



**U.S. Department of Housing and Urban
Development**

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Washington, DC 20410
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Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name: 3090 South Bascom Avenue Family Housing (Planning File No. H20-013)

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
Birdseye Planning Group, LLC
1354 York Drive, Vista, CA 92084
760-712-2199

Certifying Officer Name and Title: Chu Chang
Acting Director of Planning, Building & Code
Enforcement

Consultant (if applicable): Ryan Birdseye, Principal
Birdseye Planning Group, LLC
1354 York Drive, Vista, CA 92084
760-712-2199

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: 3090 South Bascom Avenue, San José, CA 95124 (APN 414-14-092)

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 \$66,947,742. The Santa Clara County Housing Authority (SCCHA) will be providing housing assistance to the project in the form of Section 8 Project Based Vouchers (PBVs) for 11 studio apartment units and HUD-Veterans Affairs Supportive Housing (VASH) PBVs for 5 one-bedroom 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 \$9,846,240 (\$492,312 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. Please note that the actual funded amount may be up to \$5,000,000 more to account for market fluctuations.

The proposed 3090 South Bascom Avenue Family Housing Project would be a 79-unit affordable, mixed-income housing development serving families in the Cambrian neighborhood of Southwest San José on a 0.64-gross acre site. Of the total units, 77 would be affordable units. The remaining two units would be market rate units reserved for on-site managers. A total of 29 units would be Permanent Supportive Housing (PSH) for the homeless; 28 units would be reserved for extremely low-income residents, 20 units would be reserved for low and very low incomes residents. The Department of Veterans Affairs would provide supportive services for the HUD-VASH PBV units and the County Office of Supportive Housing (OSH) would provide services for units outside of the project budget through OSH's approved providers. The project would be located at 3090 South Bascom Avenue, east of South Bascom Avenue, approximately 350-feet northeasterly of Camden Avenue.

The project applicant would demolish an existing vacant two-story, 11,811 square foot commercial building and 10 ordinance sized trees along the frontage (12 total on the project site) and construct a five-story mixed-use building with 619 square feet of commercial office space on the first-floor main street frontage and residential units on the 2nd through 5th floors. The building would be comprised of an approximately 16,000 square-foot, single level below-grade Type 1A concrete parking garage with a five-story Type III-A wood frame structure above. The first level includes an at-grade lobby entrance area, 619 square feet of for-lease commercial office space, residential management and services offices and community gathering areas. This floor will also include bicycle storage rooms and utility spaces along the drive aisle shared with the neighboring property. The 2nd through 5th floors are predominantly residential units with trash and utility spaces. A roof deck would be located on the 5th floor and the project would include photo-voltaic panels on the roof to maximize building energy efficiency and provide approximately 75% of the electrical demand.

A separate residential entry would be constructed just west of the commercial entrance. 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 in a single-level underground garage below the building. The entrance would be located to the right of the residential entry. A total of 43 (i.e., 34 residential and 9 commercial) parking spaces would be provided within the garage. Of the total, 24 residential spaces would be capable of accommodating electric vehicle (EV) charging, 7 would be wired and 4 would be installed. Of the 9 commercial spaces, 4 would be EV capable and one would be installed. A total of 16 residential and 3 commercial motorcycle parking spaces would be provided. A total of 79 residential bicycle parking spaces would be provided. The commercial area would have 2 short-term and 1 long-term bicycle parking spaces. Other amenities would include community gathering spaces and on-site storage.

The proposed project would be 100% affordable (except two manager units) to households earning 80% or below of the area median income (AMI). The project would dedicate 38% (29) of the 77 affordable units to PSH. The unit mix would include 46 studio, 16 one-bedroom, 12 two-bedroom and 5 three-bedroom units. One of the two-bedroom units and one of the three-bedroom units would be reserved for on-site property managers.

The ground floor podium courtyard amenity space would include flex spaces designed to accommodate a variety of enhanced services, including case management. Other uses at this level would include a property management office, a large community room amenity accessible to all residents, bicycle parking rooms, trash management rooms and a communal laundry room. The upper floors would accommodate the resident and manager units, including a recreational roof deck on the 5th floor. The project would provide 3 residential units on the ground floor, 18 units on the 2nd floor, 20 units each on the 3rd floor and 4th floor and 18 units on the 5th floor.

The 3090 South Bascom Avenue Family Housing project would include two on-site property managers and 24-hour site security. Surveillance cameras would be installed to monitor the building perimeter, including the street frontage along South Bascom Avenue. Project construction is expected to begin June 2021 and be completed February 2023 (approximately 21 months).

A Regional Map is provided in Figure 1. A Vicinity Map is provided in Figure 2. The site plan is shown in Figure 3. A Key Map is provided as Figure 4 which shows the representative photo locations 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. A total of 29 units would be Permanent Supportive Housing (PSH) for the homeless; 28 units would be reserved for extremely low-income residents, 20 units would be reserved for low and very low incomes residents and two units would be reserved for on-site managers.

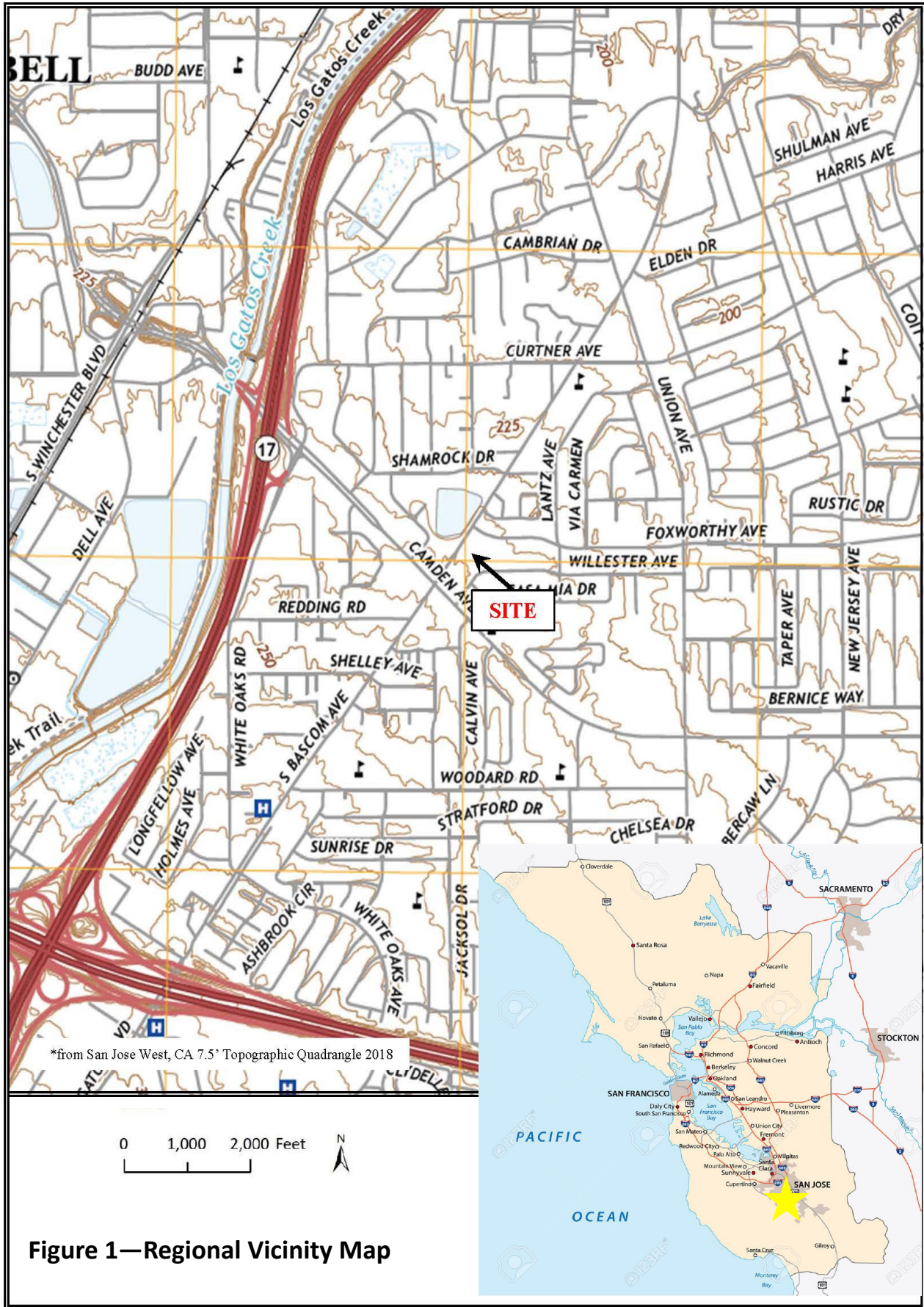
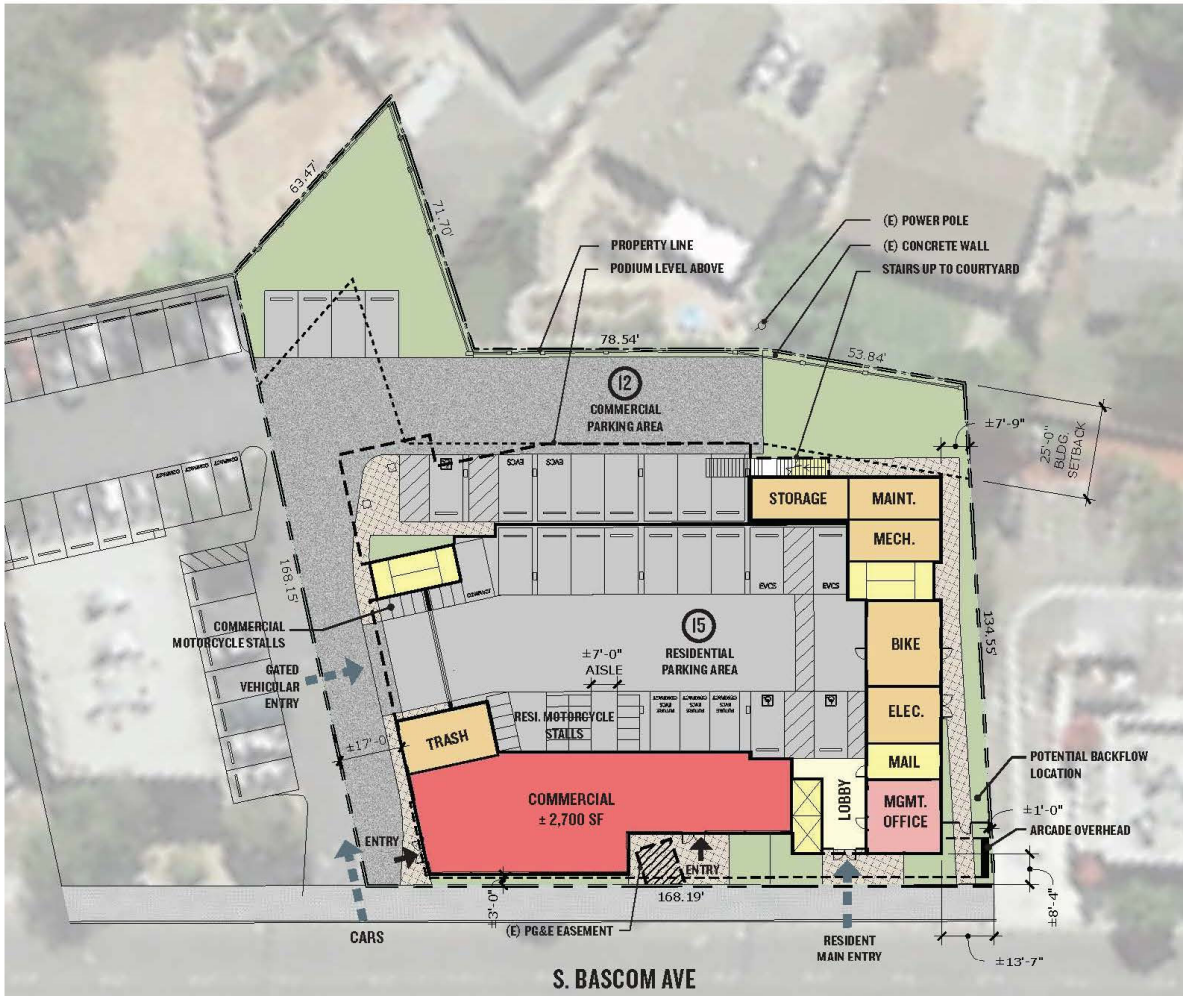




Figure 2—Site Map

 - Project Site



PLANNING INFORMATION & ZONING SUMMARY		
ZONING & PLANNING POLICY DOCUMENTS:	City of San Jose, Chapter 20.40.010 Commercial Zoning Districts	
ADDRESS	3090 S. Bascom Ave, San Jose	
GENERAL PLAN LAND USE DESIGNATION	Neighborhood/ Community Commercial	
ZONE	Commercial Pedestrian-CP	
LOT AREA (SQ FT)	28,096 (±0.64 Acres)	
TOTAL UNITS	90 units total	
SITE REGULATIONS	REQUIRED	PROPOSED
LAND USE-MAX UNITS	140	90
MAXIMUM FAR (per Neighborhood/ Community Commercial)	3.5	2.8
MAXIMUM BUILDING HEIGHT (FT)	120'	78'
MINIMUM YARD SETBACKS (FT)		
FRONT	0', MAX 10'	3' to 14'
SIDE, INTERIOR	0	7'+
REAR, INTERIOR	25'	25'
MINIMUM USABLE OPEN SPACE		
MASS AND SCALE AND FAÇADE		
VEHICULAR PARKING - Residential	REQUIRED	PROPOSED
TOTAL CAR SPACES	15	15
STANDARD SPACES, 9'x18'		10
COMPACT SPACES, 8'-6" X 16'	40% allowed	7
ACCESSIBLE SPACES	2	2
EV SPACES	70% capable, 20% wired, 10% installed	10 capable, 3 wired, 2 installed
MOTORCYCLE PARKING SPACES	23	23
1 per 4 units, minimum 3		
VEHICULAR PARKING - Commercial	REQUIRED	PROPOSED
TOTAL CAR SPACES (@ 1 stall / 250 SQ FT)	11	12
STANDARD SPACES		11
ACCESSIBLE SPACES	1	1
EV SPACES	40% capable, 10% installed	5 capable, 2 installed
MOTORCYCLE PARKING SPACES	3	3
1 per 20 code required auto parking spaces, minimum 3		
BIKE PARKING	REQUIRED	PROPOSED
PROTECTED BICYCLE SPACE- Residential	1 per unit	90
PROTECTED BICYCLE SPACE- Commercial	2 short term, 1 long term	2 short term, 1 long term

3090 S. BASCOM AVE - PRELIMINARY REVIEW | PROPOSED SITE PLAN



Figure 3—Site Plan

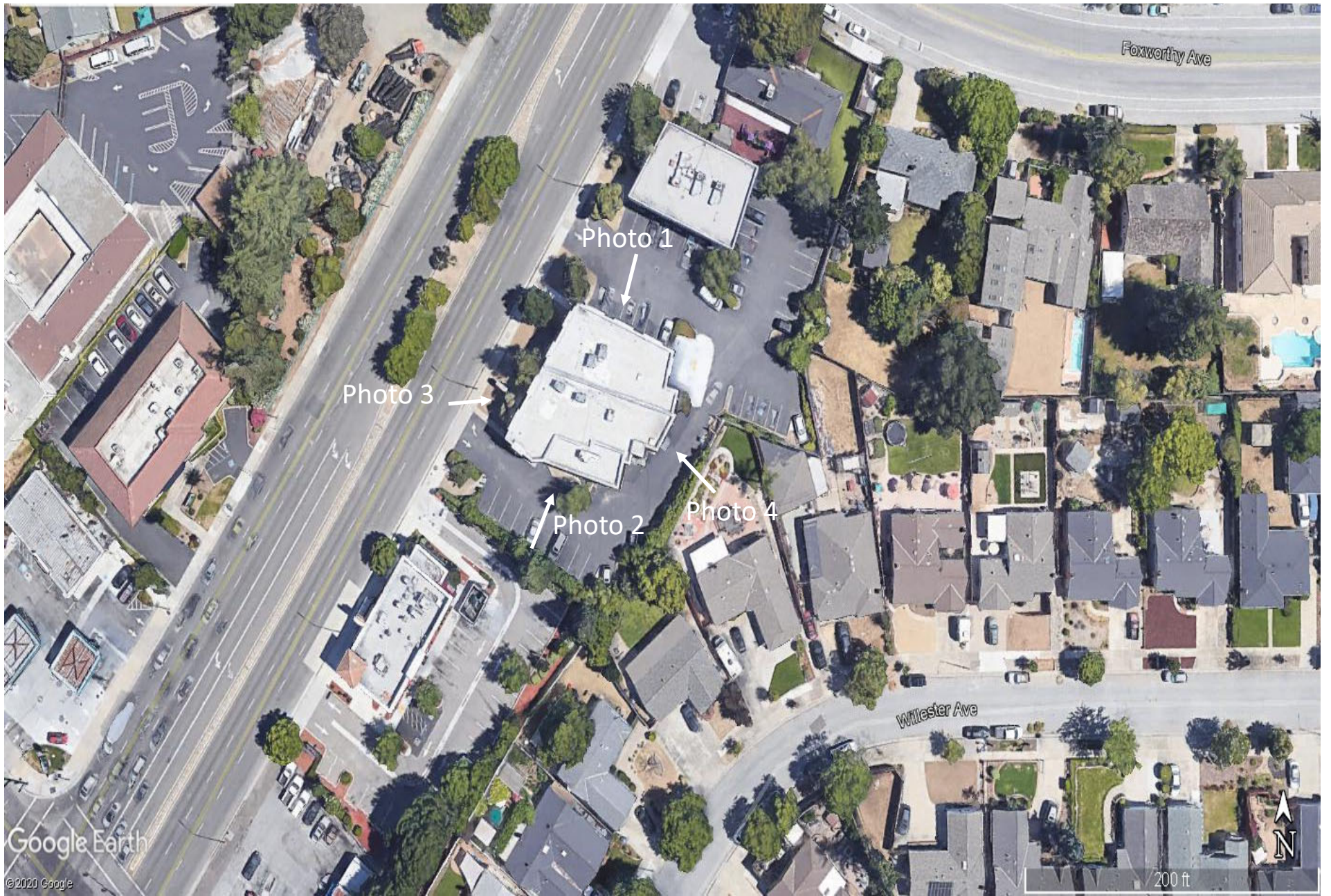


Figure 4—Key Map

Photo 1— Northern Façade, View Looking South



Photo 2— South Elevation, View Looking North



Figure 4a— Site Photographs

Photo 3— Sign and West Elevation of the Building, Fronting South Bascom Avenue, View Looking Northwest



Photo 4— East Elevation, View Looking West



Figure 4b— Site Photographs

As referenced in Section III of the City of San José 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 (<https://www.sanjoseca.gov/your-government/departments/planning-building-code-enforcement/planning-division/citywide-planning/housing-element>). 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%AMI. 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. The project would provide 28 units (35% of total units) reserved for rent by extremely low-income households.

Existing Conditions and Trends [24 CFR 58.40(a)]: The project is a 0.64-acre (27,878 square feet) site located at 3090 South Bascom Avenue in the Cambrian community of San José, east of South Bascom Avenue, approximately 350-feet northeasterly of Camden Avenue (APN 414-14-092). The project would entail demolition of an existing vacant two-story office building and surrounding parking lot.

Single-family residences are located to the south/southeast of the project site. Commercial uses are located to the south/southwest, northeast and northwest across South Bascom Avenue.

North: Commercial

South: Commercial

East: Single-family residential

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 79 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	11 PBVs and 5 VASH PBVs	\$9,846,240 (40 years)*

*\$305,760 annually

Estimated Total HUD Funded Amount: \$9,846,240

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$66,947,742

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 <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The Norman Y. Mineta San José International Airport (Airport) is located approximately 5.7 miles northeast of the project site. It is the closest airport to the project 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.</p> <p>The project site is located outside of the Airport Safety Zone and Airport Influence Area (AIA) in the Santa Clara Comprehensive Airport Land Use Plan (CLUP) and therefore CLUP policies are not applicable to this project. The Airport Safety Zone is shown in Figure 5; the Airport Influence Areas is shown in Figure 6.</p> <p>The project site elevation is approximately 252 feet</p>

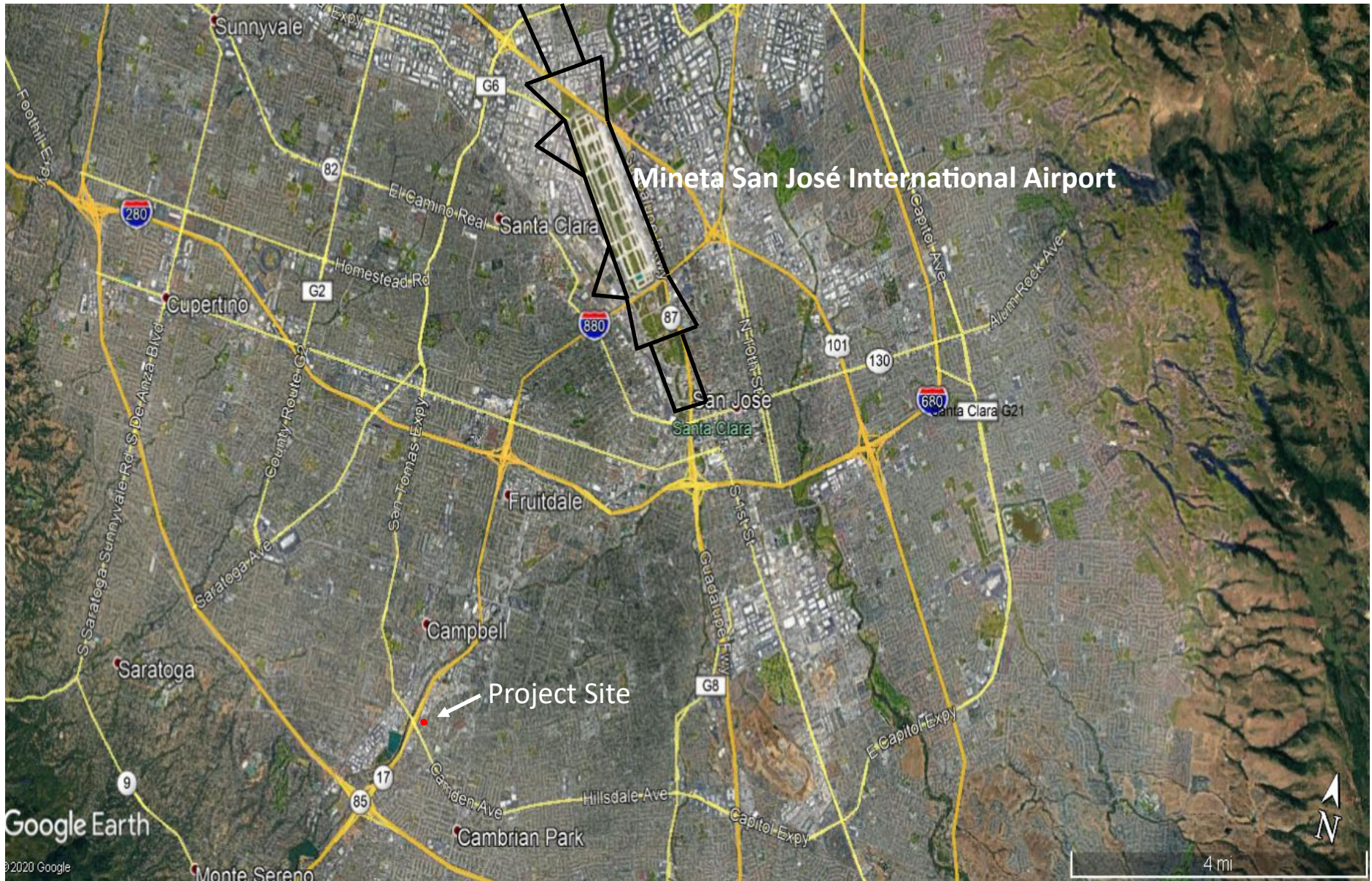


Figure 5—Norman Y. Mineta San José International Airport Safety Zone

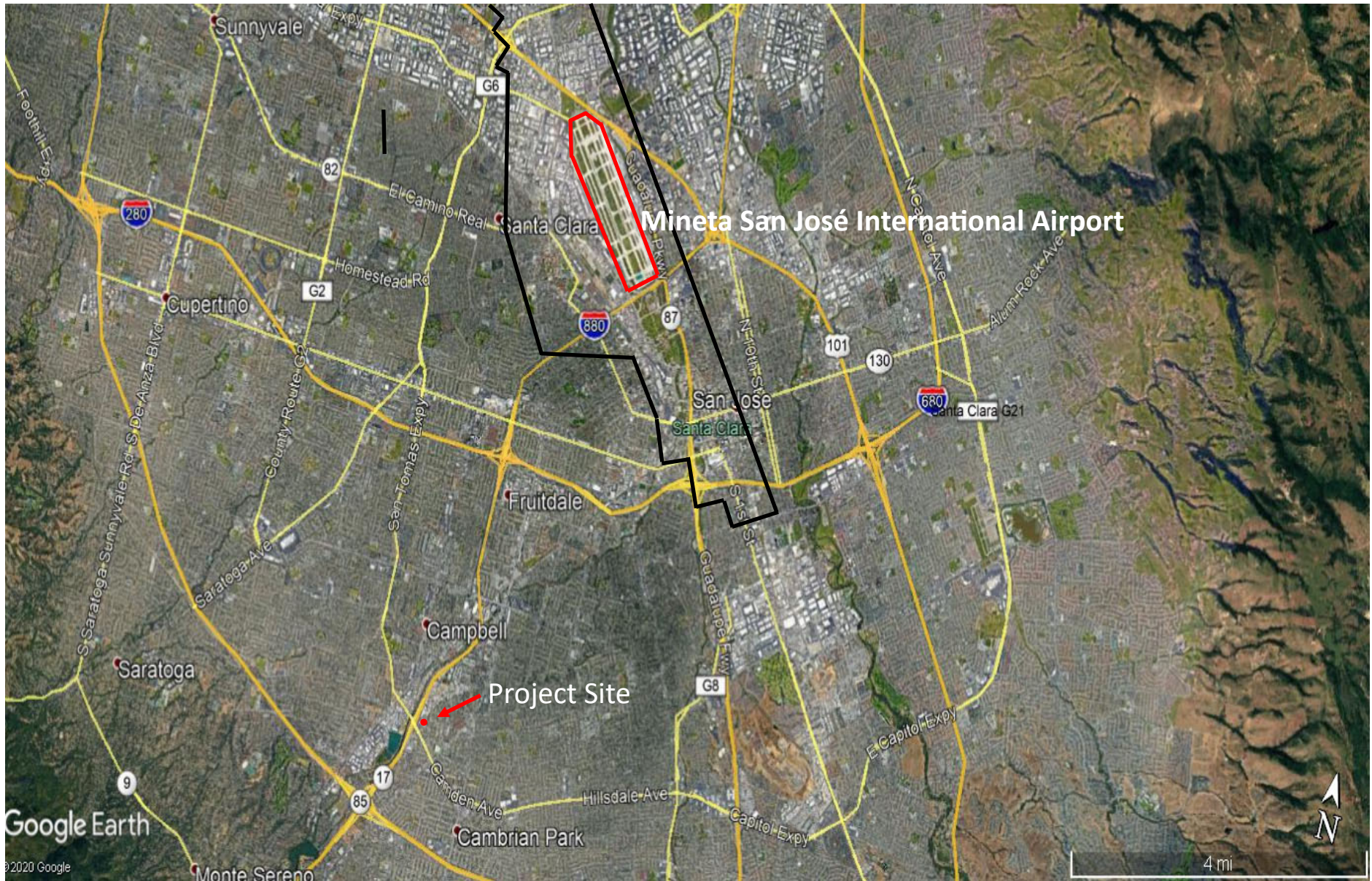


Figure 6—Norman Y. Mineta San José International Airport Influence Area

— - Airport Boundary

		<p>above mean sea level. The building would be approximately 78 feet or 330 feet above mean sea level. No FAR Part 77 Airspace Safety Review would be required.</p> <p><i>Source List: [b, ee]</i></p>
<p>Coastal Barrier Resources</p> <p>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>No coastal barrier resources under the protection of the Coastal Barrier Resources Act occur in California. The Coastal Barrier Resources Act does not apply.</p> <p><i>Source List: [a]</i></p>
<p>Flood Insurance</p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed project does not include any improvements within a 100- or 500-year floodplain. The project site is located within Zone D (FEMA Flood Insurance Rate Map No. 06085C0239H, May 2009) (Figure 7). The Federal Emergency Management Agency (FEMA) defines Zone D as an area of possible but undetermined flood hazards because no flood analysis has been conducted. Flood insurance is available for properties within Zone D but insurance is not federally required by lenders for loans on properties in these zones. The structure would not be located in a FEMA-designated Special Flood Hazard Area. No adverse impacts would occur.</p> <p>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.</p> <p><i>Source List: [s, cc]</i></p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5</p>		

<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>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 air standards for which the region is</p>
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National Flood Hazard Layer FIRMette



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, Y, X50
		With BFE or Depth Zone AE, AD, AH, VE, AR
		Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D

OTHER AREAS		Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall

OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transsect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transsect Baseline
		Profile Baseline
		Hydrographic Feature

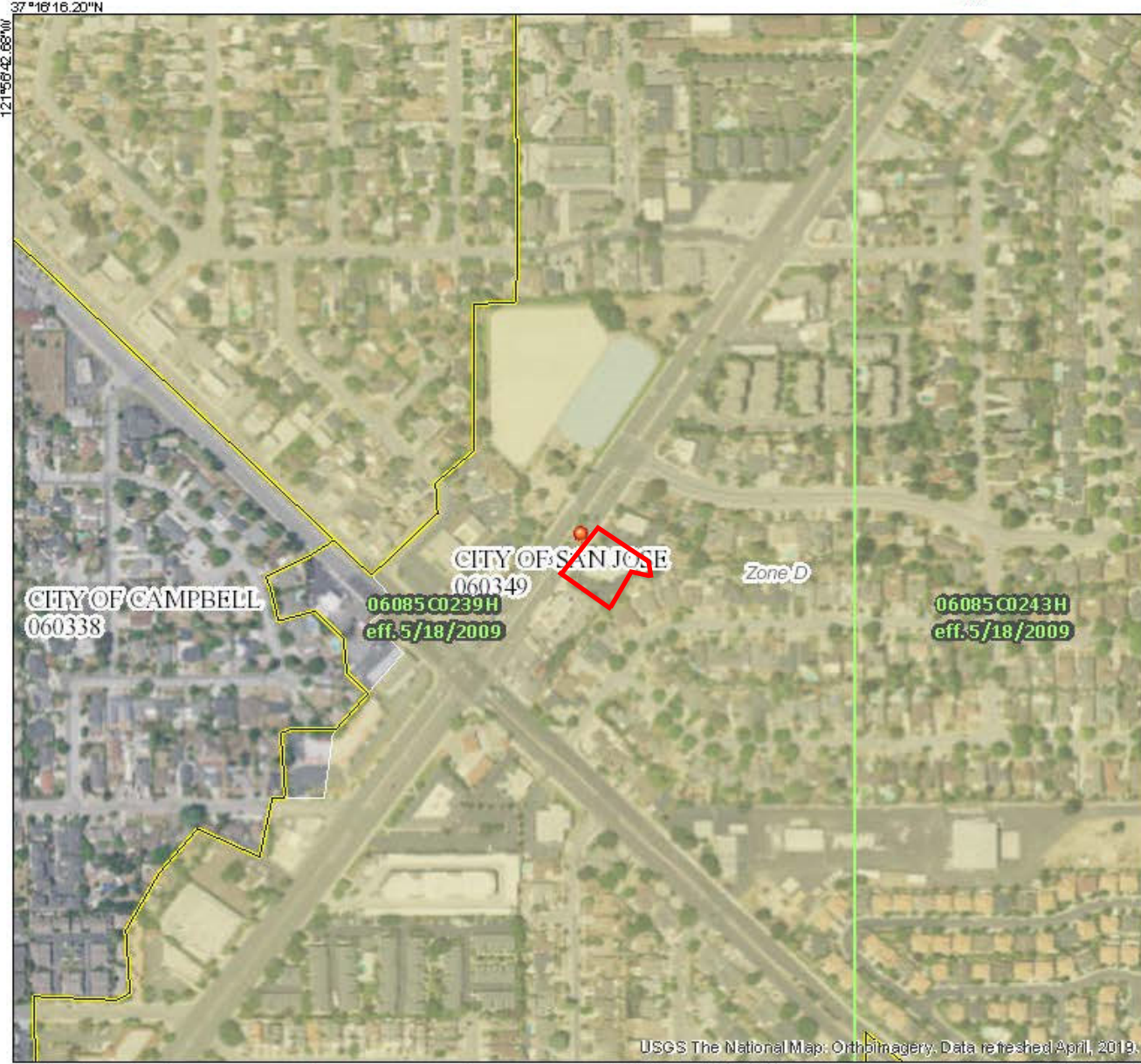
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/9/2020 at 5:30:35 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



USGS The National Map: Orthoimagery, Data refreshed April, 2019. Scale: 1:6,000. Coordinates: 37°16'16.20"N, 121°56'42.88"W, 37°16'47.57"N, 121°56'52.30"W

Figure 7— FEMA Flood Insurance Rate Map

- Project Site

designated as nonattainment. The San Francisco Bay Area Air Basin is a nonattainment area for ozone, Particulate Matter 10 (PM₁₀) and (PM_{2.5}). Thus, a project-related impact to air quality would occur if emissions generated by the project are equal to 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.

Construction Emissions

Construction vehicles and equipment traveling within the project site excavation areas 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 (PM₁₀ 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 daily maximum construction emissions during the various phases of project construction, including demolition, site preparation, excavation/grading, building construction, architectural coating (i.e., painting) and paving. It was assumed construction would begin in mid-2021 and be completed in early 2023. 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**

Construction Emissions			
Pollutant	Standard ¹ (lbs/day)	Emissions (lbs/day)	Exceed Standard?
ROG	54	27.4	No
NOx	54	25.2	No
SOx	<i>No Standard</i>	0.3	<i>N/A</i>
CO	<i>100 (tons per year)²</i>	18.3 (2.4 tons per year)	No
PM ₁₀	82 (exhaust) ³	1.14	No
PM _{2.5}	54 (exhaust) ³	1.07	No

Source: CalEEMod calculations (Appendix A)

Note: Summer emissions are reported as they are the highest emissions.

1. Concentrations reported in maximum daily emissions (pounds per day) which represent the worse-case scenario. Maximum daily emissions would not occur each day of the construction period.
2. Federal *De minimis* threshold reported for CO
3. PM emission standard applies only to exhaust emissions.

Operating Emissions

Operating emissions were calculated using CalEEMod version 2016.3.2. The basic modeling parameters assumed the project would operate like a mid-rise multifamily apartment building with 619 square feet of commercial. 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 (lbs/day)	Exceed Standard?
ROG	54	2.9	No
NOx	54	2.3	No
SOx	<i>No Standardz</i>	0.02	<i>N/A</i>

		<table border="1"> <tr> <td>CO</td> <td>100 tons per year¹</td> <td>13.6 (0.6 tons per year)</td> <td>No</td> </tr> <tr> <td>PM₁₀</td> <td>54</td> <td>2.4</td> <td>No</td> </tr> <tr> <td>PM_{2.5}</td> <td>54</td> <td>0.70.06</td> <td>No</td> </tr> </table>	CO	100 tons per year ¹	13.6 (0.6 tons per year)	No	PM ₁₀	54	2.4	No	PM _{2.5}	54	0.70.06	No
CO	100 tons per year ¹	13.6 (0.6 tons per year)	No											
PM ₁₀	54	2.4	No											
PM _{2.5}	54	0.70.06	No											
<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p><i>Source: CalEEMod calculations</i></p> <p>¹ Tons per year federal De minimis standard</p> <p>As shown in Table 2, project emissions would not exceed significance thresholds. While project operation would generate CO emissions, they would not exceed local BAAQMD standards.</p> <p><i>Source List: [a, f, h]</i></p> <p>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 14 miles northwest in San Mateo County. Therefore, no adverse coastal zone impacts are anticipated.</p> <p><i>Source List: [a]</i></p>												
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Based on a review of available databases listing known hazard sites (GeoTracker and EnviroStor) and the Phase I ESA (Appendix B) prepared for the proposed project, there is no evidence of hazardous environmental conditions on the project site. 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.</p> <p>The building was constructed in 1986; thus, it is unlikely that lead paint or asbestos containing materials would be contained within the building and no reference to these materials was addressed in the Phase I ESA. A supplemental letter addressing radon exposure was prepared for the project site. (Advantage Environmental Consultants, October 15, 2020). This letter has been appended to the Phase I ESA (Appendix B) as Section 11.7. While site specific radon levels have not been evaluated, the subject property is located within Radon Zone 2 according to a Radon Zone Map prepared by United States</p>												

		<p>Environmental Protection Agency (EPA). Radon Zone 2 is identified with average indoor radon levels ranging from 2 to 4 picoCuries per liter (pCi/L). According to the US EPA there is no known safe level of exposure to radon; however, the EPA recommends corrective action measures to reduce exposure to radon gas if the radon level is above 4pCi/L. As such, an evaluation of radon at the subject property is not deemed warranted.</p> <p>While no hazardous materials are known to occur on the project site, the following mitigation measure is recommended to avoid any impacts regarding lead-based paint and asbestos. The project is also required to adhere to regulations regarding the unanticipated findings of these hazardous materials. Recommended mitigation language is provided as measure HAZ-1 in the mitigation section of this EA. Mitigation HAZ-1 would be a City standard permit condition that would reduce impacts to contamination and toxic substances as less than significant.</p> <p><i>Source List: [a, d, I, n]</i></p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project site is currently developed with a vacant two-story building and adjacent parking. Vegetation on the site is comprised of ornamental shrubs and trees located in planters. A total of 12 trees are located on-site and would be removed as part of the project. According to the Arborist Report (October 2020) (Appendix C), of the total four Coast Redwood (<i>sequoia sempervirens</i>) trees and two Coast Live Oak (<i>Quercus agrifolia</i>) trees are native. The remaining trees are non-native and include one orchard tree. No species are federally listed or subject to review per the Endangered Species Act. A total of 49 trees, 15-gallon trees (or 25 24-inch box trees) would be planted on-site as part of the landscaping to replace the trees removed. Refer to the <i>Vegetation/Wildlife</i> section of the EA for more information.</p>

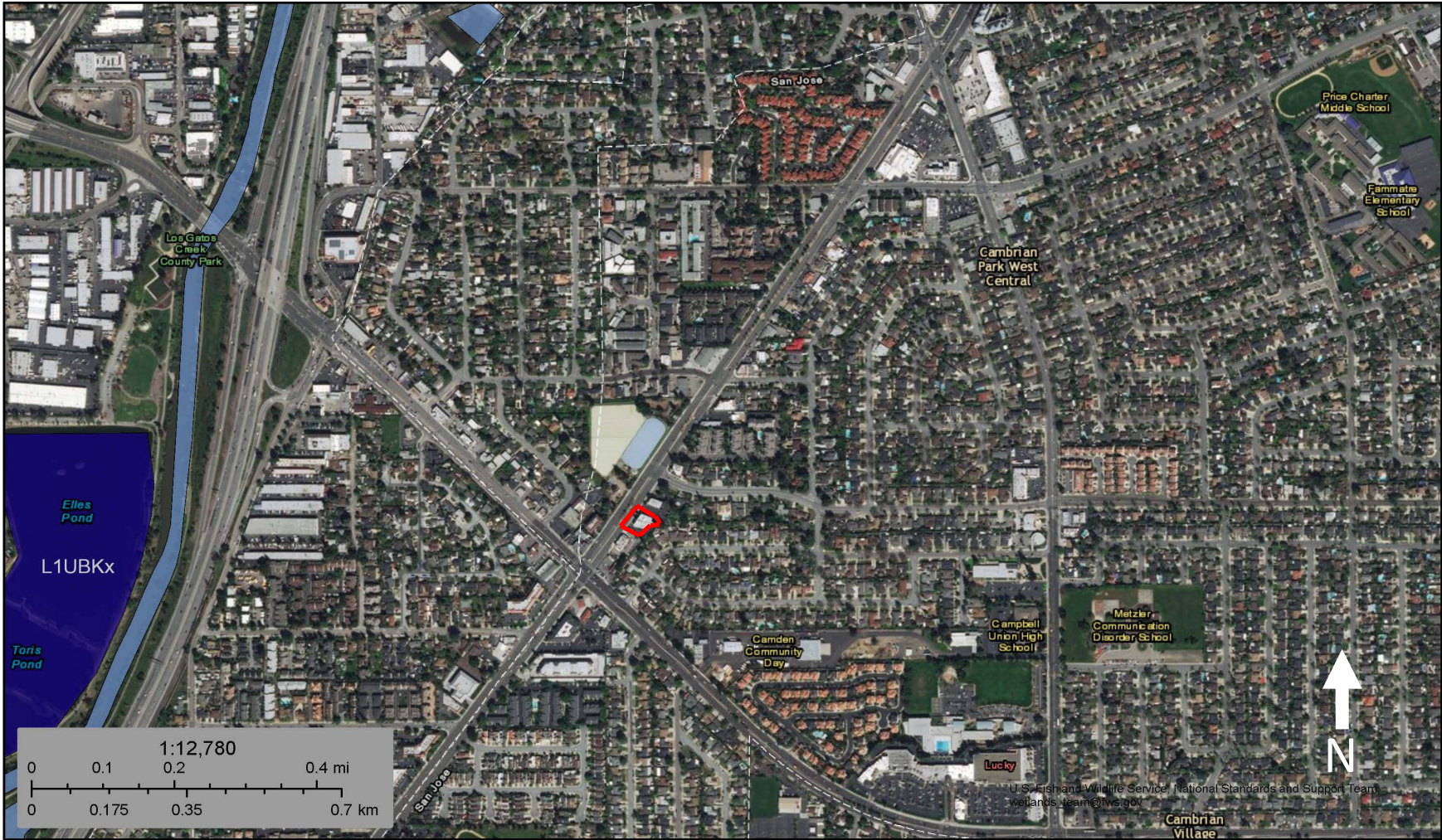
Critical habitat is a habitat area essential to the conservation of a listed species, though the area need not actually be occupied by the species at the time it is designated. This is a specific term and designation within the US Endangered Species Act. With certain exceptions, critical habitat must 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.

To determine whether federally listed 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) Geobrowser Tool and California Natural Diversity Database (CNDDDB) QuickView Tool (April 9, 2020). The site is not identified as critical habitat within the HCP/NCCP but it is located within the Habitat Plan Permit Area. 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. However, because the site is within the Habitat Plan Permit Area, the applicant would be required to pay a fee, such as the Nitrogen Deposition Fee, as part of the entitlement process to meet requirements of the HCP/NCCP.









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.

Therefore, the project would have No Effect due to the absence of federally listed species and designated critical habitat.

Source List: [a, y, aa]



April 10, 2020

Wetlands	 Freshwater Emergent Wetland	 Lake
 Estuarine and Marine Deepwater	 Freshwater Forested/Shrub Wetland	 Other
 Estuarine and Marine Wetland	 Freshwater Pond	 Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

Figure 8— National Wetlands Inventory  - Project Site

<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed project would provide 79 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.</p> <p>The project site and one-mile perimeter was examined using aerial images to identify any current <i>or planned</i> stationary aboveground storage containers covered by 24 CFR 51C. These consist of containers with more than a 100-gallon capacity containing common liquid industrial fuels or containers of any capacity containing hazardous liquids or gases that are not common liquid industrial fuels. Containers not covered under the regulation include:</p> <ul style="list-style-type: none"> • Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR • Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58. <p>The project area is urbanized. The predominant land uses are residential and commercial, no industrial uses that would store common liquid industrial fuels in containers 100 gallons or less in capacity or uses requiring containers capable of storing 1,000 gallons or less of LPG or propane were observed. No adverse impact would occur per this criterion.</p> <p><i>Source List: [a, d, n]</i></p>
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<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>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 (2016). 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.</p> <p><i>Source List: [a, j]</i></p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project site is located within Zone D (FEMA Flood Insurance Rate Map No. 06085C0239H, May 2009) (Figure 7). The Federal Emergency Management Agency (FEMA) defines Zone D as an area of possible but undetermined flood hazards because no flood analysis has been conducted. The proposed project would not be exempt from HUD's floodplain management regulations defined in 24 CFR Part 55.12(c).</p> <p>The proposed project would increase the impervious surface by approximately 1,000 square feet over existing conditions. The project would not impede or redirect flood flows. Drainage patterns would be improved with the project as all runoff would be retained on-site and treated prior to release into the City's storm drain system.</p> <p><i>Source List: [s]</i></p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>A Cultural Resources Technical Study (Rincon Consultants, November 2020; Appendix D) was prepared for the site to meet provisions of Section 106 of the National Historic Preservation Act (NHPA). The Area of Potential Effect (APE) was delineated in consultation with the staff at the City of San José and developed to consider both direct and indirect impacts to potentially historic properties. Properties within the 0.64-acre (see Figure 9) project site and within a roughly 200-foot radius of the APE were reviewed at the reconnaissance level to determine their potential to qualify for listing in the National Register of Historic Places (NRHP) and to be indirectly affected by the</p>

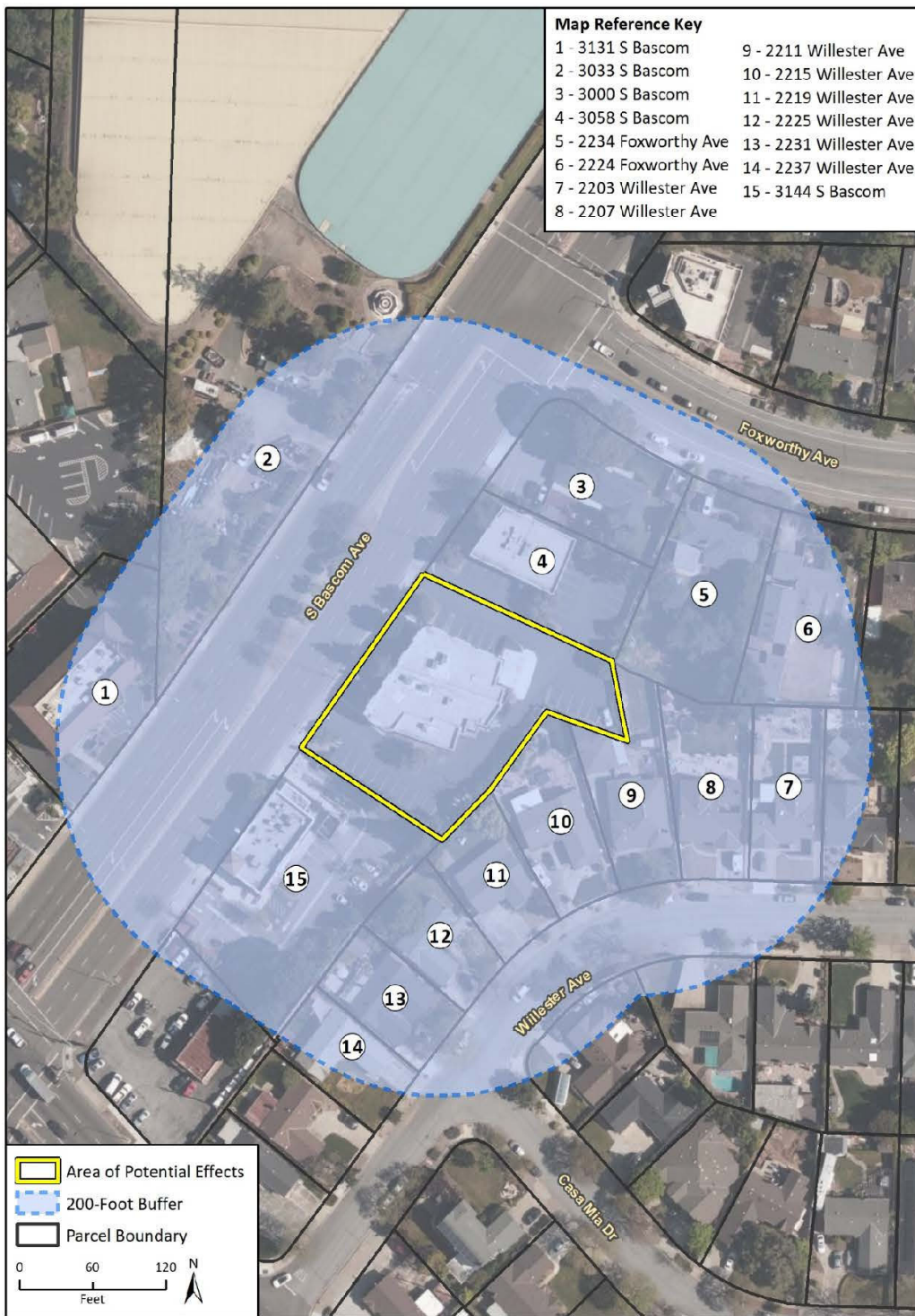


Figure 9– Area of Potential Effects

	<p>project. Eligibility for listing in the California Register of Historical Resources (CRHR) and local designation was not considered.</p> <p>The APE contains one vacant two-story commercial building (project site) constructed in 1974 as an office building. The APE is considered a three-dimensional space and includes any ground disturbance associated with the undertaking. The maximum depth of excavation for the proposed undertaking is expected to be 11 feet to construct the underground parking garage and approximately 6 feet to accommodate the installation of utilities and a foundation. The building would be a maximum height of 66 feet above ground surface. The vertical APE for the proposed undertaking is therefore 17 feet below and 66 feet above ground surface.</p> <p>The Cultural Resources Technical Study also included 15 properties within a roughly 200-foot radius of the APE that were determined to have a high potential to qualify for listing in the NRHP and/or to be affected by the proposed project. Of those, three were constructed post-1983 and those that remain either lack architectural distinction, have been considerably altered, or have an existing setting which would not be substantially altered from the proposed project such that it would affect their overall integrity.</p> <p>The background research and field survey identified the existing building as a historic-period building within the APE. In accordance with guidance from the California Office of Historic Preservation, the building was recorded and evaluated for historical significance. Following application of applicable NRHP criteria, the building at 3090 South Bascom Avenue is recommended ineligible for listing in the NRHP. The archival and background research performed for the Cultural Resources Technical Study did not find documented, substantial evidence that the property possess exceptional importance within any relevant historical or</p>
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	<p>architectural themes, as is required for properties which are not yet 50 years old. Therefore, the 3090 South Bascom Avenue building is not considered an historic property for the purposes of Section 106.</p> <p>A letter seeking concurrence with this determination of no effect on historical resources was sent to the State Historic Preservation Officer (SHPO) on December 2, 2020. No response was received from SHPO within the 30-day review period.</p> <p>The field survey was performed for the 0.64-acre project site. As it relates to archaeological resources, the APE was limited to the direct project footprint and areas where ground disturbance would occur as part of the undertaking. The survey did not identify any cultural resources. Additionally, the CHRIS records search did not find previously recorded archaeological resources located in the APE. The Native American outreach and local interested party consultation did not provide information about knowledge of prehistoric resources or other historic properties within or near the APE. Historical aerial review indicates the property was largely agricultural until the 1950s; thus, historic-era archaeological sites are unlikely. The APE has been previously disturbed by agricultural activities and by construction of the extant building. No prehistoric resources are known to exist in the vicinity and are not likely to be present in the APE. Thus, the APE is considered to have a low sensitivity for archaeological resources. Based on the results summarized above, Rincon Consultants recommends a finding of <i>no effect to historic properties</i> under Section 106.</p> <p>Based on the low sensitivity of the project area, archaeological and Native American monitoring is not recommended for all project ground disturbance. However, the following mitigation measures are recommended should an unanticipated discovery of cultural resources during project development occur. The project is also</p>
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		<p>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, as part of the City's standard permit conditions. With mitigation, impacts to archaeological resources would be less than significant.</p> <p><i>Source List: [a, p, w]</i></p>												
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>Construction</p> <p>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).</p> <p style="text-align: center;">Typical Noise Levels at Construction Sites</p> <table border="1" data-bbox="846 909 1398 1310"> <thead> <tr> <th>Construction Phase</th> <th>Average Noise Level at 25 Feet</th> </tr> </thead> <tbody> <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> </tbody> </table> <p style="text-align: center;"><i>Source: FHWA Highway Construction Noise Handbook, 2010.</i></p> <p>There are residences adjacent to the south side of the site that could experience temporary noise levels within this range. The City of San José considers construction noise significant 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.</p>	Construction Phase	Average Noise Level at 25 Feet	Clearing	84 dBA	Excavation	85 dBA	Foundation/Conditioning	85 dBA	Laying Sub-base/Paving	81 dBA	Finishing	84 dBA
Construction Phase	Average Noise Level at 25 Feet													
Clearing	84 dBA													
Excavation	85 dBA													
Foundation/Conditioning	85 dBA													
Laying Sub-base/Paving	81 dBA													
Finishing	84 dBA													

	<p>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.</p> <p>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 construction of utilities and subterranean parking garage. No pile driving or other impact construction methods would be required. The element of the project that would generate the highest noise levels is excavation and grading. Construction of the building would be performed primarily using hand tools though some heavy equipment such as concrete trucks, forklifts, generators and concrete pumps would also be used. A City standard permit condition addressing temporary construction noise is provided as Mitigation Measure NOI-1. With implementation of Mitigation Measure NOI-1, impacts related to construction noise would be reduced.</p> <p>Operation</p> <p><i>Traffic-Related Exterior Noise.</i> The nearest freeway to the site is State Route (SR) 17 which is located approximately 3,000 feet west of the project site. The primary noise source is local traffic on South Bascom 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 60-65 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 is consistent with the 60-65 dBA limit per the City standard and HUD standard for outdoor spaces.</p>
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		<p>For the project to noticeably increase traffic noise levels, it would have to double current hourly volumes on South Bascom Avenue without affecting travel speed. Trip generation was conservatively estimated assuming a low-rise apartment project and included the 619 square feet of commercial space.</p> <p>Per the Institute of Transportation Engineers (ITE) 10th Edition Trip Generation Rate Manual (2017), the daily trips would be approximately 601 weekday trips. This is calculated based on 7.32 daily trips per residential unit (578) and 37.75 daily trips per 1,000 square feet or 23 (i.e., 37.75 multiplied by .619) for the commercial office space. Total daily trips would be approximately 601. The project would replace an 11,811 square foot commercial building. Using a trip generation rate of 37.75 per 1,000 square feet, the existing, when in operation, generated approximately 446 average daily trips. The project could generate approximately 155 additional trips (i.e., 601 – 446 = 155). Using evening (p.m.) peak hour trip generation rates, (i.e., 0.56 per residential unit and 3.81 per 1,000 square feet for the commercial use) the project would add approximately 58 additional hourly trips to South Bascom Avenue as compared to existing conditions assuming operation of the existing use.</p> <p>Exterior 24-hour average (Ldn) traffic-related noise was estimated along South Bascom Avenue using the HUD Ldn calculator. Specific traffic counts and fleet mix for the segment fronting the site are not available. Thus, average daily traffic (ADT) volumes were obtained from Envision San José 2040 General Plan Update Traffic Impact Assessment (October 2016) https://www.sanjoseca.gov/home/showdocument?id=22021</p> <p>Average daily volumes between East Mozart Avenue and Loretta Lane (37,400 vehicles per day)</p>
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(south of the site) and Dry Creek Road and Surrey Place (30,200 vehicles per day) (north of the site) were averaged to obtain volumes in proximity to the project site. The average of the volumes north and south of the site is 33,800 vehicles per day. Assuming the ADT fronting the site is 33,800 vehicles per day, peak hour volumes are approximately 10% of the ADT which is 3,800. The fleet mix assumed all traffic is comprised of cars and light trucks. The Ldn at 70 feet from the street centerline is conservatively estimated to be 64 Ldn which is within the General Plan noise contour of 60-65 dBA DNL (see Appendix E – DNL Calculator Results). The net increase of 155 daily trips (58 peak hour trips) would not cause a noticeable increase in noise levels at the project site or along South Bascom Avenue.

As referenced, traffic noise is the primary noise source in the project area. Surrounding uses include residences and commercial businesses. Sounds are typical of urbanized areas and include voices, barking dogs, aircraft overflights and landscape maintenance equipment. These sources are periodic and temporary; and while audible, when combined with traffic noise and averaged over a 24-hour day, they do not noticeably contribute to ambient conditions.

The project would have an outdoor courtyard space on the ground floor and a fifth-floor roof deck for residents to congregate. As shown in the site plan (Figure 3), the courtyard would be located within the interior of the building envelope on the south side of the building and screened from South Bascom Avenue by the building structure. Building structures typically provide approximately 10 dBA of attenuation. Actual attenuation will be likely be higher because of the building mass and location of the courtyard between the two residential towers. Noise levels at the courtyard exterior space would be approximately 54 dBA Ldn which would be within the 60 dBA HUD standard for outdoor

spaces. Conversational noise levels are approximately 65 dBA at 5 feet and attenuate by approximately 6 dBA per doubling of distance. The distance between the courtyard and nearest property line to the south is approximately 60 feet. Further, a 6-foot concrete screening wall is located along the property line. Conversational noise levels would attenuate to approximately 43 dBA at the southerly property line. This would be less than the 60 dBA standard.

As referenced, the project would provide an outdoor roof deck on the 5th floor. The roof deck would have a solid wall along the north side. The deck floor would be approximately 45 feet above ground level. The solid wall would extend upward approximately 5 feet; thus, creating a barrier between traffic noise and the outdoor gathering area. The building wall and deck wall would provide approximately 10 dBA of attenuation. Assuming an outside ground level noise of 64 dBA (i.e. traffic), traffic noise on the roof deck would be approximately 54 dBA and below the 60 dBA standard.

Interior Noise. 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 64 dBA Ldn, when building windows are closed, interior noise levels would be approximately 34 dBA Ldn (30-dBA reduction assuming windows are closed) which would be below the 45-dBA interior standard.

		<p>The Norman Y. Mineta San José International Airport is located 5.8 miles northeast of the project site. Reid-Hillview Airport is located 7.8 miles east of the site. Although aircraft noise may be audible, the site is located outside the projected year 2037 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.</p> <p>https://www.flysanjose.com/noise/noise-reports</p> <p><i>Source List: [a, b, g, l, q, u, t]</i></p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project would obtain potable water from the San José Water Company. No groundwater would be pumped on-site for project use. As noted, drainage patterns would be changed as the project would add approximately 1,000 square feet of impervious surface relative to existing conditions. All runoff would be retained on-site and treated prior to release into the City's storm drain system. 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)</p> <p>https://archive.epa.gov/region9/water/archive/web/html/ssa.html</p> <p><i>Source List: [z]</i></p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>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</p>

		<p>associated riparian vegetation. Because such resources are not present within the project area and would not be affected by construction.</p> <p><i>Source List: [a, v]</i></p>
<p>Wild and Scenic Rivers</p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>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. The project would have no adverse impacts on wild or scenic rivers.</p> <p>https://www.nps.gov/orgs/1912/plan-your-visit.htm</p> <p><i>Source List: [v]</i></p>
ENVIRONMENTAL JUSTICE		
<p>Environmental Justice</p> <p>Executive Order 12898</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project would provide 77 affordable apartment units and two manager's units. The project would require the demolition of an existing commercial building. No housing would be removed nor would the project displace minority or low-income communities to accommodate construction. The project would not cause any adverse environmental impacts that cannot be avoided or reduced to less than significant with the implementation of mitigation measures provided in the mitigation section of this EA. The project would not violate Executive Order 12898.</p> <p><i>Source List: [af]</i></p>

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	<p>The proposed project site is designated Neighborhood/Community Commercial (NCC) in the General Plan and is in the Commercial Pedestrian (CP) Zoning District. The project is within the South Bascom South Urban Village Plan Area.</p> <p>Residential uses are inconsistent with the NCC designation; however, General Plan Policy IP-5.12 provides criteria that if met, allows 100% affordable, residential mixed-use projects to proceed without a General Plan Amendment. The following discussion addresses project consistency with IP-5.12 which states:</p> <p><i>“Residential projects that are 100% affordable deed restricted by a public entity for a period not less than 55 years to low income residents (earning 80% or less of the Area Median Income), can proceed within an Urban Village ahead of a Growth Horizon, or in a Village in a current Horizon that does not have a Council approved Plan, if the project meets the following criteria:”</i></p> <p>1. The project does not result in more than 25% of the total residential capacity of a given Urban Village being developed with affordable housing ahead of that Village’s Growth Horizon. For Villages with less than a total housing capacity of 500 units, up to 125 affordable units could be developed, however the total number of affordable units cannot exceed the total planned housing capacity of the given Village.</p> <p>Consistency Determination. The proposed project would be 100% affordable to lower income individuals and families. Of the 79 units, a total of 29 units would be Permanent Supportive Housing (PSH) for the homeless; 28 units would be reserved for extremely low-income residents, 20 units would be reserved for low and very low incomes residents and two units would be reserved for on-</p>

	<p>site managers. This site is located in the South Bascom South Urban Village Plan Area which is in growth Horizon III as defined in Envision San José 2040 General Plan. The City is currently in Horizon I. To ensure coordinated development occurs within the City throughout the planning horizon, stipulations apply to residential projects proposed within villages that have not reached their assigned growth Horizon. This urban village does not have an adopted plan and has 563 residential dwelling units allocated to its growth. Approval of a 79-unit development would add approximately 11% of the allocated number of units. This would be less than 25% of the total residential capacity within the South Bascom South Urban Village available for the development of affordable housing.</p> <p>2. The development is consistent with the Urban Village Plan for a given Village, if one has been approved by the City Council.</p> <p>Consistency Determination. The site is located in the South Bascom South Village Urban Plan Area. This urban village does not have an adopted plan. This criterion does not apply.</p> <p>3. Development that demolishes and does not adaptively reuse existing commercial buildings should substantially replace the existing commercial square footage.</p> <p>Consistency Determination. The project would demolish an 11,811 square foot commercial building. Substantial replacement of the commercial space would require at least 5,691 square feet, or one-half of the square footage removed. The project is proposing 619 -square feet of commercial space, or less than half of the requirement.</p> <p>As specified in California Government Code, Title 7, Section 65915, subparagraph (G) of paragraph (1) of subdivision (b) (California’s State Density Bonus Law), projects that are 100% reserved for lower income households are allowed up to four development incentives. The applicant will use one incentive for the reduction in commercial space required for the project.</p>
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		<p>Assuming City staff determine the incentive request meets the requirements per State Law, the project would be found to be conformance with this criterion.</p> <p>4. The project is not located on identified key employment opportunity sites, which are sites generally 2 acres or larger, located at major intersections and for which there is anticipated market demand for commercial uses within the next 10 to 15 years.</p> <p>Consistency Determination. The project is not located on identified key employment opportunity sites or located at major intersections for which there is anticipated market demand for commercial uses within the next 10 to 15 years.</p> <p>5. Affordable housing projects built in Villages under this policy would not pull from the residential pool capacity.</p> <p>Consistency Determination. The affordable housing project would meet the criterion for residential development stipulated in the South Bascom South Area Village Plan. The project would provide less than 25% of the 563 residential units allocated for development within this Village.</p> <p>The proposed project would be subject to a design and architectural review process to ensure project compliance with the Municipal Code provisions and performance standards for properties located in the CP zoning district. Further, the project would meet policy requirements specified in Envision San José 2040 General Plan IP-5.12; and thus, would be consistent with the South Bascom South Area Village Plan.</p> <p><i>Source List: [a, e, o, p, bb]</i></p>
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p>Soils. According to the Geotechnical Investigation (September 2019, see Appendix F), the site is mapped in a zone of alluvial deposits (Qpa) of the Pleistocene epoch (2.6 million to 11,000 years ago). The site is generally underlain by a layer of fill and/or geologically young material which varies between 3 and 7 feet thick. The material consists of silty sand with gravel and has a</p>

	<p>consistency of loose to medium dense. This surficial layer is underlain by dense to very dense sands and gravels to the maximum depth explored of 44 feet below ground surface.</p> <p>The site is located in the Coast Ranges geomorphic province of California which is characterized by northwest-trending valleys and ridges. The major active faults in the area are the Monte Vista-Shannon, San Andreas, and Hayward faults. The fault systems in the Bay Area consist of several major right-lateral strike-slip faults that define the boundary zone between the Pacific and the North American tectonic plates. Numerous damaging earthquakes have been recorded along these fault systems. During a major earthquake on a segment of one of the nearby faults, strong to very strong ground shaking is expected to occur at the project site. Strong shaking during an earthquake can result in ground failure such as that associated with soil liquefaction, lateral spreading, and cyclic densification.</p> <p>No groundwater was encountered at the project site. Based on existing data, groundwater is estimated to be approximately 50 feet below ground surface. Given the depth to groundwater and the fact that soil beneath the site is geologically old, the potential for liquefaction-induced damage to the proposed development is very low. It was further determined, the risk of lateral spreading and other types of ground failure associated with liquefaction occurring at the site is very low. Cyclic densification, which is also referred to as differential settlement is possible based on the presence of loose to medium dense material in the upper 3 to 7 feet of the site. Without remediation, up to 1/2 inch of ground surface settlement could occur during a seismic event.</p> <p>The subject site is suitable for the proposed development from a geotechnical engineering standpoint, provided recommendations included in Section 7.0 of the Geotechnical Report (Appendix F) are incorporated into the design and implemented during site grading and foundation construction. To avoid impacts related to geological conditions discussed herein, standard</p>
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	<p>conditions listed as Mitigation Measure GEO-1 would be implemented. These standard conditions would ensure that the future building on the site is designed to properly account for soils-related hazards on the site.</p> <p>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 1 to April 30, 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.</p> <p>Stormwater Runoff. The project site is a paved parking lot with a vacant two-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.</p> <p>The Municipal Regional Stormwater Permit (MRP) (NPDES Permit No. CAS612008) mandates the City of San José 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.</p> <p>The MRP requires all post-construction stormwater runoff to be treated by numerically sized Low Impact Development (LID) treatment controls, such as biotreatment facilities, unless the project is granted Special</p>
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		<p>Project LID Reduction Credits, which would allow the project to implement non-LID measures for all or a portion of the site depending on the project characteristics. Prior to receiving any LID Reduction Credits, the project must first establish the infeasibility of treating 100% of the amount of runoff with LID treatment measures. A narrative must be submitted to the City that describes why and how the implementation of 100 percent LID treatment measures are not feasible, in accordance with the MRP.</p> <p>Details of specific site design, pollutant source control, and stormwater treatment control measures demonstrating compliance with Provision C.3 of the MRP will be included in the project design (i.e. Stormwater Control Plan) to the satisfaction of the Director of Planning, Building, and Code Enforcement prior to issuance of a development permit.</p> <p>Implementation of the Stormwater Control Plan would ensure compliance with Provision C.3, consistent with the MRP and 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. 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 in-line with Provision C.3 of the MRP, would not be required due to its size and sub-watershed or catchment location.</p> <p>With implementation of the proposed treatment system, potential stormwater impacts would be minimized.</p> <p><i>Source List: [a, c]</i></p>
<p>Hazards and Nuisances including Site Safety and Noise</p>	<p>2</p>	<p>Hazards and Nuisances. The proposed project is a mixed-use project designed to provide 79 affordable housing units for families and individuals, with 1,100 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</p>

		<p>emissions.</p> <p>Based on a review of available databases listing known hazard sites (GeoTracker, EnviroStor) and the Phase I ESA (Appendix B) prepared for the proposed project, there is no evidence of hazardous environmental conditions on the project site.</p> <p>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 (e.g. Council Policy 4-3: Outdoor Lighting on Private Developments). 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.</p> <p><i>Source List: [a, d, i]</i></p>
Energy Consumption	2	<p>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. Moreover, the project would also be required to meet the City's Municipal Building Code, Reach Code for Building Efficiency, and Council Policy 6-32: Private Sector Green Building Policy. The amount of energy used would not be unusual nor wasteful for a project of this type. No adverse energy consumption impacts would occur.</p> <p><i>Source List: [a, h]</i></p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	1	During construction, the project would generate temporary employment opportunities for construction workers. It is likely that these would be trade jobs filled by existing workers employed by contractors hired to

		<p>construct the project. These jobs would not substantially affect overall employment patterns in the City.</p> <p>Operation of the project would require management staff and people to provide social services and facility maintenance. These services would be provided by a management company contracted to operate the facility. The jobs are expected to be filled by workers trained to provide the required services. It is unknown how many workers would be employed by the housing project; however, based on the scope of services to be provided, jobs would include both professional and skilled labor position. Similarly, the tenant(s) that would occupy the commercial office space is unknown; however, it is assumed they would be trained professionals and support personnel.</p> <p>Compensation will vary and be commensurate with the position, experience of the workers and wage scale typical for the area. It is unknown whether qualified workers reside in the general area; however, qualified workers or those that can be trained to provide the required services are assumed to be part of the local labor pool. The jobs provided are not anticipated to substantively increase employment opportunities in the City; however, new jobs would be a benefit associated with the proposed project.</p> <p><i>Source List: [a, q]</i></p>
<p>Demographic Character Changes, Displacement</p>	<p>2</p>	<p>The proposed project would develop 1,100 square feet of ground floor for-lease commercial space and a new residential facility to house individuals and families within the South Bascom South Urban Village Plan Area. The site is currently developed with a vacant two-story commercial building and adjacent parking. The previous tenant was a retail music store. The project would not require the relocation of any residents or businesses, and therefore, would not contribute to displacement.</p> <p>The project would be constructed adjacent to South Bascom Avenue which is primarily a commercial corridor surrounded by single- and multifamily residences, parks, schools and complementary uses common in residential neighborhoods.</p>

	<p>The project would provide 77 affordable housing units, two manager units and related on-site amenities. All construction would be confined to the proposed site. The project would be an urban infill development and open to all residents that meet income qualifications. The project is not expected to cause or contribute to segregation associated with race or ethnicity or otherwise cause or contribute to demographic changes within the surrounding community. The project would replace an existing commercial building with a new mixed use commercial and residential project. While this would be a change relative to existing land use, it would not be inconsistent with the character of the surrounding single- and multifamily community. No adverse impact would occur relative to this criterion.</p> <p><i>Source List: [a, o, bb]</i></p>
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Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	<p>The school nearest the site is the 7 Magic Flowers Bilingual Montessori School located at 1975 C Cambrianna Drive approximately 0.5 mile southeast. Fammatre Elementary School and Ida Price Charter Middle School are located at 2900 New Jersey Avenue approximately 0.8 miles northeast of the site. Farnham Elementary School and St. Francis Cabrini School are located approximately 0.5 miles south of the site.</p> <p>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 South Bascom Branch Library and Cambrian Branch Library which are two of 17 neighborhood branch libraries distributed throughout the City. The South Bascom Branch Library is located at 1000 South Bascom Avenue approximately 3 miles north of the site. The Cambrian Branch is located approximately 1.5 miles southeast of the site at 1780 Hillsdale Avenue.</p>

		<p>The project is comprised of 77 affordable apartment units for families and individuals and two on-site manager units. The total number of units would be 79. The unit mix would include 46 studio, 16 one-bedroom, 12 two-bedroom and 5 three-bedroom units. One of the two-bedroom units and one of the three-bedroom units would be reserved for on-site property managers. Assuming one child per two-bedroom unit and 2 children per three-bedroom unit, the project could house approximately 22 children.</p> <p>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.</p> <p>It is possible that project residents may visit the libraries; however, the addition of project residents is not expected to exceed the service population projected for the Cambrian community.</p> <p><i>Source List: [a, e]</i></p>
Commercial Facilities	2	<p>The proposed project would require the removal of an existing vacant two-story commercial building. The building is vacant but was previously occupied by a retail music store. Removal of the building would not adversely impact existing retail or commercial services. The project would provide approximately 1,100 square feet of commercial office space. The tenants are unknown at this time; however, it is expected that the need for goods and services would be met by existing businesses within the area. These include retail convenience stores, fueling stations and various dine-in and take-out restaurants. The proposed project would not generate the need for construction or operation of new commercial facilities.</p> <p><i>Source List: [a, e]</i></p>
Health Care and Social Services	1	<p>The proposed project would provide new affordable residential units to serve low income and formerly</p>

		<p>homeless people. It is assumed that some of the future residents currently reside in the general San José area. The building could accommodate approximately 101 residents assuming that at least one adult would live in each unit and that 22 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.</p> <p>The County would provide social services to building residents which may relieve demand on existing social services. No impact to existing social services is expected.</p> <p><i>Source List: [a, e]</i></p>
<p>Solid Waste Disposal / Recycling</p>	<p>2</p>	<p>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.</p> <p>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.</p> <p>https://www.sanjoseca.gov/your-government/environment/recycling-garbage/construction-demolition-debris</p> <p>Based on operational waste generation rates provided in CalEEMod 2016.3.2, the project would generate approximately 50 pounds of solid waste per day provided 75% is recycled. While the project may generate more solid waste than what is generated by the existing commercial building tenants, the project is consistent with zoning and the General Plan land use designation. Thus, forecast solid waste volumes would not exceed those</p>

		<p>projected city-wide. Solid waste disposal would not be adversely affected by the project.</p> <p><i>Source List: [a, e, h]</i></p>
Waste Water / Sanitary Sewers	2	<p>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 (https://www.sanjoseca.gov/your-government/environment/water-utilities/regional-wastewater-facility) accessed April 2020). 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.</p> <p>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 79 units. Given all the project elements, the project is expected to generate up to 9,717 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.</p> <p><i>Source List: [a, e, h, dd]</i></p>
Water Supply	2	<p>Potable water within the Cambrian community is provided by the San José Water Company. Water is purchased from the Santa Clara Valley Water District. Based on a water supply assessment prepared for the</p>

		<p>Envision San José 2040 General Plan, a typical multifamily unit consumes approximately 183 GPD. Assuming 79 residential units, the project would consume approximately 14,457 GPD.</p> <p>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 as required per the California Green Building Standards Code (2019). 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.</p> <p><i>Source List: [a, e, hr]</i></p>
<p>Public Safety - Police, Fire and Emergency Medical</p>	<p>2</p>	<p>While the project would add 79 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.</p> <p>The project site is served by San José Fire Department Station #9 located at 3410 Ross Avenue, approximately 1.3 miles to the southeast. The site is served by the San José Police Department. The city is divided into 16 patrol districts that comprise four divisions (i.e., Central, Foothill, Western and Southern). The site is located in the Southern Division. All officers are dispatched from the headquarters building located at 201 West Mission Street.</p> <p>The project would be developed consistent with Policy IP-5.12 in the Envision San José 2040 General Plan and is consistent with the CP zoning designation. As density increases, demand for police and fire services would also increase. The gradual introduction of new residents would require periodic operational and capital improvement choices, increase in demand would in part, be off-set by</p>

		<p>development fees. Such a development pattern would not cause an adverse environmental impact.</p> <p><i>Source List: [a, cc]</i></p>
Parks, Open Space and Recreation	2	<p>The project would not increase demand for recreational facilities such that existing facilities would be adversely affected. Camden Community Center which provides recreational amenities, is located approximately 0.5 southeast of the site. Edith Morely Park is located approximately 0.82 miles northwest; Houge Park is located 0.76 miles to the south and Doerr Park is located 1.3 miles east of the site. The existing parks are not within a walkable distance of ¼ quarter mile. The project will provide indoor/outdoor common areas. No play areas or informal recreation areas will be provided. The project would not require the construction/expansion of new off-site recreational facilities. The project will be required to pay development impact fees to assist with funding improvements to existing park resources.</p> <p><i>Source List: [a, h, o]</i></p>
Transportation and Accessibility	2	<p>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 and support continued shared access with the adjacent property. 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. Route 61 (Sierra Piedmont/Good Samaritan Hospital) serves the project site and provides service connections to the Berryessa Transit Center and multiple transit routes and modes. Passengers can transfer to Route 25 at San Jose City College to access the Valley Transportation Authority Greenline Trolley via the Bascom Station. The Hamilton Station is located along Hamilton Avenue approximately 0.25 mile west of the South Bascom Avenue intersection and 1.9 miles north of the site. The Bascom Station is located at 2022 Southwest Expressway approximately 2.3 miles north of the site.</p>

	<p>Pedestrian and bicycle access is also provided along South Bascom Avenue though no marked bicycle lanes are currently provided.</p> <p>This project is being reviewed under State Law, Assembly Bill 2162 (AB 2162). In conformance with AB 2162, this project meets the requirement for ministerial exemption from a transportation analysis under the California Environmental Quality Act. However, projects would be held to objective standards and policies reviewed by the City of San José’s Department of Public Works and Department of Transportation that apply to other similar land use developments within the same zone, such as safety standards, trip generation, and trip assignments. Specific transportation standards the project would be held to include, but may not be limited to: San José Complete Streets Design Standards and Guidelines, San José Municipal Code, Envision San José 2040 General Plan, American Association of State Highway and Transportation Officials (AASHTO), California Manual on Uniform Traffic Control Devices (CA MUTCD), Caltrans Highway Capacity Manual, VTA Transportation Impact Analysis Guidelines, VTA Traffic Level of Service Analysis Guidelines, Institute of Transportation Engineers (ITE) Trip Generation Manual, and ITE Trip Generation Handbook. Based on the location and project scope, the project would not adversely affect transportation or accessibility.</p> <p><i>Source List: [a, e, q, r]</i></p>
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Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The proposed project site is located within an urbanized area of 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 vacant two-story commercial building. No impacts to unique natural features or water resources would occur.

		Source List: [a, y, aa]
Vegetation, Wildlife	2	<p>The project area is urbanized; thus, there are no sensitive plants or animal species, habitats, or wildlife migration corridors in the area, or on-site. The plant species appear to be ornamental. The only wildlife species known to occur in the area are common birds. A total of 12 trees are located on-site and all would be removed as part of the project. According to the Arborist Report (October 2020) (Appendix C), of the total, four Coast Redwood (<i>sequoia semprevirens</i>) trees and two Coast Live Oak (<i>Quercus agrifolia</i>) trees are native. The remaining trees are non-native ornamental species and include one orchard tree. A total of 49 trees (or 25 24-inch box trees) would be planted on-site as part of the landscaping to replace the trees removed.</p> <p>The project applicant would adhere to tree removal requirements outlined in Chapter 13.32 of the Municipal Code, the Site Development Permit, the City of San José Tree Policy Manual and Recommended Best Practices (September 26, 2013), and the City's tree replacement standard permit conditions, as provided in Mitigation Measure BIO-4. Ornamental trees and shrubs would be selected and planted consistent with applicable local codes and standards as well as best practices addressed in Chapter 4 of the above-referenced manual.</p> <p>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 April 9, 2020. The site is not identified as critical habitat for vegetation or wildlife; however, it is within the Habitat Plan Permit Area. No impact to designated critical habitats would occur. Because the site is within the Permit Area, a fee would be required per the 2013 Santa Clara Valley Habitat Plan/Natural Community Conservation Plan, such as the Nitrogen Deposition Fee.</p> <p>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 on properties adjacent to the site. Because potential habitat is present within the proposed area of</p>

		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, BIO-3 and BIO-4, impacts to migratory birds would be reduced to less than significant. <i>Source List: [a, e, y, aa]</i>
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, October 2020 (Appendix A)

Phase I Environmental Site Assessment, 3090 Bascom Avenue, San Jose, California, Advantage Environmental Consultants, June 2019 (Appendix B)

Tree Assessment (Arborist Report), 3090 South Bascom Avenue, Traverso Tree, October 2020 (Appendix C).

Cultural Resource Technical Study for 3090 Bascom Avenue, Rincon Consultants, Inc., October 2020 (Appendix D)

HUD DNL Calculator Worksheets (Appendix E)

Geotechnical Engineering Study, Residential Building at 3090 Bascom Avenue, Rockridge Geotechnical, Inc., September 2019 (Appendix F)

Field Inspection (Date and completed by): Existing site conditions were determined based on review of Google Earth images, the Phase I Environmental Site Assessment (June 2019) and the pedestrian survey conducted for the Cultural Resources Technical Study (April 2020) 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 2019.
- b. San José International Airport Comprehensive Land Use Plan, amended November 16, 2016. <https://www.flysanjose.com/noise/noise-reports>
- c. BKF Engineers, Inc., Stormwater Design Sheet, April 2020.

- d. Advantage Environmental Consultants, 3090 South Bascom Avenue Phase I ESA, San Jose, California, June 2019.
- e. City of San José Enhanced Preliminary Review (File No. PRE19-200), February 2020
- f. Bay Area Air Quality Management District, California Environmental Quality Act, Air Quality Guidelines, May 2017. https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en
- g. Bolt, Beranek & Newman, Noise Control for Buildings and Manufacturing Plants, 1987.
- h. California Emissions Estimator Model (CalEEMod), 2016.3.2.
- i. California Environmental Protection Agency (CalEPA) and Department of Toxic Substances Control. EnviroStor database. <http://www.envirostor.dtsc.ca.gov/public/> accessed April 2020.
- j. 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 2020.
- k. California Department of Forestry and Fire Protection, Santa Clara County Fire Hazard Severity Map, October 2008.
- l. California Department of Transportation Noise, Vibration, and Hazardous Materials Office. 2004. Transportation and Construction Induced Vibration Guidance Manual (Prepared by Jones and Stokes).
- m. California Department of Transportation's *Transportation-Related Earthborne Vibration*, Technical Advisory, Vibration TAV-02-01-R9601, September 2018.
- n. California State Department of Water Resources, Water Resources Control Board, GeoTracker website, http://www.waterboards.ca.gov/gama/geotracker_gama.shtml, accessed March 2020.
- o. City of San José, Envision San José 2040 General Plan, adopted November 1, 2011. <https://www.sanjoseca.gov/your-government/departments/planning-building-code-enforcement/planning-division/citywide-planning/envision-san-jos-2040-general-plan>
- p. City of San José, Envision San José 2040 General Plan Draft EIR, June 17, 2011. <https://www.sanjoseca.gov/your-government/departments/public-works/resources/traffic-control-manual>

- q. Institute of Transportation Engineers, 10th Edition Trip Generation Rate Manual (2017)
- r. City of San José, Traffic Impact Analysis Handbook, April 2018.
<https://www.sanjoseca.gov/your-government/departments/public-works/development-services/transportation-analysis-reports>
- s. Federal Emergency Management Agency, Flood Insurance Rate Map No. 06085C0239H, May 2009
- t. Federal Transit Administration's (FTA's) *Transit Noise and Vibration Impact Assessment*, May 2018.
- u. Housing and Urban Development DNL Calculator, accessed April 2020.
- v. National Park Service Wild and Scenic Rivers Program, ,
<https://www.nps.gov/orgs/1912/plan-your-visit.htm>, accessed April 2020
- w. Rincon Consultants, Inc., *Cultural Resources Technical Study for 3090 Bascom Avenue*, October 2020
- x. San José Santa Clara Regional Wastewater Facility website, accessed March 2020.
<https://www.sanjoseca.gov/your-government/environment/water-utilities/regional-wastewater-facility>
- y. Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan, 2013. Geobrowser tool accessed March 2019. <http://www.hcpmaps.com/habitat/>.
- z. US Environmental Protection Agency, Sole Source Aquifer website accessed March 2020,
<https://archive.epa.gov/region9/water/archive/web/html/ssa.html>.
- aa. US Fish and Wildlife Service wetland mapper website accessed March 2020,
<https://www.fws.gov/wetlands/data/mapper.html>.
- bb. City of San José 2014-2023 Housing Element, January 27, 2015,
<https://www.sanjoseca.gov/home/showdocument?id=16025>, accessed October, 2020
- cc. Federal Emergency Management Agency, *Unmapped Areas on Flood Hazard Maps, Understanding Zone D*, August 2011
- dd. San José-Santa Clara Regional Wastewater, April 25, 2016
<https://www.sanjoseca.gov/home/showdocument?id=32061>
- ee. City of San José, Norman Y. Mineta San José International Airport, Ryan Sheelan and Cary Greene, July 2020.

ff. City of San José, Envision San José 2040 General Plan Update Traffic Impact Analysis, October 2016. <https://www.sanjoseca.gov/home/showdocument?id=22021>

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

- Site Development Permit

Public Outreach [24 CFR 50.23 & 58.43]: The applicant held a Community Meeting on May 27, 2020, July 21, 2020 and August 19, 2020. 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 Cultural Resources Technical Study.

Cumulative Impact Analysis [24 CFR 58.32]: The proposed project site is designated Neighborhood/Community Commercial (NCC) in the General Plan and zoned Commercial Pedestrian (CP). Residential uses are inconsistent with the NCC designation; however, General Plan Policy IP-5.12 provides criteria that if met, allows 100% affordable, residential mixed-use projects to proceed without a General Plan Amendment. As discussed herein, the project would meet the criterion associated with Policy IP-5.12. The proposed project would provide housing for an underserved element of the population as well as 1,100 square feet of ground floor commercial office space. This would meet the mixed use residential/commercial requirement per the CP Zoning District provided a Site Development Permit is approved. The commercial office element would complement the residential element.

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 designated NCC in the General Plan and within the CP Zoning District.

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 CP zoning and NCC land use designation. While other projects developed in proximity to the proposed project would include planning adjustments for live tree removals and related on-site improvements, , mitigation required for individual projects 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 occur.

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 3090 South Bascom Avenue Family Housing project would be a 79-unit affordable, mixed-income housing development serving the Cambrian neighborhood of Southwest San José. Of the 79 total units 77 would be affordable. The remaining two units would be reserved for on-site managers. The project would be located at 3090 South Bascom Avenue (between Camden Avenue and Foxworthy Avenue). The project applicant would demolish an existing vacant two-story 11,811 square foot commercial building and construct a five-story Type III-A wood frame mixed-use building over a 16,000 square-foot, single level below-grade Type 1A concrete parking garage. The main street frontage along South Bascom Avenue would provide 619 square feet of commercial office space. A separate residential entry would be constructed just east of the commercial entrance. The entrance would include a 24-hour security desk, resident mailboxes, elevators, and stair access to the upper floors.

A total of 43 (i.e., 34 residential and 9 commercial) parking spaces would be provided within the garage. Of the total, 24 residential spaces would be capable of accommodating electric vehicle (EV) charging, 7 would be wired and 4 would be installed. Of the 9 commercial spaces, 4 would be EV capable and one would be installed. A total of 3 commercial and 16 residential motorcycle parking spaces would be provided. A total of 79 residential bicycle parking spaces would be provided. The commercial area would have 2 short-term and 1 long-term bicycle parking spaces. Other amenities would include community gathering spaces and on-site storage.

The project site is generally flat and is not subject to unusual geological hazards. The project site is located within Flood Zone D (Zone D as an area of possible but undetermined flood hazards because no flood analysis has been conducted). It is outside the designated 100-year and 500-year flood hazards area; and thus, would not be subject to known substantial flood hazards. No significant air quality impacts would occur.

As referenced in the Cultural Resource Technical Study (Appendix D), no historic resources are known to be present on-site or within a 200-foot radius. Archaeological monitoring is not recommended during excavation and site preparation activities. Mitigation measures CUL-1, CUL-2 and CUL-3 would be implemented if needed 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 and in proximity to 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. In conformance with AB 2162, this project meets the requirement for ministerial exemption from a transportation analysis under the California Environmental Quality Act. 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 for National Environmental Policy Act compliance.
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Mitigation Measure BIO-1. If possible, construction shall be scheduled between August 16 and January 31 (inclusive) 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 on-site and within 250 feet of the site. Between February 1 and April 30 (inclusive), 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 15 (inclusive), pre-</p>

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 50-100 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.

BIO-4 As a standard permit condition, trees removed onsite would be replaced according to ratios required by the City, indicated in the Arborist Report, Appendix C and shown in the table below. Further, the project would be subject to local tree protection measures.

Tree Replacement Ratios				
Circumference of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree
	Native	Non-Native	Orchard	
38 inches or more	5:1	4:1	3:1	15-gallon

19 up to 38 inches	3:1	2:1	none	15-gallon
Less than 19 inches	1:1	1:1	none	15-gallon

x:x = tree replacement to tree loss ratio
 Note: Trees greater than or equal to 38-inch circumference shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees. For Multi-Family residential, Commercial and Industrial properties, a permit is required for removal of trees of any size.
 A 38-inch tree equals 12.1 inches in diameter.
 A 24-inch box tree = two 15-gallon trees
 Single Family and Two-dwelling properties may be mitigated at a 1:1 ratio.

- Since (all) 12 trees onsite would be removed, 5 trees would be replaced at a 5:1 ratio, 4 trees would be replaced at a 4:1 ratio, 2 trees would be replaced at a 3:1 ratio and the remaining tree would be replaced at a 2:1 ratio. As mentioned previously, there are 6 native trees on-site. The total number of replacement trees required to be planted would be 49. The species of trees to be planted would be determined in consultation with the City Arborist and the Department of Planning, Building and Code Enforcement.
- In the event the project site does not have sufficient area to accommodate the required tree mitigation, one or more of the following measures will be implemented, to the satisfaction of the Director of Planning, Building and Code Enforcement, at the development permit stage:
 - The size of a 15-gallon replacement tree may be increased to 24-inch box and count as two replacement trees to be planted on the project site, at the development permit stage.
 - Pay Off-Site Tree Replacement Fee(s) to the City, prior to the issuance of Public Works grading permit(s), in accordance to the City Council approved Fee Resolution. The City will use the off-site tree replacement fee(s) to plant trees at alternative sites.

RESPONSIBLE MONITORING STAFF:

	<p>The report shall be submitted to the Director of PBCE or the Director's designee.</p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Mitigation Measure HAZ-1: Asbestos and Lead-Based Paint</p> <ul style="list-style-type: none"> i. In conformance with State and local laws, a visual inspection/pre-demolition survey, and possible sampling, shall be conducted prior to the demolition of on-site building(s) to determine the presence of asbestos-containing materials (ACMs) and/or lead-based paint (LBP). ii. During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Title 8, California Code of Regulations (CCR), Section 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the type of lead being disposed. iii. All potentially friable asbestos containing materials (ACMs) shall be removed in accordance with National Emission Standards for Air Pollution (NESHAP) guidelines prior to demolition or renovation activities that may disturb ACMs. All demolition activities shall be undertaken in accordance with Cal/OSHA standards contained in Title 8, CCR, Section 1529, to protect workers from asbestos exposure. iv. A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site in accordance with the standards stated above. v. Materials containing more than one-percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations. Removal of materials containing more than one-percent asbestos shall be completed in accordance with BAAQMD requirements and notifications. vi. Based on Cal/OSHA rules and regulations, the following conditions are required to limit impacts to construction workers. <ul style="list-style-type: none"> 1) Prior to commencement of demolition activities, a building survey, including sampling and

	<p>testing, shall be completed to identify and quantify building materials containing lead-based paint.</p> <ol style="list-style-type: none"> 2) During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR, Section 1532.1, including employee training, employee air monitoring and dust control. 3) Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the type of waste being disposed. <p>RESPONSIBLE MONITORING STAFF: The report shall be submitted to the Director of Planning, Building and Code Enforcement (PBCE) or the Director’s designee.</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Mitigation Measure CUL-1: Subsurface Cultural Resources.</p> <p>On the first day of ground disturbance, a retained qualified archaeologist will provide a brief explanation of the potential to find archaeological resources during construction and the steps that will be taken in the event of a find.</p> <p>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 be retained to 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</p>

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.

	<p>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</p> <p>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.</p> <p>Mitigation Measure CUL-3: Paleontological Resources. If vertebrate fossils are discovered during construction, all work on the site shall stop immediately, Director of Planning or Director’s designee of the Department of Planning, Building and Code Enforcement (PBCE) shall be notified, and a qualified professional paleontologist shall assess the nature and importance of the find and recommend appropriate treatment. Treatment may include, but is not limited to, preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds. The project applicant shall be responsible for implementing the recommendations of the qualified paleontologist. A report of all findings shall be submitted to the Director of Planning or Director’s designee of the PBCE.</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Mitigation Measure NOI-1: Construction Noise. Noise minimization measures include, but are not limited to, the following City standard permit conditions:</p> <p>i. Limit construction hours to between 7:00 a.m. and 7:00 p.m., Monday through Friday, unless permission is granted with a development permit or other planning approval. No construction activities are permitted on the weekends at sites within 500 feet of a residence.</p>

	<ul style="list-style-type: none">ii. Construct solid plywood fences around ground level construction sites adjacent to operational businesses, residences, or other noise-sensitive land uses.iii. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.iv. Prohibit unnecessary idling of internal combustion engines.v. Locate stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses.vi. Utilize “quiet” air compressors and other stationary noise sources where technology exists.vii. Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site.viii. Notify all adjacent business, residences, and other noise-sensitive land uses of the construction schedule, in writing, and provide a written schedule of “noisy” construction activities to the adjacent land uses and nearby residences.ix. If complaints are received or excessive noise levels cannot be reduced using the measures above, erect a temporary noise control blanket barrier along surrounding building facades that face the construction sites.x. Designate a “disturbance coordinator” who shall be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem.xi. Limit construction to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific “construction noise mitigation plan” and a finding by the Director of Planning, Building and Code Enforcement that the construction noise
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	<p>mitigation plan is adequate to prevent noise disturbance of affected residential uses.</p>
<p>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</p>	<p>Mitigation Measure GEO-1: Geology/Soils. Measures to minimize or avoid impacts related to geology/soils include, but are not limited to, the following City standard permit conditions:</p> <ul style="list-style-type: none"> a. To avoid or minimize potential damage from seismic shaking, the project shall be constructed using standard engineering and seismic safety design techniques. Building design and construction at the site shall be completed in conformance with the recommendations of an approved geotechnical investigation. The report shall be reviewed and approved by the City of San José Department of Public Works as part of the building permit review and issuance process. The buildings shall meet the requirements of applicable Building and Fire Codes as adopted or updated by the City. The project shall be designed to withstand soil hazards identified on the site and the project shall be designed to reduce the risk to life or property on site and off site to the extent feasible and in compliance with the Building Code. b. All excavation and grading work shall be scheduled in dry weather months or construction sites shall be weatherized. c. Stockpiles and excavated soils shall be covered with secured tarps or plastic sheeting. d. Ditches shall be installed to divert runoff around excavations and graded areas if necessary. e. The project shall be constructed in accordance with the standard engineering practices in the California Building Code, as adopted by the City of San José. A grading permit from the San José Department of Public Works shall be obtained prior to the issuance of a Public Works clearance.

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: April 19, 2021

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

Certifying Officer Signature: _____ Date: _____

Name/Title: Chu Chang, Acting 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).