

Race Street and Grand Avenue Residential Development Project

Initial Study/Mitigated Negative Declaration (IS/MND) and
Environmental Assessment/Findings of No Significant
Impacts (EA/FONSI)

File No. PDC17-040

PUBLIC RESPONSES TO COMMENTS & TEXT CHANGES

February 22, 2018

CEQA Lead Agency:



City of San Jose
Department of Planning, Building and Code Enforcement
200 East Santa Clara Street
San Jose, California 95113 Phone: (408) 535-3555

SECTION 1 – SUMMARY OF COMMENTS

The Race Street and Grand Avenue Residential Development project would demolish existing uses on the 2.3-acre site and construct two apartment buildings. Two housing development scenarios are considered for the site. Scenario 1 proposes the development of 206 multi-family apartment units and Scenario 2 proposes the development of 116 multi-family and 90 senior apartment units. Additionally, each scenario includes three options: a driveway on Grand Avenue and development of up to 8,500 square feet of retail/commercial space; a driveway on Race Street and development of up to 8,500 square feet of retail/commercial space; and a driveway on Grand Avenue with no retail/commercial space.

An Initial Study/Mitigated Negative Declaration (IS/MND) and an Environmental Assessment / Finding of No Significant Impact (EA/FONSI), which addressed the environmental effects of the project under the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) were prepared and circulated to public agencies and the public for review. The IS/MND was circulated from January 12, 2018 to February 1, 2018. The EA/FONSI was circulated from January 19, 2018 to February 3, 2018. The City of San José received eight comment letters during the public comment period, as summarized in the table that follows:

Comment	Name	Date Received
<i>Agency Comments</i>		
A	Santa Clara County Roads and Airports	January 16, 2018
B	Santa Clara Valley Transportation Authority (VTA)	February 1, 2018
<i>Individual and Organization Comments</i>		
C	Amah Mutsun Tribal Band	January 13, 2018
D	Jeff and Lee Charles	January 25, 2018
E	Lee Charles	January 31, 2018
F	Cass Ravenscroft	January 26, 2018
G	Hilary Spartz	February 1, 2018
H	Lindsay Van Sant	January 24, 2018

This memo responds to comments on the IS/MND and EA/FONSI as they relate to the potential environmental impacts of the project under CEQA and NEPA. Numbered responses correspond to comments in each comment letter. Copies of the comment letters are attached.

SECTION 2 - RESPONSES TO COMMENTS

Comment Letter A: Santa Clara County Roads and Airports

Comment A-1: The Roads and Airports Division does not have any comments regarding this project. However, I've routed the notice to the Dept. of Fleet and Facilities so you may receive comments from them. Thank you for contacting Roads and Airports.

Response A-1: Commenter's acknowledgement of no comments to this project is noted. No comments were received from the Department of Fleet and Facilities during the public circulation period.

Comment Letter B: Santa Clara Valley Transportation Authority

Comment B-1: Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Initial Study and Transportation Impact Analysis (TIA) for development options that would allow up to 206 residential units and a potential for 8,500 square feet of retail or commercial use on a site located on the west side of Race Street between W. San Carlos Street and Park Avenue. It appears that the Preliminary Site Plan (Figure 2.2-1) for Option A - Grand Street Access with Race Street Retail will provide through access for pedestrians from Race Street to Grand Avenue. VTA supports Option A for enhancing pedestrian connectivity with the surrounding neighborhood. VTA supports the TIA's recommendation to provide the bicycle parking consistent with City of San Jose requirements, and Option B/Project Alternative 2's reduction of the proposed Race Street driveway width from 32 feet to 26 feet. VTA also supports the project's 10-foot wide sidewalks and streetscape elements on the project frontages.

Response B-1: The comment is supportive of the project's proposed pedestrian and bicycle accommodations. The comment does not raise any specific environmental issue under CEQA, therefore, no further response is required.

Comment B-2: VTA notes that the Initial Study/TIA includes a development option (Option B) that retains the placement of parking along the ground floor of Grand Avenue, and appears to have blank building walls along the sidewalk that could compromise the quality of the pedestrian environment. VTA encourages the City and applicant to preserve the quality of the pedestrian environment by incorporating elements that provide rhythm and visual interest, such as some ground floor transparency, additional planted wall, and/or other elements that break up the monotony of a blank building wall. VTA looks forward to continuing its review of the project, in coordination with the developer and the City of San Jose through its development review process, and recommends retaining these pedestrian and transit-supportive elements in the final site plan.

Response B-2: The comment encourages the City and project applicant to preserve the quality of the pedestrian environment by incorporating elements that provide rhythm and visual interest, such as some ground floor transparency, additional planted walls, and/or other elements that break up the monotony of a blank building wall. As described in the Initial Study, under Option B, the project proposes to plant ten street trees along Grand Avenue and install plantings between the two buildings. Additionally, as shown on Figure 2.2-3 of the Initial Study, the project proposes a metal ventilation screen with sight lines to the parking area in Parcel A, and windows and HardiePlank siding elements on the first floor of the Parcel B building.

Comment C: Amah Mutsun Tribal Band

Comment C-1: As this land is within the Tamien people's area, it has been agreed it should be represented by the Muwema Tribal Band. Please contact their representatives.

Response C-1: The Muwekma Tribal Band was notified through email of the project as part of the City's standard circulation process. No responses from the Muwekma Tribal Band was received during the public circulation period. As discussed in *Section 3.5, Cultural Resources* of the IS/MND and EA/FONSI, as part of their archeological investigation, Holman & Associates contacted the Native American Heritage Commission to request a review of the Sacred Land Files (SLF) for any evidence of cultural resources or traditional properties of potential concern that might be known on lands within or adjacent to the project site. It was determined by the NAHC that no tribal cultural resources were identified during the review. Additional outreach has been conducted (phone calls or emails) to the identified Native American individuals/organizations and no responses, concerns, or additional comments regarding the project were provided. To date, no Native American tribes that are or have been traditionally culturally affiliated with the project vicinity have requested notification from the City of San José under AB 52 regarding the project and their effects on the tribal cultural resources.

The project would implement mitigation measures and follow the City's Standard Permit Conditions regarding archaeological resources and human remains, should they be encountered during project construction. During the preliminary investigation, Mitigation Measure MM-CUL 1.1 would require a mechanical presence/absence exploration to determine if there are any indications of discrete historic-era subsurface archaeological features. At least one trench shall be excavated to 15 feet deep to address the potential for subsurface Native American archaeological resources within the project area.

In the event any human remains are found during any field investigations, grading, or other construction activities, the City's Standard Permit Conditions require that 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, to be followed. In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The project applicant shall immediately notify the Supervising Environmental Planner of the City of San José Department of Planning, Building, and Code

Enforcement and the qualified archaeologist, who will 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 Native American Heritage Commission (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.

Comment Letter D: Jeff and Lee Charles

Comment D-1: I am writing regarding the proposed project: file No. PDC17 - 019 (Rezone for Race Street Residential) - 253 Race Street and the Mitigated Negative Declaration.

My husband and I have read the documents provided by the city regarding traffic and environmental studies. While the studies seem to indicate --- all is ok with parking and traffic. We highly disagree. This is the real world. 206 multi - family apartments can easily equate to 500 more automobiles. All of which can only leave or enter their complex on Race. But the study goes one step further and says only 48 cars will leave in the morning. Come on now, REALLY. The study never addressed the intersection of Race and the Alameda but they looked at Sunol and San Carlos. Why was that? Maybe because the Race/Alameda intersection would have gotten an F rating. Try it some morning.

Response D-1: As described in Section 3.16 Transportation/Traffic of the IS/MND and EA/FONSI, the trip generation rates detailed in the *San José Traffic Impact Analysis Handbook* (November 2009) and the Institute of Transportation Engineers' manual *Trip Generation, 10th Edition* (2017) were used to estimate project trip generation. The project would generate approximately 321 new daily vehicle trips, with 53 trips (five inbound and 48 outbound) occurring during the morning peak hours, 7:30 – 8:30 AM. The peak hour is defined as the period during which traffic volume is highest.

The project traffic consultant and City transportation staff developed a list of study intersections based on proximity to the project site. At greater distances from the site, project-generated vehicle trips become dispersed and represent only a very small percentage of traffic on the roadway network. At an increased distance, project impacts would become negligible. This distance determines the study area boundaries and list of study intersections. The San José Traffic Impact Analysis Handbook requires that an intersection be included for analysis if 10 or more project-generated trips utilize a travel lane during one or more peak hours. The project would add fewer than 10 trips per lane per hour to the intersection of Race Street and The Alameda. Therefore, this intersection was not required to be included in the traffic analysis.

Comment D-2: Then we go to parking, not only for the tenants put those retail stores on the ground level. There is VERY LIMITED street parking now. What's going to happen? Our already congested neighborhood parking will just get worse. The developer proposed providing 1.7 parking spaces for the tenants. Who owns .7 of a car.

Response D-2: Parking availability is not an issue requiring analysis under CEQA, but is reviewed to determine compliance with the City's General Plan and Zoning code. The parking discussion included in the IS/MND and EA/FONSI is provided for public disclosure. Therefore, the comment does not refer to any specific CEQA/NEPA issues or inadequacies of the IS/MND or EA/FONSI.

As discussed in *Section 3.16.3.1 Other Transportation and Site Access Considerations*, the project is required to comply with vehicle parking standards per City policies and regulations¹. The off-street parking requirements for the project are based on the City of San José parking standards (Municipal Code Chapter 20.90). The City of San José vehicle parking requirements for multi-family are as follows:

- 1.25 spaces per one-bedroom unit
- 1.7 spaces per two-bedroom unit
- 2.0 spaces per three-bedroom unit
- 1 space per 400 square feet of retail/commercial uses

Note that since the project is located within 2,000 feet of an existing bus rapid transit (BRT) station, and assuming the project would provide bicycle parking per the City's requirement, the project could be eligible for a 20 percent reduction in off-street vehicle parking (Municipal Code Section 20.90.220). With the 20 percent reduction in off-street vehicle parking, the project would be required to provide a total of 256 vehicle parking spaces (238 spaces for residential and 18 spaces for retail).

At the time the Transportation Impact Analysis was completed, the project proposed a total of 242 parking spaces, which would be adequate to serve the residential component of the project (after the 20 percent parking reduction is applied), but would not include off-street retail parking. The project would be short approximately 14 parking spaces. Since then, staff requested that the traffic consultant prepare a shared parking analysis to evaluate the intended future residential uses and the feasibility of shared parking with ground floor commercial space. The shared parking analysis evaluates the compatibility of uses on a site and generally, residential and commercial uses can be complimentary since the peak parking demands are often at different times of the day. This document is available as part of the Planning Commission agenda and shared parking discussion is available in the staff report for February 28, 2018 hearing date here: <http://www.sanjoseca.gov/index.aspx?NID=5735>

¹ Parking deficits are not considered significant environmental impacts under the CEQA Guidelines.

Comment D-3: All of this boils down to one thing, DO NOT REZONE. The developer would have to keep his structure under 4 stories. This height is better suited to the neighborhood. Less people means less cars.

Response D-3: The comment does not raise any specific environmental issue under CEQA or NEPA. The project would be required to comply with applicable General Plan policies and San José Residential and Commercial Design Guidelines. The comment is noted and will be considered made part of the public record for consideration by decision makers as part of the public record.

Comment D-4: The City could go one step further, and require this complex to be affordable housing but not HUD subsidized. There is already a low-income housing complex being built on Park Avenue and Laurel Grove and a possible one on San Carlos. Let's give people like teachers who don't qualify for HUD a place they can live and a neighbor they would enjoy. We sincerely hope that our concerns are heard by all and that the final outcome will be acceptable to this neighborhood.

Response D-4: The comment does not raise any specific environmental issue under CEQA. The IS/MND and EA/FONSI evaluated two project scenarios, one of which includes construction of below market rate apartments with 30 percent of the project funded by the U.S. Department of Housing and Urban Development (HUD). The Housing Authority of the County of Santa Clara (HACSC) proposes to finance construction of the project through Low Income Housing Tax Credits (LIHTC) with affordability levels between 20 percent and 60 percent of the area median income (AMI). Any person who meets the qualifications for the LIHTC program is eligible for housing at LIHTC properties. All comments received within the circulation period are made a part of the public record and are considered by the City Council, the decision-making body for the Lead Agency (i.e., the City of San José), prior to taking action on the project.

Comment E: Lee Charles

Comment E-1: These signatures were obtained on Sunday, January 28, 2018. We had only 45 minutes to canvas our neighborhood. Almost everyone that we approached wanted to sign their name to this petition to no allow the proposed rezoning. Please consider this neighborhood's request.

Response E-1: The comment does not refer to any specific CEQA/NEPA issues or inadequacies of the IS/MND and EA/FONSI. All comments received within the circulation period are made a part of the public record and are considered by the City Council, the decision-making body for the Lead Agency (i.e., the City of San José), prior to taking action on the project. Building and Code Enforcement . All comments received within the circulation period are made a part of the public record and are considered by the Planning

Commission, recommendation body, and City Council, the decision-making body for the Lead Agency (i.e., the City of San José), prior to taking action on the project.

Comment F: Cassandra Ravenscroft

Comment F-1: Thank you for sending the Environmental Impact Study. I was very concerned that it found the traffic impact to be a ‘D’ on an ‘A’ to ‘F’ scale and yet that was acceptable. I’ve lived in Hanchett Park for 40 years and have seen the cut through traffic increase with each apartment complex built nearby. The drivers, always in a hurry, very rarely stop at the stop signs. There are four schools within one half mile so there are many children walking to and from school and the neighborhood children playing in their yards or riding their bikes are increasingly in danger. When the traffic comes to a standstill on Park, Race, and The Alameda, which it does during commute times, the problem becomes critical. I understand the need for low income housing and believe a four story complex, which is what that land is zoned for, would help fill that need and keep the traffic to the ‘D’ level it is now. Please keep me informed as to when the hearing for the zoning change will be.

Response F-1: The Transportation Impact Analysis prepared for the project found that two of the seven study intersections operate at a level of service (LOS) D under existing conditions. Under background plus project conditions (existing traffic volumes plus traffic added by nearby approved projects plus project traffic), these two intersections would continue to operate at LOS D. The City of San José Level of Service Policy (City Policy 5-3) requires intersections to meet a standard of LOS D. This standard is met by all study intersections under background plus project conditions. Therefore, the project would result in less-than-significant impact under Transportation/Traffic resource area and no mitigation measures needed.

Existing traffic violations, while not specifically related to the analysis contained within the IS/MND and EA/FONSI, are noted. The opinion of the commenter as to whether the rezoning should be approved is acknowledged. All comments received within the circulation period are made a part of the public record and are considered by the Planning Commission, recommendation body, and City Council, the decision-making body for the Lead Agency (i.e., the City of San José), prior to taking action on the project.

Comment G: Hilary Spartz

Comment G-1: I am writing in regards to the notice of intent to request the release of funds for this project. I read the notice that there was a finding of "no significant impact" of this building based on an Environmental Assessment. I oppose the release of funds to start this project until a more thorough, environmental study on the impact is done. A 6-story residential building WILL have impact on the environment, namely traffic congestion in the area, which is already impacted with the

many recent residential buildings erected in the last five years, air pollution, and an impact to parking and services – grocery stores come to mind- the Midtown Safeway cannot support additional residents as the lines there are 20 deep, not to mention the garbage strewn about the parking lot. Whole Foods is an excellent addition to downtown, but already parking is an issue at peak times. Further, San José has some of the worst roads I’ve experienced and a shrinking police force – I’ve seen more graffiti, package theft, mail theft, and car break-ins in my neighborhood in the last three years. Please reconsider releasing the funds for this new residential building until further environmental studies can be completed.

Response G-1: It is not clear from the comment which impact or impacts require further environmental study. The IS/MND and EA/FONSI was prepared in accordance with the requirements of the California Environmental Quality Act and the National Environmental Policy Act. The IS/MND follows the Appendix G Environmental Checklist in the CEQA Guidelines and the EA/FONSI is prepared using HUD guidelines.

A Transportation Impact Analysis (TIA) was completed on December 2017 by Hexagon Traffic Consultants for the project (included as Appendix G in the IS/MND and EA/FONSI), and its findings summarized in *Section 3.16, Transportation/Traffic* of the IS/MND and EA/FONSI. Based on analysis of the traffic data described in the TIA, traffic impacts resulting from the proposed project were found to be less than significant, and implementation of the proposed project would found to not result in significant intersection delays, inadequate circulation, or significant level of service impacts. In addition, as described in the IS/MND, the project is proposing 242 parking spaces for residents and retail customers. Staff requested that the traffic consultant prepare a shared parking analysis to evaluate the intended future residential uses and the feasibility of shared parking with ground floor commercial space. This document is available as part of the Planning Commission Package and shared parking discussion is available in the Staff Report.

An Air Quality Assessment was completed on November 2017 by Illingworth and Rodkin for the project (included as Appendix A to the IS/MND and EA/FONSI) and its findings summarized in *Section 3.3, Air Quality* of the IS/EA. Based on analysis of the air quality data in the Assessment, the project could result in maximum residential cancer risk during construction activities. To reduce air pollution generated by construction activities of the project, the IS/MND and EA/FONSI identify City of San José standard permit conditions and mitigation measures (specifically, MM AIR-1.1) that will be implemented to regulate the type of equipment that would be used during construction, control dust and exhaust during construction. With implementation of the standard permit conditions and Mitigation Measure MM AIR-1.1, the project would result in a less-than-significant air quality impacts.

As discussed in *Section 3.14, Public Services* of the IS/EA, the project would intensify development on the site and incrementally increase the demand for police protection services compared to existing conditions. The proposed development would be constructed and maintained in accordance with current building codes and City policies to promote public and property safety, and would not have a significant impact on police protection services.

The environmental impacts of the project, in conformance with City of San José policies and regulations, are addressed throughout the IS/MND and EA/FONSI. The comment includes concerns regarding the potential for public nuisance conditions (graffiti, theft, and break-ins). Nuisance issues are addressed as required conditions of approval in the project's development permits and, once the project is operational, would be a code enforcement issue rather than a CEQA or NEPA issue.

Grocery store lines, existing garbage, and road maintenance, while not specifically related to the analysis contained within the IS/MND and EA/FONSI, are noted. As with all comments received within the circulation period, this comment will become a part of the public record that will be considered by the City Council, the decision-making body for the Lead Agency (i.e., the City of San José), prior to taking action on the project.

Comment Letter H: Lindsay Van Sant

Comment H-1: I am a resident near the Race Street (prior Fish Market) and understand that there is a proposed building of a five to six story apartment building at that site. A building that tall with its residents will pose serious parking issues for nearby neighbors. The site is zoned for a three to four story building and we would like it to remain so.

Response H-2: As stated in *Section 3.16.3.1 Other Transportation and Site Access Considerations* of the IS/MND and EA/FONSI, the project proposes to provide 242 off-street parking spaces for residents in compliance with City of San José parking standards (Municipal Code Chapter 20.90). Staff requested that the traffic consultant prepare a shared parking analysis to evaluate the intended future residential uses and the feasibility of shared parking with ground floor commercial space. As with all comments received within the circulation period, this comment will become a part of the public record that will be considered by the Planning Commission, recommendation body, and City Council, the decision-making body for the Lead Agency (i.e., the City of San José), prior to taking action on the project.

SECTION 3 – TEXT CHANGES TO THE ENVIRONMENTAL DOCUMENTS

No text changes to the IS/MND and EA/FONSI were made.

SECTION 4 – CONCLUSION

The comments received during the public circulation period for the Race Street and Grand Avenue Residential Development Project IS/MND and EA/FONSI did not raise any new environmental

issues or provide information indicating the project would result in additional impacts or impacts of greater severity than described in the circulated IS/MND EA/FONSI. Therefore, the IS/MND and EA/FONSI represents an adequate level of environmental review for the project.

SECTION 5 – PUBLIC COMMENTS ATTACHMENTS

The following pages contain a copy of the comments that was received during the public comment period for this project.

Comment A

Santa Clara County Roads and Airports

Received January 16, 2018

Le, Thai-Chau

From: Talbo, Ellen <Ellen.Talbo@rda.sccgov.org>
Sent: Tuesday, January 16, 2018 10:22 AM
To: Le, Thai-Chau
Subject: RE: Public Review Draft Mitigated Negative Declaration: Race and Grand Residential Project (PDC17-019)

Hello Thai-Chau,

The Roads and Airports division does not have any comments regarding this project. However, I've routed the notice to the Dept. of Fleet and Facilities so you may receive comments from them. Thank you for contacting Roads and Airports.

Kindly,
Ellen Talbo
County Transportation Planner
Roads and Airports – Planning and Grants
County of Santa Clara
(408) 573-2482

From: Le, Thai-Chau [mailto:Thai-Chau.Le@sanjoseca.gov]
Sent: Friday, January 12, 2018 11:18 AM
To: Le, Thai-Chau <Thai-Chau.Le@sanjoseca.gov>
Subject: Public Review Draft Mitigated Negative Declaration: Race and Grand Residential Project (PDC17-019)

**PUBLIC NOTICE
INTENT TO ADOPT
A MITIGATED NEGATIVE DECLARATION
CITY OF SAN JOSÉ, CALIFORNIA**

Project Name: Race and Grand Residential Project
File No.: PDC17-019

Description: Planned Development Zoning to rezone from the A(PD) Planned Development Zoning District to the A(PD) Zoning District to allow for the demolition of all buildings and structures on site and construct one of the two options: 1) 206 multi-family apartment units or 2) 116 multi-family and 90 senior apartment units.

Location: The project site is located west of Race Street, east of Grand Avenue, south of Park Avenue, and north of West San Carlos Street in the City of San José.

Assessor's Parcel No.: 261-42-007, -008, -011, -058, -069, -070, -071, -072, and -079.
Council District: 6

Applicant Contact Information: Vince Cantore, The CORE companies, 470 South Market Street, San Jose, CA 95113,
Phone: 408.292.7841 x12

The City has performed environmental review on the 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 draft Mitigated Negative Declaration (MND) for this project. An MND 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.

The public is welcome to review and comment on the draft Mitigated Negative Declaration. The public comment period for this draft Mitigated Negative Declaration begins on **January 12, 2018, and ends on February 1, 2018.**

The draft Mitigated Negative Declaration, initial study, and reference documents are available online at: <http://www.sanjoseca.gov/index.aspx?nid=2165> . The documents are also available for review from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San Jose Department of Planning, Building & Code Enforcement, located at City Hall, 200 East Santa Clara Street; and at the Dr. Martin Luther King, Jr. Main Library, located at 150 E. San Fernando Street.

For additional information, please contact Thai-Chau Le at (408) 535-5658, or by e-mail at Thai-Chau.Le@sanjoseca.gov.

Best regards,
Thai

Thai-Chau Le
Planner | City of San Jose
Environmental Planning
Planning, Building & Code Enforcement
Thai-Chau.Le@sanjoseca.gov
1.408.535.5658

Comment B

Santa Clara Valley Transportation Authority
(VTA)

Received February 1, 2018



February 1, 2018

City of San Jose
Department of Planning and Building
200 East Santa Clara Street
San Jose, CA 95113

Attention: Thai-Chau Le

Subject: City File No. PDC17-019 / Race and Grand Residential

Dear Mr. Le:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Initial Study and Transportation Impact Analysis (TIA) for development options that would allow up to 206 residential units and a potential for 8,500 square feet of retail or commercial use on a site located on the west side of Race Street between W. San Carlos Street and Park Avenue. VTA reiterates our comments on 9-28-17, and provides the following additional comments.

Pedestrian and Bicycle Accommodations

It appears that the Preliminary Site Plan (Figure 2.2-1) for Option A – Grand Street Access with Race Street Retail will provide through access for pedestrians from Race Street to Grand Avenue. VTA supports Option A for enhancing pedestrian connectivity with the surrounding neighborhood.

VTA supports the TIA's recommendation to provide the bicycle parking consistent with City of San Jose requirements, and Option B/Project Alternative 2's reduction of the proposed Race Street driveway width from 32 feet to 26 feet. VTA also supports the project's 10-foot wide sidewalks and streetscape elements on the project frontages

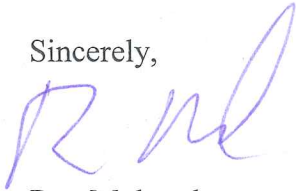
Site Design

VTA notes that the Initial Study/TIA includes a development option (Option B) that retains the placement of parking along the ground floor of Grant Avenue, and appears to have blank building walls along the sidewalk that could compromise the quality of the pedestrian environment. VTA encourages the City and applicant to preserve the quality of the pedestrian environment by incorporating elements that provide rhythm and visual interest, such as some ground floor transparency, additional planted wall, and/or other elements that break up the monotony of a blank building wall. VTA looks forward to continuing its review of the project, in coordination with the developer and the City of San Jose through its development review process, and recommends retaining these pedestrian and transit-supportive elements in the final site plan.

City of San Jose
February 1, 2018
Page 2

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,



Roy Molseed
Senior Environmental Planner

cc: Michael Liw, San Jose Development Services
Patricia Maurice, Caltrans
Brian Ashurst, Caltrans

SJ1719

Comment C

Amah Mutsun Tribal Band

Received January 13, 2018

Le, Thai-Chau

From: Aerieways <aerieways@aol.com>
Sent: Saturday, January 13, 2018 11:26 AM
To: Le, Thai-Chau
Subject: Re: Public Review Draft Mitigated Negative Declaration: Race and Grand Residential Project (PDC17-019)

As this land is within the Tamien people area, it has been agreed it should be represented by the Muwema Tribal Band. Please contact their representatives.

Ed Ketchum
Amah Mutsun Tribal Band
Historian

-----Original Message-----

From: Le, Thai-Chau <Thai-Chau.Le@sanjoseca.gov>
To: Le, Thai-Chau <Thai-Chau.Le@sanjoseca.gov>
Sent: Fri, Jan 12, 2018 11:17 am
Subject: Public Review Draft Mitigated Negative Declaration: Race and Grand Residential Project (PDC17-019)

**PUBLIC NOTICE
INTENT TO ADOPT
A MITIGATED NEGATIVE DECLARATION
CITY OF SAN JOSÉ, CALIFORNIA**

Project Name: Race and Grand Residential Project
File No.: PDC17-019

Description: Planned Development Zoning to rezone from the A(PD) Planned Development Zoning District to the A(PD) Zoning District to allow for the demolition of all buildings and structures on site and construct one of the two options: 1) 206 multi-family apartment units or 2) 116 multi-family and 90 senior apartment units.

Location: The project site is located west of Race Street, east of Grand Avenue, south of Park Avenue, and north of West San Carlos Street in the City of San José.

Assessor's Parcel No.: 261-42-007, -008, -011, -058, -069, -070, -071, -072, and -079.

Council District: 6

Applicant Contact Information: Vince Cantore, The CORE companies, 470 South Market Street, San Jose, CA 95113, Phone: 408.292.7841 x12

The City has performed environmental review on the 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 draft Mitigated Negative Declaration (MND) for this project. An MND 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.

The public is welcome to review and comment on the draft Mitigated Negative Declaration. The public comment period for this draft Mitigated Negative Declaration begins on **January 12, 2018, and ends on February 1, 2018.**

The draft Mitigated Negative Declaration, initial study, and reference documents are available online at: <http://www.sanjoseca.gov/index.aspx?nid=2165> . The documents are also available for review from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San Jose Department of Planning, Building & Code Enforcement, located at City Hall, 200 East Santa Clara Street; and at the Dr. Martin Luther King, Jr. Main Library, located at 150 E. San Fernando Street.

For additional information, please contact Thai-Chau Le at (408) 535-5658, or by e-mail at Thai-Chau.Le@sanjoseca.gov.

Best regards,
Thai

Thai-Chau Le
Planner | City of San Jose
Environmental Planning
Planning, Building & Code Enforcement
Thai-Chau.Le@sanjoseca.gov
1.408.535.5658

Comment D

Jeff and Lee Charles Received

January 25, 2018

Le, Thai-Chau

From: charlieprn@comcast.net
Sent: Thursday, January 25, 2018 2:33 PM
To: Le, Thai-Chau; Sorice, Elia
Subject: proposed project: file No. PDC17-019 (Rezone for Race Street Residential)- 253 Race Street and the Mitigated Negative Declaration.

Ms. Le and Ms. Sorice

I am writing regarding the proposed project: **file No. PDC17-019 (Rezone for Race Street Residential)- 253 Race Street and the Mitigated Negative Declaration.**

My husband and I have read the documents provided by the city regarding traffic and environmental studies.

While the studies seem to indicate----all is ok with parking and traffic. We highly disagree. This is the real world. 206 multi- family apartments can easily equate to 500 more automobiles. All of which can only leave or enter their complex on Race. But the study goes one step further and says only 48 cars will leave in the morning. Come on now, REALLY. The study never addressed the intersection of Race and the Alameda but they looked at Sunol and San Carlos. Why was that? Maybe because the Race/Alameda intersection would have gotten an F rating. Try it some morning.

Then we go to parking, not only for the tenants put those retail stores on the ground level. There is VERY LIMITED street parking now. What's going to happen? Our already congested neighborhood parking will just get worse. The developer proposed providing 1.7 parking spaces for the tenants. Who owns .7 of a car.

All of this boils down to one thing, DO NOT REZONE.

The developer would have to keep his structure under 4 stories. This height is better suited to the neighborhood. Less people means less cars.

The city could go one step further, and require this complex to be Affordable Housing but not HUD subsidized. There is already a Low income housing complex being built on Park Ave and Laurel Grove and a possible one on San Carlos. Lets give people like teachers who don't qualify for HUD a place they can live and a neighbor they would enjoy.

We sincerely hope that the our concerns are heard by all and that the final outcome will be acceptable to this neighborhood.

Sincerely

Jeff and Lee Charles
35 Tillman Ave
San Jose, CA 95126
charlieprn@comcast.net

Comment E

Lee Charles

Received January 31, 2018

Le, Thai-Chau

From: charlieprn@comcast.net
Sent: Wednesday, January 31, 2018 3:05 PM
To: Le, Thai-Chau
Subject: Neighborhood petition
Attachments: Scan0005.pdf

Ms. Le

These signatures were obtained on Sunday, January 28, 2018. We had only 45 minutes to canvas our neighborhood.

Almost everyone that we approached wanted to sign their name to this petition.

Please consider this neighborhood's request.

Lee Charles

35 Tillman Ave

San Jose, CA 95126

charlieprn@comcast.net

We the undersigned are requesting that **REZONING NOT BE APPROVED** for the proposed project: file No. PDC17-019---253 Race Street, located between Race Street and Grand Avenue 300 feet southerly of Park Ave.

Marshall Ravenna - 36 Tillman Ave, San Jose, CA 95126
Kathy Stormberg - 23 Tillman Ave. San Jose CA 95126
Kum Ruff - 40 Tillman Ave, San Jose CA 95126
Barb Kite - 40 Tillman Ave, San Jose, CA 95126
Tonya Zietlow - 41 Tillman Ave, San Jose, CA 95126
Susan Tatro - 1299 Mariposa Ave, SJ 95126
Susan Krumpholtz - 1252 Mariposa Ave. SJ 95126
Robert Esser - 1180 Mariposa Ave SJ 95126
GARY LAWRENCE - 1164 Mariposa Ave SJ 95126
OLIVER GUNASKARA - 1145 MARIPOSA AVE SJ 95126
GARY ARTHUR - 1187 MARIPOSA AVE SJ 95126
Charles R Mowmy - 1209 MARIPOSA AVE SJ CA 95126
Nellie Form - 1301 MARIPOSA AVE, SJ, CA 95126
Robert J. Donnan - 1301 MARIPOSA Ave, SJ, CA 95126

Signatures were obtained on Sunday, January 28, 2018
We had only 45 minutes to canvas our neighborhood
Almost Everyone that we approached signed this
petition

Please consider this !!!

Lee Charles
35 Tillman Ave
SJ 95126

Comment F

Cass Ravenscroft

Received January 26, 2018

Le, Thai-Chau

From: Cass Ravenscroft <ravenscrofts@comcast.net>
Sent: Friday, January 26, 2018 12:45 PM
To: Le, Thai-Chau
Cc: Hughey, Rosalynn; District 6
Subject: RE: Public Review Draft Mitigated Negative Declaration: Race and Grand Residential Project (PDC17-019)

Dear Ms. Le,

Thank you for sending the Environmental Impact Study. I was very concerned that it found the traffic impact to be a 'D' on an 'A' to 'F' scale and yet that was acceptable. I've lived in Hanchett Park for 40 years and have seen the cut through traffic increase with each apartment complex built nearby. The drivers, always in a hurry, very rarely stop at the stop signs. There are 4 schools within 1/2 mile so there are many children walking to and from school and the neighborhood children playing in their yards or riding their bikes are increasingly in danger. When the traffic comes to a standstill on Park, Race, and The Alameda, which it does during commute times, the problem becomes critical. I understand the need for low income housing and believe a 4 story complex, which is what that land is zoned for, would help fill that need and keep the traffic to the 'D' level it is now. Please keep me informed as to when the hearing for the zoning change will be.

Sincerely,

Cassandra Ravenscroft

On January 19, 2018 at 9:14 AM "Le, Thai-Chau" <Thai-Chau.Le@sanjoseca.gov> wrote:

Good morning,

In addition to the Notice of Intent to Adopt a Mitigated Negative Declaration in compliance with the California Environmental Quality Act (CEQA) noticed on January 12, 2018, the Race and Grand Residential Project also has a federal funding component which requires an Environmental Assessment pursuant to the National Environmental Policy Act (NEPA). Below is the noticing for the NEPA component of the project. Both the Initial Study/Mitigated Negative Declaration and the Environmental Assessment are available at:
<http://www.sanjoseca.gov/index.aspx?nid=2165>

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

January 19, 2018

Certifying Officer: Rosalynn Hughey – Department of Planning, Building & Code Enforcement

Address: 200 East Santa Clara Street, T-3, San José, CA 95113-1905

Phone: 408-535-3555

Email: Rosalynn.Hughey@sanjoseca.gov

Responsible Entity: City of San José – Housing

Contact Person: Thai-Chau Le

Address: 200 East Santa Clara Street, T-3, San José, CA 95113-3860

Phone: 408-535-5658

Email: Thai-Chau.Le@sanjoseca.gov

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the Housing Authority of the County of Santa Clara (HACSC).

REQUEST FOR RELEASE OF FUNDS

On or about February 5, 2018, Rosalynn Hughey, in her capacity as Interim Director of Planning Building and Code Enforcement for the City of San José, will authorize the Housing Authority of the County of Santa Clara (HACSC) to submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of the following:

- Moving to Work (MTW) funds under the Public Housing/Section 8 MTW Demonstration program (Public Law: 104-134; Appropriations Act of 1996, as amended), including Replacement of Housing Grant Funds, and
- Project Based Voucher funds under Title I Section 8 of the United States Housing Act of 1937, as amended by the Quality Housing and Work Responsibility Act of 1998.

These funds will be used to undertake a project known as Race and Grand Residential Project for the purpose of the development and construction of 90 units of below market rate senior apartments and 116 units of below market rate multi-family apartments, along with an optional 8,500 square feet of retail uses on an approximately 2.3-acre project site located west of Race Street, east of Grand Avenue, south of Park Avenue, and north of West San Carlos Street, in the City of San José. The HUD funding for the project is estimated to be approximately \$30 million.

FINDING OF NO SIGNIFICANT IMPACT

The Rosalynn Hughey, in her capacity of Interim Director of San José's Planning, Building and Code Enforcement Department, has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at <http://www.sanjoseca.gov/index.aspx?nid=2165> and <https://www.onecpd.info/environmental-review/environmental-review-records>, and on file at the City of San Jose Department of Planning, Building & Code Enforcement, located at City Hall, 200 East Santa Clara Street; and at the Dr. Martin Luther King, Jr. Main Library, located at 150 E. San Fernando Street. The ERR may be examined or copied weekdays 9:00 A.M to 5:00 P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the City of San José Planning, Building and Code Enforcement Department (Attn: Thai-Chau Le), 200 East Santa Clara Street, T-3, San José, CA 95113 or by e-mail to Thai-Chau.Le@sanjoseca.gov. **All comments received by 5:00 P.M. on February 3, 2018** will be considered by the name of RE prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The City of San José s certifies to HUD/State that Rosalynn Hughey in her capacity as Official Interim Director of Planning, Building and Code Enforcement consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Housing Authority of the County of Santa Clara to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of fund and the Responsible Entity's (RE) certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of San José; (b) the City of San José has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD/State; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD administration office at One Sansome Street, Suite 1200, San Francisco, CA 94104-4430. Potential objectors should contact HUD to verify the actual last day of the objection period.

Please feel free to contact me for any questions or concerns regarding the CEQA/NEPA documents/review.

Best regards,

Thai

Thai-Chau Le

Planner | City of San Jose

Environmental Planning

Planning, Building & Code Enforcement

Thai-Chau.Le@sanjoseca.gov

1.408.535.5658

From: Le, Thai-Chau

Sent: Friday, January 12, 2018 11:18 AM

To: Le, Thai-Chau <Thai-Chau.Le@sanjoseca.gov>

Subject: Public Review Draft Mitigated Negative Declaration: Race and Grand Residential Project (PDC17-019)

PUBLIC NOTICE

INTENT TO ADOPT

A MITIGATED NEGATIVE DECLARATION

CITY OF SAN JOSÉ, CALIFORNIA

Project Name: Race and Grand Residential Project

Description: Planned Development Zoning to rezone from the A(PD) Planned Development Zoning District to the A(PD) Zoning District to allow for the demolition of all buildings and structures on site and construct one of the two options: 1) 206 multi-family apartment units or 2) 116 multi-family and 90 senior apartment units.

Location: The project site is located west of Race Street, east of Grand Avenue, south of Park Avenue, and north of West San Carlos Street in the City of San José.



Assessor's Parcel No.: 261-42-007, -008, -011, -058, -069, -070, -071, -072, and -079.

Council District: 6

Applicant Contact Information: Vince Cantore, The CORE companies, 470 South Market Street, San Jose, CA 95113, Phone: 408.292.7841 x12

The City has performed environmental review on the 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 draft Mitigated Negative Declaration (MND) for this project. An MND 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.

The public is welcome to review and comment on the draft Mitigated Negative Declaration. The public comment period for this draft Mitigated Negative Declaration begins on **January 12, 2018, and ends on February 1, 2018.**

The draft Mitigated Negative Declaration, initial study, and reference documents are available online at: <http://www.sanjoseca.gov/index.aspx?nid=2165> . The documents are also available for review from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San Jose Department of Planning, Building & Code Enforcement, located at City Hall, 200 East Santa Clara Street; and at the Dr. Martin Luther King, Jr. Main Library, located at 150 E. San Fernando Street.

For additional information, please contact Thai-Chau Le at (408) 535-5658, or by e-mail at Thai-Chau.Le@sanjoseca.gov.

■

Best regards,

Thai

Thai-Chau Le

Planner | City of San Jose

Environmental Planning

Planning, Building & Code Enforcement

Thai-Chau.Le@sanjoseca.gov

1.408.535.5658

Comment G

Hilary Spartz

Received February 1, 2018

Le, Thai-Chau

From: Hilary Spartz <hspartz@hotmail.com>
Sent: Thursday, February 01, 2018 7:01 PM
To: Le, Thai-Chau
Cc: Hilary Spartz
Subject: Race & Grand Residential Project (PDC17-019)

Dear Thai-Chau Le,

I am writing in regards to the notice of intent to request the release of funds for this project. I read the notice that there was a finding of "no significant impact" of this building based on an Environmental Assessment. I oppose the release of funds to start this project until a more thorough, environmental study on the impact is done. A 6-story residential building WILL have impact on the environment, namely traffic congestion in the area, which is already impacted with the many recent residential buildings erected in the last 5 years, air pollution, and an impact to parking and services - grocery stores come to mind - the Midtown Safeway cannot support additional residents as the lines there are 20 deep, not to mention the garbage strewn about the parking lot. Whole Foods is an excellent addition to downtown, but already parking is an issue at peak times. Further, San Jose has some of the worst roads I've experienced and a shrinking police force- I've seen more graffiti, package theft, mail theft, car break-ins in my neighborhood. in the last 3 years.

Please reconsider releasing the funds for this new residential building until further environmental studies can be completed.

Sincerely,
Hilary Spartz
Shasta Hanchett Neighborhood
hspartz@hotmail.com

Comment H

Lindsay Van Sant

Received January 24, 2018

Le, Thai-Chau

From: Lindsay Van Sant <lindsayvs@gmail.com>
Sent: Wednesday, January 24, 2018 3:20 PM
To: Le, Thai-Chau
Subject: Building Project on Race Street

Hello,

I am a resident near the Race Street (Prior Fish Market) and understand that there is a proposed building of a five to six story apartment building at that site. A building that tall with its residents will pose serious parking issues for nearby neighbors. The site is zoned for a three-four story building and we would like it to remain so. Thank you. Lindsay Van Sant