

# Notice of Determination

## Appendix D

**To:**

Office of Planning and Research  
 U.S. Mail: Street Address:  
 P.O. Box 3044 1400 Tenth St., Rm 113  
 Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk  
 County of: Santa Clara  
 Address: 110 West Tasman Drive  
San Jose, CA 95134

**From:**

Public Agency: City of San Jose  
 Address: 200 E Santa Clara St, 3rd FL Tower  
San Jose, CA 95113  
 Contact: Nhu Nguyen  
 Phone: (408) 535-6894

Lead Agency (if different from above):  
 Address: \_\_\_\_\_  
 Contact: \_\_\_\_\_  
 Phone: \_\_\_\_\_

***SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.***

State Clearinghouse Number (if submitted to State Clearinghouse): 2023120640

Project Title: 865 Embedded Way Industrial Project

Project Applicant: Oppidan, Inc.(Attn. Ian Halker)

Project Location (include county): 865 Embedded Way, Santa Clara County, San Jose, CA 95138

**Project Description:**

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

This is to advise that the City of Council of the City of San Jose has approved the above  
 Lead Agency or  Responsible Agency)

described project on August 13, 2024 and has made the following determinations regarding the above  
 (date)  
 described project.

1. The project [ will  will not] have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [ were  were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [ was  was not] adopted for this project.
5. A statement of Overriding Considerations [ was  was not] adopted for this project.
6. Findings [ were  were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

200 E Santa Clara St, 3rd Floor, San Jose, CA 95113

Signature (Public Agency): Nhu Nguyen Title: Planner I

Date: 8/20/24 Date Received for filing at OPR: \_\_\_\_\_