

Mahamood, Reema

From: Jaime Alvarado <buscajaime@gmail.com>
Sent: Sunday, February 14, 2021 4:45 PM
To: Mahamood, Reema
Cc: Elma Arredondo; Matthew Gustafson; Carillo, Pete; Darren Berberian
Subject: Re: Notice of Intent to Adopt a CEQA Mitigated Negative Declaration - CP20-015 - Villa Del Sol Project
Attachments: ARUVA Comments to Pacific West Draft MND.pdf; ARUVA Equity Plan 8.15.20.pdf

[External Email]

Ms. Mahamood, please accept the attached comments from the Alum Rock Urban Village Advocates (ARUVA). Thank you for the opportunity to respond to the draft MND.

Jaime Alvarado
408-204-9901

On Mon, Jan 25, 2021 at 10:24 AM Mahamood, Reema <reema.mahamood@sanjoseca.gov> wrote:

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

Project Name: Villa Del Sol Mixed-Use Project

File No.: CP20-015

Project Description: The applicant seeks a Conditional Use Permit to allow construction of a six-story mixed-use building with 3,650 square feet of commercial space, podium parking on the ground floor, and 194 units of 100-percent affordable multi-family units on the upper floors in the Alum Rock Urban Village Plan, in the MS-G Zoning District.

Project Location: 1936 Alum Rock Avenue, San José

Assessor's Parcel No.: 48119003

Council District: 5

Applicant Contact Information: Pacific West Communities, Inc., 430 East State Street, Suite 100, San Jose, CA 95120; (949) 599-6069

The City has performed an environmental review of the project. The environmental review examines the nature and extent of any adverse effects on the environment that could occur if the 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 because the project will include mitigation measures that will reduce identified project impacts to a less than significant level. The project site is not present on any list pursuant to Section 65962.5 of the California Government Code.

The public is welcome to review and comment on the Draft MND. The public comment period for this Draft MND begins on January 25, 2021 and ends on **February 15, 2021**.

The Draft MND, Initial Study, and reference documents are available online at:

www.sanjoseca.gov/negativedeclarations. In response to the COVID-19 and Shelter-in-Place policy, hard copies are no longer available at the typical locations such as City Hall or public libraries. Therefore, if requested, a hard copy will be mailed to you. Please allow time for printing and delivery. Please contact Reema Mahamood, Planner III at (408) 535-6872, or by e-mail at reema.mahamood@sanjoseca.gov for hard copy requests or for additional questions or concerns.

Reema Mahamood

Planner III, Environmental Review

City of San José | Planning, Building & Code Enforcement

200 E. Santa Clara St., T-3

San José, CA 95113

d - 408.535.6872

reema.mahamood@sanjoseca.gov

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Alum Rock Urban Village Advocates

February 12, 2021

Reema Mahamood
Planner III, Environmental Review
City of San José
200 E. Santa Clara St. T-3
San José, CA 95113

Re: Comments on Draft MND regarding Villa del Sol Mixed-Use Project, File #CP20-015, 1936 Alum Rock Ave.

Dear Ms. Mahamood,

On behalf of the Alum Rock Urban Village Advocates, I respectfully submit our comments for the CEQA Draft Mitigated Negative Declaration.

Aesthetics 2.1

Page 13 – Grand Boulevards - *Developments along Grand Boulevards require extra attention and improvement, including special measures within the public right-of-way, such as enhanced landscaping, additional attractive lighting, wider and comfortable sidewalks, and identification banners*

1. This draft MND does not clearly detail plans for achieving additional attractive lighting, wider and comfortable sidewalks and identification banners.

Page 14 – City of San José General Plan - Policy CD-1.8: *Create an attractive street presence with pedestrian-scaled building and landscape elements that provide an engaging, safe, and diverse walking environment. Encourage compact, urban design, including use of smaller building footprints, to promote pedestrian activity through the City.*

1. This draft MND does not clearly detail elements that provide an engaging, safe and diverse walking environment;
2. This draft MND does not clearly detail elements that promote pedestrian activity throughout neither the City nor the Alum Rock Urban Village.

Energy 2.6

Page 55, first paragraph - *In addition to the items outlined in Table 15, the project would comply with the City's Energy and Water Building Performance Ordinance and the San José Green January 2021 55 Villa Del Sol Mixed-Use Project Building Policies, which requires buildings to be designed and constructed to achieve, at a minimum, the United States Green Building Council's LEEDTM rating system silver-level certification with a goal of reaching LEED gold or platinum levels.*

1. This policy sets a minimum LEED Silver-Level Certification while also stating that the City's goal is to reach Gold or Platinum levels. This draft MND does not explain why the Pacific Companies do not strive for the Gold standard.

Page 55, Table 15, 2.3 *Create clean, personalized mobility choices*

1. A total of 8 residential electric vehicle-charging stations are cited in the plans. This is inadequate capacity for the growing volume of electric vehicles that are projected for the future.

Greenhouse Gas Emissions 2.8

Page 62, a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

1. As cited above, a total of 8 residential electric vehicle-charging stations are cited in the plans. This is inadequate capacity for the growing volume of electric vehicles that are projected for the future.

Land Use & Planning 2.11

Page 83 - Policy CD-1.12: *Use building design to reflect both the unique character of a specific site and the context of surrounding development and to support pedestrian movement throughout the building site by providing convenient means of entry from public streets and transit facilities where applicable, and by designing ground level building frontages to create an attractive pedestrian environment along building frontages. Unless it is appropriate to the site and context, franchise-style architecture is strongly discouraged.*

1. Advocacy efforts are presently underway to adopt the ARUVA Plan for Equitable Development (attached) and to designate the Alum Rock Urban Village as a Cultural District. Furthermore, the Mayfair neighborhood (which borders the Alum Rock Urban Village) has played a historically significant role in the history of east San José and beyond. None of these factors are addressed in the current plans

Page 83 - Policy VN-1.6: *Design new development to contribute to the positive identity of a neighborhood and to encourage pedestrian activity.*

1. Inadequate plans have been made to reflect the existing positive identity of the community and to encourage pedestrian activity;
2. While we appreciate the tile mural design included to date, greater efforts must be made to incorporate additional culturally relevant artistic elements.

Page 83 - Policy CD-7.9 *Build new residential development within Urban Village areas at a minimum of four stories in height with a step down in height when building new residential development immediately adjacent to single-family residential sites that have a Residential Neighborhood designation. Individual Urban Village Plans may establish more specific policies or guidelines to ensure compatibility with adjacent single-family neighborhoods, and development should be consistent with these policies and guidelines, established in approved Urban Village Plans.*

1. As currently planned, there is no step down in height on the south side of the project that is directly adjacent to the single-family residential neighborhood that borders the project.

Parks and Recreation 2.16

Page 98 – City of San José General Plan - Policy PR-1.1: *Provide 3.5 acres per 1,000 population of neighborhood/community serving parkland through a combination of 1.5 acres of public park and 2.0 acres of recreational school grounds open to the public per 1,000 San José residents.*

1. To date no plans have been submitted to provide any public park space or even generally accessible public use space;
2. Should the developer choose to pay the PDO and PIO fees in-lieu of land dedication, we strongly encourage that such fees must be used for park, recreation and/or public gathering spaces within the footprint of the Alum Rock Urban Village.

Page 98 - Policy PR-1.6: *Where appropriate and feasible, develop parks and recreational facilities that are flexible and can adapt to the changing needs of their surrounding community.*

1. To date no plans have been submitted to provide recreational facilities that are flexible and can adapt to the changing needs of the surrounding community.

Transportation/Traffic 2.17

Page 105 - Site Access - *Site access to the project would be provided via a two-way driveway on Alum Rock Avenue (main entrance) that would serve the residential and retail components of the project, and a two-way driveway on Tierra Encantada Way (secondary entrance) that would serve the residential component of the project only. Because the BRT transit lanes run within the center median on Alum Rock Avenue, the main driveway on Alum Rock Avenue would be limited to right turns in and out. An internal security gate near the main entry would separate the retail/guest parking area from the secured residential parking garage. Since retail customers and residential guests would likely not enter the site via Tierra Encantada Way, the project is not proposing a security gate at this garage entrance (west entrance), but this does not represent a substantial hazard resulting from a design feature. This impact would be less than significant.*

1. We disagree with the decision to not install a security gate at Tierra Encantada Way. For pedestrian, bicycle and vehicular safety and to minimize the possibility of property crimes, we strongly encourage the installation of the security gate.

Mandatory Findings of Significance 2.21

Page 116 - *b) Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

1. As we currently understand, an anticipated 2,500 new housing units that will house up to 10,000 residents are the projections for infill within the Alum Rock Urban Village. Individually each development in the Urban Village complies with traffic and parking regulations. Included in these regulations is the designation of less than one parking space per unit of housing. While we support the long-term goals of this policy, for the foreseeable future we anticipate that occupants of these new units will own on average more than one vehicle per household. Thus we fear the overflow parking into the surrounding neighborhoods will exacerbate the existing parking crisis in our neighborhoods. This will continue to occur until the day when there are adequate public transportation systems in operation to incentive households to abandon their cars. We anticipate we are at least 20 years away from that future becoming a reality. So while any single project cannot adequately address this growing concern, the cumulative effects across many new developments will make traffic and parking congestion absolute crisis

issues that will be imposed on the backs of surrounding neighborhood residents. This is an issue that much be addressed by City (and County) leadership and their planning departments.

Page 116 - b) *Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

1. Similar to the previous point, the cumulative effects of building a projected 2,500 new housing units, of which the overwhelming majority are not targeted at household incomes in the rage of current neighborhood households, will over time force the displacement of the existing low-income community. Development on the scale of what is projected for the Alum Rock Urban Village will steadily increase property values and rental prices in the neighborhood. These increased values will steadily result in the displacement of working-class households from neighborhoods that have been their homes since the early 1900’s.

This concludes our comments on the draft MND that is presently open for public comment. Please feel free to reach out to us at any time should you wish to discuss our comments.

Respectfully,

Elma Arredondo
Co-Chair
ARUVA

Jaime Alvarado
Co-Chair
ARUVA

Cc: Darren Berberian
Pete Carrillo

ARUVA Plan for Equitable Development

August 15, 2020

Dear Community Allies,

On behalf of the members of the Alum Rock Urban Village Advocates (ARUVA) we write to express our support for the renovation of the stretch of District 5 that the City has designated as the *Alum Rock Urban Village (ARUV)*. As longtime residents and business owners in this area, we are excited about the prospects for new developments that will bring new neighbors, preserve existing businesses, catalyze the emergence of new businesses, open new opportunities for existing residents to move into upgraded housing and celebrate the rich legacies and cultural heritage of our beloved community.

With great optimism we present the **ARUVA Plan for Equitable Development**. Our plan provides a vision for the Alum Rock Avenue corridor that ensures positive outcomes for the existing and future members of our community. In order for the *Alum Rock Urban Village* to achieve the most positive outcomes, we believe what is needed is a plan that intentionally is driven by a commitment to Equity – a framework for development that seeks to invest first and foremost in the existing and historical communities of surrounding the City of San Jose’s Alum Rock Urban Village while secondarily creating opportunities for new communities.

The ARUVA Plan for Equitable Development is focused on the outcomes that can be achieved through the development process. These outcomes are:

1. **Authentic Community Input** - ARUVA defines “authentic community input” as the participation of existing residents and business owners in the planning of the Alum Rock Urban Village (ARUV) - including both the overarching objective themes of the entire village as well as the individual development projects included within. All planning shall reflect the priorities and the negative consequences that the community specifies;
2. **Affordability & Anti-Displacement** - Across the entire footprint of the ARUV, at least 50% of all new housing shall be affordable to existing households within the 95116 ZIP code area. In this zip code area, this translates to 50% of units being built at Very Low Income (VLI) and Extremely Low Income (ELI) standards.

- a. Of note, individual market rate housing projects shall build at least 15% ELI and VLI affordable units onsite.

These new housing units shall provide a mix of affordable rental and ownership opportunities. Furthermore, new housing sites shall provide stable homes for a healthy mix of families, seniors, students and young adults;

3. **Local Preference & Anti-Displacement** policies and administrative rules shall be adopted:
 - a. To mitigate the very real threat of displacement of existing residents from their homes in the bordering neighborhoods;

- b. To mitigate the very real threat of displacement of existing businesses along Alum Rock Ave and ensure that at least 75% of existing non-industrial businesses remain in operation on Alum Rock Avenue for at least the next 10 years
 - c. For both, ARUVA is supportive of other allies' efforts to advocate for the acceptance of a broad range of documents to demonstrate eligibility for local preference policies;
 - d. ARUVA is in support of the use of local labor (defined as labor from within 35 miles of the project site).
4. **Culturally Inspired and Vibrant Places for People:** The project's architecture celebrates the cultural legacies and/or new design directions of the historical immigrant communities of east San Jose, and seizes opportunities to enhance the human experience of the site and neighborhood. This policy is intended to ensure that the ARUV is a welcoming and walkable environment for all - existing and new residents - with at least five acres of open spaces for public gatherings, recreation and relaxation.
5. **Healthy, Sustainable Development:** ARUVA defines healthy and sustainable development as follows:
- a. Prior to construction, written verification that onsite toxins have been identified, cleaned up and certified as complete by local governing agencies.
 - b. The project incorporates measurable green building features beyond what is government-required by achieving the LEED Gold standard (or its equivalent).
6. **Community Space** - Ensure that at least 15% of all new retail space across the entire ARUV area be dedicated and affordable for nonprofit organizations and community service organizations. In these spaces we prioritize organizations that focus on community safety, preserving and celebrating our cultural gifts and providing services to seniors;
7. **Traffic & Parking** - Implement traffic mitigation measures to ensure that traffic flows through the ARUV area never increase more than 10% through the conclusion of the construction phase of the ARUV Plan. Additionally, ensure that the development of new housing and businesses do NOT result in additional parking congestion in the neighborhoods bordering the ARUV area;

With these goals and measures of success in place, we believe the Alum Rock Urban Village will be widely regarded as an example of the best type of equitable, high- density, urban infill development. With this example leading the way, we believe urban villages guided by the ARUV example will catalyze similar development across the City of San José and beyond.

Development guided by such a vision as we've presented is an endeavor that we hope all fighters for justice will be called to. We invite you to join us.

Respectfully,

Alum Rock Urban Village Advocates (ARUVA)
<http://www.ARUVA.org>
aruva.sj@gmail.com