

**NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

October 13, 2022

City of San José
200 E. Santa Clara Street
San José, CA 95113
408-535-6872

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of San José related to the 1860 Alum Rock Affordable Housing Project (Planning File No. CP20-017).

REQUEST FOR RELEASE OF FUNDS

On or about November 2, 2022 the City of San José will submit a request to HUD for the release of funds under Section 8 of the Housing Act of 1937 of 1990, as amended, to undertake the project described below.

Charities Housing proposes to construct a new 100% affordable housing project at 1860 Alum Rock Avenue, San José, Santa Clara County, California 95128 (APN 481-18-064). The total estimated project cost is \$58,860,438. The Santa Clara County Housing Authority (SCCHA) will be providing assistance to the project in the form of Section 8 Project Based Vouchers (PBVs) for 26 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 \$21,063,120 (\$1,053,156 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 0.66-acre project site (Santa Clara County Assessor's Parcel Number 481-18-064) is located at 1860 Alum Rock Avenue and 70 Kentucky Place, south of Alum Rock Avenue (also known as State Route 130), in the City of San José, California.

The 1860 Alum Rock Affordable Housing Project (project) would involve the demolition of two existing one-story commercial buildings (totaling 5,686 square feet) with surface parking and the subsequent construction of a mixed-use, 100 percent affordable multifamily development consisting of one, five-story building with four stories of residential apartment units above a ground floor

containing commercial spaces, residential common areas, utility spaces, and enclosed parking. The project would have a maximum height of 60 feet, with 60 units and associated amenities including residential common areas, laundry areas, and a bike storage room. There would be 42 parking spaces on-site with seven spaces designated for commercial use and 28 spaces designated for residential use. The commercial uses on the first floor would include a conference room, office space, commercial tenant kitchen, and lobby. The residential first floor frontage would include an entry lobby, a trash room, meeting room, communal kitchen, and residential community Open space would be included on the first floor and on the second floor, in the form of a community plaza.

Of the proposed 60 units, 10 would be studios, 19 would be one-bedroom units, 15 would be two-bedroom units, and 15 would be three-bedroom units. Included in the 60 units is one manager's unit. Except for the manager's unit, all of the residential units would be affordable.

FINDING OF NO SIGNIFICANT IMPACT

The City of San José has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) available online at www.sanjoseca.gov/NEPAREviewDocuments. To review hard copies of the documents, please contact Reema Mahamood at reema.mahamood@sanjoseca.gov or at 408-535-6872.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to Reema Mahamood, City of San José, Department of Planning, Building and Code Enforcement, T-3, 200 E. Santa Clara Street, San José, CA 95113, or via email at reema.mahamood@sanjoseca.gov. All comments received by **5:00 p.m. October 31, 2022** will be considered by the City of San José prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of fund and the City of San José certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of San José; (b) the City of San José has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Department of Housing and Urban Development, Office of Public Housing, and sent to

the following email address RROFSFRO@hud.gov and todd.r.greene@hud.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.

ENVIRONMENTAL CERTIFICATION

The City of San José certifies to HUD that Christopher Burton in his capacity as Director of Planning, Building and Code Enforcement for the City of San José consents to accept the jurisdiction of the federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD’s approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the name of grant recipient to use Program funds.



Christopher Burton, Director
Planning, Building and Code Enforcement
City of San José

10/11/2022

Date