or amend structures, conditions, or restrictions of this Permit incorporated by reference in accordance with Chapter 20.100 of the San José Municipal Code.
15. **Conformance to Mitigation Monitoring and Reporting Program.** This Project shall conform to all applicable requirements of the Mitigation Monitoring and Reporting Program (MMRP) approved for this development by City Council Resolution No. ____.
16. **Standard Environmental Permit Conditions.**
 - a. **Construction Related Air Quality.** The following measures shall be implemented during all phases of construction to control dust and exhaust at the Project site:
 - i. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) two times per day.
 - ii. Cover all haul trucks transporting soil, sand, and other loose material off-site.
 - iii. Remove all visible mud or dirt track-out onto adjacent public roads at least once per day using wet-power vacuum street sweepers. The use of dry power sweeping is prohibited.
 - iv. Limit all vehicle speeds on unpaved roads to 15 mph.
 - v. Pave all new roadways, driveways, and sidewalks as soon as possible.

- vi. Lay building pads as soon as possible after grading unless seeding or soil binders are used.
- vii. Suspend all excavation, grading, and/or demolition activities when average wind speeds exceed 20 mph.
- viii. Wash off all trucks and equipment, including their tires, prior to leaving the site.
- ix. Treat unpaved roads providing access to sites located 100 feet or further from a paved road with a 6- to 12-inch layer of compacted wood chips, mulch, or gravel.
- x. Minimize idling time either by shutting off equipment when not in use or reducing the idling time to no more than 2 minutes (a 5-minute limit is required by state Airborne Toxics Control Measures [Title 13, Sections 2449(d)(3) and 2485 of the California Code of Regulations]). Provide clear signage with this requirement for workers at all access points to the site.
- xi. Maintain and properly tune construction equipment in accordance with manufacturer's specifications. Check all equipment by a certified mechanic and record a determination of running in proper condition prior to operation.
- xii. Post a publicly visible sign with the name and phone number of an onsite construction coordinator to contact regarding dust complaints. The onsite construction coordinator shall respond and take corrective action within 48 hours. The sign shall also provide the City's Code Enforcement Complaints email and number and the Bay Area Air Quality Management District's General Air Pollution Complaints number to ensure compliance with applicable regulations.

b. Biological Resources

- i. **Santa Clara Valley Habitat Plan.** The Project may be subject to applicable SCVHP conditions and fees (including the nitrogen deposition fee) prior to issuance of any grading permits. The Project Subdivider shall submit the Santa Clara Valley Habitat Plan Coverage Screening Form (<https://www.scv-habitatagency.org/DocumentCenter/View/151/Coverage-Screening-Form?bidId=>) to the Director of Planning, Building and Code Enforcement or the Director's designee for approval and payment of all applicable fees prior to the issuance of a grading permit. The Habitat Plan and supporting materials can be viewed at <https://scv-habitatagency.org/178/Santa-Clara-Valley-Habitat-Plan>.
- ii. **Tree Replacement.** The trees removed for the Project shall be replaced at ratios required by the City, as stated in the table below, as amended:

Table: Tree Replacement Ratios				
Circumference of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree
	Native	Non-Native	Orchard	
38 inches or more	5:1	4:1	3:1	15-gallon
19 to 38 inches	3:1	2:1	None	15-gallon
Less than 19 inches	1:1	1:1	None	15-gallon
<p>x:x = tree replacement to tree loss ratio Note: Trees greater than or equal to 38-inch circumference measured at 54 inches above natural grade shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees. For Multi-Family residential, Commercial and Industrial properties, a permit is required for removal of trees of any size. A 38-inch tree equals 12.1 inches in diameter. A 24-inch box replacement tree = two 15-gallon replacement trees</p>				

- A. Twenty onsite trees will be removed. Eleven trees require replacement at a 4:1 ratio, one tree requires replacement at a 3:1 ratio, five trees require replacement at a 2:1 ratio, and two trees require replacement at a 1:1 ratio. Therefore, the removal of the 20 trees onsite results in a replacement tree requirement of 59 15-gallon trees. Based on the landscape plans, the project will include planting of 29 15-gallon trees and 31 24-inch box trees, or the equivalent of 91 trees.
- B. If there is insufficient area on the Project site to accommodate the required replacement trees, one or more of the following measures shall be implemented, to the satisfaction of the Director of Planning, Building and Code Enforcement or Director's designee. Changes to an approved landscape plan requires the issuance of a Permit Adjustment or Permit Amendment.
 - (a) The size of a 15-gallon replacement tree may be increased to 24-inch box and count as two replacement trees to be planted on the Project site.
 - (b) Pay Off-Site Tree Replacement Fee(s) to the City, prior to the issuance of building permit(s), in accordance with the City Council approved Fee Resolution in effect at the time of payment. The City will use the off-site tree replacement fee(s) to plant trees at alternative sites.

c. Cultural Resources

- i. **Subsurface Cultural Resources.** If prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped, the Director of Planning, Building and Code Enforcement or the Director's designee and the City's Historic Preservation Officer shall be notified, and a qualified archaeologist in consultation with a Native American Tribal representative registered with the Native American Heritage Commission (NAHC) for the City of San José and that is traditionally and culturally affiliated with the geographic area as described in Public Resources Code Section 21080.3 shall examine the find. The archaeologist in consultation with the Tribal representative shall 1) evaluate the find(s) to determine if they meet the definition of a historical or archaeological resource; and (2) make appropriate recommendations regarding the disposition of such finds prior to issuance of building permits. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery shall be submitted to the Director of Planning, Building, and Code Enforcement or the Director's designee, and the City's Historic Preservation Officer and the Northwest Information Center (if applicable). Project personnel shall not collect or move any cultural materials.
- ii. **Human Remains.** If any human remains are found during any field investigations, grading, or other construction activities, all provisions of California Health and Safety Code Sections 7054 and 7050.5 and Public Resources Code Sections 5097.9 through 5097.99, as amended per Assembly Bill 2641, shall be followed. If human remains are discovered during construction, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent remains. The Subdivider shall immediately notify the Director of Planning, Building and Code Enforcement or the Director's designee and the qualified archaeologist, who shall then notify the Santa Clara County Coroner. The Coroner will make a determination as to whether the remains are Native American. If the remains are believed to be Native American, the Coroner will contact the NAHC within 24 hours. The NAHC will then designate a Most Likely Descendant (MLD). The MLD will inspect the remains and make a recommendation on the treatment of the remains and associated artifacts. If one of the following conditions occurs, the landowner or his authorized representative shall work with the Coroner to reinter the Native American human remains and associated grave goods with appropriate dignity in a location not subject to further subsurface disturbance:
 - A. The NAHC is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being given access to the site.
 - B. The MLD identified fails to make a recommendation; or

- C. The landowner or his authorized representative rejects the recommendation of the MLD, and mediation by the NAHC fails to provide measures acceptable to the landowner.
- d. **Greenhouse Gas Emissions/Energy**
 - i. **Proof of Enrollment in SJCE.** Prior to issuance of any Certificate of Occupancy for the multifamily residential buildings (Buildings A, B, C, and the Affordable Building), the occupant shall provide to the Director of Planning, Building, and Code Enforcement or the Director's designee, proof of enrollment in the San José Community Energy (SJCE) GreenSource program (approximately 60% renewable energy) or TotalGreen program (approximately 100% renewable energy) assumed in the approved environmental clearance for the Project in accordance with CEQA.
- e. **Geology and Soils**
 - i. **Seismic Hazards**
 - A. A Geotechnical Report shall be submitted, reviewed, and approved by the City Geologist. The Geotechnical Report shall determine the site-specific soil conditions and identify the appropriate design and construction techniques to minimize risks to people and structures, including but not limited to: foundation, earthwork, utility trenching, retaining and drainage recommendations. The investigation should be consistent with State of California guidelines for the preparation of seismic hazard evaluation reports (CGS Special Publication 117A, 2008, and the Southern California Earthquake Center report, SCEC, 1999). A recommended minimum depth of 50 feet should be explored and evaluated in the investigation. The City Geologist will review the Geotechnical Report and issue a Geologic Clearance
 - B. All excavation and grading work shall be scheduled in dry weather months or construction sites shall be weatherized.
 - C. Stockpiles and excavated soils shall be covered with secured tarps or plastic sheeting.
 - D. Ditches shall be installed to divert runoff around excavations and graded areas if necessary.
 - E. The Project shall be constructed in accordance with the standard engineering practices in the California Building Code, as adopted by the City of San José. A grading permit from the San José Department of Public Works shall be obtained prior to the issuance of a Public Works clearance. These standard practices would ensure that the future building on the site is designed to properly account for soils-related hazards on the site.

- F. If dewatering is needed, the design-level geotechnical investigations to be prepared for individual future development projects shall evaluate the underlying sediments and determine the potential for settlements to occur. If it is determined that unacceptable settlements may occur, then alternative groundwater control systems shall be required.
- f. **Paleontological Resources.** If vertebrate fossils are discovered during construction, all work on the site shall stop immediately, Director of Planning, Building and Code Enforcement or the Director's designee shall be notified, and a qualified professional paleontologist shall assess the nature and importance of the find and recommend appropriate treatment. Treatment may include, but is not limited to, preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds. The Subdivider shall be responsible for implementing the recommendations of the qualified paleontologist. A report of all findings shall be submitted to the Director of Planning, Building, and Code Enforcement or the Director's designee.
- g. **Hazards and Hazardous Materials**
- i. **Asbestos and Lead-Based Paint**
- A. In conformance with State and local laws, a visual inspection/pre-demolition survey, and possible sampling, shall be conducted prior to the demolition of on-site building(s) to determine the presence of asbestos-containing materials ("ACMs") and/or lead-based paint.
- B. During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Title 8, California Code of Regulations ("CCR"), Section 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the type of lead being disposed.
- C. All potentially friable ACMs shall be removed in accordance with National Emission Standards for Air Pollution guidelines prior to demolition or renovation activities that may disturb ACMs. All demolition activities shall be undertaken in accordance with Cal/OSHA standards contained in Title 8, CCR, Section 1529, to protect workers from asbestos exposure.
- D. A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site in accordance with the standards stated above.
- E. Materials containing more than one-percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations. Removal of materials containing more than one-percent asbestos shall be completed in accordance with BAAQMD requirements and notifications.

h. Hydrology and Water Quality

i. Construction Related Water Quality

- A. Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains.
- B. Earthmoving or other dust-producing activities shall be suspended during periods of high winds.
- C. All exposed or disturbed soil surfaces shall be watered at least twice daily to control dust as necessary.
- D. Stockpiles of soil or other materials that can be blown by the wind shall be watered or covered.
- E. All trucks hauling soil, sand, and other loose materials shall be covered and all trucks shall maintain at least two feet of freeboard.
- F. All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites shall be swept daily (with water sweepers).
- G. Vegetation in disturbed areas shall be replanted as quickly as possible.
- H. All unpaved entrances to the site shall be filled with rock to remove mud from tires prior to entering City streets. A tire wash system shall be installed if requested by the City.
- I. The Subdivider shall comply with the City of San José Grading Ordinance, including implementing erosion and dust control during site preparation and with the City of San José Zoning Ordinance requirements for keeping adjacent streets free of dirt and mud during construction.

i. Noise.

Construction-related Noise. Noise minimization measures shall include, but are not limited to, the following:

- i. Pile driving is prohibited.
- ii. Limit construction to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday for any onsite or off-site work within 500 feet of any residential unit.
- iii. Construct solid plywood fences around ground level construction sites adjacent to operational businesses, residences, or other noise-sensitive land uses. The temporary fences shall be constructed if the project's solid sound wall and good neighbor fence (minimum five feet), respectively, are not constructed first.

- iv. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
 - v. Prohibit unnecessary idling of internal combustion engines.
 - vi. Locate stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses.
 - vii. Utilize “quiet” air compressors and other stationary noise sources where technology exists.
 - viii. Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the Project site.
 - ix. Notify all adjacent business, residences, and other noise-sensitive land uses of the construction schedule, in writing, and provide a written schedule of “noisy” construction activities to the adjacent land uses and nearby residences.
 - x. If complaints are received or excessive noise levels cannot be reduced using the measures above, erect a temporary noise control blanket barrier along surrounding building facades that face the construction sites.
 - xi. Designate a “disturbance coordinator” who shall be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.
- j. Operations Noise.

Interior Noise Standard for Residential Development. The Subdivider shall prepare final design plans that incorporate building design and acoustical treatments to ensure compliance with State Building Codes and City noise standards. A project-specific acoustical analysis shall be prepared to ensure that the design incorporates controls to reduce interior noise levels to 45 dBA DNL or lower within the residential unit. The Subdivider shall conform with any special building construction techniques requested by the City’s Building Department, which may include sound-rated windows and doors, sound-rated wall constructions, and acoustical caulking.

17. Housing Department. Residential Developments are subject to the Inclusionary Housing Ordinance (“IHO”). Developments demolishing existing low- and very-low-

income residential units are subject to the Replacement Unit obligation under Senate Bill (SB) 330.

The Subdivider understands the Affordable Housing Compliance Plan (AHCP) is binding and can only be modified as set forth under SJMC 5.08.610(E). A request for a minor modification of an approved AHCP may be granted by the City Manager if the modification is substantially in compliance with the original AHCP and the permit's conditions of approval. All other modification(s) require the Subdivider to resubmit the AHCP application and it will be processed in the same manner as the original plan.

Conditions of Approval for Inclusionary Housing Ordinance Requirements for Residential Developments and Mixed-Use Developments:

The Residential Development will construct 30 for-sale units, including 25 Single-Family Homes and five ADUs. The developer has selected to comply with the Inclusionary Housing Ordinance through Payment of an In-lieu Fee Payment (Section 5.08.520) compliance option and will not provide any inclusionary units. The development is in the Berryessa part of the Inclusionary Housing Ordinance Area and will be subject to moderate market area prices. The in-lieu fee is subject to change July 1 of each year and the developer is responsible for paying the current amount. The developer must pay the in-lieu fee prior to receiving its certificate of occupancy.

Conditions of Approval for Senate Bill 330:

The Subdivider has submitted a fully completed Replacement Unit Determination (RUD) with all attachments and paid the application fee. After careful review, the Housing Department has determined that this project is not subject to SB 330 affordability conditions on the replacement units.

19. **Public Works Clearance for Building Permit(s) or Map Approval:** Prior to the approval of Tract or Parcel Map (if applicable) by the Director of Public Works, or the issuance of Building permits, whichever occurs first, the Subdivider will be required to have satisfied all of the Public Works conditions as described in the Planned Development Permit (File No. PD24-018).
20. **Revocation, Suspension, Modification.** This Vesting Tentative Map is subject to revocation, suspension, or modification for violation of any of its provisions or conditions.

In accordance with the findings set forth above, a Vesting Tentative Map is hereby approved.

ADOPTED this ____ day of _____ 2025, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, MMC
City Clerk

NOTICE TO PARTIES

The time within which judicial review must be sought to review this decision is governed by the provisions of the California Code of Civil Procedure Section 1094.6.

MARCH 25, 2025

JOB NO. 21-162

EXHIBIT "A"
LEGAL DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

BEING ALL OF PARCEL 2 AS SHOWN ON THAT CERTAIN PARCEL MAP FILED FOR RECORD SEPTEMBER 11, 1984 IN BOOK 533 OF MAPS, PAGE 43 OF SAID SANTA CLARA COUNTY. AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE NORTHWESTERLY CORNER OF SAID PARCEL 2 SHOWN ON THAT CERTAIN PARCEL MAP FILED FOR RECORD MAY 17, 1955 IN BOOK 57 OF MAPS, PAGES 26-27;

THENCE HEADING EASTERLY ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL 2, NORTH 59° 46' 55" EAST, A DISTANCE OF 145.34 FEET;

THENCE, NORTH 44° 50' 44" EAST FOR A DISTANCE OF 57.97 FEET;

THENCE, NORTH 60° 40' 14" EAST FOR A DISTANCE OF 186.00 FEET;

THENCE, SOUTH 84° 29' 41" EAST FOR A DISTANCE OF 58.40 FEET;

THENCE, NORTH 59° 46' 10" EAST FOR A DISTANCE OF 169.00 FEET;

THENCE, SOUTH 29° 13' 00" EAST FOR A DISTANCE OF 222.94 FEET;

THENCE, SOUTH 59° 46' 55" WEST FOR A DISTANCE OF 383.46 FEET TO A BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 170.00 FEET;

THENCE SOUTHERLY ALONG LAST MENTIONED CURVE FROM WHICH A RADIUS POINT BEARS SOUTH 30° 13' 05" EAST THROUGH A CENTRAL ANGLE OF 17° 04' 57" AN ARC DISTANCE OF 50.69' TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 170.00 FEET;

THENCE SOUTHERLY ALONG LAST MENTIONED CURVE THROUGH A CENTRAL ANGLE OF 17° 04' 57" AN ARC DISTANCE OF 50.69';

THENCE, NORTH 21° 56' 00" WEST FOR A DISTANCE OF 200.00 FEET;

THENCE, SOUTH 59° 46' 55" WEST FOR A DISTANCE OF 150.00 FEET;


THENCE, NORTH 21° 56' 00" WEST, A DISTANCE OF 32.34 FEET TO THE
POINT OF BEGINNING.

CONTAINING 118,067 SQUARE FEET (2.710 ACRES) OF LAND, MORE
OR LESS


BASIS OF BEARINGS: THE BEARING NORTH 21°56'00" WEST AS FOUND
MONUMENTED ON PIEDMONT ROAD, AS SHOWN ON THAT CERTAIN PARCEL
MAP FILED FOR RECORDED IN BOOK 533 OF MAPS AT PAGE 43, SANTA
CLARA COUNTY RECORDS, WAS USED AS THE BASIS OF ALL BEARINGS
SHOWN.

A PLAT ENTITLED "EXHIBIT B" IS ATTACHED HERETO AND MADE A
PART HEREOF.

THIS DESCRIPTION AND THE ACCOMPANYING PLAT WERE PREPARED
BY ME OR PREPARED UNDER MY DIRECTION.



JOHN GAYLORD
L.S. 9931
CIVIL ENGINEERING ASSOCIATES, INC.



3/25/2025

DATE

SURVEYOR'S STATEMENT

THIS PLAT WAS PREPARED BY
ME OR UNDER MY DIRECTION.

JOHN GAYLORD, PLS

3/25/2025

DATED



LEGEND

- DISTINCTIVE BOUNDARY
- RIGHT-OF-WAY LINE
- EXISTING LOT LINE
- CENTER LINE
- EXISTING EASEMENT
- TIE LINE
- POB POINT OF BEGINNING

REFERENCES

- [1] PARCEL MAP - 533 M 43
- [2] TRACT 5457 - 334 M 46
- [3] CITY OF SAN JOSE SURVEYOR'S OFFICE FIELD BOOK 1428 PAGES 50 & 52
- [4] TRACT 7702 - 539 M 13-14
- [5] PARCEL MAP - 548 M 5

BASIS OF BEARINGS

THE BEARING NORTH 21°56'00" WEST AS FOUND MONUMENTED ON PIEDMONT ROAD, AS SHOWN ON THAT CERTAIN PARCEL MAP FILED FOR RECORDED IN BOOK 533 OF MAPS AT PAGE 43, SANTA CLARA COUNTY RECORDS, WAS TAKEN AS THE BASIS FOR ALL BEARINGS SHOWN ON THIS PLAT.

EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION



**Civil
Engineering
Associates**

Civil Engineers • Planners • Surveyors

28 Railway Avenue
Campbell, CA 95008
T: (408) 453-1066

BY: CH

DATE: 3/25/2025

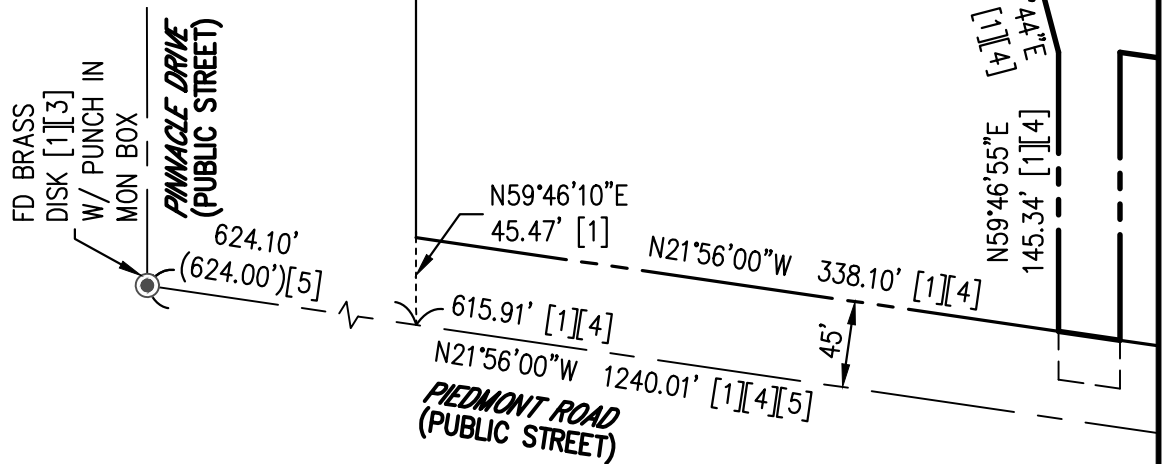
SCALE: 1"=100'

JOB NO. 21-162

1 OF 2
SHT.NO.

21162 PLAT BOUNDARY.dwg Mar 25, 2025

LINE TABLE		
LINE #	BEARING	LENGTH
L1	N33°46'46"E	48.96'
L2	N39°48'16"W	27.19'
L3	N33°47'38"E	61.41'
L4	N39°47'44"W	59.71'
L5	N88°34'48"E	43.48'
L6	N00°27'37"W	24.17'
L7	N88°34'42"E	53.33'
L8	N00°30'02"W	51.69'



LEGEND

	DISTINCTIVE BOUNDARY
	RIGHT-OF-WAY LINE
	EXISTING LOT LINE
	CENTER LINE
	EXISTING EASEMENT
	TIE LINE
POB	POINT OF BEGINNING

EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION



**Civil
Engineering
Associates**

Civil Engineers • Planners • Surveyors

28 Railway Avenue
Campbell, CA 95008
T: (408) 453-1066

BY: CH
DATE: 3/25/2025
SCALE: 1"=100'
JOB NO. 21-162

2 OF 2
SHT.NO.