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Environmental Assessment
Determinations and Compliance Findings for HUD-assisted Projects
24 CFR Part 58

Project Information

Project Name: Alum Rock Family Housing (Planning File No. CP18-044)

Responsible Entity: City of San José

Grant Recipient (if different than Responsible Entity): Affirmed Housing Group, Inc.
13520 Evening Creek Drive
San Diego, CA 92128
(858) 679-2828

State/Local Identifier:

Preparer: Ryan Birdseye, Principal
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Direct Comments to: City of San José
Department of Planning, Building & Code Enforcement
Planning Division
200 East Santa Clara Street
San Jose, CA 95113

Project Location: 2348-2350 Alum Rock Avenue, San José, CA 95116 (APNs 484-41-165 and -166)

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]: Affirmed Housing Group, Inc., is the project applicant. The total estimated project cost is $55,386,556. The Santa Clara County Housing Authority (SCCHA) will be providing Section 8 housing assistance to the project in the form of Project Based Vouchers (PBVs) for 29 new apartment units, as authorized under Section 8 of the Housing Act of 1937 of 1990, as amended. PBV housing assistance will be provided for an initial contract term of 20 years, with a possible automatic renewal of an additional 20 years, subject to annual appropriations from the federal government and SCCHA's determination that the owner is in compliance with the Housing Assistance Payment contract and other applicable HUD requirements, for a total of forty (40) years. The estimated total funding for rental subsidy is $15,617,184 ($780,859 annually) for the initial 20-year term of the Housing Assistance Payment contract and contingent upon the availability of Section 8 funds as allocated by the federal government.

The project is an 87-dwelling unit affordable, mixed-income housing development serving the Mayfair neighborhood of East San José. Forty-three (43) of the dwelling units would be set aside for the homeless with 14 dwelling units reserved for Rapid Rehousing (RRH) and 29 dwelling units reserved for Permanent Supportive Housing (PSH). Supportive services would be provided by the County Office of Supportive Housing (OSH) outside of the project budget through OSH's approved providers. The project would be located at 2348-2350 Alum Rock Avenue (southwest corner of Alum Rock Avenue and Foss Avenue).

The project applicant would demolish an existing single-story commercial building and construct a seven-story mixed-use building comprised of two levels of Type I-A concrete with a five-story Type III-A wood frame structure above. The main street frontage along Alum Rock Avenue would provide 3,000 square feet of commercial space with storefront openings to engage pedestrians and create an active, ground floor for-lease commercial/retail space. A separate residential entry would be constructed along Foss Avenue. The residence entrance would include a 24-hour security desk, resident mailboxes, elevators, and stair access to the upper floors. All required parking would be provided on-site. The parking garage would provide public access to the 11 commercial parking spaces and 35 secured vehicular parking spaces for residents. A long-term bike storage room would be provided at the ground level to accommodate 99 bicycles, as well as a 12-foot x 14-foot food storage and service room.

Alum Rock Family Housing would include a range of dwelling unit sizes to accommodate individuals and families earning up to 30%-60% of the area median income (AMI). The unit mix would include 35 studio, 8 one-bedroom, 22 two-bedroom and 22 three-bedroom units. Two of the two-bedroom units would be reserved for on-site property managers. On-site managers will live at the facility and provide 24-hour support for residents. Two on-site managers are proposed to ensure trained staff are available on-call during nighttime and weekend hours should residents have needs outside typical daytime operating hours. On-site managers are essential to ensuring the facility operates as intended and appropriately serve residents living at the location.

The second-floor courtyard amenity space at the podium level would include flex office spaces designed to accommodate a variety of enhanced services, including case management. Other uses at this level would include a property management office, a resident computer lab, an outdoor lounge area and a separate large courtyard amenity accessible to all residents. The upper floors would accommodate the resident and manager units. A community room, TV room and large outdoor deck would be available on the fourth floor. This area would provide recreational and open space for residents to gather and create a strong sense of community with amenities such as raised planter gardens, a large sun deck, barbeques, and lounge areas.

Alum Rock Family Housing would include two onsite property managers and 24-hour site security. Surveillance cameras would be installed to monitor the building perimeter, including the street frontage along Foss Avenue and Alum Rock Avenue. Project construction is expected to begin early 2020 and be completed by late 2020.

A Regional Map is provided in Figure 1. A Vicinity Map is provided in Figure 2. The site plan is shown in Figure 3. Representative photos of the project site are shown in Figures 4a and 4b.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]: The purpose of the proposed project is to provide affordable housing units. Of the 87 total dwelling units, 43 dwelling units would be set aside for the homeless with 14 dwelling units reserved for RRH and 29 dwelling units reserved for PSH.

As referenced in Section III of the City of San Jose General Plan Housing Element (2014-2023), the City assumed 50 percent of its very low-income regional housing needs allocation (RHNA) would be extremely low-income households. As a result, the City projected a need to house approximately 4,616 extremely low-income households. Extremely low-income (ELI) is defined as households with income less than 30 percent of area median income. It is recognized in the RHNA that many extremely low-income households will be seeking rental housing and most likely will face housing problems including overpayment, crowding, or substandard housing conditions. Further, others may have special needs such as mental or physical disabilities. The projected and existing need for ELI rental housing in San José between 2015-2023 is approximately 28,456 units. The purpose of the project is to help meet the existing and projected demand for housing intended to serve low income and special needs residents.

Existing Conditions and Trends [24 CFR 58.40(a)]: The project site is .76 acres (33,317 square feet) located at 2348-2350 Alum Rock Avenue in the Mayfair community of San José at the southwest corner of Alum Rock Avenue and Foss Avenue (APN 484-41-165 and -166). The project would entail demolition of an existing one-story "strip-mall" type commercial building and surrounding parking lot.

A parking lot is located to the south, multifamily residences are located to the west, single-family residences are located to the north and east.

North: Commercial
South: Single-family residential
East: Commercial and single-family residences
West: Commercial

According to the City of San José General Plan Housing Element and Regional Housing Needs Assessment (2014-2023), the nine-county San Francisco Bay Area region is projected to grow from 7.2 million in 2010 to 9.3 million by 2040, an increase of 2.1 million net new residents. This equates to a 30% total increase or a 1% annual growth rate. To accommodate this growth during the 2010-40 time period, the number of housing units is projected to increase by 24%, or approximately 700,000 units. The number of jobs is expected to grow by 1.1 million, an increase of 33%. The City of San José is projected to accommodate approximately 20% of the Bay Area's regional housing growth, or almost 130,000 units by 2040. This would equate to approximately 60% of Santa Clara County's overall housing and population growth, and just under 50% of the County's employment growth. The 87 units provided by the project would be consistent with the City of San José RHNA projections through 2040.

Funding Information

Grant Number	HUD Program	Funding Amount
N/A	29 Project Based Vouchers	$15,617,184 (20 years)

Estimated Total HUD Funded Amount: $15,617,184

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]**:** $55,386,556

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes ☐ No ☒	Mineta San José International Airport is located 4 miles east of the project site. Reid-Hillview Airport is located 1.9 miles southeast of the site. The project site is not located within 2,500 feet of the end of a runway nor 8,000 feet from the end of a military airfield runway. No adverse impacts related to Runway Clear Zones or Accident Potential Zones are anticipated. The project location was reviewed for consistency with the Comprehensive Land Use Plan (CLUP) for both Mineta San José International Airport and Reid-Hillview Airport. Per the San Jose' International Airport CLUP (amended November 2016), the project site is approximately 3.7 miles southeast of both the Airport Safety Zone and Airport Influence Area as well as the Part 77determination by the Federal Aviation Administration (FAA). The nearest Part 77 contour is approximately 2.5 miles to the west of the site. The Airport Safety Zones for San José International Airport and Reid-Hillview Airport are shown in Figure 5. Airport Influence Areas are shown in Figure 6. Per the Reid-Hillview CLUP (amended November

		2016), the project site is approximately 1.86 miles northwest of the Airport Safety Zone and Airport Influence Area as well as the area requiring an FAA Part 77 determination. The nearest Part 77 surface contour is located approximately ¼ mile south of the site and is 483 feet above mean sea level. The project site elevation is approximately 100 feet above mean sea level. The building would be seven stories, or 70-80 feet tall. This would be approximately 180 feet above mean sea level and under the elevation required for Part 77 consultation. Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace" (referred to as FAR Part 77), requires that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways (or which would otherwise stand at least 200 feet in height above ground). For the project site, any structure exceeding approximately 60 feet in height above ground would require submittal to the FAA for airspace safety review. The proposed building will be 70 feet above the ground; thus, an air space review will be performed. Given the height of other buildings in the area, the proposed project would not pose any threat to airport navigation and is consistent with the CLUP. *Source List: [p, q]*
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes ☐ No ☒	No coastal barrier resources under the protection of the Coastal Barrier Resources Act occur in California. The Coastal Barrier Resources Act does not apply. *Source List: [a]*
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes ☐ No ☒	The proposed project does not include any improvements within a 100- or 500-year floodplain. The project site is located within Zone X (FEMA Flood Insurance Rate Map No. 06085C0252J, February 2014) (Figure 7). The Federal Emergency Management Agency (FEMA) defines Zone X as an

		area outside the 100- and 500-year floodplains. The structure would not be located in a FEMA-designated Special Flood Hazard Area. No adverse impacts would occur. The proposed project would not impede or redirect flood flows. Project runoff would be retained on-site and treated prior to release. Thus, while the existing drainage pattern on the site would change, it would not be adversely affected by the project. *Source List: [u]*
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes ☐ No ☒	The project site is located within the San Francisco Bay Area Air Basin, which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). A significant adverse air quality impact may occur when a project individually or cumulatively interferes with progress toward the attainment of the ozone standard by generating emissions that equal or exceed the established long-term quantitative thresholds for pollutants or exceed a state or federal ambient air quality standard for any criteria pollutant. Emissions thresholds have been recommended by the BAAQMD for both project construction and operation. <u>Construction Emissions</u> Construction vehicles and equipment traveling within the project area and site preparation activities have the potential to generate fugitive dust through the exposure of soil to wind erosion and dust entrainment. Dust is defined as particulate matter less than 10 microns in size and less than 2.5 microns in size (PM_{10} and $PM_{2.5}$, respectively). Project related construction activities would also emit ozone precursors (oxides of nitrogen (NO_X), reactive organic gases (ROG)) as well as carbon monoxide (CO). The majority of construction-related emissions would result from site preparation and the use of heavy-duty construction equipment.

The California Emissions Estimator Model (CalEEMod) version 2016.3.2 calculates construction emissions during the various phases of project construction, including site preparation, excavation/grading and paving. It was assumed construction would begin in early 2020 and be completed in late 2020. Emission thresholds and estimated construction emissions are shown in Table 1. Maximum daily emissions from construction activities would not exceed BAAQMD construction thresholds. Therefore, construction impacts would be less than significant.

Table 1
BAAQMD Significance Thresholds and Construction Emissions

Pollutant	Standard (lbs/day)	2020 Emissions	Exceed Standard?
ROG	54	44.4	No
NOx	54	28.8	No
SOx	*No Standard*	0.04	*N/A*
CO	*No Standard*	24.7	*N/A*
PM_{10}	82 (exhaust)[4]	4.1	No
$PM_{2.5}$	54 (exhaust)[4]	2.3	No

Source: CalEEMod calculations

1. Concentrations reported in maximum daily emissions which represent the worse-case scenario. Maximum daily emissions would not occur each day of the construction period.
2. Summer emissions are reported as they are the highest emissions.
3. BAAQMD thresholds provided in lbs/day
4. PM emission standard applies only to exhaust emissions.

Operational emissions were calculated using CalEEMod version 2016.3.2. The basic modeling parameters assumed the project would operate like a low-rise multifamily apartment building with 3,000 square feet of commercial. It is unlikely that all residents will own vehicle; thus, the trip rate will be less than what was assumed for modeling purposes. In addition to resident trips, employees, and vendors would also generate trips. Overall trip generation is assumed to be captured within the Institute of Traffic Engineers (ITE) rates included as default values for land use type selected in CalEEMod 2016.3.2. Operating emissions and

thresholds of significance are shown below in Table 2.

Table 2
BAAQMD Air Quality Significance Thresholds and Operational Emissions

Pollutant	Standard (lbs/day)	Operating Emissions	Exceed Standard?
ROG	54	3.5	No
NOx	54	3.7	No
SOx	No Standard	*0.03*	*N/A*
CO	9 ppm/8 hour average 20 ppm/one hour average	16.5	*N/A*
PM_{10}	54	2.5	No
$PM_{2.5}$	54	0.7	No

Source: CalEEMod calculations

As shown in Table 2, project emissions would not exceed significance thresholds. While project operation would generate CO emissions, they would not exceed applicable standards. CalEEMod files are provided for reference in Appendix A.

Source List: [a, g, j]

Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes ☐ No ☒	The project site is not located in a coastal zone, as defined by the California Coastal Act (Public Resources Code, Division 20, Section 3000 et seq.). The nearest coastal zone is located approximately 8 miles northwest in San Mateo County. Therefore, no adverse coastal zone impacts are anticipated. *Source List: [a]*
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes ☐ No ☒	Based on a review of available databases listing known hazard sites (GeoTracker, EnviroStor) and the Phase I ESA prepared for the proposed project, there is no evidence of hazardous environmental conditions on the project site Appendix B). The project would not be located on a site which is included on a list of hazardous material sites nor introduce hazardous materials to the site or otherwise have any adverse impacts related to toxic substances, explosive or flammable operations.

		The applicant shall retain a qualified contractor to determine the presence or absence of asbestos-containing materials or lead-based paint prior to demolition of any structures. If either material is found to be present, the property owner or applicant shall retain a certified hazardous waste contractor to properly remove and dispose of all materials containing asbestos or lead paint in accordance with federal and State law prior to demolition. With this as a standard condition of approval, no mitigation would be required. No adverse impacts related to contamination or toxic substances would occur. *Source List: [a, e, k, p]*
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes ☐ No ☒	The project site is currently developed with a vacant single-story building, and adjacent parking. The only vegetation on the site is ornamental landscape species located in planters. A mature coniferous tree is located along the east site boundary and near the southeast corner. Another is located near the southeast corner. Critical habitat is a habitat area essential to the conservation of a listed species, though the area need not actually be occupied by the species at the time it is designated. This is a specific term and designation within the US Endangered Species Act. With certain exceptions, critical habitat must be designated for all threatened species and endangered species under the Endangered Species Act, with certain specified exceptions. For reference purposes, a species list for Santa Clara County was obtained from the U.S. Fish and Wildlife Service. However, to determine whether federally list species occur on or in proximity to the site, the site was reviewed per the 2013 Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP)and California Natural Diversity Database (CNDDB) QuickView Tool and HCP/NCCP Geobrowser tool (February 27, 2019). The site is not identified as critical habitat. There are no sensitive biological resources known to

		occur on or in proximity to the site. No impact to designated critical habitats or species inhabiting critical habitats would occur. The site was also evaluated using the U.S Fish and Wildlife Service wetland mapper to determine whether resources included on the National Wetlands Inventory are located on the site (Figure 8). No wetlands or other sensitive biological resources are known to occur on or in proximity to the site. *Source List: [a, aa, cc]*
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes ☐ No ☒	The proposed project would provide 87 residential apartment units for individuals and families. It would not require the ongoing use, storage or routine transport of hazardous, explosive or flammable materials. Aside from common household chemicals, no hazardous materials would be used on-site. The project would not emit or release hazardous waste or emissions. The tenant(s) in the commercial space are unknown at this time; however, it is assumed that a neighborhood retail use would lease the space. These types of uses typically do not require the use or storage of hazardous materials. *Source List: [a, f]*
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes ☐ No ☒	The project site is currently developed and categorized as Urban and Built-Up Land, as indicated on the State Farmland Mapping and Monitoring Program maps for the County of Santa Clara (2012). The site does not include prime or unique farmland, or other farmland of statewide or local importance. No impact to farmland resources defined under the Farmland Protection Policy Act per 7 CFR 658 would occur. *Source List: [a, l]*
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes ☐ No ☒	The project site is located within Zone X (FEMA Flood Insurance Rate Map No. 06085C0252J, February 2014). Zone X is defined as areas outside

		the 100-year and 500-year flood elevation (see Figure 7). The proposed project would not impede or redirect flood flows. Project runoff would be retained on-site and treated prior to release. Drainage patterns would be improved with the project as the amount of impervious surface would be reduced and all runoff would be retained on-site and treated prior to release into the City's storm drain system. *Source List: [u]*
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes ☐ No ☒	A Historic Resource Evaluation (HRE) and Cultural Resources Technical Report (Rincon Consultants, March 2019) was prepared for the site to meet provisions of Section 106 of the National Historic Preservation Act (NHPA) (see Appendix C). Located at the corner of Alum Rock and Foss Avenues in San José, the Area of Potential Effects (APE) (see Figure 9) consists of two contiguous parcels totaling 0.61 acres. The rectangular APE contains one single-story commercial building constructed in 1967 as an office building. The APE is considered a three-dimensional space and includes any ground disturbance associated with the proposed project. The maximum depth of excavation for this undertaking is expected to be 5 feet; therefore, the vertical APE is 5 feet below-ground surface and 75 feet above-ground surface. The pedestrian survey identified one built environment resource in the APE over 45 years of age. Sited centrally within the APE is one single-story commercial building constructed in 1967 that will be demolished as a component of the project. The subject property was recorded on California Department of Parks and Recreation (DPR) 523 series forms and evaluated for listing in the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), and for designation as a City of San José Landmark. The evaluation resulted in a finding of ineligibility for listing in the NRHP, CRHR, and for designation as a City of San José Landmark. The subject property is

		therefore not a historic property for the purposes of Section 106 of the NHPA. Therefore, the proposed project would not cause a substantial adverse change in the significance of the historic resources within the indirect APE or within the vicinity of the project area. No impacts to historical resources would occur as a result of the proposed project. A letter seeking concurrence with this determination of no effect on historical resources was been sent to the State Historic Preservation Officer (SHPO) on August 12, 2019 (see Appendix C). A response from the SHPO is pending. The cultural resources records search, Native American outreach, historic group consultation, and field survey resulted in the identification of one previously recorded archaeological resource (CASCL- 950) directly adjacent to the APE. Because the APE and surrounding area has been disturbed, subsurface testing is not recommended as it would be currently infeasible based on the existing site conditions. However, the project area is highly sensitive based on the presence of a known archaeological site containing human remains adjacent to the current APE. Based on the high sensitivity of the project area, archaeological and Native American monitoring is recommended for all project ground disturbance. Further, mitigation is also recommended should an unanticipated discovery of cultural resources during project development occur. The project is also required to adhere to regulations regarding the unanticipated discovery of human remains. Recommended mitigation language is provided as measures CUL-1, CUL-2 and CUL-3 in the mitigation section of this EA. With mitigation, impacts to archaeological resources would be less than significant.

<table>
<tr><td></td><td></td><td>Source List: [a, f, y]</td></tr>
<tr><td>Noise Abatement and Control

Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</td><td>Yes ☐ No ☒</td><td>Construction
The proposed project would generate short-term noise during project construction. As shown in the table below, maximum noise levels related to construction would be approximately 85 dBA at a distance of 25 feet (EPA, 2010).

Typical Noise Levels at Construction Sites
<table><tr><th>Construction Phase</th><th>Average Noise Level at 25 Feet</th></tr><tr><td>Clearing</td><td>84 dBA</td></tr><tr><td>Excavation</td><td>85 dBA</td></tr><tr><td>Foundation/Conditioning</td><td>85 dBA</td></tr><tr><td>Laying Sub-base/Paving</td><td>81 dBA</td></tr><tr><td>Finishing</td><td>84 dBA</td></tr></table>Source: FHWA Highway Construction Noise Handbook, 2010.
There are residences adjacent to the south side of the site and across Foss Avenue to the east that could experience temporary noise levels within this range. The City of San José considers significant construction noise impacts to occur if a project is located within 500 feet of residential uses or 200 feet of commercial or office uses where substantial noise generating activities (such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing) would occur and continue for more than 12 months.

The Municipal Code restricts construction hours within 500 feet of a residential unit to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday, unless otherwise expressly allowed in a Development Permit or other planning approval.

The project would involve demolition of an existing building and parking lot. Grading and site preparation activities would also be required to prepare the site for constriction of utilities,</td></tr>
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		foundation and ground floor slab. The project would not require excavation for subterranean parking or basement facilities. No pile driving or other impact construction methods would be required. Restriction of construction activity to the hours permitted in the municipal code would avoid significant construction noise impacts. **Operation** The nearest freeway to the site is Interstate 680 (I-680). The freeway is located approximately 450 feet east of the project site. The segment of I-680 in proximity to the site is depressed though it is audible at the project. The primary noise source is local traffic on Alum Rock Avenue and Foss Avenue. As shown in the Envision San José 2040 General Plan EIR Noise Assessment, Existing Citywide Traffic Noise Contours Figure 1, the project site is located within the 65-70 dBA DNL (24-hour average also referred to Ldn) contour. For new multifamily residential projects and the residential component of mixed-use development, a standard of 60 dBA DNL is applied to usable outdoor activity areas. An exterior Ldn of 65 dBA is acceptable to HUD. Based on the existing DNL depicted in the General Plan EIR, the project would be located in an area that exceeds the 60-dBA limit per the City standard and is at the upper limit of the HUD standard for outdoor spaces. For the project to noticeably increase traffic noise levels, it would have to generate enough trips to double current hourly volumes on Alum Rock Avenue and Foss Avenue without affecting travel speed. The project would provide 46 parking spaces on-site for the resident manager, residents, employees and vendors. Some residents would have access to personal vehicles; however, the number is unknown. Trip generation was conservatively estimated assuming a low-rise apartment project and included the 3,000 square feet of commercial space. The daily trips would be approximately 706 weekday trips. The project would replace an 8,000 square-foot strip mall. Using the same trip generation rate (i.e., 44.32/1,000 square

		feet), the existing strip mall generates approximately 355 average daily trips. The project could generate approximately 351 additional trips (i.e., 706-355=351). Assuming 10% of the daily trips occur during the peak hour, the project would add approximately 35 additional hourly trips to Alum Rock Avenue/Foss Avenue as compared to existing conditions. The addition of 35 hourly trips is not expected to change existing noise levels. Exterior 24-hour average (Ldn) traffic-related noise was estimated along Alum Rock Avenue using the HUD Ldn calculator. Specific traffic counts for the segment fronting the site were not available. Thus, daily traffic volumes were obtained from Envision San Jose' 2040 General Plan Transportation Element Figure 2. Alum Rock Avenue is classified as carrying between 10,000 and 20,000 vehicles per day. Assuming an average of 15,000 vehicles per day, peak hour volumes are approximately 1,500. The fleet mix assumed 3% medium trucks and 1% heavy trucks. The Ldn at 100 feet from the centerline is conservatively estimated to be 63.9 Ldn which is lower than, but not perceptibly different from the General Plan noise contour. Foss Avenue is classified as carrying between 5,000 and 10,000 vehicles per day. Assuming an average of 7,500 vehicles per day, peak hour volumes are approximately 750. The Ldn at 50 feet from the centerline is conservatively estimated to be 64.6 Ldn which is also lower than, but not perceptibly different from the General Plan noise contour. Combined, the Ldn from both sources is 67.3 dBA Ldn. Thus, any exterior space facing Alum Rock Avenue or Foss Avenue could experience noise levels in excess of the 65 dBA Ldn HUD standard. With respect to interior noise levels, City of San José standards for residences is 45 dBA Ldn. The proposed project would be designed to meet or exceed California Energy Code Title 24 standards which specify construction methods and materials that result in energy efficient structures and up to a

		30-dBA reduction in exterior noise levels (assuming windows are closed). This includes installation of mechanical ventilation (e.g., air conditioning), in combination with standard building construction that includes dual-glazed windows with a minimum Sound Transmission Class (STC) rating of 26. When windows are open, the insertion loss drops to about 10 dBA. Assuming a 67 dBA Ldn, when building windows are closed, interior noise levels would be approximately 37 dBA Ldn which would be below the 45-dBA interior standard. Mineta San José International Airport is located 4 miles east of the project site. Reid-Hillview Airport is located 1.9 miles southeast of the site. Although aircraft noise may be audible, the site is located outside the projected year 2022 60 dB Community Noise Equivalent Level (CNEL) aircraft noise contours for both airports. No private airstrips are located in proximity to the project site. The project would result in the construction of residential units within a predominantly residential and commercial area. Airport noise may be audible; however, the project would not be adversely affected by airport noise. *Source List: [a, b, c, i, n, o]*
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes ☐ No ☒	The project would obtain potable water from the City of San José. No groundwater would be used directly by the project. As noted, post construction, the impervious surface area would be less than under existing conditions. Thus, it is assumed that some groundwater recharge would occur via the outdoor landscaped areas. The proposed landscaping would result in a less than significant increase in groundwater discharge over existing conditions. The project would not deplete groundwater or interfere with groundwater recharge. There are no sole source aquifers in the City of San José (US EPA Sole Source Aquifer website accessed August 15, 2016

		https://www3.epa.gov/region9/water/groundwater/ssa.html). *Source List: [bb]*
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes ☐ No ☒	The project site is entirely disturbed by existing development. As referenced, the site was evaluated per the U.S. Fish & Wildlife Service wetland mapper and during site visits. The project site does not contain natural drainage systems, wetlands or associated riparian vegetation. Because such resources are not present within the project area and would not be affected by construction. *Source List: [a, cc]*
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes ☐ No ☒	The project site is located in a heavily urbanized area of San José. No wild or scenic rivers are located in the City or in Santa Clara County (National Wild and Scenic Rivers, 2011). The project would have no adverse impacts on wild or scenic rivers. *Source List: [x]*
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes ☐ No ☒	The project would provide 86 affordable apartment units and two manager's units. The project would require the demolition of a strip mall. No housing would be removed, nor would the project displace minority or low-income communities to accommodate construction. The project would not violate Executive Order 12898. *Source List: [a, f]*

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.
(1) Minor beneficial impact
(2) No impact anticipated
(3) Minor Adverse Impact – May require mitigation
(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The proposed project site is designated Urban Village (UV) in the General Plan and zoned Main Street Ground Floor (MS-G). The project is in the Alum Rock Avenue Urban Village. Development regulations for the Alum Rock Avenue Urban Village are provided in the Pedestrian Oriented Zoning District (San Jose' Municipal Code Chapter 20.75). Per Section 20.75.020 (B)(1), the MS-G Main Street Ground Floor district is intended to provide a mix of commercial and residential uses integrated in a pedestrian-oriented design with a focus on active commercial uses at the ground level along the main street frontage. This zoning designation supports the General Plan goal of providing broad access to mixed-use Urban Villages for all areas of the City. The Urban Village designation is applied within the Urban Village areas to accommodate higher density housing growth along with a significant amount of job growth. This designation supports a wide variety of commercial, residential, institutional or other land uses with an emphasis on establishing an attractive urban form in keeping with the Urban Village concept. The proposed project would provide housing for an underserved element of the population as well as 3,000 square feet of ground floor commercial space as required per the MS-G zoning designation. The commercial element would complement the residential element. Together, the commercial and residential elements would

		support the Urban Village designation as defined in the General Plan. The proposed project would be subject to a design and architectural review process to ensure project compliance with municipal code provision and performance standards for properties located in the Pedestrian Oriented Zoning District. As referenced, the project would be consistent with the Urban Village designation in the General Plan and MS-G zoning designation. *Source List: [a, f, q, r, ee]*
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	**Soils**. According to the Phase I Environmental Site Assessment, the site appears to be underlain by Holocene levee deposits consisting of loose, moderately to well-sorted sandy or clayey silt grading to sandy or silty clay. This is generally confirmed in the soils discussion contained in the Geotechnical Report. As discussed in the Geotechnical Report (Appendix D), there is a high potential of the granular deposits comprising the soil material to liquefy during a seismic event. Should liquefaction occur, liquefaction related settlements are on the order of approximately 1¾-inch. Because liquefaction ranges from a negligible amount to approximately 1½-inches, the estimated differential settlement is approximately 1½-inches across a distance of 50 feet. The primary geotechnical concerns are the potential for liquefaction and the presence of moderately expansive surface soils at the site. However, the subject site is suitable for the proposed development from a geotechnical engineering standpoint, provided recommendations included in the Geotechnical Report are incorporated into the design and implemented during site grading and foundation construction. **Slope Erosion.** As referenced, the site is flat which limits erosion potential. Because it is less than one acre in size, demolition and construction activities must comply with the City of San José Grading Permit requirements. The permit requires the use of erosion and sediment controls

		to protect water quality while the site is under construction. Prior to the issuance of a permit for grading activity that occurs from October 15 to April 15, an Erosion Control Plan must be submitted to the Department of Public Works detailing Best Management Practices (BMPs) that will prevent the off-site discharge of stormwater pollutants. Implementation of BMPs would minimize impacts related to soil erosion hazards. **Stormwater Runoff.** The project site is a paved parking lot with a single-story building. Runoff currently sheet flows off-site and into the existing storm drain system. With respect to project operation, the City of San José is required to operate under a Municipal Stormwater NPDES Permit to discharge stormwater from the City's storm drain system to surface waters. On October 14, 2009, the San Francisco Bay Regional Water Quality Control Board adopted the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP) for 76 Bay Area municipalities, including the City of San José. The Municipal Regional Stormwater Permit (MRP) (NPDES Permit No. CAS612008) mandates the City of San José to use its planning and development review authority to require that stormwater management measures such as Site Design, Pollutant Source Control and Treatment measures are included in new and redevelopment projects to minimize and properly treat stormwater runoff. The proposed development will conform to the Regional Water Quality Control Board's C.3 ordinance for stormwater treatment. To achieve 75% treatment of the stormwater runoff, in-line treatment facilities will be used. These are designed to treat first flush events. Although these BMP's are not Low Impact Development (LID) treatment facilities, the in-line units will provide a high standard of stormwater runoff treatment for first flush events. Further, the system will provide continuous treatment of pollutants such as total suspended solids, free oils, and nutrients year-round, regardless of the flow rate. The in-line unit would be installed just outside the garage on the ground floor behind the property line and will be accessible for inspections by City of San Jose' Public

		Works. Further, the project will install a 298 square-foot basin that will treat the ground floor private walkways as well as portions of the roof and rooftop courtyard. Implementation of the proposed treatment system would ensure compliance with Provision C.3, consistent with the MRP, the City's Post-Construction Urban Runoff Management Policy (6-29) which establishes specific requirements to minimize and treat stormwater runoff from new and redevelopment projects as well as the City's Post Construction Hydromodification Management Policy (8-14) which establishes an implementation framework for incorporating measures to control hydromodification impacts from development projects. With implementation of the proposed treatment system, potential stormwater impacts would be minimized. *Source List: [a, d, e, f, dd]*
Hazards and Nuisances including Site Safety and Noise	2	**Hazards and Nuisances**. The proposed project is a mixed-use project designed to provide affordable housing for families and individuals, with 3,650 square feet of commercial space on the ground floor. It would not require the ongoing use, storage or routine transport of hazardous materials. Aside from common household chemicals, no hazardous materials would be used on-site. The project would not emit or release hazardous waste or emissions. Based on a review of available databases listing known hazard sites (GeoTracker, EnviroStor) and the Phase I ESA prepared for the proposed project, there is no evidence of hazardous environmental conditions on the project site. The project site would be constructed consistent with current City of San José code requirements for fencing, lighting and other features related to site safety. As discussed herein, the project would not be subject to or create an adverse noise impact. No impacts related to hazards, nuisance, site safety and noise would occur. *Source List: [a, e, k, p]*

Energy Consumption	2	During construction, the proposed project would require the use of energy to power the construction equipment. This energy consumption would be short-term and temporary and would not have adverse impacts on long-term energy consumption for the overall housing complex. The proposed project would be required to meet the energy standards outlined in the California Building Code, Title 24 Energy Efficiency Standards. The amount of energy used would not be unusual nor wasteful for a project of this type. No adverse energy consumption impacts would occur. *Source List: [a, f]*

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	1	During construction, the project would generate temporary employment opportunities. These jobs would not substantially affect overall employment patterns in the City. Operation of the project would require management staff. The number of jobs would not substantively increase employment opportunities in the City; however, new jobs would be a benefit associated with the proposed project. *Source List: [a, q]*
Demographic Character Changes, Displacement	2	The proposed project would develop a new residential facility designed to house individuals and families. The site is currently developed with a single-story commercial building and adjacent parking. All construction would be confined to the proposed site. It would not impact adjacent street corridors and all utility improvements would be located below ground. Surrounding land uses includes both single and multi-family residences. The project would not change the use of the project site nor would it adversely affect community character or displace existing residents. *Source List: [a, q, r]*

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		

Educational and Cultural Facilities	2	The school nearest the site is Lee Mathson Middle School located at 2050 Kammerer Avenue approximately ½ mile southwest of the site. Cesar Chavez Elementary School is located adjacent to and southwest of Lee Mathson Middle School at 2000 Kammerer Avenue. San José provides library and related cultural services to its residents through the San José Public Library System. Residents of the project area are currently served by the Dr. Roberto Cruz Alum Rock Branch Library, which is one of 17 neighborhood branch libraries distributed throughout the City. The library is located at 3090 Alum Rock Avenue approximately one mile east/northeast of the site. The project is comprised of apartment units for families and individuals. As referenced, the project would include 22 two-bedroom and 22 three-bedroom units. Thus, children may live in the building and could attend area schools. Assuming one child per bedroom in the two and three-bedroom units, the project could house approximately 66 children. It is assumed that children would be assigned to area schools based on age; thus, not all the children would go to the same school. Payment of impact fees by the project applicant would contribute funds needed to expand the school systems as needed to serve the population. Therefore, no adverse impacts associated with educational facilities are anticipated. It is possible that project residents may visit the library; however, the addition of project residents is not expected to exceed the service population projected for the Alum Rock area. *Source List: [a, f]*
Commercial Facilities	2	The proposed project would provide approximately 3,000 square feet of commercial space. The tenants are unknown at this time; however, the need for additional goods and services would be met by existing businesses within the area. The proposed project would not generate the need for construction or operation of new commercial facilities.

		Source List: [a, f]
Health Care and Social Services	1	The proposed project would provide new residential units to serve homeless people. It is assumed that some of the future residents currently reside in the general San José area. The building could accommodate approximately 153 residents assuming that at least one adult would live in each unit and that 66 children may live in the building. This would not increase the general population to the degree that expanded health care services would be required in San José. No adverse impacts related to health care are anticipated. The project would provide social services to building residents which may relieve demand on existing social services. No impact to existing social services is expected. *Source List: [a, f]*
Solid Waste Disposal / Recycling	2	The proposed project would generate construction/demolition debris (CDD). To reduce the amount of CDD disposed of in landfills, San José's CDD program requires that at least 75 percent of this waste is recovered and diverted from landfills. Contractors can meet this requirement by using an authorized hauler or self-hauling all CDD to a certified waste diversion facility, reusing it, and/or donating it for reuse. The weight tags and/or donation receipts are submitted to the City to demonstrate that 75% of the CDD waste was diverted to a certified facility, reused, or donated for reuse. Compliance with the CDD program is required prior to obtaining a Final Certificate of Occupancy for the project. Based on waste generation rates provided in CalEEMod 2016.3.2, the project would generate approximately 481 pounds of solid waste per day (5.4 pounds per unit). The project would be consistent with zoning; thus, consistent with waste volume forecasts for the City of San José. While the project may generate more solid waste than what is generated by the existing use, volumes would not exceed those projected city-wide. Solid waste disposal would not be adversely affected by the project. *Source List: [a, f, j]*

Waste Water / Sanitary Sewers	2	Wastewater generated in the City of San José, including the project site, is treated at the San José Santa Clara Regional Wastewater Facility. The plant has a capacity of 167 million gallons per day (MGD) and currently treats 110 MGD (www.sanjoseca.gov accessed April 2016). The existing sanitary sewer collection system which serves the project site consists of a system of building lateral lines which connect to main lines located in the public right-of-way. These main lines convey raw wastewater to the regional facility for treatment. The wastewater collection system is maintained as a collaboration between the City of San José Departments of Public Works, Environmental Services, and Transportation. The treatment of wastewater is under the authority of the Department of Environmental Services. The General Plan provides standards to ensure that sanitary sewer lines maintain Level of Service (LOS) D, which represents a free flow of wastewater. The proposed project would be constructed on a site zoned for mixed use residential and commercial development. Based on information in a February 2015 sanitary sewer flow update, prepared by the City of San José, multifamily wastewater generation rates are 123 gallons per day (GPD). The project would be comprised of 87 units. Given all the project elements, the project is expected to generate up to 10,701 GPD. These volumes are likely conservative as the project would include studio and one-bedroom units. However, wastewater flows are anticipated as part of the overall demand calculations and would be within the remaining capacity at the regional wastewater facility. *Source List: [a, f, j, z]*
Water Supply	2	Potable water within the downtown core is provided by the City of San José Water Department. Water is purchased from the Santa Clara Valley Water District. Based on a water supply assessment prepared for the Envision San José 2040 General Plan, a typical multifamily unit consumes approximately 183 GPD. Assuming 87 individual units, the project would consume approximately 15,921 GPD.

		Water demand through year 2020 is estimated at between 350,000 and 500,000 acre-foot (AF). Demand during wet periods can be met, although during dry weather and drought, the City could fall short of demand by up to 100,000 AF per year. While water shortfalls are possible, the project would implement measures to reduce overall demand. This would include installation of low-flow showerheads, toilets and faucets. Use of energy and water efficient appliances and installation of native landscaping. These measures would reduce overall water demand associated with the project. *Source List: [a, f, q, r]*
Public Safety - Police, Fire and Emergency Medical	2	While the project would add affordable residential units, it would serve an existing population rather than induce population growth directly through the development of new residential occupancies or indirectly through the extension of utility infrastructure to a currently unserved area. The project site is served by San José Fire Department Station #2 located at 2949 Alum Rock Avenue, approximately ½-mile northwest. The site is served by the San José Police Department. The site is located in the Foothill Division. All officers are dispatched from the headquarters building located at 201 West Mission Street. The project would be developed consistent with the Envision San José 2040 General Plan. As referenced, per Section 20.75.020 (B)(1), the MS-G zoning district is intended to provide a mix of commercial and residential uses integrated in a pedestrian-oriented design with a focus on active commercial uses at the ground level along the main street frontage. As density increases, demand for police and fire services would also increase, though not beyond the existing or planned service capabilities of either department. The project would increase the number of residents in the downtown core by approximately 153. This is consistent with the long-term goals for the Alum Rock area. The gradual introduction of new residents would require periodic operational and capital improvement choices,

		increase in demand would in part, be off-set by development fees. Such a development pattern would not cause an adverse environmental impact. *Source List: [a, p]*
Parks, Open Space and Recreation	2	The project would not increase demand for recreational facilities such that existing facilities would be adversely affected. Mayfair Park is located approximately ½ mile southwest of the site. Some on-site recreational facilities will be provided as part of the project. These would include a community garden and indoor/outdoor common areas. The project would not require the construction/expansion of new off-site recreational facilities. *Source List: [a, f, q, r]*
Transportation and Accessibility	2	Project construction and material staging would occur on the project site. During construction, some temporary traffic control measures may be required to allow vehicles to safely enter and exit the site. This may require the closure of the sidewalk fronting the site. However, the sidewalk on the west side of the street would remain open for pedestrian use. Transit services are provided by the Santa Clara Valley Transportation Authority. Alum Rock Avenue is a high priority transit corridor. Route 23 serves the project site via the Alum Rock Transit Center which is located approximately 1/3 miles east of the site. The Jackson Street High Priority Transit stop is located less than one block west of the site. From the Alum Rock transit center, project residents can access the regional light rail system. Pedestrian and bicycle access is also provided along Alum Rock Avenue. No marked bicycle lanes are currently provided. Per the *San José Transportation Analysis Handbook* (April 2018), the proposed project would meet with screening criteria provided in Table 1 of the handbook; and thus, would not be subject to a traffic impact analysis. The project would be 100% affordable, is located within a planned growth area, is located within ½ mile of high-quality transit, meets the transit supporting density of 35

		units or more per acre, provides minimum number of parking spaces and will not adversely affect transit, bicycle or pedestrian infrastructure. As discussed herein, the project is expected to generate high trip volumes than what is currently generated by the commercial retail building located on the site. However, based on the location and project scope, the project would not adversely affect transportation or accessibility. *Source List: [a, f, s, t]*

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The proposed project site is located within a heavily urbanized area of downtown San José. There are no unique natural features or water resources occurring within or in proximity to the site. In addition, the project site has been paved for use as a parking lot and to accommodate an existing building. No impacts to unique natural features or water resources would occur. *Source List: [a, aa, cc]*
Vegetation, Wildlife	2	The project area is heavily urbanized; thus, there are no sensitive plants or animal species, habitats, or wildlife migration corridors in the area, or on-site. The only plant species are ornamental. The only wildlife species observed are common birds. The site is within the 2013 Santa Clara Valley Habitat Plan/Natural Community Conservation Plan boundary. The site was evaluated using the Geobrowser tool accessed on February 27, 2019. The site is not identified as critical habitat for vegetation or wildlife. No impact to designated critical habitats would occur. Migratory birds include common, sensitive and listed species. Trees and shrubbery suitable for nesting by birds protected by the Migratory Bird Treaty Act are present on the site and along Foss Avenue. Because potential habitat is present within the proposed area of potential effect and project construction may occur within the nesting cycle,

		potentially significant impacts to migratory bird species may occur. With implementation of Mitigation Measure BIO-1, BIO-2 and BIO-3 impacts to migratory birds would be reduced to less than significant. *Source List: [a, f, aa]*
Other Factors	2	There are no other factors applicable to the proposed project.

Additional Studies Performed: The following additional studies were performed:

CalEEMod ver. 2016.3.2 Air Emission Calculations (Appendix A)

Phase I Environmental Site Assessment, 2348 Alum Rock Avenue, San Jose, California, Advantage Environmental Consultants, April 2018 (Appendix B)

Historic Resources Evaluation (HRE) and Cultural Resource Report for 2348 Alum Rock Project, Rincon Consultants, Inc., March 2019 (revised June 2019) (Appendix C)

Geotechnical Engineering Study, 2348 Alum Rock Avenue, Earth Systems, Inc., August 2018 (Appendix D)

Field Inspection (Date and completed by)**:** Existing site conditions were determined based on review of Google Earth images, the Phase I Environmental Site Assessment (April 2018) and the pedestrian survey conducted for the Cultural Resources Technical Report (March 2019) in addition to discussions with the project applicant.

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]**:**

a. Affirmed Housing Group, Project Plans and Site Information, December 2018.

b. San Jose' International Airport Comprehensive Land Use Plan, amended November 16, 2016.

c. Reid-Hillview Airport Comprehensive Land Use Plan, amended November 16, 2016.

d. BFK Engineers, Inc., Stormwater Due Diligence Memorandum, March 2019.

e. Advantage Environmental Consultants, 2348 Alum Rock Avenue Phase I ESA, San Jose, California, April 2018.

f. Affirmed Housing Group, Inc., Conditional Use Permit Application Material, 2016.

g. Bay Area Air Quality Management District, California Environmental Quality Act, Air Quality Guidelines, May 2011.

h. BKF Engineering, Inc. Stormwater Data Report. March 2016.

i. Bolt, Beranek & Newman, Noise Control for Buildings and Manufacturing Plants, 1987.

j. California Emissions Estimator Model (CalEEMod), 2016.3.2.

k. California Environmental Protection Agency (CalEPA) and Department of Toxic Substances Control. EnviroStor database. http://www.envirostor.dtsc.ca.gov/public/ accessed March 2019.

l. California Department of Conservation, Farmland Mapping and Monitoring Program (FMMP), Santa Clara County. https://www.conservation.ca.gov/dlrp/fmmp/Pages/SantaClara.aspx, accessed March 2019.

m. California Department of Forestry and Fire Protection, Santa Clara County Fire Hazard Severity Map, October 2008.

n. California Department of Transportation Noise, Vibration, and Hazardous Materials Office. 2004. Transportation and Construction Induced Vibration Guidance Manual (Prepared by Jones and Stokes).

o. California Department of Transportation's 2002 *Transportation-Related Earthborne Vibration*, Technical Advisory, Vibration TAV-02-01-R9601.

p. California State Department of Water Resources, Water Resources Control Board, GeoTracker website, http://www.waterboards.ca.gov/gama/geotracker_gama.shtml.

q. City of San José, Envision San José 2040 General Plan, adopted November 1, 2011.

r. City of San José, Envision San José 2040 General Plan Draft EIR, June 17, 2011.

s. City of San José, Traffic Control Manual, September 2005.

t. City of San José, Traffic Impact Analysis Handbook, April 2018.

u. Federal Emergency Management Agency, Flood Insurance Rate Map No. 06085C0252J, February 2014.

v. Federal Transit Administration's (FTA's) *Transit Noise and Vibration Impact Assessment*, May 2006.

w. Housing and Urban Development DNL Calculator, accessed March 15, 2019.

x. National Wild and Scenic Rivers System, www.nps.gov/rivers, accessed online March 2019.

y. Rincon Consultants, Historic Resource Evaluation and Cultural Resource Report, 2348 Alum Rock Avenue, City of San José, March 2019.

z. San José Santa Clara Regional Wastewater Facility website, www.sanjoseca.gov accessed March 2019.

aa. Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan, 2013. Geobrowser tool accessed March 2019.

bb. US Environmental Protection Agency, Sole Source Aquifer website accessed March 2019, https://www3.epa.gov/region9/water/groundwater/ssa.html.

cc. US Fish and Wildlife Service wetland mapper website accessed March 2019, https://www.fws.gov/wetlands/data/mapper.html.

dd. Earth Systems Pacific, Inc., *Geotechnical Engineering Study Alum Rock Avenue Three-To-Seven-Story Mixed-Use Building 2350 Alum Rock Avenue, San Jose, California,* August 2018.

ee. City of San José 2014-2023 Housing Element, January 27, 2015.

List of Permits Obtained: The following permits and/or discretionary actions are required by the City of San José:

- Conditional Use Permit

Public Outreach [24 CFR 50.23 & 58.43]**:** The applicant held Community Meetings on April 2 and 23, 2019 to discuss the project with residents living in proximity to the site. Listening Sessions were held on March 20, March 26, April 9, April 15, April 29, May 6, May 13, and May 20, 2019. In addition, the public review process required for this EA document will be completed as required. Native American Tribes were also contacted during preparation of the Historic Resource Evaluation/Cultural Resources Report.

Cumulative Impact Analysis [24 CFR 58.32]**:** The proposed project site is designated Urban Village (UV) in the General Plan and zoned Main Street Ground Floor (MS-G). The project is in the Alum Rock Avenue Urban Village. Development regulations for the Alum Rock Avenue Urban Village are provided in the Pedestrian Oriented Zoning District (San José Municipal Code Chapter 20.75). The zoning designation supports the General Plan goal of providing

broad access to mixed-use Urban Villages for all areas of the City and supports a wide variety of commercial, residential, institutional or other land uses with an emphasis on establishing an attractive urban form in keeping with the Urban Village concept.

The proposed project would provide housing for an underserved element of the population as well as 3,000 square feet of ground floor commercial space as required per the MS-G zoning designation. The commercial element would complement the residential element. Together, the commercial and residential elements would support the Urban Village designation as defined in the General Plan. The proposed project would be subject to a design and architectural review process to ensure project compliance with municipal code provision and performance standards for properties located in the Pedestrian Oriented Zoning District. As referenced, the project would be consistent with the Urban Village designation in the General Plan and MS-G zoning designation.

All projects proposed within the MS-G zoning designation are subject to similar processes to ensure consistency with applicable plans and policies. As referenced in Section III of the City of San José Housing Element (2014-2023), the City projects a total of 35,080 new units would be required to meet housing demand at all income levels through 2023. The Envision San José 2040 General Plan Goal H-1 Housing – Social Equity and Diversity, states that housing should be provided throughout the City in a range of residential densities, product types, to address demand. The specific number of units is not provided; however, as referenced, the project is consistent with the MS-G zoning and Urban Village land use designation. While other projects in the general area are in the planning phase, cumulatively, mitigation required to address construction and operational impacts would ensure that no cumulative impacts greater than or different from those defined in the Envision San José 2040 General Plan EIR for the Urban Village land use designation are anticipated.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

Offsite Alternative: Consideration of an offsite alternative is not warranted because no significant impacts that cannot be avoided were identified.

Reduced Project: Reducing the size of the proposed project would incrementally reduce impacts across a range of issue areas such as air quality, water supply and wastewater. However, the proposed project's impacts would not be significant in these areas so reducing the project size is not warranted. Reducing the size would not reduce the potential for impacts that can be addressed with mitigation (i.e., archaeological and biological resources).

No Action Alternative [24 CFR 58.40(e)]: If the proposed project was not implemented, it is likely that another development would be proposed to utilize the site. However, it is not known if or when another development would be forthcoming. Without construction of the proposed project, the benefits associated with the supportive and affordable housing project would not occur.

Summary of Findings and Conclusions: The proposed Alum Rock Family Housing would be an 87-unit affordable, mixed-income housing development serving the Mayfair neighborhood of East San José. The project would be located at 2348-2350 Alum Rock Avenue (southwest corner of Alum Rock Avenue and Foss Avenue). The project applicant would demolish an existing single-story commercial strip-mall type building and construct a seven-story mixed-use building comprised of two levels of Type I-A concrete with a 5-story Type III-A wood frame structure above. The main street frontage along Alum Rock Avenue would provide 3,000 square feet of commercial space with storefront openings to engage pedestrians and create an active, ground floor for-lease commercial/retail space. A separate residential entry would be constructed along Foss Avenue. The entrance would include a 24-hour security desk, resident mailboxes, elevators, and stair access to the upper floors. All required parking would be provided on-site. The parking garage would provide public access to the 11 commercial parking spaces and 35 secured vehicular parking spaces for residents. A long-term bike storage room would be provided at the ground level to accommodate 99 bicycles, as well as a 12-foot x 14-foot food storage & service room.

The project site is generally flat and is not subject to unusual geological hazards. The project site is located within Flood Zone X (outside 100-year and 500-year flood hazards area) and thus, would not be subject to substantial flood hazards. No significant air quality impacts would occur.

As referenced in the HRE, no historic resources are known to be present onsite. Archaeological monitoring would occur during excavation and site preparation activities to avoid or minimize potential impacts to unknown archaeological resources located on-site. Biological mitigation would avoid impacts to birds that may be nesting in trees/shrubs on the project site. The proposed project would not create noise impacts or be exposed to noise levels in excess of HUD standards.

The project would not adversely affect public services. The proposed project would not result in adverse effects on water or energy or generate the need for new or expanded water, wastewater, or solid waste facilities. Per the *San José Transportation Analysis Handbook* (April 2018), the proposed project would meet with screening criteria provided in Table 1 of the handbook; and thus, would not be subject to a traffic impact analysis. The project would conform to applicable federal, State, and regional regulations affecting air emission, water quality, cultural resources, geologic hazards and related environmental resources addressed herein.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible

for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Standard Conditions and Mitigation Measures Required per California Environmental Quality Act (CEQA) Compliance
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	**Mitigation Measure BIO-1.** If possible, construction shall be scheduled between September 1 and January 31 to avoid the nesting season. If this is not possible, pre-construction surveys for nesting raptors and other migratory breeding birds shall be conducted by a qualified biologist (certified for raptors and other birds) or ornithologist to identify active nests that may be disturbed during project implementation onsite and within 250 feet of the site. Between February 1 and April 30, pre-construction surveys shall be conducted no more than 14 days prior to the initiation of ground disturbing activities, tree relocation, or tree removal. Between May 1 and August 31, pre-construction surveys shall be conducted no more than thirty (30) days prior to the initiation of these activities. The surveying biologist/ornithologist shall inspect all trees in and immediately adjacent to the construction area for nests. **BIO-2** If an active raptor nest is found in or close enough to the construction area to be disturbed by these activities, the biologist/ornithologist shall, in consultation with the California Department of Fish and Wildlife (CDFW), designate a construction-free buffer zone (typically 250 feet for raptors and 100 feet for other birds) around the nest, which shall be maintained until after the breeding season has ended and/or a qualified biologist/ornithologist has determined that the young birds have fledged. **BIO-3** The applicant shall submit a report from the biologist/ornithologist to the Director of Planning, Building and Code Enforcement (PBCE) or the

	Director's designee indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Planning, Building, and Code Enforcement prior to the issuance of any grading or building permit. **RESPONSIBLE MONITORING STAFF:** The report shall be submitted to the Director of PBCE or the Director's designee.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	**Mitigation Measure CUL-1: 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 (PBCE) or the Director's designee and the City's Historic Preservation Officer shall be notified, and a qualified archaeologist shall examine the find. The archaeologist 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 Director of PBCE 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. **RESPONSIBLE MONITORING STAFF:** The report shall be submitted to the Director of Planning, Building and Code Enforcement (PBCE) or the Director's designee. **Mitigation Measure CUL-2: 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 project applicant shall immediately notify the Director of Planning, Building and Code Enforcement (PBCE) 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 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. 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: i. 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. ii. The MLD identified fails to make a recommendation; or 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 **RESPONSIBLE MONITORING STAFF:** Upon completion of the additional work, if required, a report documenting the results and recommendations of the qualified archaeologist shall be prepared and submitted to the Director of Planning, Building and Code Enforcement (PBCE) or the Director's designee. **Mitigation Measure CUL-3: Paleontological Resources.** If vertebrate fossils are discovered during construction, all work on the site shall stop immediately, the Director of Planning, Building and

	Code Enforcement (PBCE) or Director's designee shall be notified, and a qualified professional paleontologist shall assess the nature and importance of the find and recommend appropriate treatment

Determination:

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature: _____ Date: September 5, 2019

Name/Title/Organization: Ryan Birdseye, Principal, Birdseye Planning Group

_____

Certifying Officer Signature: _____ Date_____

Name/Title: Rosalynn Hughey, Director, Planning, Building & Code Enforcement

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

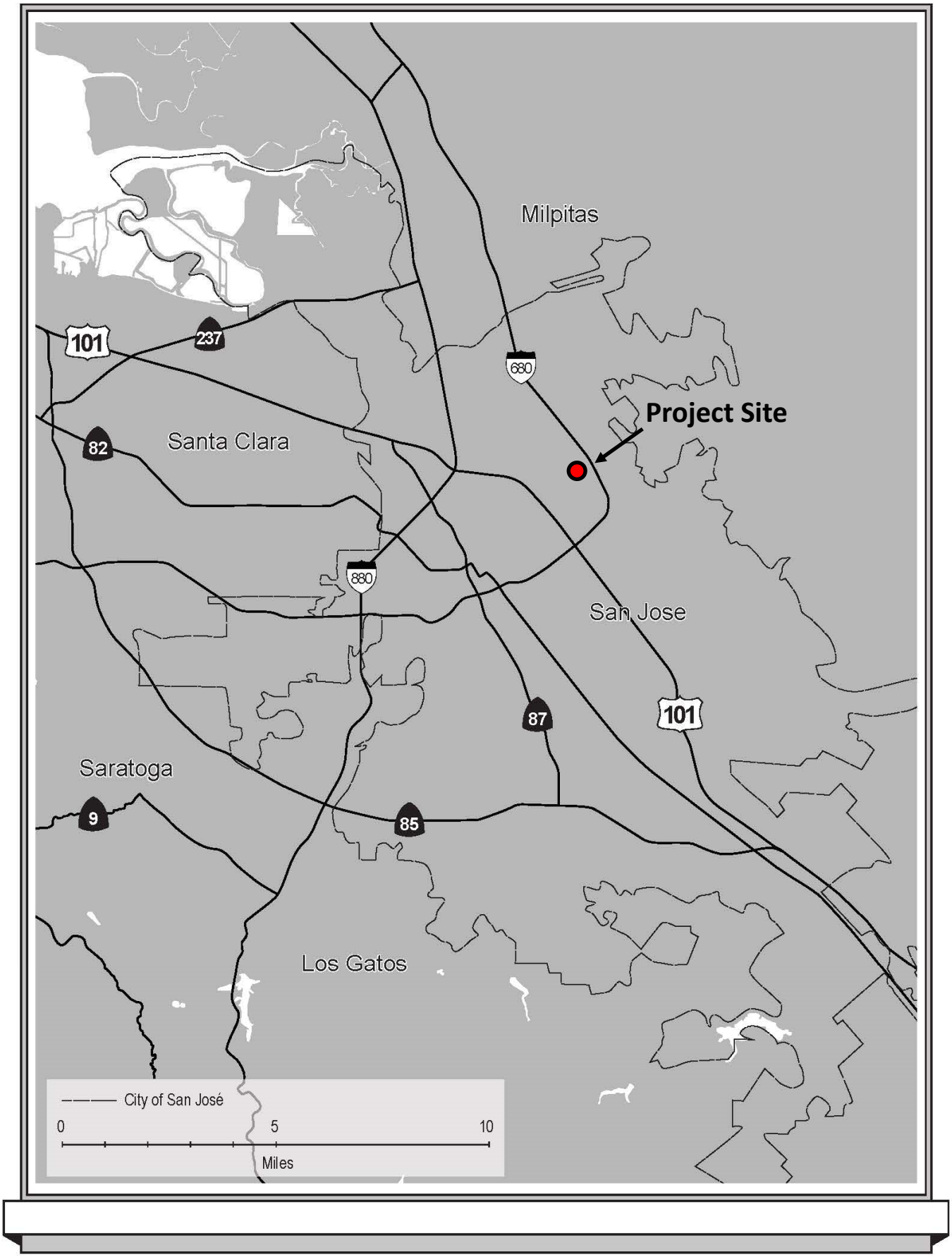

Figure 1—Regional Map

Figure 2— Vicinity Map

- Project Site

GROSS BUILDING AREA		
FLOOR LEVEL	AREA (sq.ft.)	Note
Ground Level		
Garage	16,797	Includes Utility/Trash/Bike/Mech.
Program Space	4,450	Includes hallways/Stairs/Elev/Mech
Total	21,247	
Podium Level		
Resident Housing	10,990	Units
Program Space	1,539	Social/Offices/Trash/LNDY/MPOE
Open Area	2,748	Courtyard
Circulation	4,011	Elev/Stairs/Hallways
Total	19,288	
Third Level	16,840	Includes Circulation/Trash/LNDY/MP
Fourth Level	12,223	Includes Circulation/Trash/LNDY/MP
Fifth Level	12,087	Includes Circulation/Trash/LNDY/MP
Sixth Level	12,087	Includes Circulation/Trash/LNDY/MP
Seventh Level	12,087	Includes Circulation/Trash/LNDY/MP
Total	65,324	
TOTAL BUILDING AREA	105,859	

2350 ALUM ROCK AVE. - SAN JOSE, CA

AFFIRMED HOUSING

ARCHITECTURAL SITE PLAN

DAHLIN

0 16 32 64

JOB NO. 736.023

DATE 12-11-18

5865 Owens Drive
Pleasanton, CA 94588
925-251-7200

N

3.0

Figure 3— Site Plan

Subject Property-North and West Elevations; Southeast-facing

Subject Property-North and East Elevations; Southwest-facing

Figure 4a– Site Photographs

Subject Property-North Elevation Walkway; East-facing

Subject Property-North Elevation Courtyard; Southwest-facing

Figure 4b– Site Photographs

Figure 5—Mineta San José International Airport and Reid-Hillview Airport Safety Zones

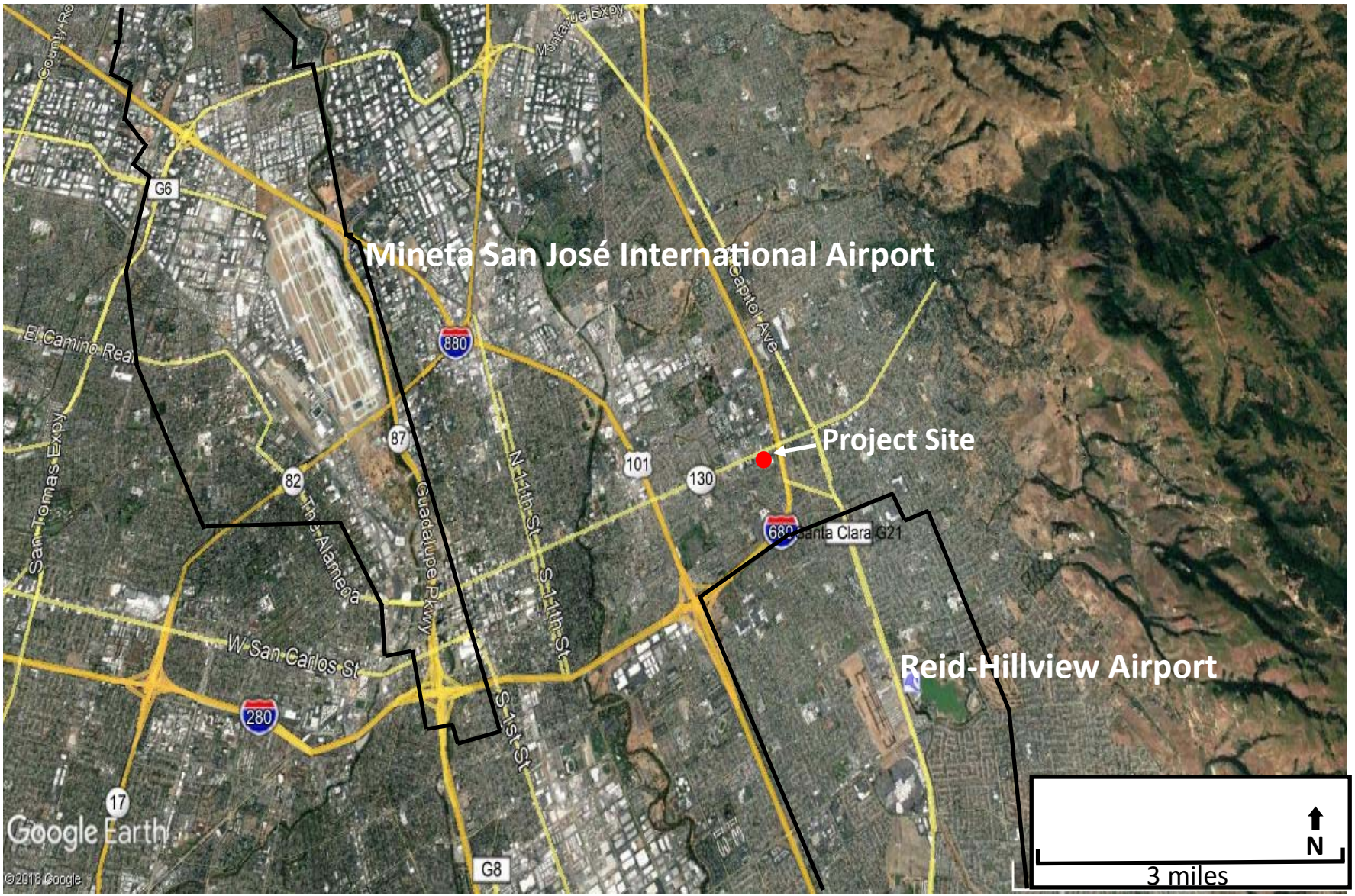

Figure 6—Mineta San José International Airport and Reid-Hillview Airport Influence Areas

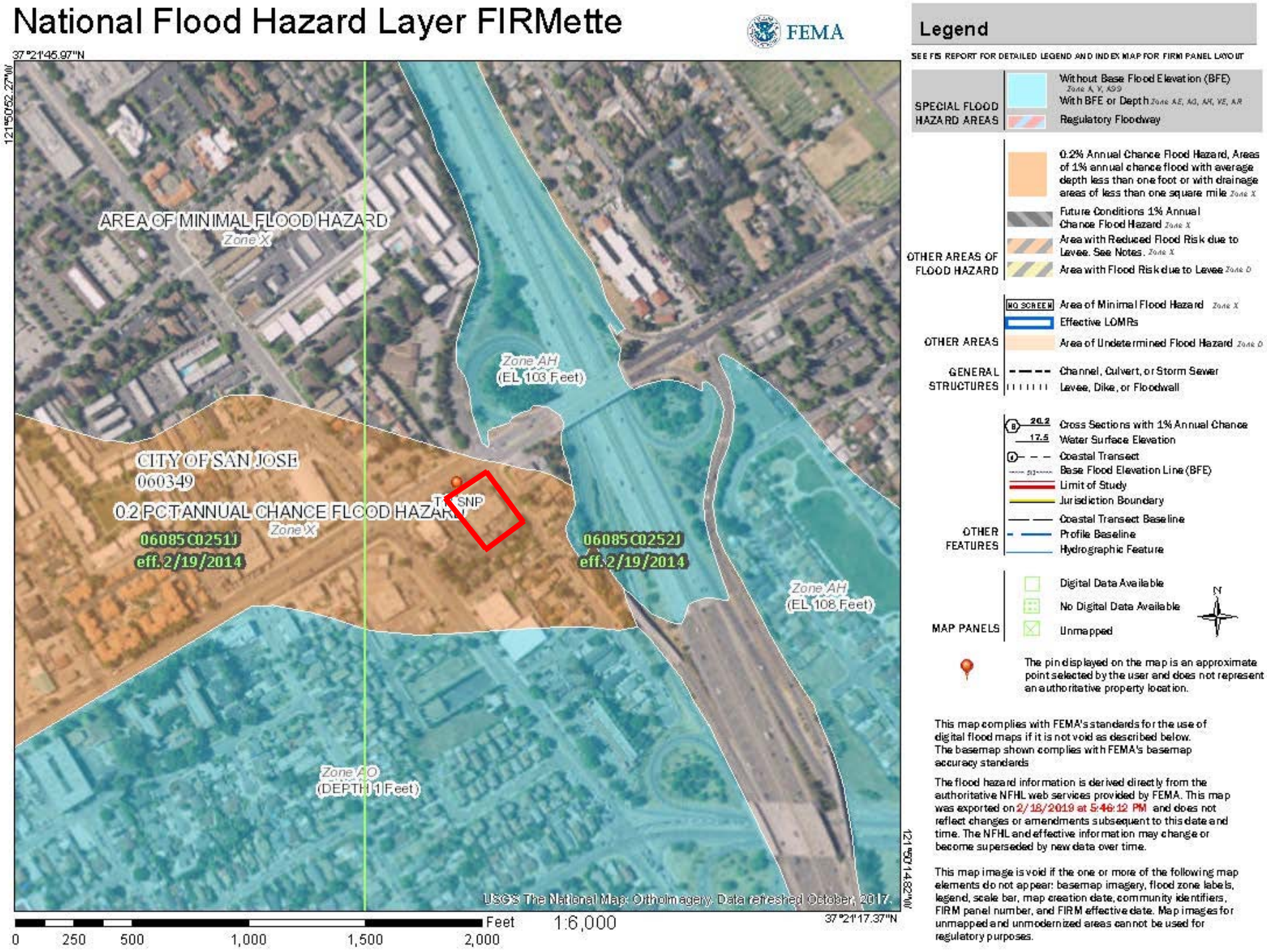

Figure 7— FEMA Flood Insurance Rate Map **- Project Site**

Figure 8— National Wetlands Inventory ☐ **- Project Site**

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Figure 9– Area of Potential Effects